



Minutes Cornwall City Council

Meeting ID: 2015-018
Meeting Date: Mon August 10, 2015 07:00 PM
Location: Council Chambers
Chair: Leslie O'Shaughnessy, Mayor
Prepared By: Helen Finn, City Clerk

Aug 10, 2015; Meeting ID 2015-018

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:

Helen Finn, City Clerk
Norm Levac, Chief Administrative Officer
Mark A. Boileau, General Manager, Economic Development, Planning, Parks and Recreation
John St Marseille, General Manager, Infrastructure and Municipal Works
Maureen Adams, General Manager, Financial Services
Myles Cassidy, EMS Chief, General Manager, Share Services
Pierre Voisine, Fire Chief
Lisa Collette, Administrative Assistant
Mary Joyce-Smith, Senior Planner
Christopher Rogers, Chief Building Official
Geoffrey Clarke, Director, Human Resources
James Fawthrop, Design and Construction Engineer
Jim Althouse, Parks and Landscaping Supervisor
Bruce Doning, Deputy Fire Chief

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-ED

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

Item 2 – 2015-019 FI Litigation issue

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

Item 3 – 2015-22-CAO Port of Cornwall Divestiture

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

Moved By: Claude E. McIntosh, Councillor

Seconded By: Andre Rivette, Councillor

MOTION APPROVED

RISE AND REPORT

Item 1 - 2015-10-ED

Motion to receive

Item 2 - 2015-019 FI Litigation issue

Motion to direct Administration to proceed with the legal transaction and prepare the required legal documents.

Item 3 - 2015-22-CAO Port of Cornwall Divestiture Update

Motion to receive

MOMENT OF PERSONAL REFLECTION

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.

- 1 - Report - Fire Master Plan: Implementation Strategy was moved up to be dealt with immediately after the presentation by the same name;
- 2 - Proclamation - Childhood Cancer Awareness month was moved up to be dealt with immediately after the presentation by the same name;
- 3 - Consent Items 2, 3, and 4 were moved to Communications for discussion

DISCLOSURE OF INTEREST

Justin Towndale declared a conflict in the Rurban Brewing report, stating that he had helped the owner prepare it.

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: Claude E. McIntosh, Councillor
Seconded By: Carilyne Hébert, Councillor

MOTION APPROVED

GENERAL CONSENT

ADOPTION OF MINUTES

Motion to endorse the following Minutes as presented.

1 July 13, 2015 Cornwall City Council Meeting

Click for detail --> 

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

MOTION APPROVED

PRESENTATIONS

1 Presentation - Childhood Cancer Awareness

Click for detail --> 

Moved from consent

2 Proclamation - Childhood Cancer Awareness month

Click for detail --> 

That Council proclaim the month of September 2015 as "Childhood Cancer Awareness month", within the City of Cornwall.

The operative clauses of the attached proclamation are:

"Therefore be it resolved that The Corporation of the City of Cornwall recognize the month of September as "Childhood Cancer Awareness Month" in the City of Cornwall; and

Therefore be it further resolved that the appropriate flag be flown at 340 Pitt Street to recognize Childhood Cancer Awareness Month; and

Therefore be it further resolved that all city departments, businesses and residents be encouraged to "paint" the city gold during the month of September to show support and encouragement for all children fighting cancer."

Moved By: Bernadette Clément, Councillor

Seconded By: Brock Frost, Councillor

MOTION APPROVED

3 Fire Master Plan - Implementation Strategy

Click for detail --> 

Moved from Communications

4 Report - Fire Master Plan: Implementation Strategy

Click for detail --> 

Action Recommended

That Council receive this report without discussion until the meeting of September 14, 2015, in accordance with the Procedural By-law section dealing with complex reports.

Motion to suspend the rules regarding complex reports to discuss a recommendation in this report tonight.

Moved By: Carilyne Hébert, Councillor

Seconded By: Bernadette Clément, Councillor

A recorded vote on this matter resulted as follows:

Votes For = 8

Leslie O'Shaughnessy, Mayor
Bernadette Clément, Councillor
Carilyne Hébert, Councillor
Elaine MacDonald, Councillor
Claude E. McIntosh, Councillor
David Murphy, Councillor
André Rivette, Councillor
Justin Towndale, Councillor

Votes Opposed = 3

Maurice Dupelle, Councillor
Brock Frost, Councillor
Mark A. MacDonald, Councillor

MOTION APPROVED

Motion to hire four (4) fire fighters immediately.

Moved By: Carilyne Hébert, Councillor

Seconded By: Bernadette Clément, Councillor

A recorded vote on this matter resulted as follows:

Votes For = 6

Bernadette Clément, Councillor
Brock Frost, Councillor
Carilyne Hébert, Councillor
Elaine MacDonald, Councillor
Claude E. McIntosh, Councillor

Justin Towndale, Councillor

Votes Opposed = 5

Leslie O'Shaughnessy, Mayor

Maurice Dupelle, Councillor

Mark A. MacDonald, Councillor

David Murphy, Councillor

André Rivette, Councillor

MOTION APPROVED

At the September meeting, the remainder of the report will be discussed and the recommendations will be as follows:

That Council receive the Fire Master Plan Implementation Strategy;

That Council approve the Establishing and Regulating By-Law

DELEGATIONS

CONSENT/CORRESPONDENCE

This item was moved to be dealt with immediately after the presentation

1 Proclamation - Childhood Cancer Awareness month

This item was moved to Communications for discussion

2 Petition - Train Whistle on Tollgate Road

This item was moved to Communications for discussion

3 Esdale Solar Project

This item was moved to Communications for discussion

4 Approval of the request by Rurban Brewing Ltd for a New Manufacturer's Limited Liquor Sales Licence (also known colloquially as a By-the glass license)

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

UNFINISHED BUSINESS REPORTS

1 Code of Conduct and Complaints procedure

Click for detail --> 

Action Recommended

That Council receive this report without discussion until the meeting of September 14, 2015, in accordance with the Procedural By-law section dealing with complex reports.

Motion to defer this item until October 28, 2015 and to put the Code of Conduct on the website for public comments.

Moved By: Bernadette Clément, Councillor
Seconded By: Elaine MacDonald, Councillor

MOTION APPROVED

On October 28, 2015, the proposed recommendation will be as follows:

That Council adopt the attached Code of Conduct, with the understanding that the City will have to appoint an Interim Integrity Commissioner if there is a complaint and direct Administration to commence an RFP process to appoint an Ad Hoc Integrity Commissioner in 2016.

2 Council Members' attendance record on the City website

Click for detail --> 

Action Recommended

That Council chose from the following :

That Council receive this report.

or

That Council direct Administration to indicate each Councillor's attendance:

- a) For the Regular Council Meeting, In-Camera and Special meetings: on the City website Council meetings page, with a hyperlink to each Councillor's profile page;
- b) For the Budget Meetings: on the Council Boards and Committees page, with a hyperlink to each Councillor's profile page;
- c) For other Committees under the City's control: on the Council Boards and Committees page, with a hyperlink to each Councillor's profile page.

Motion to direct Administration to indicate each Councillor's attendance:

a) For the Regular Council Meeting, In-Camera and Special meetings:

on the City website Council meetings page, with a hyperlink to each Councillor's

profile page;

b) For the Budget Meetings: on the Council Boards and Committees page, with a hyperlink to each Councillor's profile page;

c) For other Committees under the City's control: on the Council Boards and Committees page, with a hyperlink to each Councillor's profile page.

Moved By: Justin Towndale, Councillor
Seconded By: David Murphy, Councillor

MOTION APPROVED

3 Trail Reconstruction Project - Guindon Park - Tender 15-T38

Click for detail --> 

Action Recommended

That Tender 15-T38 be awarded to Cornwall Gravel Company Ltd., Cornwall, Ontario, at the total bid price of \$10.94 per square meter being the best bid meeting the tender specifications.

Moved By: Brock Frost, Councillor
Seconded By: David Murphy, Councillor

MOTION APPROVED

COMMUNICATIONS / REPORTS

1 Second Quarter Financial Results 2015

Click for detail --> 

Action Recommended

That Council receive the second quarter Financial Report for the period ending June 30, 2015.

Moved By: Brock Frost, Councillor
Seconded By: Justin Towndale, Councillor

MOTION APPROVED

2 Update Status on Re-Engagement of MMM Group, being the Original Consultant that was Conducting the Pointe Maligne / Lookout Point Park Project Design and Public Consultation Initiative.

Click for detail --> 

Action Recommended
That Council receive this report.

Moved By: David Murphy, Councillor
Seconded By: André Rivette, Councillor

MOTION APPROVED

3 Revised Terms of Reference - Property Standards Advisory Committee

Click for detail --> 

Action Recommended
That Council approve the revised Terms of Reference of the Property Standards Advisory Committee

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

MOTION APPROVED

4 Port of Cornwall Divestiture Update

Click for detail --> 

Action Recommended
That Council receive this report.

Moved By: Elaine MacDonald, Councillor
Seconded By: Carilyne Hébert, Councillor

MOTION APPROVED

5 Report - Fire Master Plan: Implementation Strategy

This item was moved to be dealt with immediately after the presentation

This item was moved from Consent

6 Petition - Train Whistle on Tollgate Road

Click for detail --> 

That Council refer this petition to administration for review and report.

Moved By: Bernadette Clément, Councillor

Seconded By: Brock Frost, Councillor

MOTION APPROVED

This item was moved from Consent

7 Esdale Solar Project

Click for detail --> 

That Council approve the following resolution:

That Council approve the attached resolution, the operative clause of which is:

NOW THEREFORE BE IT RESOLVED THAT:

5. The council of City of Cornwall supports the development, construction and operation of the Large Renewable Project and/or proposed Connection Line on the Lands.

6. This resolution's sole purpose is to enable the Registered Proponent to receive Rated Criteria points under LRP I RFP and may not be used for the purpose of any other form of approval in relation to the Proposal or Large Renewable Project and/or proposed Connection Line or for any other purpose. Rated Criteria points will be used to rank the Registered Proponent's Proposal in relation to other Proposals received by the IESO under the LRP I RFP.

Moved By: André Rivette, Councillor

Seconded By: Carilyne Hébert, Councillor

MOTION APPROVED

This item was moved from Consent. Having declared a conflict, Councillor Towndale exited the Chambers.

8 Approval of the request by Rurban Brewing Ltd for a New Manufacturer's Limited Liquor Sales Licence (also known colloquially as a By-the glass license)

Click for detail --> 

That Council approve Rurban Brewing's request for a "New Manufacturer's Limited Liquor Sales Licence" (also known colloquially as a "By-the glass" license) to sell and serve the beer it has manufactured, in quantities not to exceed 341 ml (12 oz.), between 11 a.m. and 9 p.m., on any day. The sale and service of beer is only permitted in areas approved under the licence that are on or immediately adjacent to the manufacturing site and under the sole control of the manufacturer located at 414-416 Cumberland Street, in Cornwall.

Note that the design submitted for building permit provides for a maximum occupant load of 9 persons in this suite; the permit was issued on this basis.

Moved By: David Murphy, Councillor
Seconded By: Brock Frost, Councillor

MOTION APPROVED

TENDERS AND REQUESTS FOR PROPOSALS

1 Tender 15-T40 Various Sewer Works on Various City Streets

Click for detail --> 

Action Recommended

That Tender 15-T40 be awarded to Malyon Excavating Ltd. from Cornwall, Ontario, at the total bid price of \$3,133,069.98 (net cost to the Corporation - \$2,821,426.56) being the best bid meeting the tender specifications.

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

MOTION APPROVED

2 Tender 15-T43 Water Plant Chemical Building Roof Heat Tracing

Click for detail --> 

Action Recommended

That Tender 15-T43 be awarded to Perras DiStefano Construction & Design Services from Cornwall, Ontario, at the total bid price of \$56,198.04, including contingency (net cost to the Corporation - \$51,105.42) being the best bid meeting the tender specifications.

Moved By: André Rivette, Councillor
Seconded By: Carilyne Hébert, Councillor

MOTION APPROVED

3 Tender 15-T44 Watermain Cured-In-Place Pipe (CIPP) Relining on Various City Streets

Click for detail --> 

Action Recommended

That Tender 15-T44 be awarded to Aquarehab (Canada) Inc. from Laval, Quebec, at the total bid price of \$3,370,987.75 (net cost to the Corporation - \$3,035,678.88) being the best bid meeting the tender specifications.

Moved By: Elaine MacDonald, Councillor
Seconded By: Justin Towndale, Councillor

MOTION APPROVED

4 Tender 15-T45 Landfill Gas Collection System - 2015 Upgrades City of Cornwall

Click for detail --> 

Action Recommended

That Tender 15-T45 be awarded to Malyon Excavation Limited from Cornwall, Ontario, at the total bid price of \$282,470.75, including contingency (net cost to the Corporation - \$256,363.04) being the best bid meeting the tender specifications.

Moved By: David Murphy, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION APPROVED

NEW BUSINESS

1 Licensing Criteria for Master Plumbers

Click for detail --> 

Whereas our current by-law relating to licensing, regulating and governing of plumbers, Master Plumbers and Contractors states that applications for a Master Plumber License Shall possess the following

- a) A valid Plumber's certificate of qualification issued by the applicable Ministry in the Province of Ontario, and
- b) A valid Certificate of Qualification issued under section 2.16 of the Building Code by the Ministry of municipal Affairs and Housing in the category of Plumbing All-buildings and General Legal Process, and
- c) A minimum of 3 years related experience in the plumbing trade (Proof required).

Whereas the Ontario Building Code only requires that work being completed is conducted by a plumber with an Ontario License.

Whereas trades people are in high demand and the City of Cornwall is limiting opportunities for our young trade's people looking to work in the city and open their own businesses by including a 3 year experience requirement.

Therefore be it resolved that Administration report to Council on September 28, 2015 regarding requirements of the Ontario Building Code, the requirements in neighbouring municipalities and the actions we must take to adjust our by-law in order for it to reflect the Ontario Building Code for licensing plumbers.

Moved By: Carilyne Hébert, Councillor
Seconded By: David Murphy, Councillor

MOTION APPROVED

PASSING OF BY-LAWS

Motion to endorse By-laws 2015-110 to 2015-118 inclusive, listed on the Agenda.

2015-110 A By-Law to authorize The Corporation of the City of Cornwall for a discharge on a property for it's Lien under the Heart of the City CIP (HOTC)

Click for detail --> 

Explanatory Note 2015-110 of Purpose and Effect for a discharge for liens for the Heart of the City CIP (HOTC)

Click for detail --> 

2015-111 A By-law to enter into a Plan of Condominium Agreement with Mr. Robert Pelda of Cotton Mill Cornwall, on Part of Lot 7, Concession 1, being Part 7 on Plan 52R-7708 (Edison Condominium Building), PIN Number 60163-0374 (LT), being 703 Cotton Mill Street, City of Cornwall.

Click for detail --> 

2015-112 A By-Law authorizing The Corporation of the City of Cornwall to enter into a renewed Lease Agreement (64-671) with the St. Lawrence Seaway Authority Management Corporation for the Corporation's structures located on land legally described as Lock 19 and weir to Lock 19, the Corporations Right-of-Way leading to said structures as well as a parking area containing 465 m2 more or less

Click for detail --> 


2015-113 A By-law authorizing The Corporation of the City of Cornwall to enter into a renewed Lease Agreement (64-672) with the St. Lawrence Seaway Management Corporation for the Corporation's structures located on land legally described as part of Lot 19 and part of Lot 20, Conc. 1 containing an area of 3.88 HA, more or less.

Click for detail --> 

2015-114 A By-law to authorise a Memorandum of Understanding with the Toronto Police Service

Click for detail --> 

2015-115 A By-law to authorize the execution of an Extension Agreement pursuant to section 378 of the Municipal Act, 2001

Click for detail --> 

2015-116 A By-law to repeal By-law 065-1999 which appointed Stephen Alexander as Assistant Deputy Chief Building Official for The Corporation of the City of Cornwall

Click for detail --> 

2015-117 A By-Law to approve the non-union cost of living increase for 2015 and 2016

Click for detail --> 

Explanatory Note 2015-117 to a by-law to authorise a cost of living increase for non-union staff for 2015 and 2016

Click for detail --> 

2015-118 A By-law to approve an agreement with the Federal Government's Small Communities Fund (SCF)

Click for detail --> 

Moved By: Carilyne Hébert, Councillor

Seconded By: Mark A. MacDonald, Councillor

MOTION APPROVED

REPORTS FROM STANDING / SPECIAL COMMITTEES OF COUNCIL

Councillor Bernadette Clement announces that she is a Liberal candidate in the Federal Elections on October 19, 2015. She will be taking a leave of absence from Council as of August 31, 2015, and will miss the September and October 13 Council meetings, 2015.

NOTICES OF MOTION

PENDING BUSINESS LISTING

The Pending Business Listing was presented and no discussion ensued.

1 Unfinished Business Listing for August 10, 2015

Click for detail --> 

Motion to receive

Moved By: Maurice Dupelle, Councillor
Seconded By: Justin Towndale, Councillor

MOTION APPROVED

CONFIRMING BY-LAW

Motion to endorse By-law 2015-119, 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, /, 2015.

1 Confirming By-law for August 10, 2015; Meeting ID 2015-018

Click for detail --> 

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

MOTION APPROVED

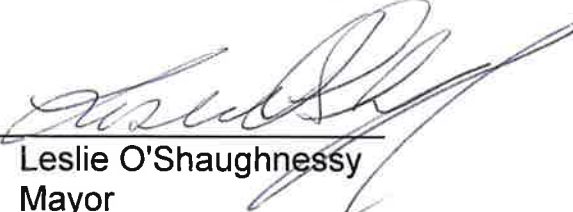
ADJOURNMENT

Motion to adjourn the Public Meeting of Council at 9:10 pm.

The next regular public meeting of Council is to be held on Monday, September 14, 2015.



Helen Finn
City Clerk



Leslie O'Shaughnessy
Mayor