



Minutes

Cornwall City Council

Meeting ID: 31-2008
Meeting Date: Mon November 10, 2008 07:00 PM
Location: Council Chambers
Chair: Bob Kilger, Mayor
Prepared By: Manon L. Poirier, Deputy Clerk

Attendance Committee Members:

Bob Kilger, Mayor
Denis Thibault, Councillor
Denis Carr, Councillor
Elaine MacDonald, Councillor
Glen Grant, Councillor
Kim Baird, Councillor
Bernadette Clément, Councillor
André Rivette, Councillor
Syd Gardiner, Councillor

Regrets:

Mark MacDonald, Councillor

Attendance Staff:

Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gelinas, City Clerk
Manon L. Poirier, Deputy Clerk
Mark A. Boileau, Manager
Maureen Adams, G.M., Financial Services
Mike Metcalfe, Business Retention Consultant
Norm Levac, G.M., Infrastructure and Municipal Works
Stephen D. Alexander, G.M., Planning, Parks and Recreation
Christine Lefebvre, Supervisor, Recreation Services (arrived at 7:30 p.m.)
Barb Landry, Labour Relations Officer

IN-CAMERA SESSION

An In-Camera meeting was held at 5:00 p.m. to discuss matters that fell under the Municipal Act, 2001, c.23 s.239:

- 2 (a) the security of the property of the municipality or local board;
- 2 (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- 2 (d) labour relations or employee negotiations;
- 2 (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 2 (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (2).
- 3.1 (1) The meeting is held for the purpose of educating or training the members.

ROLL CALL

Mayor Bob Kilger called the meeting to order at 7:00 p.m.

INVOCATION

Father Cyprian Ihedoro - St. Columban's Parish

IN MEMORIAM - COUNCILLOR GUY LEGER

A moment of silence was observed in memory of Councillor Guy Léger who past away on November 4, 2008.

REMEMBRANCE DAY

A further moment of silence was observed in honour of all Canadian Soldiers and of those whose lives were lost in battle.

NATIONAL ANTHEM

Assembly

ADDITIONS, DELETIONS OR AMENDMENTS

All matters listed under General Consent, save and except "Delegations" are considered to be routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation, the Council member shall request that this matter be moved to "Communications" at this time.

None

DISCLOSURE OF INTEREST

There were no disclosures

None

COMMITTEE OF THE WHOLE

That Council go into Committee of the Whole and that all Minutes, Presentations, Delegations, Consent/Correspondence, Resolutions, Reports and By-laws 163-2008 to 171-2008 shall be considered and referred to that Committee.

Motion to approve.

Moved By: André Rivette, Councillor
Seconded By: Glen Grant, Councillor

MOTION CARRIED

GENERAL CONSENT

CONSETEMENT GÉNÉRAL

ADOPTION OF MINUTES

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

1 October 27, 2008 Cornwall City Council Meeting

Click for detail --> 

Motion to endorse the Minutes of Council as presented.


Moved By: Kim Baird, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION CARRIED

PASSING OF THE BY-LAWS - FIRST AND SECOND READINGS

The following By-laws were presented to Council for passing and it was recommended that By-laws 163-2008 to 171-2008 inclusive be read a first time and be considered as read a second time.


163-2008 A Bylaw to enter into a Letter of Understanding with Heart and Stroke Foundation of Ontario (HSFO) for public access to a defibrillator program.

Click for detail --> 


164-2008 A By-law to authorize The Corporation of the City of Cornwall to enter into various Heart of the City (HOTC) Program 2: Building Restoration and Improvement (Loan) Program Funding Agreements and to subsequently register, on title, as applicable, said Agreements as Mortgages and to further provide and administer municipal funds to the identified property owners under the HOTC Initiative (HOTC #11-08 - Army Navy Air Force Veterans of Canada Inc. - 14 Marlborough)

Click for detail --> 

165-2008 A Bylaw to repeal and replace Bylaw 122-2008 being a Bylaw to authorize The Corporation of the City of Cornwall to enter into a Plan of Condominium Agreement with John (Sandy) Cameron with respect to Part of Lots 2 and 3, South Side of Fifth Street, and Part of Lot 3, North Side of Fourth Street in the City of Cornwall.

Click for detail --> 

166-2008 A By-law to exempt from Section 51 of the Planning Act for the proposed conversion of rental apartments to condominium status at 117 Sydney Steet, City of Cornwall, County of Stormont.

Click for detail --> 

167-2008 A Bylaw to enter into a Parking Lot Lease Agreement with Centre D'Apprentissage et de Formation de Cornwall for property located at 123-125 Pitt Street

Click for detail --> 

168-2008 A Bylaw authorizing the expropriated lands on Plan of Expropriation Registered on October 12, 1967 as Instrument no. 60027 be hereby dedicated as Public Highway and named Boundary Road.

Click for detail --> 

169-2008 A By-law to appoint Ralph Crozier as By-law Enforcement Officer for the purpose of enforcing the Parking and Traffic By-law for St. Lawrence College

Click for detail --> 


170-2008 A Bylaw to authorize the Purchase of Land at Eleventh Street and McConnell Avenue from MacEwen Petroleum.

Click for detail --> 

171-2008 A Bylaw to enter into a Digital Data Sharing Agreement with DMTI Spatial Inc

Click for detail --> 

. **Explanation of Purpose and Effect of Bylaw 164-2008, for HOTC Applications approved on October 20, 2008 PAC**

Click for detail --> 

. **Explanatory Note to Bylaw 165-2008 Plan of Condominium on 410 Fifth Street East**

Click for detail --> 

. **Explanatory Note - To exempt from Section 51 of the Planning Act for the proposed conversion of rental apartments to condominium status at 117 Sydney Steet, City of Cornwall, County of Stormont.**

Click for detail --> 

. **Explanatory Note to: Bylaw authorizing the City to enter into Lease Agreement with CAF+ for the 123-125 Pitt St. Parking Lot**

Click for detail --> 

. **Explanatory Note - Bylaw to Authorize the Purchase of Land at Eleventh Street and McConnell Avenue From MacEwen Petroleum**

Click for detail --> 

. **Explanatory Note- Bylaw to Authorize Entering into a Digital Data Sharing Agreement with DMTI Spatial Inc**

Click for detail --> 

CONSENT/CORRESPONDENCE

1 Quorum - Waterfront Committee

Click for detail --> 

Action Recommended

That the Waterfront Committee quorum be set at six (6) members.

2 Resolution on Development Interference with Wetlands and Alterations to Shorelines and Watercourses

Click for detail --> 

Action Recommended

That Council receive this Resolution.

3 Proclamations


Click for detail --> 

Action Recommended

That Council support the following requests:

- (a) That January, 2009 be proclaimed as "Alzheimer Awareness" month in the City of Cornwall and that the Alzheimer Society's flag be flown at 340 Pitt Street during the month of January 2009; and
- (b) That November 20th, 2008 be proclaimed as "National Child Day" in the City of Cornwall.

4 Staff Replacement - Accounting / Box Office Coordinator at Civic Complex

Click for detail --> 

Action Recommended

That Council approve the replacement of the Accounting / Box Office Coordinator position located at the Civic Complex Main Reception Office.

5 Pre-OMB Hearing Mediation Meeting Held September 29, 2008 with Sullivans and Interested Parties - Ontario Municipal Board (OMB) Appeal of Minor Variance File # A 25-08

Click for detail --> 

Action Recommended

(a) The Solicitor for the City obtain a formal written offer from Mr. Sullivan with respect to long term use of the platform;

(b) Upon receipt of such an offer a review be conducted with findings back to PAC/Council with respect to the benefits/constraints of participation and reaction from all Interested Parties; and

(c) Contact the OMB with an update, based on a direction of PAC/Council, vis-à-vis the possible setting of a formal OMB Hearing date in early 2009.

6 PAC - Plan of Condominium for 117 Sydney Street

Click for detail --> 

Action Recommended

That Council endorse the following recommendations put forward by the Planning Advisory and Hearing Committee:

(a) That the Planning Advisory Committee of the City of Cornwall grant conditional approval for exemption from Section 51 of the Planning Act, for the processing of a Plan of Condominium for 117 Sydney Street on lands described as Part of Lot 12, North Side of First Street East, City of Cornwall;

(b) That the application dated September 11, 2008 from Mr. William Lang to convert the 8 residential apartments into condominiums at 117 Sydney Street, be given approval, in principle, subject to the conditions contained in Appendix "A", attached to this technical report; and

(c) That upon final condominium drawings being prepared by an Ontario Land Surveyor and being reviewed and confirmed, final approval be granted to the Plan of Condominium.

**7 Consent to approve Community Planning Programs Evaluation Committee (CPPEC)
Funding Allocations**

Click for detail --> 

Action Recommended

That Council endorse the following recommendations:

(a) File HOTC #11-08 (New) - 14 Marlborough St - Army Navy Air Force Veterans in Canada Inc., applicant

That HOTC #11-08 - 14 Marlborough St request be approved as follows:

Program 2 - Building Restoration and Improvement Program - \$18,000.00

Program 5 - Municipal Planning / Development Fees Grant Program - Actuals

Program 6 - Discretionary Municipal Tipping Fees Grant - Actuals

(b) File HOTC #12-08 (New) - 353 Pitt St - Kortec Automobile Inc., applicant

That HOTC #12-08 - 353 Pitt St. request be approved as follows:

Program 1 - Rehabilitation and Redevelopment Tax Increment Grant - \$63,000

(Actuals determined through application of Program 1 formula)

Program 3 - Project Feasibility Grant - \$7,500

Program 5 - Municipal Planning / Development Fees Grant Program - Actuals

Program 6 - Discretionary Municipal Tipping Fees Grant - Actuals

(c) File HOTC #13-08 (New) - 150 Fourth St West - Tracey Lynn Chisholm, applicant

That HOTC #13-08 - 150 Fourth St West request be approved as follows:

Program 4 - Facade Improvement - \$2,000

Sign Grant - \$2,000

Program 5 - Municipal Planning / Development Fees Grant Program - \$320

Program 6 - Discretionary Municipal Tipping Fees Grant - Actuals

(d) File HOTC #14-07 (Addendum) - 103 Pitt St - J.P. Commodore, applicant

That HOTC #14-07 - 103 Pitt St request be approved as follows:

Program 4 - Facade Improvement and Heritage Sign Grant - \$2,000

Program 5 - Municipal Planning / Development Fees Grant Program - \$50.00

Motion that all items listed under the General Consent portion of this Agenda be adopted as presented.

Moved By: Glen Grant, Councillor

Seconded By: Elaine MacDonald, Councillor

MOTION CARRIED

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

20-2008 Taxi By-law

Click for detail --> 

WHEREAS there has been considerable discussion regarding the present Taxi By-law and there has been no resolution to the many issues raised by the taxi drivers.

NOW THEREFORE BE IT RESOLVED THAT the Taxi-By-law be reviewed so as to address those issues and by allowing taxi owners the right to buy dispatch services from any taxi brokers in Cornwall.

Motion to withdraw Resolution #20-2008 from the Agenda.

Moved By: Bernadette Clément, Councillor

Seconded By: Syd Gardiner, Councillor

MOTION TO WITHDRAW CARRIED

21-2008 Condominium Draft Plan Approval - 117 Sydney Street

Click for detail --> 

WHEREAS an application was submitted for Draft Plan Approval of a Condominium located at 117 Sydney Street, for the development of an 8 units, 3 storey condominium building. The building is located on the east side of Sydney Street, north of First Street and the property is legally described as Part Lots 12, North Side of First Street East, City of Cornwall.

NOW THEREFORE the Council enacts that the application dated October 14, 2008 from William Lang, to develop the condominium on Part of Lots 12 North Side of First Street East, as indicated on a Plan by André P. Barrette, O.L.S., dated September 10th, 2008, be given draft approval, subject to the satisfaction of staff that conditions contained in Appendix "A" to the Planning Advisory Committee's technical report dated October 2, 2008, 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 Condominium Agreement and Draft Plan conditions.

Motion to endorse Resolution #21-2008 as presented.

Moved By: Glen Grant, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

22-2008 Procurement Practices

Click for detail --> 

WHEREAS given the recent controversy over the tender award for the Cornwall Community Hospital reconstruction work, *that Administration research procurement policies with other municipalities and report back to Council to assess should the* Council consider abandoning its customary practice of accepting the lowest bid, a practice that looks at economic or financial aspect of a tender only, and move to developing and adopting a triple bottom line approach, in which the environmental and social values attached to bids be explored as well and that this approach could also be applied to purchasing, allowing a Canadian content factor.

Motion to endorse Resolution #22-2008 as amended by the mover - Procurement Practices.

Moved By: Elaine MacDonald, Councillor
Seconded By: André Rivette, Councillor

MOTION CARRIED

REPORTS FROM UNFINISHED BUSINESS

1 Federal Payments In Lieu of Taxes/Unfinished Business No. 47-2007

Click for detail --> 

Action Recommended
That Council receive this report.

Motion to approve the recommendation as presented.

Moved By: Denis Thibault, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

COMMUNICATIONS / REPORTS

1 Medical Student Scholarship

Click for detail --> 

Action Recommended
That Council approve a scholarship, to be awarded annually to a medical student, chosen by a selection committee, and administered through the medical recruitment fund, and that the awarding of the scholarship begin in 2009.

Motion to approve the recommendation as presented.

Moved By: Denis Thibault, Councillor
Seconded By: Elaine MacDonald, Councillor

MOTION CARRIED

TENDERS AND REQUESTS FOR PROPOSAL

1 Tender No. 08-T54 Supply and Delivery of Topsoil

Click for detail --> 

Action Recommended

That Option B of Tender 08-T54 be awarded for a two (2) year period to David Brown Construction Ltd., Ingleside, Ontario, at the total bid price of \$20.91/m³ for year one and \$21.96/m³ for year two (net cost to the Corporation - \$19.96/m³ for year one and \$20.96/m³ for year two) being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Kim Baird, Councillor

Seconded By: Glen Grant, Councillor

MOTION CARRIED

2 Tender No. 08-T59 Supply of Oils and Lubricants

Click for detail --> 

Action Recommended

That Tender 08-T59 be awarded as follows:

Items 1, 7, 11, 12, 17, 19(drum), 20, 27, 33, 34 and 37 be awarded to Black Dog Lubricants, Morrisburg, Ontario, Item 29 to MacEwen Petroleum, Maxville, Ontario, Items 2, 3, 4, 5, 6, 8, 10, 13(bulk), 14 (bulk) 15(bulk), 23, 24, 30, 31, 32, 35, 36, 38 to W.O. Stinson & Son Ltd., Ottawa, Ontario, Items 9, 16 (bulk), 18, 21, 22, 25, 26, 28 and 39 to Equilub/6943195 Canada Inc, Chute a Blondeau, Ontario plus GST and PST being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Syd Gardiner, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

3 RFP No. 08-R27 Asbestos Survey of Various Municipal Buildings

Click for detail --> 

Action Recommended

That RFP 08-R27 be awarded to Abacon Environmental Consultants Inc, from Woodridge, Ontario, at the total bid price of \$36,935.85 (net cost to the Corporation - \$35,177.00) being the best bid meeting the specifications.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor
Seconded By: Glen Grant, Councillor

MOTION CARRIED

4 RFP No. 08-R29 Salt Management Plan & Snow Disposal Site Environmental Assessment

Click for detail --> 

Action Recommended

That RFP 08-R29 be awarded to Ecoplans Ltd., Ottawa, Ontario, at the total bid price of \$120,813.00 (net cost to the Corporation - \$115,060.00) being the best bid meeting the specifications.


Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor
Seconded By: Glen Grant, Councillor

MOTION CARRIED

PRESENTATIONS

1 Cornwall Community Police Services - Public Inquiry

Click for detail --> 

Police Chief Daniel Parkinson addressed Council to provide an update with respect to the Cornwall Public Inquiry. Chief Parkinson indicated that the legal costs to the City (including disbursements) for the period of April 1, 2007, to August 31, 2008, are now at \$1,262,132.91 (32.5%), and the legal costs to the Attorney General is \$2,623,688.03 (67.5%).

Chief Parkinson concluded his presentation by indicating that, as per the amended Order in Council, the conclusion to the Hearings is scheduled for the end of January, 2009, with the final submissions being at the end of February, 2009, and the final report to be rendered at the end of July, 2009.

Motion to receive the verbal report from Chief Daniel Parkinson.

Moved By: André Rivette, Councillor
Seconded By: Denis Thibault, Councillor

MOTION CARRIED

2 Cornwall Clean Air - Dr. Jeff Ridal

Click for detail --> 

Dr. Jeff Ridal, with the help of a Power Point Presentation, provided Council with an update of the work undertaken by Clean Air Cornwall. Dr. Ridal outlined health effects of poor outdoor air quality and described the Committee's mandate. Clean Air Cornwall consists of 16 members from the St. Lawrence River Institute, the industry and the City's Administration team.

Dr. Ridal provided an update with respect to the Cornwall Landfill Site, upgrades by American Standard, Sensient Flavours Canada Inc., Valspar, BASF, Morbern, the Cornwall Carbon Reduction Initiative and the Municipal Environmental Advisory Committee.

In conclusion to his Presentation, Dr. Ridal answered several questions put forth by Council.

3 Recreation Master Plan Project

Click for detail --> 

David Krajaeffki and Ed Veldcamp from Stantec Consulting provided Council with an update in respect to the the Recreation Master Plan Project. Mr. Krajaeffki indicated that the recent Survey to the public generated great response.

On Monday, November 17, 2008, a Public Meeting will be held at the Cornwall Civic Complex in Salon B in order to conduct Workshops on various issues surrounding our parks and recreation facilities and programs, that will greatly help in the overall preparation of the Master Plan.

DELEGATIONS

None

NEW BUSINESS

None

PASSING OF BY-LAWS - THIRD AND FINAL READING

That By-laws 163-2008 to 171-2008 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

None

NOTICES OF MOTION

1 Power Dam - Fair Compensation

Click for detail --> 

Being that the mover of the Notice of Motion was not present the Clerk indicated that the Notice of Motion proposed by Councillor Mark MacDonald and who was absent from this evening's meeting could not be considered.

Councillor Andre Rivette, who originally seconded the motion rised to move the motion. There being no seconder to the motion, the motion did not get recognized.

UNFINISHED BUSINESS LISTING

The Unfinished Business Listing was presented and no discussion ensued.

Councillor André Rivette left the meeting at 8:34 p.m.

CONFIRMING BY-LAW

FIRST, SECOND AND THIRD READINGS

That By-law 172-2008, being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meeting held on Monday, November 10, 2008, having been read a first, second and third time, be now taken as read and passed.

172-2008 A By-law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on: Monday November 10, 2008

Click for detail --> 

Motion to endorse By-law #172-2008.

Moved By: Glen Grant, Councillor

Seconded By: Syd Gardiner, Councillor

MOTION CARRIED

POEM - In Flanders Fields by John McCrae

Prior to Adjournment, Mayor Kilger asked the Clerk to read the poem "In Flaunders Fields" . The Assembly rised and maintained a further moment of silence following the conclusion of the reading.


ADJOURNMENT

Motion to adjourn the Regular Council Meeting of Monday, November 10, 2008, at 8:36 p.m.

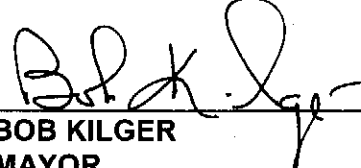
Moved By: Denis Thibault, Councillor
Seconded By: Denis Carr, Councillor

MOTION CARRIED

SPECIAL MEETING OF COUNCIL to be held Wednesday, November 12, 2008
NEXT REGULAR MEETING OF COUNCIL to be held Monday, November 24, 2008



DENISE LABELLE GELINAS
CITY CLERK



BOB KILGER
MAYOR