



**City of Brockville
Meeting of Council**
Tuesday, November 24, 2009
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 M. Kalivas
Councillor H. Noble
Councillor L. Severson
Councillor S. Williams

Staff:

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

Others:

Mr. Ron Zajac, Recorder and Times

MOTION TO MOVE INTO CLOSED SESSION

Moved by: Councillor Noble
Seconded by: Councillor Journal

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

1. personal matters about an identifiable individual, including municipal or local board members;

2. 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

Moved by: Councillor Severson
Seconded by: Councillor Kalivas

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

DISCLOSURE OF INTEREST

Nil

ADOPTION OF COUNCIL MINUTES

Nil

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Fullarton
Seconded by: Councillor Kalivas

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

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

- (i) Teachers of English as a Second Language Association of Ontario

Moved by: Councillor Earle

THAT Council proclaim December 6th to December 12th, 2009 as English as a Second Language Week.

CARRIED

- (ii) Heart and Stroke Foundation of Ontario

Moved by: Councillor Earle

THAT Council proclaim the month of February 2010 as Heart Month.

CARRIED

(iii) Appointments to Boards and Committees

Moved by: Councillor Williams

THAT Council appoint Elfriede Dohle to the Brockville Municipal Accessibility Advisory Committee whose terms will expire November 30, 2013; and

THAT By-Law 122-2006, By-Law to Appoint Members to Various Boards and Commissions of the City of Brockville be amended.

CARRIED

DELEGATIONS

Eastern Ontario Regional Broadband Network

Mr. Jim Pine, CAO, Hastings County, addressed Council with respect to the Eastern Ontario Regional Broadband Network (EORBN). Mr. Pine indicated that EORBN are requesting that Council consider a financial contribution to the project.

(A copy of Mr. Pine's presentation is attached to the minutes.)

STAFF REPORTS

- (i) 2009-186-11
Removal of Part Lot Control
Lot H and Lot I, Block 24, Plan 67
10 and 12 Charlotte Place, City of Brockville
Owner: Legion Village 98 Seniors Residence Brockville Inc.
Agent: Angus F. Bickerton, Fraser Bickerton

Moved by: Councillor Kalivas

THAT a by-law be enacted pursuant to Section 50(7) of the Planning Act R.S.O. 1990 to remove Part Lot Control from lands described as Lot H and Lot I, Block 24, Plan 67, known municipally as 10 and 12 Charlotte Place, City of Brockville, County of Leeds.

CARRIED

- (ii) 2009-187-11
Request for Additional Funding

Restoration of the Railway Tunnel-North Portal

Moved by: Councillor Williams

THAT Council authorize additional funding in the amount of Fifty Thousand Dollars (\$50,000.00) plus GST to restore the west dry stacked stone retaining wall and replace the wooden entrance doors at the north portal of the railway tunnel; and

THAT Cadieux Contracting be retained to supply and install the new wooden doors at a cost of Sixteen Thousand, Six Hundred and Seventy Dollars (\$16,670) plus GST; and

THAT the funds be allocated from surplus monies from other 2009 capital budget projects or at the discretion of the City Manager and Director of Finance.

CARRIED

- (iii) 2009-188-11
Sustainable Waste Management Plan

Moved by: Councillor Journal

THAT Trow Associated Inc. be retained to prepare a Sustainable Waste Management Plan for a fee of \$46,498.00, plus GST; and

THAT project funding be provided from the Landfill Closure capital project, account 9405000-9940501.

CARRIED

REPORTS BOARDS AND COMMITTEES

OPERATIONS COMMITTEE

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

Meeting held November 17, 2009

OPERATIONS COMMITTEE - REGULAR AGENDA

- (i) 2009-182-11
Energy Efficient Street Lighting
Conversion Project

Moved by: Councillor Severson

THAT Council receive Report No. 2009-182-11, Energy Efficient Street Lighting Conversion Program for information purposes.

CARRIED

- (ii) Brockville General Hospital-The Assault Response and Care Centre

Moved by: Councillor Noble

THAT City Council endorse and encourage the Assault Response and Care Centre to design, create and install in a City Park an appropriate memorial to the victims of violence with the exact location to be determined at a later date.

CARRIED

FINANCE AND ADMINISTRATION COMMITTEE

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

Meeting held November 17, 2009

FIN. ADM. - CONSENT AGENDA

FIN. ADM. - CONSENT AGENDA

Moved by: Councillor Journal

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

CARRIED

- (i) 2009-181-11
Closing of Specific Reserve Funds - Capital and Reserves

Moved by: Councillor Journal

THAT Council authorize staff to transfer the December 31, 2009 balance of the Public Utilities Water Systems Development Charge Reserve Fund and Public Utilities Hydro Electric Systems Development Charge Reserve Fund to the WPCC Secondary Treatment Plant Upgrade capital project and to close the reserve funds and;

THAT Council authorize staff to transfer the December 31, 2009 balance of the Commuted Local Reserve Fund to the Capital Fiscal Management Reserve and to close the reserve fund and;

THAT Council authorize staff to transfer the December 31, 2009 balance of the Poker Run Reserve Fund to the Fiscal Policy Reserve and to close the reserve fund and;

THAT Council authorize staff to close the Smoothing Annual D.B.I.A. Levies due to Assessment Adjustments Reserve Fund which currently has a zero balance and;

THAT Council repeal the by-law that established the above mentioned reserve funds by enacting By-law #XXX-2009.

CARRIED

- (ii) 2009-183-11
Brockville Museum Request For Transfer of Funds
for Oral History Project

Moved by: Councillor Journal

THAT Council authorize the transfer of any profits associated with the sale of "Brockville Voices" to the Brockville Museum Reserve Fund to be used for costs associated with future oral history publications; and

THAT any shortfall associated with the publication of the "Brockville Voices - Book II" be funded from the proceeds of the 2009 Wine Tasting Event and if necessary, the Brockville Museum REserve Fund; and

THAT Council authorize the annual transfer of the profit from the Brockville Museum's Wine Tasting Events to the Brockville Museum Reserve Fund to be used for costs associated with future oral history publications; and

THAT monies being transferred to the Brockville Museum Reserve Fund be allocated to Account 02-4-191954-0911.

CARRIED

- (iii) 2009-184-11
Renewal of Banking Agreement

Moved by: Councillor Journal

THAT Council authorize staff to accept the banking services proposal from the Bank of Montreal which has credit interest paid at the BMO prime rate less 1.80% calculated on the daily closing balances in all Canadian dollar deposit accounts and paid monthly on the last banking day of the month as well as no

fees for account activity and cash management services as outlined in the proposal, for a period of three years; and

THAT at the end of the three year term staff will engage in a competitive process for the next banking services agreement.

CARRIED

- (iv) 2009-185-11
Municipal Stable Funding Guarantee

Moved by: Councillor Journal

THAT Council petition the Province to commit the level of Combined Benefit Stable Funding Guarantee for 2010 based upon 2009 funding.

CARRIED

FIN. ADM. - REGULAR AGENDA

- (i) 2009-180-11
Development Charges Background Study

Moved by: Councillor Fullarton

THAT the City retain a consultant to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund and other sources, should they be required, to be determined during the 2010 budget process.

DEFERRED

Motion to Defer

Moved by: Councillor Journal

THAT Council defer the recommendation regarding Report No. 2009-180-11, Development Charges Background Study to the Council meeting of March 9, 2010.

CARRIED

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

- (i) Composition of Council - 2010 Municipal Election

Councillor Journal

Moved by: Councillor Journal

Councillor Journal requested a recorded vote:

THAT the City of Brockville Council reduce the number of Councillors on City Council by one member, effective the next term of Council, such that Council will be made up of eight (8) Councillor and one Mayor for a total count of nine (9); and

THAT any further reductions in Council size be determined by a referendum question on the ballot of the Municipal Election to be effective at the start of the following term of Council (2014).

Recorded Vote:

Yes: Councillors Journal, Baker, Kalivas and Mayor Henderson.

No: Councillors Williams, Noble, Earle, Beach, Fullarton and Severson.

DEFEATED ON A VOTE OF 4 TO 6

(ii) Economic Development - Councillor Noble

Councillor Noble provided a Notice of Motion with respect to Economic Development at the Council meeting of October 27, 2009 as follows:

WHEREAS municipalities have traditionally attempted to lure and retain manufacturing, industrial, retail and commercial enterprises through the provision of infrastructure that is not specific to any one enterprise but intended to ensure they are competitive in tax rates, industrial parks and retail districts. In Brockville's case examples are the beautification of King Street, complimentary downtown parking, the Community Improvement Plans, the industrial park. These are passive investments in the sense that they do not partner with or invest in particular groups in differing ways but rather are intended to be enabling and available on equal terms to all comers without detailed analysis of their business plans or direct assistance that is unique to the specific enterprise.

AND WHEREAS the global village has morphed into a global integrated market place such that the mid to large size organizations are exporting their manufacturing and service sector jobs to other countries rendering these traditional approaches to job creation and retention increasingly ineffectual as can be seen by declining incomes and net export of educated achieving youth to major centres. A product sold in one country by a manufacturer from another with parts from several other countries and raw materials from others packaged in recycled cardboard from another and financing from another and listed on a stock exchange in yet another has become the norm.

AND WHEREAS new careers are increasingly with small firms and small groups

of professionals who are creative and in niche or new market opportunities or research based.

AND WHEREAS in recognition of the new reality Mr. George Shriver, the consultant engaged by the MMM Group to prepare the Economic Development Strategy as part of our Official Plan creation, has proposed a highly innovative process to assist Brockville in achieving its Vision and Mission as further defined in the strategic plan so as to attract and retain well paying careers and to reverse the decline in income and net loss of educated achieving youth.

AND WHEREAS attracting and retaining these types of folks is the survival challenge of small and mid sized cities and requires totally new strategies that takes municipalities into activities that they have previously avoided in that it requires active rather than passive investments, analysis of business plans and judgments as to viability and risk of failure and strategic investments and/or partnerships that are unique to the particular enterprise.

AND WHEREAS Mr. Shriver has pointed out that this involves developing a cadre of "champions" who will assist folks with ideas to develop and defend the business case for their proposal to the tough minded proving scrutiny of a Committee he has proposed.

AND WHEREAS Mr. Shriver has very pointedly stated that those proposals that manage to survive the intense scrutiny of this special committee and receive the committees recommendation to Council will require Council to engage in new kinds of activities or support in resources or financing of a kind that Councils have traditionally shied away from or seen as not their proper role.

AND WHEREAS such endeavours are expected to pay off in jobs and economic activity they also, of necessity, involve political and economic risks and some endeavours will fail or not perform as planned.

AND WHEREAS Mr. Shriver has asked Council to make a formal commitment to back the process and more specifically to declare that it is willing to consider any such proposals and to not turn any such proposals down except for the very good explicitly stated reasons as the champions who are donating significant valuable time, experience and energies will quickly get disenchanted and the whole approach would thereby fail.

AND WHEREAS he has further indicated that he will only do so if Council commits itself to the process and explicitly states its preparedness to accept risks and enter into new kinds of relationships provided the business case is solid and it is within the resources and legislated powers of the municipality.

THEREFORE LET IT BE RESOLVED THAT the Council of the City of Brockville

a) endorses and accepts the plan outlined by Mr. Shriver to identify opportunities, engage volunteer "Champions", and create a special committee

of appropriately qualified people to analyse, vet, question aggressively and, after tough minded analysis, recommend to Council those proposals that pass their invasive scrutiny.

b) agrees that Mr. Shriver may proceed to move this approach from concept into reality.

c) commits itself to the specific requirement stated by Mr. Shriver as a necessary precondition to further development that Council is prepared to receive any such proposals and will not turn down such proposals that are recommended by the committee without good reasons that are explicitly stated.

WITHDRAWN

Councillor Noble withdrew this motion pending the release of the Official Plan Economic Development Strategy at the Council meeting of December 15, 2009.

The meeting recessed to return to Closed Sessions at 9:54 p.m..

The meeting reconvened at 10:57 p.m.

MOTION TO RETURN TO COUNCIL

Moved by: Councillor Fullarton

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 Fullarton

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

104-2009	By-law to Authorize the Execution of a Tax Increment Equivalent for Rehabilitation and Redevelopment (TIERR) Commitment and Grant Agreement (The Wedgewood Brockville Inc., 15 Market Street East – TIERR 06/06)
105-2009	A By-Law to authorize the borrowing upon amortizing debentures in the principal amount of \$1,217,175 towards the cost of certain capital works of the Corporation of the City of Brockville
106-2009	By-law to Amend By-law Number 122-2006, being a by-law to Appoint Members to Various Boards and Commissions of the City of Brockville (Museum, BMAAC, Council)
107-2009	A By-Law to Remove Lot H and Lot I, block 24, Plan 67, designated as Parts 1 through 7, Reference plan 28R-7149, City of Brockville, County of Leeds (10 and 12 Charlotte Place) from Part Lot Control.
108-2009	A By-Law to Authorize the Execution of an Easement between the City of Brockville and Canadian National Railway Company

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Kalivas
Seconded by: Councillor Fullarton

THAT By-laws Numbered 104-2009 to 108-2009 be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Kalivas
Seconded by: Councillor Fullarton

THAT By-laws Numbered 104-2009 to 108-2009 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 Kalivas
Seconded by: Councillor Fullarton

THAT By-law Number 109-2009 to confirm the Proceedings of Council at its meeting held on November 24, 2009 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Kalivas
Seconded by: Councillor Fullarton

THAT By-law Number 109-2009 to confirm the Proceedings of Council at its meeting held on November 24, 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 Kalivas
Seconded by: Councillor Fullarton

THAT Council adjourn its proceedings until the next regular meeting scheduled for December 15, 2009

The meeting adjourned at 10:59 p.m.

CARRIED

Mayor

Clerk