

**REGULAR COUNCIL #33-2007**

Monday, September 10, 2007
Meeting called to order at 7:30 p.m.
City Hall - 360 Pitt Street, Cornwall

PRESENT: Mayor Bob Kilger
Councillor Mark MacDonald
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

ADMINISTRATION: Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gélinas, City Clerk
Manon Poirier, Acting Deputy Clerk
David Dick, General Manager Financial and Social Services
Stephen Alexander, General Manager, Department of Planning, Parks and Recreation
Mark Boileau, Manager, Economic Development
Robert Menagh, Manager, Human Resources
Debora Daigle, Manager, Social and Housing Services
Normand P. Levac, General Manager, Infrastructure and Municipal Works
Christine Lefebvre, Supervisor, Recreation Services

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

INVOCATION Captain Glen Winachowsky
Salvation Army

NATIONAL ANTHEM Assembly

ADDITIONS / CORRECTIONS / DELETIONS - None

DISCLOSURE OF INTEREST - None

COMMITTEE OF THE WHOLE

Moved by Councillors Bernadette Clément and André Rivette that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 132-2007 to 140-2007 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Monday, September 10, 2007, be approved.

Motion Carried

GENERAL CONSENT

Prior to the Adoption of the Minutes, Mayor Bob Kilger addressed Council members in an attempt to clarify a statement made by Councillor André Rivette at the last Regular Meeting of Council of August 13, 2007, and which the Chair views as unacceptable. Councillor André Rivette, once recognized by Mayor Kilger, advised that he would withdraw the statement in question made at the last meeting of August 13, 2007. Mayor Bob Kilger thanked Councillor Andre Rivette for this action.

ADOPTION OF MINUTES

The Minutes of the Special Council Meeting #31-2007 and Regular Council Meeting #32-2007, both of Monday, August 13, 2007, were presented for adoption. There being no corrections noted, the Minutes stand approved.

PRESENTATIONS

1. Cornwall River Rats

Cornwall River Rats are the 2007 Junior League Ontario Champions and Canadian Bronze Medalists at Canadian Junior Baseball Championships.

The following Team Players and Coaches were introduced and were invited to sign the Golden Book.

James Amelotte
Leo MacLean
Ryan Daigle
Josh Filion

Nickolas Megenhardt
Dylan Prendergast
Nick Saucier

Nolan St. Denis
Scott Smith
Sean Hickey
Aaron Seguin

Coach, Marc St. Denis and both Assistant Coaches, Al Daigle and Chris Séguin.

2. Clean Water Act and Drinking Water Source Protection

Daniel Allaire, Communication Specialist, and Phil Barnes, Project Manager, presented an overview of the Clean Water Act, which is designed to protect municipal drinking water at its source. The Clean Water Act requires each Source Protection Region to create a Source Protection Committee which is multi-stakeholder group charged with developing plans to protect our drinking water at its source using local knowledge and expertise.

Mr. Allaire spoke about a Source Protection Plan and its regulations. Mr. Allaire also spoke about the Source Protection Committee make-up, the Committee's Chair, Claude Cousineau and the time line of the project. The Water Quality Risk Assessment steps were reviewed as was the Source Water Protection Region, engineer drawings, site visits, historical flow analysis river depth, velocity analysis, flow streamlines, etc...

In conclusion Mr. Barnes indicated that the scoring had been completed and the that results show that it will be very unlikely to find significant drinking water risks to Cornwall's water supply.

DELEGATIONS - None

BY-LAWS

- 132-2007 A By-law to ratify the renewal agreement reached between the City's and CUPE's negotiating teams for CUPE Local 234 for the period of April 1, 2007, to March 31, 2010;
- 133-2007 A By-law to close and stop up and to convey Part of the Lane on Plan 16, City of Cornwall, County of Stormont, now designated as Reference Plan 52R-2143 (22 William Street);
- 134-2007 A By-law to authorize the closing of Amelia Street between Fourth and Fifth Streets for work by Union Gas on the South Side of Fifth Street;
- 135-2007 A By-law to assume municipal services constructed under the terms of Subdivision Agreement for Pieria Court Subdivision (now Robin Court) under Registered Plan 415;
- 136-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Funding Agreement for the Asset Management Program Project with the Ministry of Agriculture, Food and Rural Affairs through the COMRIF Program (File 18049);
- 137-2007 A By-law to release the Option to repurchase as contained in Instrument No. 121782 over Part of Lot A, Concession 1, City of Cornwall, County of Stormont, now designated as Part 1 on Reference Plan 52R-958;
- 138-2007 A By-law to authorize the closing of Tollgate Road between Brookdale Avenue and Pitt Street to allow work by C.N.Railway at Tollgate Railway Crossing;

Monday, September 10, 2007

- 139-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Lease Agreement with Glen Fine Foods for the operation of the concession and vending at the Si Miller Arena for a one year period; and
- 140-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Rural Economic Development Program Agreement with the Minister of Agriculture, Food and Rural Affairs for funding geared towards community improvement policies.

CONSENT

1. Proclamation

That Council proclaim the week of September 15 to 22, 2007, as "Legion Week" in the City of Cornwall pursuant to Report CL #32-2007 prepared by Denise Labelle-Gélinas, CMO, City Clerk, under date of August 22, 2007.

2. Staff Replacement - By-law Enforcement Officer

That Council authorize staff to proceed in filling the vacant position of By-law Enforcement Officer, General By-laws and Animal Control's position pursuant to Report PPR #19-2007 prepared by Barry Coleman, CBCO, CPSI, Chief Building Official and By-law Enforcement Supervisor under date of August 21, 2007.

3. Kids, Cops and Fishing Event

That Council authorize an exception to the City's By-law 070-1987, being a By-law prohibiting fishing at Marina 200, in order to allow and support members of the Cornwall Community Police Service to donate their time and efforts to host a Kids, Cops and Fishing event, for underprivileged youths, on September 22, 2007 between the hours of 9:00 a.m. to 1:00 p.m.

4. Staff Replacement - Skilled Labourer

That Council authorize the hiring of a Skilled Labourer, within the Municipal Works Division pursuant to Report IMW #24-2007 prepared by Conrad Miller, Division Manager, Municipal Works, under date of August 28, 2007.

5. Staff Replacement - Machine Operator II

That Council authorize the hiring of a Machine Operator II, Municipal Works Division pursuant to Report IMW #27-2007 prepared by Conrad Miller, Division Manager, Municipal Works, under date of September 4, 2007.

ADOPTION OF GENERAL CONSENT

Moved by Councillors Glen Grant and Elaine MacDonald 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

16-2007 Amendments to the Noise By-law 079-1996

Moved by Councillors Kim Baird and Bernadette Clément

WHEREAS the current Noise By-law 079-1996, Section 3 "Prohibitions by Time and Place", subsection 3-1:4 restricts the operation of any electric device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers and intended for production, reproduction and amplification of twenty-four hours per day; and

WHEREAS this prohibits the citizens of Cornwall, of all ages, especially our youth, the opportunity to engage in instrumental music for personal enjoyment or professional well being.

NOW THEREFORE BE IT RESOLVED THAT that Noise By-law 079-1996, Section 3, subsection 3-1:4 be amended to read "prohibited only between the hours of 9:00 p.m. and 9:00 a.m."

It was then moved by Councillors Kim Baird and Denis Thibault that the Main Motion be amended and that this matter be referred to Administration for Report in order to obtain information regarding suitable sites for musicians to play and in order to review and recommended changes to the said By-law.

Motion to Amend Defeated

Main Motion Defeated

Musical Venues

It was then moved by Councillors Denis Carr and Kim Baird that Administration be directed to investigate the availability of venues that would be suitable for area musicians to practice and to develop their skills.

Motion Carried

REPORTS FROM UNFINISHED BUSINESS

1. **Woodlawn Cemetery Grass Cutting Assistance - Follow-Up** (*Item #39-2007 from Unfinished Business Listing*)

Moved by Councillors André Rivette and Bernadette Clément that Council receive Report PPR #20-2007 prepared by Stephen D. Alexander, MCIP, RPP, General Manager, Department of Planning, Parks and Recreation, under date of September 5, 2007, and that the Woodlawn Cemetery request be filed.

Motion Carried

2. **Lamoureux Park Washrooms** (*Item #26-2007 from Unfinished Business Listing*)

Moved by Councillors André Rivette and Glen Grant

- (a) That the site not be pre-serviced in 2007;
- (b) That Council authorize ~~\$150,000~~ **\$346,000** be taken for the Lamoureux Park washroom from the balance remaining of the final CRF payment received in 2005 and that up to \$15,000 be taken from this funding to update the design, cost estimates and conduct preliminary design of a splash pad;
- (c) That funding required to complete this project be included in the 2008 Capital budget submission; and
- (d) That the Waterfront Committee continue discussions with the service clubs for funding partnerships,

pursuant to Report PPR#18-2007 prepared by Stephen D. Alexander, MCIP, RPP, General Manager, Department of Planning, Parks and Recreation, under date of September 6, 2007.

It was then moved by Councillors Bernadette Clément and André Rivette that the Main Motion be amended to authorize the sum of \$346,000 be taken from the final CRF payment received in 2005 rather than the recommended \$150,000.

Motion to Amend Carried

Main Motion Carried as Amended

3. **Drainage - Funding**

Moved by Councillors Denis Carr and Denis Thibault that Council receive Report IMW #25-2007 prepared by Norm Levac, P. Eng., General Manager, Infrastructure and Municipal Works, under date of August 30, 2007, for consideration at the 2008 budget deliberation.

Motion Carried

COMMUNICATION / REPORTS

1. 2008 Budget / Budget Steering Committee *(Item #10-2007 from Unfinished Business Listing)*

Moved by Councillors Guy Léger and Mark Macdonald that, pursuant to Report CAO #12-2007 prepared by Paul W. Fitzpatrick, Chief Administrative Officer, under date of September 4, 2007, Council approve:

- (a) A 2% net expenditure increase by Department for the purpose of preparing the 2008 draft budget.
- (b) The creation of a Budget Steering Committee to work with Administration on the preparation of the 2008 Budget.

It was then moved by Councillors Mark MacDonald and André Rivette to extend an invitation to two members of the business community and two members of the Labour Council to take part in the Budget Steering Committee. This amendment was later withdrawn by Councillors Mark MacDonald and André Rivette.

Item 1(a) - Motion Carried

Item 2(b) - Motion Carried

2. Environmental Issues

Moved by Councillors Denis Carr and André Rivette that Council receive Report CAO #11-2007 prepared by Paul W. Fitzpatrick, Chief Administrative Officer, under date of September 4, 2007 for information purposes.

Motion Carried

It was then moved by Councillors Denis Carr and André Rivette that Council reconfirm its support to the Waste Water Treatment Plant's upgrade to secondary treatment and, secondly, that this work is to proceed as soon as Council has received confirmation that its has received the best possible funding available to undertake this project.

Motion Carried

3. Condition of City Bridges and Structures

Moved by Councillors Denis Carr and Syd Gardiner that Council receive Report IMW #26-2007 prepared by Jean Lemire, Approvals and Construction Engineer under date of August 29, 2007, for information purposes.

Motion Carried

4. Ontario 9-1-1 Advisory Board

Moved by Councillors Glen Grant and André Rivette that Council authorize an expenditure of \$100.00 to the 9-1-1 Ontario Advisory Board for the fiscal years 2007 and 2008 pursuant to Report CL #33-2007 prepared by Denise Labelle-Gélinas, CMO, City Clerk, under date of August 29, 2007.

Motion Carried

5. Tax Write-offs/Adjustments

Moved by Councillors Guy Léger and Kim Baird that Council authorize tax write-offs and vacancies under Sections 357 and 364 of the Municipal Act, 2001, pursuant to Report FI #27-2007 prepared by David Dick, C.A., General Manager, Department of Financial Services, under date of September 4, 2007.

Motion Carried

6. Meadowvale Park / Home Depot

Moved by Councillors Denis Carr and André Rivette that Council receive Report PPR #14-2007 prepared by Christine Lefebvre, Supervisor, Recreation Services, under date of August 23, 2007, for information purposes and direct staff to coordinate with Home Depot as necessary.

Motion Carried

7. Marina 200 Reinvestment *(Item #31-2007 from Unfinished Business Listing)*

Moved by Councillors Glen Grant and Syd Gardiner that Council receive Report PPR #21-2007 prepared by Stephen D. Alexander, MCIP, RPP, General Manager, Department of Planning, Parks and Recreation, under date of September 6, 2007, and that Staff continue to raise the issue with Federal officials in future discussions.

Motion Carried

8. Funding for Waterfront Plan *(Item #27-2007 from Unfinished Business Listing)*

Moved by Councillors Denis Carr and Guy Léger that Council receive Report PPR #22-07 prepared by Stephen D. Alexander, MCIP, RPP, General Manager, Department of Planning, Parks and Recreation, under date of September 6, 2007, for information purposes.

Motion Carried

TENDERS AND REQUESTS FOR PROPOSAL

1. Tender 07-T43 - Repairs to EMS Building

Moved by Councillors André Rivette and Glen Grant that Tender 07-T43 be awarded to Porter's Historical Restorations Inc., Cornwall, Ontario, at the total bid price of \$11,389.71 (net cost to the Corporation - \$10,745.00) being the best bid meeting the tender specifications pursuant to Report PU #61-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of August 16, 2007.

Motion Carried

2. Request for Proposal 07-R17 - Bob Turner Repairs

Moved by Councillors Denis Thibault and Kim Baird that RFP 07-R17 be awarded to Dale Coleman, Avonmore, Ontario, being the best bid meeting the specifications pursuant to Report PU #63-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of August 29, 2007.

Motion Carried

3. Request for Proposal 07-R12 - Employee Benefit Consultant

Moved by Councillors Denis Carr and Mark MacDonald that RFP 07-R12 be awarded for a three-year period and with the option for an additional two years based upon satisfactory performance to Mosey & Mosey, Mississauga, Ontario, being the consultant providing full required service at the best price meeting the needs of the Corporation pursuant to Report #62-2007 prepared by Purchasing Agent under date of August 29, 2007.

Motion Carried

It was then moved by Councillors Denis Carr and Mark MacDonald that Administration be directed to go to the market in order to obtain the best rate possible with respect to coverage on premiums charged for the City's group benefit plan.

Motion Carried

NEW BUSINESS

1. St. Lawrence College

Moved by Councillors Denis Carr and Denis Thibault

WHEREAS St. Lawrence College is a very important resource asset to the community; and

WHEREAS there have been major changes in the administrative structure at the Cornwall Campus ;

NOW THEREFORE BE IT RESOLVED THAT Council arrange a meeting as soon as possible to the new Dean of the Cornwall Campus to confirm its support for the college in its community.

Motion Carried

2. Dog with Handler for Goose Control

Moved by Councillors Elaine MacDonald and Denis Carr

WHEREAS the Pride Festival of September 1, the Labour Day Picnic of September 3 and the Parade of Nations of September 8, highlighted the need for a dog for goose control; and

WHEREAS not only would the dog keep Lamoureux Park clear, it could be a public relations exercise as well; the dog would be a working dog and a popular mascot.

NOW THEREFORE BE IT RESOLVED THAT Council ask Administration to prepare a report on the feasibility of the City of Cornwall acquiring its own goose-chasing dog

Motion Carried

3. Waste Disposal Site

Moved by Councillors Syd Gardiner and Denis Carr

BE IT RESOLVED THAT Administration give direction to the appropriate City Department to plant trees in the two open areas on our scenic Highway #2 to hide the waste disposal site.

Motion Carried

PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors Glen Grant and Bernadette Clément that By-laws 132-2007 to 140-2007 inclusive, listed on the Agenda for third reading be taken as read a third time and finally passed.

Motion Carried

AD HOC COMMITTEES

Future Arenas' Committee

On behalf of the Future Arenas' Committee, Councillor Glen Grant indicated that a Town Hall meeting is scheduled to held at the Civic Complex, Salons A, B and C, on October 1, 2007, 7:00 p.m.

NOTICE OF MOTION

1. Purchasing Policy

Moved by Councillors Mark MacDonald and André Rivette

WHEREAS our Council should do everything legally possible to support and encourage purchases from local business whenever goods, and or services are required.

NOW THEREFORE BE IT RESOLVED THAT, when utilizing a "weighting system" comparing one supplier to another, geography be given prominence during the process, and further that geography be included in the list of weighted item.

2. Council Assistance to Various Organizations

Moved by Councillors André Rivette and Mark MacDonald

WHEREAS, from time to time, there are requests to the City for financial and/or other assistance from various organizations; and

WHEREAS, when Council is asked to consider such requests, it is important that Council have all the information when they are considering any request for financial and/or other assistance;

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to advise all organizations that Council will only consider requests for financial and/or other assistance if their audited Financial Statements are available when the request is made.

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

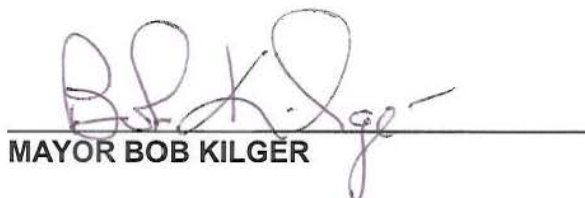
Moved by Councillors Denis Thibault and Guy Léger that By-law 141-2007 being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, September 10, 2007, having been read a first, second and third time be now taken as read and passed.

Motion Carried

ADJOURNMENT

Moved by Councillors André Rivette and Syd Gardiner that the Regular Council Meeting of Monday, September 10, 2007, be adjourned at 9:40 p.m.


DENISE LABELLE-GÉLINAS
CITY CLERK


MAYOR BOB KILGER


MANON POIRIER
RECORDING SECRETARY /
DEPUTY CLERK

