



A city with a world of possibilities  
Un monde de possibilités

## REGULAR COUNCIL #35-2007

Tuesday, October 9, 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  
Manon Poirier, Deputy Clerk  
David Dick, General Manager Financial and Social Services  
Stephen Alexander, General Manager, Planning, Parks and Recreation  
Normand P. Levac, General Manager, Infrastructure and Municipal Works  
Mark Boileau, Manager, Economic Development  
Robert Menagh, Manager, Human Resources  
Debora Daigle, Manager, Social and Housing Services  
Fernand Hamelin, C.E.T., Manager, Special Projects  
Christine Lefebvre, Supervisor, Recreation Services

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

### INVOCATION

Archdeacon Gordon Bryan  
St. Francis de Salles Parish

### NATIONAL ANTHEM

Assembly

## **ADDITIONS / CORRECTIONS / DELETIONS**

Deletion of By-law 156-2007 which By-law is to authorize The Corporation of the City of Cornwall to enter into a Lease Agreement for a ten-year period with St. Lawrence College.

## **DISCLOSURE OF INTEREST**

Councillor Denis Thibault declared a conflict of interest in By-law 153-2007 which By-law is to authorize The Corporation of the City of Cornwall to extend its existing Agreement with Paris Holdings and Leader Sports for the operation of Big Ben Ski Hill for the 2007-2008 season.

## **COMMITTEE OF THE WHOLE**

Moved by Councillors Syd Gardiner and Bernadette Clément that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 147-2007 to 155-2007, 157-2007 and 158-2007 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Tuesday, October 9, 2007, be approved.

**Motion Carried**

## **GENERAL CONSENT**

## **ADOPTION OF MINUTES**

The Minutes of the Regular Council Meeting #34-2007 of Monday, September 24, 2007, were presented for adoption. There being no corrections noted, the Minutes stand approved.

## **PRESENTATIONS**

### **1. Council / Team Cornwall Golf Tournament**

The Council and Team Cornwall Golf Tournament held on September 20, 2007, was a great success. Councillor Glen Grant presented Judy Dancause, Executive Director of Centre Agapè Center, with a cheque in the amount of \$15,000 and Gilles Latour, Chair of Team Cornwall, with a cheque in the amount of \$8,000.

### **2. Clean Air Cornwall**

Dr. Jeff Ridal, Chair, Executive Director of St. Lawrence River Institute of Environmental Sciences, presented Council with the 2006/2007 Clean Air Annual Progress Report. Dr. Ridal updated Council on issues such as the City of Cornwall landfill site, the material resource recovery, American Standard, solar car competition, EcoFab Maintenance Ltd., Sensient Flavors Canada Inc., Morbern Inc. and the Cornwall Carbon Reduction initiative.

**DELEGATIONS - None****BY-LAWS**

- 147-2007 A By-law to appoint Members of Council to act from time to time in the place and stead of the Head of Council from December, 2007 to November, 2008, inclusive;
- 148-2007 A By-law to further amend By-law 751-1969, the Zoning By-law as amended of The Corporation of the City of Cornwall, being a By-law respecting the use of land and the use and location of buildings - Training Facility, Meeting and Conference Centre;
- 149-2007 A By-law to further amend By-law 751-1969, the Zoning By-law as amended of The Corporation of the City of Cornwall, being a By-law respecting the use of land and the use and location of buildings - Housekeeping;
- 150-2007 A By-law to authorize The Corporation of the City of Cornwall to purchase land legally described as Part 1 on Reference Plan 52R-6943 and municipally known as 650 Cumberland Street for road widening purposes;
- 151-2007 A By-law to appoint Norm Levac, Manager, Infrastructure and Municipal Works Services, as the Administrative representation for The Corporation of the City of Cornwall under the Clean Water Act and Drinking Water Source Protection Committee;
- 152-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Contract Extension Agreement for a Purchase of Service Contract with the "Centre de ressources familiales de l'Estrie" to provide child care services at its various recreation programs;
- 153-2007 A By-law to authorize The Corporation of the City of Cornwall to extend its existing Agreement with Paris Holdings and Leader Sports for the operation of Big Ben Ski Hill for the 2007-2008 season;
- 154-2007 A By-law to appoint Karl Doyle as Assistant Deputy Zoning Administrator and By-law Enforcement Officer for The Corporation of the City of Cornwall and to repeal By-law 123-2004;
- 155-2007 A By-law to appoint Kevin Lalonde as Building Inspector for The Corporation of the City of Cornwall;
- 156-2007 ~~A By-law to authorize The Corporation of the City of Cornwall to enter into a Lease Agreement for a ten-year period with St. Lawrence College;~~
- 157-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into an "Affordable Housing Information Management System (AIMS) Software and Database Licence Agreement" with the Ministry of Municipal Affairs and Housing; and
- 158-2007 A By-law to authorize The Corporation of the City of Cornwall to sell land to Domtar Limited legally described in Instrument No. S74225 registered on October 8, 1970.

## CONSENT

### 1. Planning Advisory and Hearing Committee - Nav Canada

- (a) That the property located at 1950 Montreal Road, be rezoned from the existing Residential 10, Residential 20 and Institutional 10 to Institutional 20 (INS 20) as per the application, including building and room limitations;
- (b) That applicable setbacks, lot area, etc., be added to the new zone consistent with the existing Institutional 10 zone; and
- (c) That it be noted that there is a Memorandum of Understanding signed by the Cornwall Hotel Association and Nav Canada,

pursuant to PAC Report #08-2007-1 and Minutes prepared by Stephen Alexander, MCIP, RPP, Secretary, on behalf of the Planning Advisory and Hearing Committee, under date of September 17, 2007.

### 2. Planning Advisory and Hearing Committee - Housekeeping Issues

That the housekeeping items contained in the PAC File Z-06-07 Housekeeping be approved pursuant to PAC Report #08-2007-2 and Minutes prepared by Stephen Alexander, MCIP, RPP, Secretary, on behalf of the Planning Advisory and Hearing Committee, under date of September 17, 2007.

### 3. Planning Advisory and Hearing Committee - Brookgate Draft Plan Approval

That the Draft Plan Approval for O4T-2004-1 be extended for one (1) year until October 1, 2008, pursuant to PAC Report #08-2007-3 and Minutes prepared by Stephen Alexander, MCIP, RPP, Secretary, on behalf of the Planning Advisory and Hearing Committee, under date of September 17, 2007.

### 4. Planning Advisory and Hearing Committee - The Finishing Mill/Dominion Tape

That Brownfields File #BR 02-07, The Finishing Mill / Dominion Tape Property, 710 Cotton Mill Street, be approved pursuant to PAC Report #08-2007-4 and Minutes prepared by Stephen Alexander, MCIP, RPP, Secretary, on behalf of the Planning Advisory and Hearing Committee, under date of September 17, 2007, on condition that the proponents provide all necessary information requested by the CPPEC Committee as follows:

That these outstanding issues be addressed as part of the approved conditions.

- (a) Need to define limits - There is discussion of chimney area contamination and potential hazardous material, but is it documented. What is the limit of this phase? Shows as only 80% of soil contaminants being removed compared to original estimate from TRG work;
- (b) Generic cleaning proposed, but is any Risk Assessment occurring with this project;
- (c) What about ground water contamination;
- (d) Has there been discussion with MOE (see page 9 of Schedule A);

- (e) Can this material be used as cover (i.e. going to landfill);
- (f) Need full Agreement, such as the one proposed with North American, to articulate the details/parameters of such site specific funding (i.e. site specific funding agreement). Also, Pr. 3 subject to Provincial Approval for the Education portion of the Tax Reimbursement;
- (g) Site Plan approval still needed;
- (h) Confirm that building 18 is the Finishing Mill building at 710 Cotton Mill Street (east portion of physical structure);
- (i) Reconfirm excavation/transportation volumes/costs; and
- (j) Status of need for posting of Record of Site Condition must be confirmed with MOE by the applicant and then results demonstrated to City.

#### **5. Planning Advisory and Hearing Committee - Heart of the City Applications**

That the following applications be approved pursuant to PAC Report #08-2007- 5 and Minutes prepared by Stephen Alexander, MCIP, RPP, Secretary, on behalf of the Planning Advisory and Hearing Committee, under date of September 17, 2007:

- (a) #HOTC 15-06 - Frank Zappia/Maria Peloso - 107-109 Pitt Street (Former Dollar Store, now being proposed for a new Italian Food Specialty Restaurant called Moustache Joe's);
- (b) # HOTC 07-07 - John Caritsiotis - 401 Montreal Road - King George Restaurant;
- (c) # HOTC 08-07 - Marc and Christine Champagne - 213-217 Pitt Street - Oasis Spa;
- (d) #HOTC 11-07 - R. & A. Filion Holdings Inc. - 600-604 and 606 Montreal Road - Filion Trophies (formerly Filion Jewellers);
- (e) # HOTC 14-06 - Mitch Abbey/Jennum Development Corporation and Pitt Street Properties - 837 Pitt Street (formerly Giant Tiger building);
- (f) #HOTC 09-07 - Mostafa Elgazzar - 15 Second Street East, Mixed Use Commercial/Residential Redevelopment; and
- (g) # HOTC 10-07 - Mostafa Elgazzar - 17-23 Second Street East, Mixed Use Commercial/Residential Redevelopment.

#### **6. Staff Replacement - Case Manager**

That Council approve the hiring of a Case Manager at Social Services pursuant to Report SHS #28-2007 prepared by Debora Daigle, BA, MPA, Manager, Department of Social and Housing Services, under date of October 2, 2007.

#### **7. Proclamations**

- (a) That Council proclaim the week of October 15 to 21, 2007 as "Waste Reduction Week" in the City of Cornwall; and
  - (b) That Council proclaim the week of October 22 to 28, 2007, as "Safe Crossing Week" in the City of Cornwall,
- pursuant to Report CL #36-2007 prepared by Manon L. Poirier, Deputy Clerk, under date of October 3, 2007.

## **ADOPTION OF GENERAL CONSENT**

Moved by Councillors Glen Grant and Guy Léger 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**

### **19-2007 Brookgate Subdivision**

Moved by Councillors Denis Thibault and Syd Gardiner

**WHEREAS** a request was submitted for a one year Extension to the Draft Plan Approval of Subdivision (Brookgate) for the development of twenty eight (28) single family lots and twenty one (21) semi units along Emma Avenue, with a commercial block. The property is legally described as Part Lots 11 and 12, Concession 2, as is situated at the south east corner of Brookdale Avenue and Tollgate Road.

**NOW THEREFORE BE IT RESOLVED THAT** Council enacts that the Draft Plan 04-T-2004-1 from Cartwave, to subdivide Part Lots 11, and 12, Concession 2, as indicated on a Plan by Julia Meldrum-Smith, O.L.S, dated June 25, 2004, be given draft approval, subject to the satisfaction of staff that conditions contained in Appendix "A" to the Planning Advisory Committee's technical report have been completed, and furthermore, the Mayor and Clerk are hereby authorized to sign the final version of the Registered Plan upon satisfactory completion of the Subdivision Agreement and Draft Plan conditions.

**Motion Carried**

### **20-2007 True Sport Community**

Moved by Councillors André Rivette and Bernadette Clément

**WHEREAS** Statistics Canada figures show that in Canada, 2.2 million children between the ages of 9 and 14, or 54% of children play organized sports outside of school. According to the Nation Alliance of Youth Sports, almost three-quarters drop out by the time they reach ages 13 because "it's not fun anymore". Too much focus on winning and overzealous coaches are among the top reasons that kids quit; and

**WHEREAS** Sports Illustrated for Kids magazine reported that almost three-quarters of 3,000 readers polled had seen out-of-control adults at their games, ranging from parents or coaches yelling at each other, at kids and officials, to violence; and

**WHEREAS** data collected shows that of the three participant groups - players, coaches and spectators - players are the least often cited as the source of poor conduct; and

**WHEREAS** 92% of Canadians believe community-level sport can contribute to developing positive values in youth but fewer than one in five Canadians believe sport is living up to its potential; and

**WHEREAS** True Sport is a national movement committed to the belief that sport makes a powerful and positive contribution to the development of people and communities. True Sport gives expression to the growing desire of Canadians to enjoy a sport experience driven by values. The kind of sport that makes us better; one that promotes fairness, excellence, inclusion and fun; and one that contributes immeasurably to the social fabric of our society; and

**WHEREAS** True Sport has a goal of 2010 True Sport communities by 2010, the year of the Vancouver Olympics; and

**NOW THEREFORE BE IT RESOLVED THAT** the Council of The City of Cornwall show its commitment in promoting behaviours, such as:

- ✓ Playing fair
- ✓ Treating team-mates and competitors with respect
- ✓ Abiding by the rules of the game
- ✓ Playing drug free
- ✓ Penalizing inappropriate behaviour

Which all set an example in the hope that these practices will be employed and enforced by all True Sport athletes, teams, leagues, associations and communities.

**Motion Carried**

## **REPORTS FROM UNFINISHED BUSINESS**

### **1. Relocation of Department of Social and Housing Services**

Report CAO SP #09-2007 prepared by Fernand Hamelin, C.E.T., Manager, Special Projects, under date of October 3, 2007, recommended that the Department of Social and Housing Services not be relocated within a City owned municipal building.

Moved by Councillors Mark MacDonald and Glen Grant that this matter be deferred.

**Motion to Defer Carried**

## **COMMUNICATION / REPORTS**

### **1. Purchase of Service Contract - Centre de ressources familiales de l'Estrie**

Moved by Councillors Guy Léger and André Rivette that Council authorize The Corporation of the City of Cornwall to enter into a Contract Extension Agreement for a Purchase of Service Contract with the "Centre de ressources familiales de l'Estrie" to provide child care services at its various recreation programs by endorsing By-law 152-2007 pursuant to Report SHS #27-2007 prepared by Debora Daigle, BA, MPA, Manager, Department of Social and Housing Services, under date of October 1, 2007.

**Motion Carried**

## 2. Budget Steering Committee

Moved by Councillors Denis Carr and Guy Léger

- (a) That all budget submissions be submitted to the Department of Financial Services for review and collation by the pre-determined date of October 5, 2007;
- (b) That all departmental submissions be forwarded to the CAO and General Manager of Financial Services, who will then meet individually with senior management and their respective Staff to review and where necessary, obtain further information on departmental budget submissions, CAO and General Manager of Financial Services will finalize a budget document and submit same to the budget Steering Committee;
- (c) As required by the Budget Steering Committee, Departments may be called upon to detail their 2008 budget submissions, clarifying all changes in relation to the activities, programs and services undertaken as part of the approved 2007 Budget. All departments will provide detailed commentary on the variances between the 2007 budget and their 2008 budget submissions; and
- (d) Following its review, the Budget Steering Committee will submit a 2008 Budget document to Council for its review,

pursuant to Report BSC #01-2007 prepared by Tracey Bailey, Budget and Cash Coordinator, and Chair, Budget Steering Committee under date of October 2, 2007.

It was then moved by Councillors Denis Thibault and André Rivette that a deadline of November 15, 2007, be added to item (d) above.

**Motion to Amend Carried**  
**Main Motion Carried as Amended**

## Municipal-Provincial Social Housing Fiscal Review

Moved by Councillors Bernadette Clément and André Rivette that the City of Cornwall be put on record through the Association of Municipalities of Ontario (AMO) and through the Social Housing Services Corporation (SHSC) seeking consideration by the Province in their Municipal-Provincial Fiscal Review of these looming province-wide capital deficiencies Social Housing communities. (To ensure that capital requirements be considered during their fiscal review).

**Motion Carried**

## 3. Request for Funds from Social Housing Capital Reserve Fund

Moved by Councillors André Rivette and Glen Grant that Council approve the use of \$170,895 from the Social Housing Capital Reserve Fund to cover the shortfall between the balance available in Cornwall Non Profit Housing Corporation reserves and the cost of completing essential capital repairs this year pursuant to Report SHS #25-2007 prepared by Debora Daigle, BA, MPA, Manager, Department of Social and Housing Services, under date of October 1, 2007.

**Motion Carried**

## 4. Municipal Assessor Position

Moved by Councillors Denis Carr and Guy Léger that Council approve the conversion of the Municipal Assessor contract position to a full time position within the Department of Financial Services pursuant to Report FI #29-2007 prepared by David Dick, C.A., General Manager, Department of Financial Services, under date of September 28, 2007.

**Motion Carried**

## TENDERS AND REQUESTS FOR PROPOSAL

### 1. Request for Proposal 07-R25 - Lease of Office Space

Report PU #67-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of October 2, 2007, recommended that Council authorize The Corporation of the City of Cornwall enter into a Lease Agreement for a ten-year period with St. Lawrence College, Cornwall, Ontario, and that By-law 156-2007 be endorsed.

Moved by Councillors Mark McDonald and Bernadette Clément that this matter be deferred.

**Motion to Defer Carried**

### NEW BUSINESS - None

### PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors André Rivette and Kim Baird that By-laws 147-2007 to 155-2007, 157-2007 and 158-2007 inclusive, listed on the Agenda for third reading be taken as read a third time and finally passed.

**Motion Carried**

### AD HOC COMMITTEES - None

## NOTICE OF MOTION

### 1. Amended Code of Conduct Policy Manual

**WHEREAS** The Council of The Corporation of the City of Cornwall, through it's Corporate Policy Manual approved in October of 2001, endorsed policies as an essential management tool that has set policy standards and guidance to Council, Managers, Supervisors and Staff; and

**WHEREAS** it is necessary that all policies be reviewed, renewed and updated to reflect recent legislative changes within the *Municipal Act 2001*, as amended; and

**WHEREAS** the Corporate Policy Manual has been renamed the "Code of Conduct Policy Manual"; and

**WHEREAS** any changes or deviation to Policy requires a Notice of Motion clearly identifying the intention requested in order to dispel the 2/3's reconsideration requirement under the Procedural By-law.

**NOW THEREFORE BE IT RESOLVED THAT** Council of The Corporation of the City of Cornwall endorse the revised "Code of Conduct Policy Manual"; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the endorsement report be presented through the Regular Meeting of Council at its meeting of October 22, 2007, under the Communications section of the Agenda.

## 2. Use of Tender Savings

**WHEREAS** the Cornwall and SD&G Counties Emergency Medical Services (EMS) have identified approximately \$24,000 in tender savings from lower than expected maintenance and repair costs for the Cornwall station; and

**WHEREAS** the Chief of EMS is requesting that the identified tender savings be applied towards Phase 1 of the consolidation of shift starts, which require that all paramedic staff report to a "single start station" to begin tour of duty, requiring a maximum of 3 vehicles to cover deployment; and

**WHEREAS** it is necessary to provide facility space, minor interior modifications as well as an expansion of the parking area at the Land Ambulance McConnell site; and

**WHEREAS** the current Tender Savings Policy identify that all tender savings are to be applied to asphalt surfacing; and

**WHEREAS** any deviation to Policy requires a Notice of Motion clearly identifying the intention requested in order to dispel the 2/3's reconsideration requirement under the Procedural By-law.

**NOW THEREFORE BE IT RESOLVED THAT** Council consider applying Tender Savings from EMS 2007 projects towards Phase 1 modification project; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the endorsement report be presented through the Regular Meeting of Council at its meeting of October 22, 2007, under the Communications section of the Agenda.

## UNFINISHED BUSINESS LISTING

### CONFIRMING BY-LAW

Moved by Councillors Guy Léger and Glen Grant that By-law 073-2007 being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Tuesday, October 9, 2007, having been read a first, second and third time be now taken as read and passed.


**Motion Carried**

### ADJOURNMENT

Moved by Councillors Denis Thibault and Elaine MacDonald that the Regular Council Meeting of Tuesday, October 9, 2007, be adjourned at 8:25 p.m.



MANON POIRIER  
DEPUTY CITY CLERK



MAYOR BOB KILGER