



City of Brockville Meeting of Council

Tuesday, July 28, 2009, 7:00 p.m.
City Hall - Council Chambers

Council Minutes

Regular Meeting of Council at 7:00 pm

Roll Call

Council Members:

Mayor D. Henderson
Councillor J. Baker
Councillor G. Beach
Councillor J. Earle
Councillor J. Fullarton
Councillor L. Journal
Councillor L. Severson
Councillor S. Williams

Absent:

Councillor H. Noble
Councillor M. Kalivas

Staff:

Mr. B. Casselman, City Manager
Ms. D. Cyr, Director of Finance
Ms. V. Harvey, Acting Director of Parks and Recreation
Mr. H. Jones, Fire Chief
Mr. C. Law, Municipal Intern
Mr. A. McGinnis, Planner II
Mr. D. Paul, Director of Economic Development
Mr. P. Raabe, Municipal Engineer
Ms. S. Seale, City Clerk (Recording Secretary)

Others:

Mr. Michael Jiggins, Recorder and Times

MOTION TO MOVE INTO CLOSED SESSION (4:00 P.M.)

Moved by: Councillor Fullarton
Seconded by: Councillor Beach

THAT pursuant to *Municipal Act*, 2001, Sections 239(insert section), Council resolve itself into the Committee of the Whole, In Camera, closed to the public to consider:

1. labour relations or employee negotiations - CUPE 115 (Inside) Contract; and
2. advice that is subject to solicitor-client privilege, including communications necessary

for that purpose - WPCC Secondary Treatment Upgrades Tender.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

Moved by: Councillor Beach
Seconded by: Councillor Earle

THAT Council rise from Committee of the Whole, In Camera and the Chairman report that all recommendations adopted in Committee of the Whole, In Camera, be adopted.

CARRIED

MAYOR'S REMARKS

Mayor Henderson congratulated Mr. Michael Jiggins on his 2nd place finish at the Ontario cycling Championships held this past weekend. Contratulations were also bestowed to the Brockville Minor A Little League team for winning their way to the Provincial Championships to be held this upcoming weekend in Oakville. Contratulations were also sent to Curtis and Brenden Boyd for their Silver Medal finish at the Royal Henley.

His Worship noted that Automootion will be held this weekend which will change the date of the Artisans Village from Sunday to Monday; Ribfest and the Poker Run are the following weekend.

Mayor Henderson expressed Council's condolences to the families of Michael Veenstra Sr. and Tom Dailey.

DISCLOSURE OF INTEREST

Nil

ADOPTION OF COUNCIL MINUTES

Moved by: Councillor Earle

THAT the minutes of the Council Meeting of June 23, 2009 and June 30, 2009 be adopted and circulated as read.

CARRIED

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Earle
Seconded by: Councillor Journal

THAT we adjourn and meet as Committee of the Whole Council, with the Mayor in the Chair.

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

- (i) Royal Canadian Legion, Brockville Branch 96

Moved by: Councillor Beach

THAT Council proclaim Legion Week, September 20th to 26th, 2009
"A Salute to Veterans Past and Present"

CARRIED

- (ii) Brockville and District Multicultural Council Inc.

Moved by: Councillor Beach

THAT in honour of India Independence Day, that the India flag be flown at Tunnel Bay
from August 10th to 17th, 2009.

CARRIED

- (iii) Epilepsy Association of Brockville and Area

Moved by: Councillor Beach

THAT Council permit the Epilepsy Association of Brockville and Area to sell Gladiolus
flowers in the City of Brockville at various commercial retail locations from Thursday,
August 13th, 2009 to Saturday, August 15th, 2009

CARRIED

- (iv) Brockville Municipal Non-Profit Housing
2009 Board Appointments

Moved by: Councillor Beach

THAT Council appoint the following persons to the Brockville Municipal Non-Profit
Housing Corporation (BNPHC) Board of Directors as elected at the Corporations
Annual General Meeting held in November 2008:

Allison Pickard - Chair
Robert Allan - Vice Chair
Mark Spence - Treasurer/Secretary
Florence Davis
Edfriede Dohle
Bonny Sadler
Karen Poole; and

THAT Council request that the BNPHC Board of Directors consider amending their Articles of Incorporation to remove the requirement for approval of the BNPHC Board of Directors by the Council for the Corporation of the City of Brockville as the City no longer directly funds the BNPHC.

CARRIED

STAFF REPORTS

- (i) 2009-096-06
WPCC SECONDARY TREATMENT UPGRADES
TENDER FOR CONTRACT 2009-01

Moved by: Councillor Williams

THAT the City of Brockville terminate and set aside the tender process for the Secondary Treatment Upgrade project; and

THAT design for the remainder of the work of the WPCC be completed with tenders solicited for the total work of the project.

CARRIED

REPORTS BOARDS AND COMMITTEES

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Councillor M. Kalivas, Chair
Councillor G. Beach, Councillor J. Earle

Meeting held July 7, 2009

EDP - REGULAR AGENDA

- (i) 2009-108-07
SITE PLAN CONTROL APPROVAL
328 PARK STREET CITY OF BROCKVILLE

OWNER 1709873 ONTARIO INC. AGENT RANDAL DYZAK

Moved by: Councillor Earle

THAT Site Plan Approval be granted for an addition, measuring 231.2 m² (2,296.0 ft²) to an existing commercial building, located at 328 Park Street. Said development shall be in accordance with the following drawings:

- i) "EXISTING CONDITIONS PLAN, SITE PLAN, SITE SERVICING", Issued by E.V. Trought Engineering, Drawing No. A1, dated 27 November 2008, as revised;
- ii) "FLOOR PLANS, ELEVATIONS", Issued by E.V. Trought Engineering, Drawing No. SP-1, dated December 2008, as revised;
- iii) "DETAILS – KEY PLAN", Issued by E.V. Trought Engineering, Drawing No. SD1, dated 24 March 2009, as revised;

CARRIED

FINANCE AND ADMINISTRATION COMMITTEE

Councillor J. Baker, Chair
Councillor J. Fullarton, Councillor L. Journal

Meeting held July 21, 2009

FIN. ADM. - CONSENT AGENDA

Councillor Severson requested that Report No. 2009-18-07, Program Funding - RINC 2009 be separated from the Consent Agenda.

Moved by: Councillor Baker

THAT the following items as listed on the Finance and Administration Committee agenda are recommended by the Finance and Administration Committee to be passed by Consent Agenda.

CARRIED

- (i) 2009-109-07
2008 AUDITOR'S MANAGEMENT LETTER
AND TREASURER'S RESPONSE

Moved by: Councillor Baker

THAT the Auditor's Management Letter and Treasurer's Response be received for review and information.

CARRIED

- (ii) 2009-111-07
2009 WORK PLAN QUARTERLY REPORT

Moved by: Councillor Baker

THAT report 2009-111-07, 2009 Work Plan Quarterly Report, be received for information purposes.

CARRIED

- (iii) 2009-113-07
2009 CITY DEBENTURE ISSUE

Moved by: Councillor Baker

THAT Council authorize staff to investigate the various loan programs available for all of the 2009 Capital Projects that are to be debentured; and

THAT staff be authorized to submit applications to the various loan programs for the 2009 Capital Projects that meet the criteria set out in the lending guidelines; and

THAT Council authorize the Mayor and Director of Finance to enter into agreements with either the Ontario Infrastructure Projects Corporation (OIPC), Federation of Canadian Municipalities (FCM) or the Canadian Housing and Mortgage Corporation (CMHC) to provide such financing for the 2009 Capital Budget projects that are approved for loans under the lending program guidelines; and

THAT in the event that some projects do not qualify, staff be directed to bring back a report to Council detailing alternate means of financing those projects.

CARRIED

- (iv) 2009-115-07
TREASURER'S REPORT AND
FINANCIAL STATISTICS JUNE 2009
FILE: F05-43

Moved by: Councillor Baker

THAT Council receives the Treasurer's Report and Financial Statistics, as of June 30th, 2009, with respect to Current Operations, Reserve Funds and the Capital Fund.

CARRIED

- (v) 2009-114-07
2009 TAX RATES AND
FINAL TAX DUE DATE
FILE: F22-45I

Moved by: Councillor Baker

THAT Council authorize an amendment to By-Law 050-2009, the By-Law to adopt the 2009 Operating Capital, Water and Wastewater Budgets, to include a capping shortfall in the industrial tax class of \$296 for an amended net operating levy of \$26,951,207 [Attachment #1 to Report #2009-114-07]; and

That the by-law to levy \$26,951,207 and impose municipal and education tax rates for the year 2009 be approved [Attachment 2 to Report # 2009-114-07]; and

That the calculations to impose special purpose rates for the year 2009 and to authorize the levy on behalf of the Downtown Board Improvement Association (DBIA) be approved [Attachment 3 to Report # 2009-114-07]; and

That the final tax due date for all property classes is August 27, 2009.

CARRIED

- (vi) 2009-120-07
ACCESSIBLE CUSTOMER SERVICE
POLICY AND PROCEDURES (AODA)

Moved by: Councillor Baker

THAT Report 2009-120-07, Accessible Customer Service Policy and Procedures (AODA) be received and the following be adopted:

- a) Accessible Customer Service Policy - Providing Goods and Services to People with Disabilities;
- b) Accessible Customer Service – Best Practices and Procedures.

CARRIED

FINANCE AND ADMINISTRATION COMMITTEE - REGULAR AGENDA

- (i) 2009-118-07
PROGRAM FUNDING – RINC 2009
FILE: F11-187

Moved by: Councillor Baker

THAT Council approve the funding of the municipal portion of \$427,223 for the approved Recreational Infrastructure Canada (RinC) projects for the Brockville Memorial Athletic Complex and the Centennial Youth Arena through the following sources as determined by the Director of Finance and City Manager:

1. \$213,611 from the anticipated surplus from the 2009 Capital Project 2.1 King Street West Reconstruction;
2. \$213,612 to the 2010 Budget; and

THAT Eastern Engineering be retained to provide engineering / project management services on an as required basis.

CARRIED

OPERATIONS COMMITTEE

Councillor S. Williams, Chair
Councillor H. Noble, Councillor L. Severson

Meeting held July 22, 2009

OPERATIONS - CONSENT AGENDA

Councillor Earle requested that Report No. 2009-116-07, Contract Number 2009-10A, Restoration of the Railway Tunnel - North Portal be separated from the Consent Agenda.

Moved by: Councillor Williams

THAT the following items listed on the Operations agenda are recommended by the Operations Committee to be passed by Consent Agenda

CARRIED

- (i) 2009-119-07
PURCHASE OF JAWS OF LIFE
HYDRAULIC POWER UNIT & COUPLING SYSTEM

Moved by: Councillor Williams

THAT Council authorize the purchase of a new Hydraulic Power Unit for the "Jaws of Life" and the "Streamline Single Coupling System" for the aforementioned power unit from Code 4 Fire and Rescue; and

THAT \$10,050.00 of the cost to purchase a new Hydraulic Power Unit for the "Jaws of

Life” be funded from the “Operational Fire Equipment Reserve Fund” and transferred from account R2010-959C-5223; and

THAT \$5,000.00 be funded from the Unspent Budget Items Reserve with the remaining amount of \$1,511.80 to be funded from G2130-2080-9750; and

THAT the expenditures be charged against account C2010-JAWS.

CARRIED

- (ii) 2009-105-07
WATER & WASTEWATER TREATMENT
QUARTERLY REPORT
(APR. – JUN. 2009)

Moved by: Councillor Williams

THAT Report 2009-105-07 Water & Wastewater Treatment Quarterly Report (Apr. – Jun. 2009) be received for information purposes.

CARRIED

- (iii) 2009-110-07
INTERIM COLLECTION OF SOLID WASTE AND RECYCLABLES
PRIVATE ROADS AND CONDOMINIUMS

Moved by: Councillor Williams

THAT the City commence collection of solid waste and recyclables for Country Club Place and Susanna Lane as part of the City's curbside collection program effective September 1, 2009, subject to the requirement that all garbage bags have a City bag tag on them; and

THAT this service be offered to the other single family units as identified in this report; and

THAT this service be considered an interim arrangement until such time as potential amendments to the policy concerning the collection of solid waste and recyclables from condominiums and private roads are considered and acted upon by City Council.

CARRIED

- (iv) 2009-112-07
BLOCKHOUSE ISLAND
CONCRETE BOLLARD RESTORATION

Moved by: Councillor Williams

THAT Council accept the tendered bid price from Century Building Restoration for the Concrete Bollard Restoration at Blockhouse Island in the amount of \$12,400, excluding GST; and

THAT the \$8,000 be expensed from Account Number C7011 PEMP 8871; and

THAT the shortfall of \$4,400 be funded from surplus monies from the 2009 capital budget projects which will allocated "Investing in Ontario Act" monies.

CARRIED

OPERATIONS COMMITTEE - REGULAR AGENDA

- (i) 2009-116-07
CONTRACT NUMBER 2009-10A
RESTORATION OF THE RAILWAY TUNNEL-NORTH PORTAL

Moved by: Councillor Williams

THAT Council accept the tender from Northside Historical Masonry Inc. in the amount of Three Hundred and Thirty-Four Thousand, Four Hundred and Fifteen Dollars and Forty-Six Cents (\$334,415.46) excluding GST, plus a Thirty Thousand Dollar (\$30,000) contingency for Contract No. 2009-10A for the restoration of the railway tunnel's north portal; and

THAT an additional \$150,172.42 be funded from surplus monies from 2009 capital budget projects which were allocated "Investing in Ontario Act" monies; and

THAT the funds be allocated from account C7011-RTNP.

CARRIED

NEW BUSINESS - REPORTS FROM MEMBERS OF COUNCIL

- (i) BROCKVILLE MENTAL HEALTH CENTRE - CLOSURE OF TRANSITION BEDS

Moved by: Councillor Williams

THAT the provincial government delay the closure of the transition beds at the Brockville Mental Health Centre for a minimum of one year such that:

- The brunt of the negative economic impact can be delayed until an anticipated economic recovery has begun and displaced staff will have a realistic opportunity to find alternatives; and
- That alternative plans for the BMHC site can be formalized in light of the fact that the closure of the transitional beds will be moving forward; and

- That the Mental Health treatment facility plans for treatment of inmates with mental health issues can be developed

CARRIED

MOTION TO RETURN TO COUNCIL

Moved by: Councillor Earle

THAT we revert from Committee of the Whole Council, to Council.

CARRIED

ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Earle

Seconded by: Councillor Journal

THAT the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted.

CARRIED

BY-LAWS

- | | |
|----------|--|
| 071-2009 | By-law to authorize the Appointment of Municipal Law Enforcement Officers and Peace Officers as it applies to the Private Property of the Brockville General Hospital 75 Charles Street site and 42 Garden Street site |
| 072-2009 | By-law to appoint Ron Gautreau and Mark Bailey as Municipal Law Enforcement Officers for the City of Brockville |
| 073-2009 | By-law to levy \$26,951,207 and impose Municipal and Education rates for the year 2009 and to authorize the levying thereof |
| 074-2009 | By-Law to amend By-law 050-2009 the 2009 Operating, Capital, Water, and Wastewater Budgets |
| 075-2009 | By-law to authorize the City of Brockville to enter into an agreement with the Ministry of Transportation for the Ontario Bus Replacement Program |

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Journal
Seconded by: Councillor Earle

THAT By-laws Numbered 071-2009 to 075-2009 be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Journal
Seconded by: Councillor Earle

THAT By-laws Numbered 071-2009 to 075-2009 be now read a third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be recorded.

CARRIED

CONFIRMATORY BYLAW FIRST AND SECOND READING

Moved by: Councillor Journal
Seconded by: Councillor Earle

THAT By-law Number 076-2009 to confirm the Proceedings of Council at its meeting held on July 28, 2009 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Journal
Seconded by: Councillor Earle

THAT By-law Number 076-2009 to confirm the Proceedings of Council at its meeting held on July 28, 2009 be now read a third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be recorded.

CARRIED

ADJOURNMENT

Moved by: Councillor Journal

Seconded by: Councillor Earle

THAT Council adjourn its proceedings until the next regular meeting scheduled for August 24, 2009.

The meeting adjourned at 7:55 p.m.

CARRIED

Mayor

Clerk