



Minutes Cornwall City Council

Meeting ID: 2015-24
Meeting Date: October 26 2015 07:00 PM
Location: Council Chambers
Chair: Leslie O'Shaughnessy, Mayor
Prepared By: Manon Levesque, Deputy City Clerk

Agenda October 26, 2015; Meeting ID 2015-24

Attendance Committee Members:

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

Attendance Staff:

Norm Levac, Chief Administrative Officer
Helen Finn, City Clerk
Manon Levesque, Deputy City Clerk
Geoffrey Clarke, Director, Human Resources
John St Marseille, General Manager, Infrastructure
and Municipal Works
Mark A. Boileau, General Manager, Economic
Development, Planning, Parks and Recreation
Maureen Adams, General Manager, Financial
Services
Myles Cassidy, EMS Chief, General Manager, Shared
Services
Pierre Voisine, Fire Chief
James Fawthrop, Division Manager, Parks and
Recreation
Nicole Robertson, Solid Waste Supervisor

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 2015-11-ED

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

and

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

Item 2 - 2015-08-HR Labour negotiations

Motion to direct Administration to present a by-law at the regular meeting of July 13, 2015 at 7pm.

Item 3 – Port of Cornwall Divestiture

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

Moved By: Carilyne Hébert, Councillor

Seconded By: Andre Rivette, Councillor

MOTION APPROVED

RISE AND REPORT

Item 1 2015-11-ED

Motion to receive

Motion to direct administration in procedural matters.

Item 2 - 2015-08-HR Labour negotiations

Motion to receive

Item 3 – Port of Cornwall Divestiture

There is no update.

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.

Addition of New Business Motions

1. Chemical Tanks Communication
2. Removal of Bridge Pillars

Addition of Resolution

1. Council Vacancy

Motion to adopt the Agenda as amended.

Moved By: David Murphy, Councillor
Seconded By: Maurice Dupelle, Councillor

Motion Approved

DISCLOSURE OF INTEREST

Councillor David Murphy declared an interest in By-law 2015-157, A By-law to establish the list of Fees and Charges for The Corporation of the City of Cornwall stating that his employer was a tenant of the Civic Complex and that rental fees for the Civic Complex were listed in the By-law.

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: Andre Rivette, Councillor

Motion Approved

GENERAL CONSENT

ADOPTION OF MINUTES

Motion to endorse the following Minutes as presented.

1 October 13, 2015 Cornwall City Council Meeting

Click for detail --> 

Moved By: Elaine MacDonald, Councillor
Seconded By: Maurice Dupelle, Councillor

Motion Approved

PRESENTATIONS

There were no Presentations.

DELEGATIONS

There were no Delegations.

CONSENT/CORRESPONDENCE

1 Proclamation - Walk for Values Day

Click for detail --> 

Motion to proclaim November 23rd, 2015, as "Walk for Values Day" within the City of Cornwall.

2 Elected Officials Expense Statements for the period August 1 - September 31, 2015

Click for detail --> 

Motion to receive the Statement of Expenses for Elected Officials for the period August 1 to September 31, 2015.

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

Moved By: Claude E. McIntosh, Councillor
Seconded By: Andre Rivette, Councillor

Motion Approved

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

2015-10-26 01 Resolution to amend the Procedural By-law s. 20.5, to allow the Mayor to constitute part of quorum in Committees and Boards

Click for detail --> 

Whereas the Mayor is appointed ex-officio Member of all Council Committees but not counted in the formation of a quorum;

Whereas occasionally it is difficult to obtain quorum;

Whereas it would be advantageous to include the Mayor in the calculation of the quorum when there are insufficient members;

Now therefore be it further resolved that s. 20.5 of the Procedural By-law be amended to allow the Mayor to be counted as an alternate member, when there is a risk of not having quorum; and

That s. 20.5 of the Procedural By-law be amended to read as follows:

"20.5 Mayor - Ex-officio

The Mayor shall be an ex-officio Member of all Council Committees, and may vote on all questions before the Committee. The Mayor may be counted in the formation of a quorum as an alternate, in the absence of an appointed member."

Moved By: Andre Rivette, Councillor
Seconded By: Justin Towndale, Councillor

Motion Approved

UNFINISHED BUSINESS REPORTS

1 Code of Conduct and Complaints procedure

Click for detail --> 

Motion to 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.

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

Motion to amend the Code of Conduct everywhere it says "Integrity Commissioner" by adding "/Ombudsman" after the words "Integrity Commissioner".

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

Motion to defer this matter until the Regular Council Meeting of Monday, December 14, 2015.

Moved By: André Rivette, Councillor
Seconded By: Bernadette Clément, Councillor

Motion to Defer Approved

2 Winter Overnight Parking Restrictions- March restrictions

Click for detail --> 

Motion to approve the following:

1. That only those years as determined by the General Manager, Infrastructure & Municipal Works (or delegate thereof), the winter overnight parking restrictions will be amended anytime, between March 1 and March 31, when overnight parking could be permitted, unless Environment Canada forecasts a snowfall of 5 cm or more.

2. That those years where there is still significant snow accumulated (ie. snow banks), and temperatures below freezing forecasted for the short term in March, the current full overnight parking restriction remains in place until otherwise determined by the General Manager, Infrastructure & Municipal Works (or delegate thereof) during the month of March of any given year.

3. That City Council provides the General Manager, Infrastructure & Municipal Works (or delegate thereof), with the authority to implement the above recommendations.

Moved By: David Murphy, Councillor

Seconded By: Justin Towndale, Councillor

Motion Approved

3 Recently Placed Boulders in Lamoureux Park

Click for detail --> 

Motion to immediately remove the boulders and that the elements of the concepts outlined within the City's "Centretown Streetscape Revitalisation Strategy and Implementation Plan" be implemented along Water Street, subject to Council approval of the 2016 Capital Project item for this project.

Moved By: Andre Rivette, Councillor

Seconded By: Mark A. MacDonald, Councillor

Motion Approved

4 Curbside Residential Waste Audit and Other Solid Waste Management Master Plan Highlights

Click for detail --> 

Motion to receive this Report 2015-28-IWM-ENV.

Moved By: Carilyne Hébert, Councillor

Seconded By: Elaine MacDonald, Councillor

Motion Approved

5 Port Divestiture

There was no update.

COMMUNICATIONS / REPORTS

1 Preliminary Budget Planning 2016

Click for detail --> 

Motion to receive this Report 2015-023-FI in order to table the discussion at a future Council meeting and provide Administration with some direction for the preparation of the 2016 Draft Budget.

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

Motion Approved

TENDERS AND REQUESTS FOR PROPOSALS

1 Request for Proposal 15-P14 Operation and Preventative Maintenance Program for Methane Gas Collection and Leachate Collection Systems

Click for detail --> 

Motion to award RFP 15-P14 to Comcor Environmental Ltd. from Cambridge, Ontario, at the total bid price of \$495,990.90 (net cost to the Corporation - \$446,655.17) being the best bid meeting the specifications for a three year period commencing on December 1, 2015 and may be renewed at the option of the Corporation for up to two subsequent terms of one year each.

Moved By: Elaine MacDonald, Councillor
Seconded By: Mark A. MacDonald, Councillor

Motion Approved

NEW BUSINESS

1 Chemical Tanks Communication

Click for detail --> 

Whereas during the local Federal Election campaign there were dates released as to when Transport Canada or any other parties involved had discussions with City of Cornwall's Administration and/or City Council regarding the Chemical Tanks being placed at the Cornwall Harbor.

Whereas these dates were not the same dates as to when City Council was made aware of the issue.

Whereas it is extremely important to communicate to the residents of Cornwall the exact communications that took place between the City of Cornwall's Administration and/or City Council and Transport Canada and or any other party involved in the process.

Therefore let it be resolved that Council direct Administration to prepare a detailed report of the critical path of dates of communication between the City of Cornwall's Administration and/or City Council and Transport Canada and any other party involved and to whom these communications took place with from the beginning of communication to the date the chemical tanks were put in place at the Cornwall Harbor.

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

Motion Approved

2 Removal of Bridge Pillars

Click for detail --> 

Whereas the Federal Bridge Authority has indicated that the four Cement (Bridge) Pillars in the River will not be taken out of the River; and

Whereas at the last Waterfront meeting, there was consensus that the bridge pillars should all be removed save and except the one conceptually shown in the Centretown Streetscape Design Plan on the north bank of the River; and

Whereas the Waterfront Committee recommends that Council does whatever it can to have the pillars removed out of the River, as per the Harmonized Environmental Assessment signed by all parties involved.

Now therefore be it resolved that Council send a letter through the Mayor's office to the Federal Bridge Corporation requesting that these pillars be removed as per the Agreement; and

Now therefore be it further resolved that a copy of this motion be sent to the Mohawk Council of Akwesasne (MCA) for its support and our MP, Guy Lauzon, requesting his assistance.

Moved By: Andre Rivette, Councillor
Seconded By: Mark A. MacDonald, Councillor

Motion Approved

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

Council Vacancy

Click for detail --> 

Whereas the Council of the Corporation of the City of Cornwall has recently received the official resignation of one of its members; and

Whereas, pursuant to section 262(1) of the *Municipal Act*, Council shall declare the seat vacant; and

Whereas, once declared vacant, Council shall select the manner in which it shall fill the vacancy;

Whereas a report shall be presented to Council on Monday, November 9, 2015;

Now therefore be it resolved that That the Council of The Corporation of the City of Cornwall now declare the seat vacant.

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


Motion Approved


PASSING OF BY-LAWS

Motion to endorse By-laws 2015-150 to 2015-156 inclusive, listed on the Agenda.


2015-150 A By-law to authorise The Corporation of the City of Cornwall to register liens and to provide and subsequently administer municipal funds to the identified home owners under the Renaissance Housing Rehabilitation Program

Click for detail --> 


2015-150 Explanation of Purpose and Effect for Renaissance Housing Rehabilitation Program Applications By-law 2015-150
Click for detail --> 


2015-151 A By-law to approve a funding agreement with Product Care Association
Click for detail --> 

2015-151 Explanatory Note to By-Law 2015-151 to enter into a Funding Agreement with Product Care Association
Click for detail --> 


2015-152 A By-law to authorise The Corporation of the City of Cornwall to enter into an agreement to appoint the Ontario SPCA (Ontario Society for the Prevention of Cruelty to Animals) as Poundkeeper
Click for detail --> 

2015-153 A Bylaw to authorise The Corporation of the City of Cornwall to purchase 550 Ninth Street from the Upper Canada District School Board for the future widening of Ninth Street East
Click for detail --> 

2015-154 A By-law to authorise a department representative to proceed with vehicle registration, plates and stickers for the City of Cornwall
Click for detail --> 

2015-155 A By-law to authorize the Corporation of the City of Cornwall to enter into a Subdivision Agreement with KEM Development Corporation for the development of the Northwoods Forest Subdivision.
Click for detail --> 

2015-155 Explanatory Note to By-law 2015-155 to enter into a Subdivision Agreement with KEM Development Corporation for the development of Northwoods Forest Subdivision
Click for detail --> 

2015-156 A By-law to repeal and replace By-law 2011-081 confirming long-term financing of the Cornwall Area Housing Corporation (CAHC) Sixth Street Capital Project (project).
Click for detail --> 

Moved By: Carilyne Hébert, Councillor
Seconded By: Justin Towndale, Councillor

Motion Approved

Having declared an interest, Councillor David Murphy stepped away from his chair and exited the Council room for this item.

Motion to endorse By-law 2015-157.

2015-157 A By-law to establish the list of Fees and Charges for The Corporation of the City of Cornwall

Click for detail --> 

Moved By: Claude E. McIntosh, Councillor
Seconded By: Mark A. MacDonald, Councillor

Motion Approved

Councillor David Murphy returned to the meeting.

REPORTS FROM STANDING / SPECIAL COMMITTEES OF COUNCIL

Councillor Andre Rivette, on behalf of the Waterfront Committee, solidified that the project to focus on in 2016 would be Pointe Maligne.

Mayor Leslie O'Shaughnessy spoke about the recent "Cool Engines and Flashing Lights" event that took place as well as the City Hall tours in order to celebrate Local Government Week.

Councillor Bernadette Clement recognized Brock Frost's service to the community as Councillor.

NOTICES OF MOTION

There were no Notices of Motion.

PENDING BUSINESS LISTING

The Pending Business Listing was presented and no discussion ensued.

1 Unfinished Business Listing for October 26, 2015

Click for detail --> 

Motion to receive the Unfinished Business Listing for October 26, 2015.

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

Motion Approved

CONFIRMING BY-LAW

Motion to endorse By-law 2015-158, 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, October 26, 2015.

1 Confirming By-law for October 26, 2015; Meeting ID 2015-24

Click for detail --> 

Moved By: Maurice Dupelle, Councillor
Seconded By: Carilyne Hébert, Councillor

Motion Approved


ADJOURNMENT

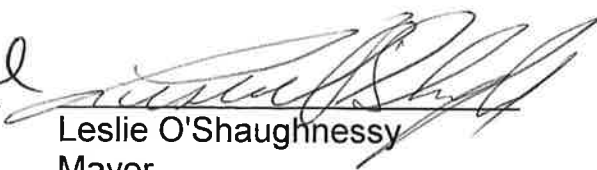
Motion to adjourn the Public Meeting of Council at 8:25 pm.

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

Motion Approved

The next regular public meeting of Council is to be held on Monday, November 9, 2015.

Pal: 
Helen Finn
City Clerk


Leslie O'Shaughnessy
Mayor

