



City of Brockville Council Meeting

Tuesday, November 08, 2011, 7:00 pm
City Hall, Council Chambers

Roll Call

Council Members:

Mayor D. Henderson
Councillor J. Baker
Councillor D. Beatty
Councillor L. Bursey
Councillor J. Earle (6:08 p.m.)
Councillor J. Fullarton
Councillor M. Kalivas
Councillor D. LeSueur
Councillor M. McFall (6:12 p.m.)

Staff:

Mr. C. Cosgrove, Director of Operations
Ms. D. Cyr, Director of Finance
Ms. D. Livingstone, Deputy City Clerk (Recording Secretary)
Ms. M. Pascoe Merkley, Director of Planning
Mr. P. Raabe, Director of Environmental Services
Ms. S. Seale, City Clerk

Others:

Mr. Nick Gardiner, Recorder and Times

MOTION TO MOVE INTO CLOSED SESSION (6:00 PM)

Moved by: Councillor LeSueur
Seconded by: Councillor Baker

THAT pursuant to *Municipal Act*, 2001, Section 239 Sub. 2 (c), Council resolve itself into the Committee of the Whole, In Camera, closed to the public to consider:

1. a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA (7:02 pm)

Moved by: Councillor LeSueur
Seconded by: Councillor Baker

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 remarked that the PFlag Canada Brockville Anti Bullying event is taking place at BCI on November 17th, 2011. The Remembrance Day walk to the Cenotaph with the Brockville Rifles is taking place from City Hall at 10:45 a.m. with commemorative moment of silence at 11 a.m.

DISCLOSURE OF INTEREST

Councillor McFall declared pecuniary interest with item 2011-119-11, Staff Report No. 2011-119-11.

ADOPTION OF COUNCIL MINUTES

Moved by: Councillor Earle
Seconded by: Councillor Kalivas

THAT the minutes of the Council Meeting of October 25, 2011 be adopted and circulated as read.

CARRIED

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Earle

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

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

1. Pulmonary Hypertension Month (Pulmonary Hypertension Canada)

Moved by: Councillor Baker

THAT Council do hereby proclaim November to be Pulmonary Hypertension Month.

CARRIED

2. Diabetes Awareness Month and Diabetes Awareness Day (South Eastern Ontario, Canadian Diabetes Association)

Moved by: Councillor Baker

THAT Council do hereby proclaim November to be Diabetes Awareness Month and November 14th, 2011 as World Diabetes Day.

CARRIED

DELEGATIONS

Team Brockville-Strong 2011, Movember Campaign

Councillor Bursey and Mr. Brodie Somerville addressed Council regarding the Movember Campaign.

STAFF REPORTS

1. 2011-122-11
Removal of H1 Holding Symbol Lots 261 to 273, Inclusive, and Lots 298 to 306, Inclusive, Bridlewood Subdivision, Plan 375
Owner: 653973 Ontario Ltd., Agent: Eastern Engineering Group Inc., File: 267-10

Moved by: Councillor Kalivas

THAT the H1-Holding Symbol be removed from lands described as Lots 261 to 273, inclusive, and Lots 298 to 306, inclusive, Registered Plan 375, City of Brockville, County of Leeds.

CARRIED

REPORTS BOARDS AND COMMITTEES

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Councillor M. Kalivas, Chair Councillor J. Baker, Councillor D. Beatty, Councillor J. Earle, Meeting held October 27, 2011.

EDP - CONSENT AGENDA

Councillor McFall left the Chambers.

Moved by: Councillor Kalivas

THAT the following items, as listed on the Economic Development and Planning Committee agenda are recommended by the Economic Development and Planning Committee to be passed by Consent Agenda

CARRIED

1. 2011-117-11
Quit Claim Deed
2 Grant Street

Moved by: Councillor Kalivas

THAT Council authorize the City Clerk to execute a Quit Claim Deed for Lots 4 and 5, Block 42, Plan 67; and

THAT the necessary by-law be enacted.

CARRIED

- 2.. 2011-119-11
Proposed Draft Subdivision Approval
Part Lot 13 and Part of Part 1
Reference Plan 28R-12528
City of Brockville
(Wildwood Crescent - Phase II)
Owner: Spring Valley Homes Ltd., (Michael Veenstra)

Agent: Collett Surveying Ltd.

Moved by: Councillor Kalivas

THAT Council approve the Draft Plan of Subdivision on lands described as Part of Lot 13 and Part of Part 1, R.P. 28R-12528, Concession 2, City of Brockville, County of Leeds, subject to the following conditions:

1. That these conditions shall apply to the Draft Plan prepared by W. B. Collett, O.L.S., dated 05 August 2011, showing one street, Block A, and Lots 1 through 30, inclusive, said Blocks and Lots being delineated as to use on the afore-mentioned Draft Plan;
2. That the proposed Street shown on this revised Draft Plan, shall be dedicated as a public highway to be named "Wildwood Crescent";
3. That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities, including an easement in favour of the City of Brockville for storm drainage;
4. That, prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:
 - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting, easements and the installation of services and drainage;
 - The requirement of the Brockville Fire Department for an acceptable number of hydrant locations and capacity and to ensure emergency services access and firefighting capabilities;
 - The requirements of Canada Post with respect to the installation of Community Mailboxes and associated easement(s);
 - The requirements of Enbridge Gas Distribution Inc., with respect to installation and clearance requirements, a composite utility plan, street grading requirements, field survey information, current road cross-sections, associated easement(s) and various conditions to be contained in the Subdivision Agreement as set out by Enbridge Gas Distribution Inc.;
 - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing and associated easement(s);
 - The requirements of Cogeco Cable Canada Inc. with respect to the installation of Cable servicing and associated easement(s);
 - The requirement of Bell with respect to the installation of Bell servicing;
 - Block A, being a public walkway, shall be opened to the public upon completion of Lots 1, 2, 3, 4 and 30 or upon assurance of safe pedestrian access.
5. That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan with best management practices be

- prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
6. That prior to the final approval of the Plan, a detailed Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
 7. That in conjunction with the proposed construction plan the Owner shall provide specific locations and dates (i.e. set-up and removal) for all construction/sales buildings, structures and/or trailers, outdoor toilets, etc. Said locations shall be to the satisfaction of the City of Brockville prior to placement. Any and all such temporary structures shall be located only for so long as is necessary for the work in progress.
 8. That no tree clearing be permitted until approval of a Tree Saving Plan for each lot or block is approved by the City of Brockville.
 9. That the Owner shall be responsible for all costs involved with lands required to be dedicated, conveyed or granted, including but not limited to, easement(s) over, or under, to the City of Brockville and/or the appropriate authority or authorities;
 10. That prior to Final approval of this Plan, the owner shall pay any and all outstanding taxes levied against the Plan;
 11. That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13. It is the sole responsibility of the Owner to make such application for extension of Draft Plan approval; and
 12. That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

CARRIED

3. 2011-120-11
Social-Cultural Agreement/Zabaikalsky Region of the Russian Federation

Moved by: Councillor Kalivas

THAT Council authorize the Mayor to execute a Social-Cultural Agreement between the Chitinsky district of the Zabaikalsky region of the Russian Federation and the Corporation of the City of Brockville, being a protocol agreement identifying a number of arts and cultural exchanges between the two

districts for the purposes of enhancing culture diversity amongst both jurisdictions and further encouraging immigrant investment and attraction associated with the directives of our economic development office, and further;

THAT the Mayor present duly, the endorsed documents to both the Governor and Minister of Culture during a scheduled visitation in early 2012 to Brockville.

CARRIED

Councillor McFall returned to the Chambers

FINANCE, ADMINISTRATION AND OPERATIONS

Councillor J. Fullarton, Chair Councillor L. Bursey; Councillor D. LeSueur; Councillor M. McFall Meeting held on October 18th, 2011.

FAO - REGULAR AGENDA

1. 2011-108-10
2010 Budget and Year End Financial Statements

Moved by: Councillor Fullarton

THAT Audited Financial Statements and Treasurer's information pertaining to the 2010 Year-End Financial Position be received [Attachment 1 to Report 2011-108-10]; and

THAT expenses beyond the initial 2010 budget be ratified; and

THAT any deficit variance be authorized as expenditures from the Fiscal Policy Reserve; and

THAT the Audited Financial Statements for the Board of Management, Downtown Business Improvement Area of the Corporation of the City of Brockville be received [Attachment 2 to Report 2011-108-10]; and

THAT the Audited Statements for Corporation of the City of Brockville Trust Funds be received [Attachment 3 to Report 2011-108-10];

CARRIED

Councillor Beatty called attention to the 10.6% increase in summary of expenses for municipal employee wages and benefits for the period of 2009-2010.

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

1. Process to Fill Council Vacancy

Moved by: Councillor Kalivas

THAT Council approve the process to fill the council vacancy.

CARRIED, AS AMENDED ON A LATER VOTE

Amendment to Motion

Moved by: Councillor Kalivas

THAT voting take place to fill the vacancy on Council at the November 29th Council meeting.

CARRIED

Amendment to Motion

Moved by: Councillor Bursey

THAT where the votes cast are equal for all the candidates, a second vote shall be taken of the same slate of candidates.

CARRIED

The vote on the original motion, as amended, was now taken and the motion, as amended, was carried.

Amended Motion

Moved by: Councillor Kalivas

THAT Council approve the process to fill the council vacancy as amended.

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 Kalivas

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

- | | |
|----------|---|
| 077-2011 | By-law to authorize the execution of a Quit Claim Deed of Lots 4 and 5, Block 42, Plan 67, City of Brockville, County of Leeds |
| 088-2011 | A By-Law to authorize the execution of a lease agreement with Her Majesty the Queen represented herein by the Minister of Fisheries and Oceans for the Management and Operation of the Brockville Harbour, Brockville, Ontario |
| 089-2011 | By-law to Remove Certain Lands described as that portion of Lots 8, 9, & 10, Registered Plan 375, designated as Parts 17 and 18, Reference Plan 28R-13180, City of Brockville, County of Leeds, from Part Lot Control (Bridlewood Subdivision – Phase 5- File 267-10) |
| 090-2011 | By-law to authorize Removal of H1 Holding Symbol Lots 261 to 273, Inclusive, and Lots 298 to 306, Inclusive, Bridlewood Subdivision, Plan 375 |

CARRIED

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Earle
Seconded by: Councillor Kalivas

THAT By-laws Numbered 077-2011, 088-2011 to 090-2011 to be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Earle
Seconded by: Councillor Kalivas

THAT By-laws Numbered 077-2011, 088-2011 to 090-2011 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 Earle
Seconded by: Councillor Kalivas

THAT By-law Number 091-2011 to confirm the Proceedings of Council at its meeting held on November 8th, 2011 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Earle
Seconded by: Councillor Kalivas

THAT By-law Number 091-2011 to confirm the Proceedings of Council at its meeting held on November 8th, 2011 be now read a third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be recorded.

CARRIED

MAYOR'S ANNOUNCEMENTS

Mayor Henderson announced that the Operating Budget discussions would commence in November.

ADJOURNMENT

Moved by: Councillor Earle
Seconded by: Councillor Kalivas

THAT Council adjourn its proceedings until the next regular meeting scheduled for November 22nd, 2011.

CARRIED

The meeting adjourned at 7:38 pm.

Mayor

City Clerk