



## Minutes Cornwall City Council

**Meeting ID:** 2015-012  
**Meeting Date:** Mon May 11, 2015 07:00 PM  
**Location:** Council Chambers  
**Chair:** Leslie O'Shaughnessy, Mayor  
**Prepared By:** Manon Levesque, Deputy City Clerk

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**Attendance Committee Members:**

Leslie O'Shaughnessy, Mayor  
Bernadette Clément, Councillor  
Maurice Dupelle, Councillor  
Brock Frost, Councillor  
Carilyne Hébert, Councillor  
Elaine MacDonald, Councillor  
Mark A. MacDonald, Councillor  
Claude E. McIntosh, Councillor  
David Murphy, Councillor  
André Rivette, Councillor  
Justin Towndale, Councillor

**Attendance Staff:**

Norm Levac, Chief Administrative Officer  
Helen Finn, City Clerk  
Manon Levesque, Deputy City Clerk  
John St Marseille, General Manager, Infrastructure and Municipal Works  
Maureen Adams, General Manager, Financial Services  
Stephen Alexander, General Manager, Planning, Parks and Recreation  
Geoffrey Clarke, Director, Human Resources  
Mark A. Boileau, Manager, Economic Development  
Norm Quenneville, Manager Glen Stor Dun Lodge  
Pierre Voisine, Fire Chief  
Debora M. Daigle, Manager, Social and Housing Services  
Monique Gunn, Division Manager, Child Care Services  
Tracey Bailey, Accounting Supervisor / Deputy Treasurer  
Christopher Rogers, Chief Building Official  
Paul Scrimshaw, Budget and Cash Co-ordinator

### **IN-CAMERA SESSION**

**Motion to MOVE INTO A CLOSED MEETING** at 5:00 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

**239. (1)** Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

## **Exceptions**

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

### **Item 1 - 2015-10-CAO Litigation issue**

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

### **Item 2 - 2015-015 FI**

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

### **Item 3 - 2015-09-CAO Litigation issue**

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

### **Item 4 - 2015-11-CAO Port of Cornwall Divestiture**

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

### **Item 5 - 2015-23 PPL Litigation issue**

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

### **Item 6 - 2015-CL Lay Appointments**

(b) personal matters about an identifiable individual, including municipal or local board employees

### **Item 7 - 2015-CAO Litigation issue**

(b) personal matters about an identifiable individual, including municipal or local board employees;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

Moved By: Andre Rivette, Councillor

Seconded By: Justin Towndale, Councillor

**MOTION APPROVED**

## **RISE AND REPORT**

### **Item 1 - 2015-10-CAO Litigation issue**

Three (3) motions to direct the City's legal representative on ongoing legal action.

**Item 2 - 2015-015 FI**

Motion to direct Administration to not dispose of the property.

Motion to defer.

**Item 3 - 2015-09-CAO Litigation issue**

Motion to direct Administration to act according to the advice obtained from the City's legal representative.

**Item 4 - 2015-11-CAO Port of Cornwall Divestiture**

Motion to receive this report.

**Item 5 - 2015-23 PPL Litigation issue**

Motion to defer this matter to the meeting of May 25, 2015.

**Item 6 - 2015-CL Lay Appointments - Property Standards Advisory Committee**

Motion to direct Administration to present the necessary by-law at an upcoming meeting to appoint Gary Samler as a lay member of the Property Standards Advisory Committee.

**Item 7 - 2015-CAO Litigation issue**

Motion to receive.

**NATIONAL ANTHEM**

Assembly

**ROLL CALL**

**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.

**Amendments**

1. Presentation #1, National Champion Bowlers, was postponed to the next Regular Meeting of Council of Monday, May 25, 2015.
2. Consent Item #5, PAC Report No. 5 - Orientation for Heart of the City and Brownfields CIPs, was moved to Communication Item #8 for discussion.
3. Consent Item #8, Cornwall Lions Club Carnival at the Benson Centre (parking lot) from June 4 to June 7, 2015, was moved to Communication Item #9 for discussion.
4. The request under Communication Item # 6, Temporary Street Closure - 400th Anniversary of French Week (Semaine française), was amended in order to allow for a parade, scheduled for Sunday, May 31st, 2015, between the hours of 12:30 p.m. and 6:30 p.m. from McDonnell Avenue to Alfred Street.

### **Additions**

The following items will be added to the Unfinished Business Listing:

1. Airport Funding Agreement
2. Recording of In-Camera Meetings
3. Notice of Motion: Feasibility study for a Municipal Arts and Culture Centre

### **DISCLOSURES OF INTEREST**

1. Councillor Brock Frost declared an interest in Communication Item #6, Temporary Street Closure - 400th Anniversary of French Week (Semaine française), stating that this organization is his tenant.
2. Councillor Maurice Dupelle declared an interest in Communication Item #5, Donation of Surplus Ironer/Folder from the Glen Stor Dun Lodge, stating that the donation is being made to his employer.
3. Councillor David Murphy declared an interest in Consent Item #8, Cornwall Lions Club Carnival at the Benson Centre (parking lot) from June 4 to June 7, 2015, stating that he his a member of the Cornwall Lions Club.

### **COMMITTEE OF THE WHOLE**

Motion to go into Committee of the Whole and to consider and refer all Minutes, Presentations, Delegations, Consent/Correspondence, Resolutions, Reports and By-laws to that Committee.

Moved By: Bernadette Clément, Councillor  
Seconded By: Claude E. McIntosh, Councillor

Motion Approved

Motion to approve the Agenda as amended.

Moved By: Maurice Dupelle, Councillor  
Seconded By: Andre Rivette, Councillor

Motion Approved

## **GENERAL CONSENT**

### **ADOPTION OF MINUTES**

Motion to endorse the following Minutes as presented.

#### **1 April 27, 2015 Cornwall City Council Meeting**

Click for detail --> 

Moved By: Brock Frost, Councillor  
Seconded By: Elaine MacDonald, Councillor

Motion Approved

## **PRESENTATIONS**

#### **1 National Champion Bowlers**

Click for detail --> 

This Presentation was postponed to the Regular Meeting of Council of Monday, May 25, 2015.

#### **2 Presentation - Cornwall Economic Development Committee Terms of Reference**

Click for detail --> 

Motion to postpone this Presentation to the Regular Meeting of Council of Monday, May 25, 2015.

Moved By: Bernadette Clement, Councillor  
Seconded By: Maurice Dupelle, Councillor

Motion Approved

### **3 Committees & Notice**

Click for detail --> 

Helen Finn, City Clerk, presented requirements for Open and Closed meetings and spoke about Conflicts of Interest, Quorum and Voting.

Motion to receive the Presentation.

Moved By: Brock Frost, Councillor  
Seconded By: Andre Rivette, Councillor

Motion Approved

### **DELEGATIONS**

There were no Delegations.

### **CONSENT/CORRESPONDENCE**

#### **1 PAC Report No. 1- Proposed Modifications to the Comprehensive Zoning Bylaw No. 761-1969 as amended (PAC File No. Z-04-15, Housekeeping No. 20)**

Click for detail --> 

Motion to approve the Planning Advisory Committee recommends that the Housekeeping items as contained in Section E) Evaluation: Items for consideration to the Housekeeping No. 20 Report.

#### **2 PAC Report No. 2 - April 20, 2015 CPPEC Recommendation HOTC#2012-04 701 Cotton Mill St**

Click for detail --> 

Motion to endorse the PAC recommendation as presented:

a. File HOTC#2012-04 - 701 Cotton Mill St Cotton Mill Cornwall Inc applicant  
That HOTC#2012-04 - 701 Cotton Mill St request be approved as follows:  
Program 1 - HOTC Rehabilitation & Redevelopment Grant- \$2,553,057

#### **3 PAC Report No. 3 - April 20, 2015 CPPEC Recommendation BR#2015-02 40 Fifth St W**

Click for detail --> 

Motion to endorse the PAC recommendation as presented:

a. File BR#2015-02 - 40 Fifth St W Agape Centre applicant  
That BR#2015-02 - 40 Fifth St W request be approved as follows:  
Program 2 - Environmental Site Assessment Grant - \$7,500  
Program 2 - Project Feasibility Study Grant - \$7,500

**4 PAC Report No. 4 - Status Update on the Dominion Place Mixed Use Condo Project at 1 Second St E HOTC#2006-10**

Click for detail --> 

Motion to approve the following PAC recommendation:

That PAC considers the subject project as being commenced for HOTC funding purposes, as per, information presented in the associated staff report.

**5 PAC Report No. 5 - Orientation for Heart of the City and Brownfields CIPs**

Click for detail --> 

This matter was moved to Item #8 for discussion.

**6 Proclamation - National Health & Fitness Day**

Click for detail --> 

Motion to proclaim Saturday, June 6, 2015 as "National Health & Fitness Day", in the City of Cornwall.

**7 Resolution - Transportation of Crude Oil in CN Rail Cars**

Click for detail --> 

Motion to endorse the attached Resolution by the City of Kingston, the operative clause of which is :

Be it resolved, that the Council of The Corporation of the City of Cornwall:

- a. Request that Transport Canada roll out the new tank car standards in Canada as concurrent to the timeline of the U.S. Department of Transportation as possible; and
- b. Request that Transport Canada and the rail industry implement significant safety enhancements that address train speed and rail track infrastructure, inspections and maintenance to help avoid future derailments.

**8 Cornwall Lions Club Carnival at the Benson Centre (parking lot) from June 4 to June 7, 2015**

Click for detail --> 

This matter was moved to Communication Item #9 for discussion.

**9 Proclamation - ALS Awareness Month**

Click for detail --> 

- a. That Council proclaim the month of June as "ALS Awareness Month", in the City of Cornwall; and
- b. That the ALS flag be flown at 340 Pitt Street (Justice Building) for that month.

Motion to approve all recommendations made in the Consent portion of the Agenda as presented.

Moved By: Maurice Dupelle, Councillor  
Seconded By: Mark A. MacDonald, Councillor

Motion Approved

## **RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION**

### **2015-05-NM Canadian Heritage Legacy Fund**

Click for detail --> 

Whereas the Canadian Heritage Legacy Fund has eligible funding for Building Communities through Arts and Heritage, up to \$500,000; and

Whereas the purpose is to engage citizens in their local communities through performing and visual arts as well as through experiences, celebrations and preservation of local history; and

Now therefore be it resolved that Council move to work with the Historical Society and other interested groups to pursue celebrating the history of the Waterfront at Pointe Malign and through Lamoureux Park, with special emphasis on the 175th opening of the Cornwall Canal (an important nation building event), and the history of the area from the arrival of the French, our citizen soldier loyalists and all the way to the 2nd War.

(Eligible Project: public gardens, up to \$500,000)

Moved by: Councillor Mark A. MacDonald  
Seconded by: Councillor Andre Rivette

Motion Approved

## **UNFINISHED BUSINESS REPORTS**

### **1 Code of Conduct for Council and Committees**

Click for detail --> 

- a. Motion to create a committee of Administration staff and Council to analyse

and prepare a Code of Conduct.

Moved By: Brock Frost, Councillor

Seconded By: Bernadette Clement, Councillor

A recorded vote on this matter resulted as follows:

**Votes For = 11**

Leslie O'Shaughnessy, Mayor  
Bernadette Clement, Councillor  
Maurice Dupelle, Councillor  
Brock Frost, Councillor  
Carilyne Hébert, Councillor  
Elaine MacDonald, Councillor  
Mark A. MacDonald, Councillor  
Claude E. McIntosh, Councillor  
David Murphy, Councillor  
Andre Rivette, Councillor  
Justin Towndale, Councillor

Motion Approved

b. Motion to appoint the following persons to the Code of Conduct Committee:

Leslie O'Shaughnessy, Mayor  
Bernadette Clement, Councillor  
Brock Frost, Councillor  
Geoffrey Clarke, Director, Human Resources  
Helen Finn, City Clerk  
Justin Towndale, Councillor  
Norm Levac, Chief Administrative Officer

Moved By: Brock Frost, Councillor

Seconded By: Bernadette Clement, Councillor

Motion Approved

**COMMUNICATIONS / REPORTS**

**1 Tax Write-offs / Adjustments**

Click for detail --> 

Motion to authorize tax write-offs/adjustments/vacancies under Sections 357 and 364 of the *Municipal Act, 2001*.

Moved by: Councillor Maurice Dupelle

Seconded by: Councillor Bernadette Clement

Motion Approved

## **2 First Quarterly Financial Report 2015**

Click for detail --> 

Motion to receive the first quarter Financial Report for the period ending March 31, 2015.

Moved by: Councillor Andre Rivette

Seconded by: Councillor Justin Towndale

Motion Approved

## **3 Cornwall Economic Development Committee, Terms of Reference**

Click for detail --> 

This matter was postponed to the next Regular Meeting of Council of Monday, May 25, 2015.

## **4 Non-Profit Child Care Operator Repairs and Maintenance Funding Application Request**

Click for detail --> 

Motion to approve Heart of the Family Child Care Centre's application for Repairs and Maintenance Funding in the amount of \$22,500 as per the conditions of the Child Care Division Special Purpose and Minor Capital Retrofit Funding Business Practice Guidelines.

Moved by: Councillor Andre Rivette

Seconded by: Councillor Maurice Dupelle

Motion Approved

***Having declared a Conflict, Councillor Maurice Dupelle vacated his seat at the Council table.***

## **5 Donation of Surplus Ironer/Folder from the Glen Stor Dun Lodge**

Click for detail --> 

Motion to donate the Chicago Model 24 PC Tristar Ironer/Folder/Cross Folder to Community Living Glengarry in accordance with Corporate Policy FI.pu03-05 as per the provision that allows surplus equipment to be donated to a non-profit agency.

Moved by: Councillor Andre Rivette

Seconded by: Councillor Brock Frost

Motion Approved

***Councillor Maurice Dupelle returned to his seat.***

***Having declared a Conflict, Councillor Brock Frost vacated his seat at the Council table.***

**6 Temporary Street Closure - 400th Anniversary of French Week  
(Semaine française)**

Click for detail --> 

Motion to endorse a request by the Centre Culturel de Cornwall's Organizing Committee for a temporary street closure, in order to allow for a parade, scheduled for Sunday, May 31st, 2015, between the hours of 12:30 p.m. and 6:30 p.m. from McDonnell Avenue to Alfred Street.

Moved by: Councillor David Murphy  
Seconded by: Councillor Bernadette Clement

Motion Approved

***Councillor Brock Frost returned to his seat.***

**7 Cornwall Port Divestiture**

Click for detail --> 

Motion to receive Report 2015-12-CAO.

Moved by: Councillor David Murphy  
Seconded by: Councillor Elaine MacDonald

Motion Approved

**8 PAC Report No. 5 - Orientation for Heart of the City and Brownfields  
CIPs**

Click for detail --> 

This item was moved from Consent Item #3 for discussion.

Motion to approve the following PAC recommendations:

Part I) That PAC receive the orientation presentation; and

Part II) That a second public meeting be held at the scheduled May 19, 2015 Regular PAC meeting for the proposed Amendment to HOTC Program 1 - Rehabilitation & Redevelopment criteria.

Part III) That CPPEC will not receive for review any new construction multi-storey mixed use project HOTC applications, pending a final outcome of any revised program criteria approved by Council.

Moved by: Councillor Bernadette Clement  
Seconded by: Councillor David Murphy

Motion Approved

***Having declared a conflict, Councillor David Murphy vacated his seat at the Council table.***

**9 Cornwall Lions Club Carnival at the Benson Centre (parking lot) from June 4 to June 7, 2015**

Click for detail --> 

This item was moved from Consent Item #8 for discussion.

Motion to approve the Cornwall Lions Club's request to hold a Carnival at the Benson Centre (parking lot) from June 4 to June 7, 2015, subject to normal licensing requirements and operational issues at the Benson Centre.

Moved by: Councillor Maurice Dupelle  
Seconded by: Councillor Elaine MacDonald

Motion Approved

***Councillor David Murphy returned to his seat.***

**TENDERS AND REQUESTS FOR PROPOSALS**

**1 Tender 15-T25 Trimming and Litter Pick Up of Drainage Ditches**

Click for detail --> 

Motion to award Tender 15-T25 to Nick's from Cornwall, Ontario, at the total bid price of \$23,272.35 (net cost to the Corporation - \$20,957.47) being the best bid meeting the tender specifications.

Moved by: Councillor Andre Rivette  
Seconded by: Councillor Brock Frost

Motion Approved

**NEW BUSINESS**

**PASSING OF BY-LAWS**

Motion to endorse By-laws 2015-064 to 2015-068 and 2015-070 to 2015-071

inclusive, listed on the Agenda.

**2015-064 A By-law to authorize a Heart of the City (HOTC) Program 1: HOTC Rehabilitation & Redevelopment (Tax Increment Grant) Funding Agreement**

Click for detail --> 

Explanatory Note 2015-064 of Purpose and Effect for HOTC Application Program 1 Agreement to By-law 2015

Click for detail --> 

**2015-065 A By-law to enter into a Heart of the City (HOTC) Program 7: Parking and Landscape Enhancement Program Funding Agreement**

Click for detail --> 

Explanatory Note 2015-065 of Purpose and Effect for HOTC Application Program 7 Agreement to By-Law 2015

Click for detail --> 

**2015-066 A By-law to enter into a Service Extension Agreement with the Upper Canada District School Board**

Click for detail --> 

Explanatory Note to By-law 2015-066 to enter into a Service Extension Agreement with the Upper Canada District School Board.

Click for detail --> 

**2015-067 A By-law to authorize the City of Cornwall to accept a conveyance of land known as PIN 60199-0274(LT), being part of Lot 8, Conc. 3, part of Block A, Plan 239, designated as Parts 2 & 3, 52R-4815 from Northwoods Glen Development Corporation for the purpose of consolidating the lands that encompass a portion of the South Branch Raisin River.**

Click for detail --> 

Explanatory Note to Bylaw 2015-067 authorizing the City of Cornwall to accept a conveyance of land known as PIN 60199-0274(LT), being part of Lot 8, Conc. 3, part of Block A, Plan 239, designated as Parts 2 & 3, 52R-4815 from Northwoods Glen Development Corporation for the purpose of consolidating the lands that encompass a portion of the South Branch Raisin River.

Click for detail --> 

**2015-068 A Bylaw to further amend the City of Cornwall Comprehensive Zoning Bylaw No. 751-1969 as amended and commonly referred to as the Housekeeping No. 20 Planning Division initiative**

Click for detail --> 

Explanatory Note to By-law 2015-068 Proposed Modifications to the

Comprehensive Zoning Bylaw No. 751-1969, as amended (PAC File Z-04-15 - Housekeeping 20)

Click for detail --> 

**2015-070 A By-Law to appoint Patrice François Dumais as an Inspector (Building Permits Plans Examiner and Site Inspector) for the Corporation of The City of Cornwall**

Click for detail --> 

**2015-071 A By-Law to appoint Kieran Brian Chadwick McCourt, Eric Robert Donald Jarvo and Larson Jacques Payette as seasonal By-Law Enforcement Officers for the purpose of enforcing the Animal Control, Parking & Traffic By-Laws and other more commonly appealed to By-Laws**

Click for detail --> 

Moved by: Councillor Bernadette Clement

Seconded by: Councillor Andre Rivette

Motion Approved

Motion to endorse By-law 2015-069.

**2015-069 A By-Law to appoint a Volunteer Parking By-Law Enforcement Officer for The Corporation of The City of Cornwall for the purpose of Parking By-Law Enforcement (By-Law # 069-1989, The Traffic and Parking By-Law as amended) on private property at Ridgewood Industries**

Click for detail --> 

Explanatory Note to By-Law 2015-069 - To appoint a Volunteer Parking Enforcement Officer at Ridgewood Industries

Click for detail --> 

Moved by: Councillor Andre Rivette

Seconded by: Councillor Maurice Dupelle

Motion Approved

## **REPORTS FROM STANDING / SPECIAL COMMITTEES OF COUNCIL**

There were no reports from Standing nor Special Committees of Council.

## **NOTICES OF MOTION**

Funding for a feasibility study for an Arts & Culture Centre

Click for detail --> 

Elaine MacDonald

Proposed by: Councillor

Carilyne Hébert

Seconded by: Councillor

#### **NOTICE OF MOTION**

Whereas Cornwall has generously supported artistic activities over the years through the mechanism of Outside Agency grants and in-house through the Leisure Arts municipal program;

Whereas in recent years, artistic and cultural activities are increasingly recognized as economic drivers, and the city's efforts in this sphere may be inadequate to gain the maximum economic and social benefit possible from such activities; and

Whereas over the years, various documents and reports have cited the need for an inclusive multidisciplinary arts & culture centre in Cornwall;

Whereas the city's Official Plan (2004) urged council to consider the possibility of a cultural centre combining such uses as an art gallery, a theatre, an arts & crafts centre, a museum;

Whereas the Recreation Master Plan (2009) noted that the survey of community organizations identified improvements such as a new art centre with a small theatre and smaller concert halls and recital halls as important needs;

Whereas the Culturescape Report of 2011 recommended the development of an arts & culture facility for the presentation and practice of all forms of art;

In the 2014 budget, an initial \$20,000 was allocated to do a feasibility study on a multidisciplinary arts facility;

Whereas Administration subsequently consulted with the arts community and drew up the Terms of Reference for a feasibility study for an arts and culture centre in August 2014;

Therefore be it resolved that an additional \$30,000 be added to the existing fund of \$20,000, established in 2014 as seed money for a feasibility study for an arts & culture centre, to constitute an amount sufficient to conduct a comprehensive

study on the need for a Municipal Arts & Culture Centre; and

That the feasibility study would conform to the Terms of Reference established in 2014; and

That Administration report to Council at the meeting of June 8, 2015, to recommend the most appropriate source for the \$30,000 to be added to the current \$20,000.

### **PENDING BUSINESS LISTING**

#### **1 Unfinished Business List for Monday, May 11, 2015**

Click for detail --> 

Motion to receive the Unfinished Business List for Monday, May 11, 2015.

Moved by: Councillor Mark A. MacDonald

Seconded by: Councillor Carilyne Hébert

Motion Approved

### **CONFIRMING BY-LAW**

Motion to endorse By-law 2015-072, 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, May 11, 2015.

#### **1 Confirming By-law for May 11, 2015; Meeting ID 2015-012**

Click for detail --> 

Moved by: Councillor Maurice Dupelle

Seconded by: Councillor Brock Frost

Motion Approved

### **ADJOURNMENT**


Motion to adjourn the Public Meeting of Council at 8:45 pm.

Moved by: Councillor Andre Rivette

Seconded by: Councillor Elaine MacDonald

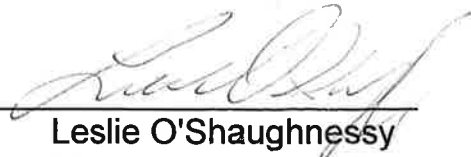
Motion Approved

**The next regular public meeting of Council is to be held on Monday, May 25, 2015.**



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Helen Finn  
City Clerk



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Leslie O'Shaughnessy  
Mayor

