



Minutes Cornwall City Council

Meeting ID: 2009-08
Meeting Date: Tue April 14, 2009 07:00 PM
Location: Council Chambers
Chair: Denis Thibault, Acting Mayor
Prepared By: Manon L. Poirier, Deputy Clerk

Attendance Committee Members:

Denis Thibault, Acting Mayor
Denis Carr, Councillor
Mark MacDonald, Councillor
Elaine MacDonald, Councillor
Glen Grant, Councillor
Kim Baird, Councillor
Bernadette Clément, Councillor
André Rivette, Councillor
Syd Gardiner, Councillor
Mary Ann Hug, Councillor

Regrets:

Bob Kilger, Mayor

Attendance Staff:

Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gelinas, City Clerk
Manon L. Poirier, Deputy Clerk
Bob Peters, Senior Development Officer
Christine Lefebvre, Supervisor, Recreation Services
Debora M. Daigle, Manager Social and Housing Services
Mark A. Boileau, Manager Economic Dev.
Maureen Adams, G.M. Financial Services
Myles Cassidy, Manager Emergency Services
Norm Levac, G.M., Infrastructure and Municipal Works
Richard McCullough, Deputy Chief
Robert Menagh, Manager Human Resources
Stephen Alexander, G.M. Planning, Parks and Recreation - Secretary of the Planning and Advisory and Hearing Committee

IN-CAMERA SESSION

An In-Camera meeting was held at 5:15 p.m. to discuss matters that fell under the Municipal Act, 2001, c.23 s.239:

- 2 (b) personal matters about an identifiable individual, including municipal or local board employees;
- 2 (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- 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

Acting Mayor Denis Thibault called the meeting to order at 7:05 p.m.

INVOCATION

Deputy Clerk

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.

Consent Item #1 - Proclamations

That the second recommendation "That Council endorse its participation and recognize Earth Hour on Saturday, March 28, 2009" be deleted as the day has already occurred.

DISCLOSURE OF INTEREST

There were no Disclosures of Interest.

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 038 to 049, 2009 shall be considered and referred to that Committee.

Motion to approve the recommendation as presented.

Moved By: Kim Baird, Councillor

Seconded By: Denis Carr, Councillor

MOTION CARRIED

GENERAL CONSENT

CONSENTEMENT GÉNÉRAL

ADOPTION OF MINUTES

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

1 March 23, 2009 Cornwall City Council Meeting

Click for detail --> 

2 April 6, 2009 Cornwall City Council Meeting

Click for detail --> 

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 038 to 049 of 2009 inclusive be read a first time and be considered as read a second time.

2009-038 A By-law to authorize the execution of an Extension Agreement pursuant to section 378 of the Municipal Act, 2001

Click for detail --> 

Exp-038 Explanation of Purpose and Effect of By-law No. 2009-038, Tax Extension Agreement

Click for detail --> 

2009-039 A By-law to authorize the execution of an Extension Agreement pursuant to section 378 of the Municipal Act, 2001

Click for detail --> 

Exp-039 Explanation of Purpose and Effect of By-law No. 2009-039, Tax Extension Agreement

Click for detail --> 

2009-040 A Bylaw to amend the Traffic and Parking By-law 069-1989 to impose Parking privileges for persons with disabilities


Click for detail --> 


Exp-040 Parking for Persons with Disabilities

Click for detail --> 

2009-041 A By-law to authorize the Corporation of the City of Cornwall to renew its Lease Agreement with East Side Community Boxing Club/ Jorge Luis at St. Joseph Park
Click for detail --> 


Exp-041 Lease Agreement/ Eastside Boxing Club/ St-Joseph Park Clubhouse
Click for detail --> 

2009-042 A By-Law to authorize the extension of the concession /vending contract for the Civic Complex and the Aquatic Centre with Brown's Fine Foods Inc. until such time as the City is prepared to issue and award an RFP for concession services for the proposed multisport/arena project.
Click for detail --> 

2009-043 A By-law to authorize the temporary closing of various city streets for Watermain Rehabilitation / Replacement Project.
Click for detail --> 

2009-044 A Bylaw authorizing The Corporation of the City of Cornwall to register a lien and to provide and subsequently administer municipal funds to the identified home owners under the Renaissance Housing Renovations Program.
Click for detail --> 

2009-045 A Bylaw to name and dedicate Parts 4, 5, and 6 on Reference Plan 52R-5682, Part of Lot 'D' Concession 2, Geographic Township of Cornwall, now in the City of Cornwall, County of Stormont as Optimum Drive.
Click for detail --> 

2009-046 A By-law to authorize The Corporation of the City of Cornwall to enter into a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario for funding provided under the 'Dedicated Gas Tax Funds for Public Transportation Program'
Click for detail --> 

2009-047 A By-law to enter into a revised Legal Infrastructure Agreement with Cornwall Compassion Centre for Best Start Infrastructure Funding
Click for detail --> 

2009-048 A By-Law to authorize the Temporary Road Closures for Inspection of Interceptor Sewer for work by Andrews Infrastructure on the Montreal Road interceptor.
Click for detail --> 

Exp-048 Explanatory Note - By-Law for Temporary Road Closures for Inspection of Interceptor Sewer

Click for detail --> 

2009-049 A Bylaw to authorize Designating Signing Officers for the Execution to Contribution Agreements between various Ministries and The Corporation of the City of Cornwall

Click for detail --> 

CONSENT/CORRESPONDENCE

1 Proclamations

Click for detail --> 

Action Recommended

1. That Council declare April 18th through the 26th, 2009 as Ontario Coaches Week in the City of Cornwall.

~~2. That Council endorse its participation and recognize Earth Hour on Saturday, March 28, 2009.~~

3. That Council proclaim the week of May 11 to the 17th as Nursing Week within the City of Cornwall.

2 Membership Renewal - Great Lakes and St. Lawrence Cities Initiative

Click for detail --> 

Action Recommended

That Council approve the expenditure of \$3,000 (U.S. Funds) for the 2009 Great Lakes and St. Lawrence Cities Initiative Membership. (2008 Membership Fee - \$3,000)

3 International Building Safety Week Proclamation 2009

Click for detail --> 

Action Recommended

Building Departments and Building Officials throughout the Province of Ontario provide a critical role in maintaining and improving public safety.

It is recommended that City Council declare the week of May 3rd to 9th, 2009 as International Building Safety Week in the City of Cornwall, in support of Building Officials and Building Departments. It is also important to recognize their dedication and commitment.

4 Staff Replacement - Full Time Maintenance Technician

Click for detail --> 

Action Recommended

That Council approve the replacement of one (1) Full-Time Maintenance Technician at the Glen-Stor-Dun Lodge effective April 15, 2009.

5 Petition - ATVs and skidoo use within City limits

Click for detail --> 

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

6 Staff Replacement - Sub-Foreman 1, Roads Section

Click for detail --> 

Action Recommended

That Council approve the hiring of a Sub-Foreman for the Roads Section, in the Municipal Works Division.

7 Staff Replacement - Skilled Labourer, Municipal Works Division

Click for detail --> 

Action Recommended

That Council approve the hiring of a Skilled Labourer for the Municipal Works Division.

GENERAL CONSENT

Motion that all items listed under the General Consent portion of this Agenda be adopted as presented with the exception of Item #1 which has been amended; and Item #5 which has been moved to the Communication as Item #7 for discussion.

Moved By: André Rivette, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

2009-14 Retail Business Holidays Act - Good Friday

Click for detail --> 

WHEREAS Section (1) of *The Retail Business Holiday Act* States that despite Section 2 (Prohibition) and Section 3 (Exemptions: small stores), the Council of a municipality may by By-law permit retail business establishments in the municipality to be open on any holiday or may require business establishments to close on any holiday; and

WHEREAS Retailers in the City of Cornwall have no choice whether they open or not; and

WHEREAS Retailers in the US, Quebec, Morrisburg and Alexandria are allowed to open on Good Friday because of tourist designation or as in Alexandria, Council passed a Bylaw in 1996 that allows that retail business establishments to remain open.

NOW THEREFORE BE IT RESOLVED that City Council instruct Administration to prepare a report outlining requirements set out under Regulation 711/91 identifying the tourism criteria that must be met before a municipality can pass an exemption Bylaw under Subsection 4(1) of the RBHA that would see all retail business establishments in the City of Cornwall be permitted to remain open on Good Friday for the maintenance or development of tourism.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor

Seconded By: Kim Baird, Councillor

MOTION DEFEATED

2009-15 Eastern Ontario Development Fund

Click for detail --> 

WHEREAS the Corporation of the City of Cornwall have made application to the Eastern Ontario Development Fund program for assistance in covering the costs of the construction of Optimum Drive, extending from SCM Way to Industrial Park Road;

WHEREAS the City is currently within the Province's review period in the application process; and

WHEREAS The Corporation requires a resolution of City Council indicating its commitment to the project once approved by the Province.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACTS AS FOLLOWS:

That the Council of The Corporation of the City of Cornwall commits itself to the construction of Optimum Drive.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

REPORTS FROM UNFINISHED BUSINESS

None

COMMUNICATIONS / REPORTS

1 Lease Renewal - Alexandria Social Services Office

Click for detail --> 

Action Recommended

Subject to the landlord complying to the conditions of the lease renewal, that Council prepare a By-law authorizing the Mayor and Clerk to sign a Tenancy Agreement with 854528 Ontario Inc. for a five year term commencing May 1st 2009.

Motion to approve the recommendation as presented.

Moved By: Syd Gardiner, Councillor
Seconded By: Glen Grant, Councillor

MOTION CARRIED

2 Public Awareness & Education, Legislative Enforcement

Click for detail --> 

Action Recommended


That Council receive this report for information.

Motion to approve the recommendation as presented.

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

MOTION CARRIED

3 Spring Clean Up and Green Up and Earth Day

Click for detail --> 

Action Recommended

That Council receive this report.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Mary Ann Hug, Councillor

MOTION CARRIED

4 Request for Farmers' Market - George Assaly Lot

Click for detail --> 

Action Recommended

That Council approve the use of the George Assaly lot for a Farmers' Market from Victoria Day weekend until the end of October, subject to the Downtown Business Improvement Area (DBIA) working out operational issues.

Motion to approve the recommendation as presented.

Moved By: Denis Carr, Councillor

Seconded By: Elaine MacDonald, Councillor

MOTION CARRIED

5 Interim Report/Library Renovations/Art Gallery

Click for detail --> 

Action Recommended

1. That Council direct Staff to commission the Thompson Rosemount Group to provide an updated Class "D" Construction Cost Estimate for the east side of the basement based on an earlier version to accommodate the City's Leisure Arts Programs and possibly other Art Space in the future and provide a functional feasibility plan and a Class "D" Construction Cost Estimate for the west side of the library to accommodate the Cornwall Regional Art Gallery as per their request.
2. That the cost of the work (\$14,000 plus GST and printing disbursements, maximum of \$1,000) be added to the 2009 operating budget.
3. That Administration provide a further update at a subsequent meeting on the status of the formation of an Arts Council once the work initiated by Councillor Syd Gardiner is completed, and provide a list of definite Arts Groups interested in an Arts Centre located in the Cornwall Public Library.

Motion to approve the recommendation as presented.

Moved By: Syd Gardiner, Councillor

Seconded By: Mary Ann Hug, Councillor

Motion to amend Item #2 of recommendation by removing the words " *be added to the 2009 operating budget*". and replacing with "*remove the addition of \$14,000 from the operating budget and that the funds be found within the submitted 2009 budget*".

Moved By: Syd Gardiner, Councillor

Seconded By: André Rivette, Councillor

It was then moved that this matter be deferred, pending a report indicating if this work can be completed with the funds identified within the current budget submission.

Moved By: André Rivette, Councillor
Seconded By: Mary Ann Hug, Councillor

**MOTION TO DEFER DEFEATED
MOTION TO AMEND DEFEATED
MAIN MOTION CARRIED**

6 RFP No. 05-R23 Concession and Vending Agreement / Civic Complex and Aquatic Centre

Click for detail --> 

Action Recommended

That Council authorize the extension of the concession/vending contract for the Civic Complex and the Cornwall Aquatic Centre with Brown's Fine Foods Inc. formerly known as GlenServices as per clause Section 11 (b) of the existing contract until such time as the City is prepared to issue and award an RFP for concession services for the proposed multisport/arena project.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Kim Baird, Councillor

MOTION CARRIED

7 Petition - ATVs and skidoo use within City limits

Click for detail -->  (brought forward from Consent Agenda #5)

Action Recommended

That the petition signed by 126 residents along the path of Cedar Rapids Transmission Line corridor, between McConnell Avenue and Power Dam Drive, requesting that Council not permit motorized vehicles following its trial period, due to noise levels and damage caused to private and public property, be referred to Administration for report.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Kim Baird, Councillor

MOTION DEFEATED

7 Petition - ATVs and skidoo use within City limits (cont..)

It was then moved to notify the Glendalers Winter Sport Club, that the three month trial period allowing for the operation of ATVs along a section of the Recreational Path along the Cedar Rapids Transmission Line between McConnell Avenue and Power Dam Drive will not be extended.

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

MOTION CARRIED

TENDERS AND REQUESTS FROM PROPOSAL

1 Tender No. 09-T21 Supply of One Vacuum Street Sweeper with Operator

Click for detail --> 

Action Recommended

That Tender 09-T21 be awarded to Richard's Sweeping, Alexandria, Ontario, at the total bid price of \$78.38/hour (net cost to the Corporation - \$74.65/hour) being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor
Seconded By: Kim Baird, Councillor

MOTION CARRIED

2 Tender No. 09-T10 Supply & Placing of Nursery Sod

Click for detail --> 

Action Recommended

That Tender 09-T10 be awarded to MacDonell's Garden Centre, Cornwall, Ontario being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Mary Ann Hug, Councillor

MOTION CARRIED

3 Tender No. 09-T11 Supply of Crushed Stone, Stone Dust & Masonry Sand

Click for detail --> 

Action Recommended

That Tender 09-T11 be awarded to Cornwall Gravel Company Ltd., Cornwall, Ontario at the total bid price of \$66,217.16(net cost to the Corporation - \$63,235.35) being the best bid meeting the tender specifications.


Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor

Seconded By: Elaine MacDonald, Councillor

MOTION CARRIED

4 Tender No. 09-T08 Supply of Ready Mix Concrete

Click for detail --> 

Action Recommended

That Tender 09-T08 be awarded to Grant Ready Mix Concrete, Cornwall, Ontario being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Mark MacDonald, Councillor

Seconded By: Glen Grant, Councillor

MOTION CARRIED

5 Tender No. 09-T09 Supply of Hot Mix Asphalt

Click for detail --> 

Action Recommended

That Tender 09-T09 be awarded to Cornwall Gravel Company Ltd., Cornwall, Ontario being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Mary Ann Hug, Councillor

Seconded By: André Rivette, Councillor

MOTION CARRIED

6 Tender No. 09-T07 Asphalt Paving & Concrete Works on Various City Streets

Click for detail --> 

Action Recommended

That Tender 09-T07 be awarded to Malyon Excavation Ltd., Cornwall, Ontario, at the total bid price of \$1,854,227.02 (net cost to the Corporation - \$1,765,930.50) being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Kim Baird, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

7 Tender No. 09-T31 Supply & Delivery of Water Meters

Click for detail --> 

Action Recommended

That Tender 09-T31 be awarded to Evans Supply Ltd., London, Ontario, at the total bid price of \$126,597.24 (net cost to the Corporation - \$120,995.59) being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor

Seconded By: Mary Ann Hug, Councillor

MOTION CARRIED

PRESENTATIONS

1 Earth Day - 2009 Spring Clean-Up

Click for detail --> 

Mr. Patrick Clark, provided Council with a Power Point Presentation requesting Council's support for Earth Day activities in and around the City of Cornwall. Mr. Clark presented a listing of clean up activities that have taken place to date with Parks Canada as well as activities that other communities have registered for. Mr. Clarke invited any interested citizens to join his team at the Civic Complex at 12:30 in the afternoon of April 22. Garbage bags, plastic gloves and drinking water will be supplied. The Proposal for Consideration asks for the creation of a Committee of Council in order to create a vision and to define activities to involve the residents of Cornwall.

Motion to refer the Proposal for Consideration to Administration for Report for future years.

Moved By: Mark MacDonald, Councillor

Seconded By: André Rivette, Councillor

MOTION CARRIED

Bob Peters, Development Officer for the Economic Development Office, was asked to share some of the activities which The City of Cornwall has planned for the 2009 event. The events are detailed within his report listed within this evening's Agenda under Communication #3, some of which are:

- Spring Pick-Up of Leaf and Yard Waste (April 20th to May 15th)
- Earth Day (tree plantings and other events (April 22)
- Communities in Bloom (April, May, June)

The City will also be participating by purchasing 200 composters to give away as prizes in the Cornwall Cleanup Day program. Each composter will help to divert organic waste from the landfill.

For more information, please visit the City's website www.cornwall.ca.

DELEGATIONS

NEW BUSINESS

1 Sewer Laterals - New Business

Click for detail --> 

WHEREAS By-law 001-2000 has not been properly communicated to the municipal residents, specifically, the Repair/Re-use of Sewer Lateral Section 12; and

WHEREAS the lack of proper communication of the application of the By-law has resulted in unnecessary financial costs to our residents.

NOW THEREFORE BE IT RESOLVED That Administration review the application of By-law 001-2000 and prepare a report that will include a proper communication plan to make residents aware of their responsibilities with sewer laterals

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor

Seconded By: André Rivette, Councillor

MOTION CARRIED

PASSING OF BY-LAWS - THIRD AND FINAL READING

That By-laws 038 to 049-2009 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

Motion to approve the recommendation as presented.

Moved By: Kim Baird, Councillor
Seconded By: Elaine MacDonald, Councillor


MOTION CARRIED

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

Councillor Bernadette Clément invited Council and the public to attend the St. Lawrence River Institute's 15th anniversary dinner being held at NAV Canada Training and Conference Centre on May 5, 2009.

NOTICES OF MOTION

1 Parks, Facilities and Street Naming - Policy

Click for detail --> 

UNFINISHED BUSINESS LISTING

The Unfinished Business Listing was presented and no discussion ensued.

1 Unfinished Business Listing for April 14, 2009

Click for detail --> 

CONFIRMING BY-LAW

FIRST, SECOND AND THIRD READINGS

That By-law 2009-050, being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meeting held on Tuesday, April 14, 2009, having been read a first, second and third time, be now taken as read and passed.

1 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 Tuesday April 14, 2009

Click for detail --> 

Motion to approve the recommendation as presented.

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

MOTION CARRIED

ADJOURNMENT

Motion to adjourn the Regular Council Meeting of Tuesday April 14, 2009, at 8:35 p.m.


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

MOTION CARRIED

NEXT REGULAR MEETING OF COUNCIL to be held Monday, April 27, 2009.



DENISE LABELLE-GELINAS
CITY CLERK



BOB KILGER
MAYOR



MANON L. POIRIER
DEPUTY CLERK