

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. J. Baker, Director of Human Resources
Mr. B. Casselman, City Manager
Mr. C. Cosgrove, Director of Operations
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
Ms. M. Pascoe Merkley, Director of Planning
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 (5:30 p.m.)

Moved by: Councillor Fullarton
Seconded by: Councillor Baker

THAT pursuant to Municipal Act, 2001, Section 239, (2),(c),(e), 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;

2. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

Moved by: Councillor Journal
Seconded by: Councillor Noble

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 spoke to the Braves winning streak and the Torch Run.

DISCLOSURE OF INTEREST

Nil

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Fullarton
Seconded by: Councillor Severson

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

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

DELEGATIONS

- (i) Leeds & Grenville Technology Centre

Mr. David Leseuer and Councillor Larry Journal spoke to Council regarding the Leeds & Grenville Technology Centre. Mr. Leseuer announced that National Research Council provided a grant in the amount of \$70,000 for startup costs for plastics to oil processing.

Councillor Journal requested that Council consider a bylaw that prohibits eWaste from our landfill.

Councillor Baker re-entered the meeting (7:23pm).

(ii) 2010 55+ Senior Games

Mr. Ben TeKamp provided an update with respect to the 2010 Games. He noted that 24 events will be held with over 2,000 participants over 6 days. Mr. Tony Barnes spoke to Council to request that consideration

(iii) Maritime Discovery Centre Committee

Mr. Gino Giannandrea, Chairperson, Maritime Discovery Centre Committee spoke to Council with respect to the negotiations for amendments to the partnership Agreement between the City and Tall Ships Landing Developments Inc. Amendments are necessary to improve synchronization with the Building Canada Funding Agreement.

(iv) Maritime Discovery Centre

Mr. Fuller, Tall Ships Landing Inc. addressed Council with respect to the Maritime Discovery Centre Partnership Agreement negotiations.

(v) Wall Street Village

Mr. George Smith was in attendance to respond to Council's questions regarding the Wall Street Village development.

(vi) Wall Street Village

Mr. Simon Fuller, President, Thomas Fuller Construction spoke to Council to ask that Council consider the parking proposal put forward by the development group.

PRESENTATIONS

Official Plan Strategies

Mr. Chris Tyrell, MMM Group, provided an overview of the Official Plan Strategies, Land Use & Growth Management Strategy; Downtown and Waterfront Master Plan, and Urban Design.

STAFF REPORTS

(i) 2009-201-12

Proposed Amendment to Zoning By-law 194-94 Wall Street Village
Wall Street, James Street and Victoria Avenue,

Owner: Wall Street Village Inc.
Agent: Fotenn Consultants

Moved by: Councillor Baker

THAT Zoning By-law 194-94 be amended respecting lands described as Lots 58, 59, 68 to 71, 73 to 77 and Part of Lots 60, 67, 72, and 78, Block 31, Plan 67, City of Brockville, County of Leeds, from R4-General Residential Zone and II-General Institutional Zone to R9-Multiple Residential Site Specific Zone to allow the subject lands to be developed for a senior citizens' apartment building up to 21.5 metres (7 storeys) in height, containing up to eighty-five (85) units for a density of up to 234 units per hectare, with site-specific development standards including but not limited to building setbacks, and landscaped open space.

CARRIED

Moved by: Councillor Beach

THAT Council amend the above noted resolution to include parking to 0.4 spaces per dwelling unit.

DEFEATED

- (ii) 2009-202-12
Adoption of the Land Use & Growth
Management Strategy, and the Downtown
& Waterfront Master Plan & Urban Design
Strategy - New Official Plan

Moved by: Councillor Baker

THAT the Land Use & Growth Management Strategy and the Downtown & Waterfront Master Plan & Urban Design Strategy for the new Official Plan, dated December 2009, as prepared by MMM Group Limited, be adopted.

CARRIED

- (iii) 2009-191-11
Service Delivery Review
Planning Department

Moved by: Councillor Baker

THAT Council approve of the following Service Delivery for the Planning Department:

Planning Division

1. Consider transfer of maintenance of the map schedules to the Official Plan and the Zoning By-law layer to Planning with the implementation of a GIS.
2. Starting in 2010, distribute related administrative expenses from Planning to the Committee of Adjustment (\$3183 in 2010) to move towards 100% user pay.
3. Continue to finalize agreement templates for TIERR, TIEG and Blended Grant Programs under the Downtown and Brownfields Community Improvement Plans, as well as grant agreements for all eligible applicants.
4. To assist with monitoring of the effectiveness of the Downtown Community Improvement Plan, develop and distribute a survey questionnaire in the first quarter of 2010 to downtown property owners to elicit reasons for lack of uptake in the current programs and limited investment in existing building stock.
5. Continue subdivision assumptions and file closure efforts, with goal of full compliance, where appropriate, by December 2010.
6. Investigate the delegation of authority for site plan control approval to the Chief Planning Officer for recommendation to Council in the first quarter of 2010.
7. That the Director of Planning in conjunction with the Director of Economic Development develop a marketing program to increase the uptake of the two aspects of the Community Improvement Plan.
8. That the Director of Planning reinstate the quarterly departmental reporting and the reports be posted on the City website.
9. That the Director of Planning, together with the Director of Economic Development meet at least annually with the developer and real estate communities.

Building Division

1. Bring forward amendments for short form wording of the Building By-law, being By-law 066-2005, to facilitate enforcement for violations under the Ontario Building Code Act.
2. Building fees to gradually be increased towards 100% user pay while more closely aligning with the average rates established for Ontario municipalities as published in the annual BMA Municipal Study.
3. Investigate along with MIS the cost/benefit of the use of tablet technology by Inspectors.
4. Vacant Inspection Officer position to remain vacant pending increased demand from development.
5. Training of building officials is to be continued to ensure full compliance as required by the Ontario Building Code Act in early 2010, depending upon availability of courses. Full compliance is to be maintained on an ongoing basis. Cross training is desirable to provide back up in all areas requiring qualified inspectors.

By-law

1. The current level of service, being written complaint driven, is to be reaffirmed.
2. Proactive enforcement shall proceed to address areas of historical concern.
3. Consideration of the By-Law enforcement function corporately shall be brought forward as part of the Organizational Review.

CARRIED

REPORTS BOARDS AND COMMITTEES

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Councillor J. Baker, Chair
Councillor M. Kalivas, Councillor S. Williams

Meeting held December 1, 2009

Moved by: Councillor

There were no recommendations brought forward from the Economic Development Committee meeting.

FINANCE AND ADMINISTRATION COMMITTEE

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

Meeting held December 8, 2009

FIN. ADM. - CONSENT AGENDA

- (i) All matters listed under Consent Agenda 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 "separate" the item.

Moved by: Councillor Fullarton

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

- (ii) 2009-195-12
2010-2011 Municipal Insurance Renewal Program

Moved by: Councillor Fullarton

THAT Council accept the December 2, 2009 proposal from BFL Canada (Lloyd Syndicate) for the City's insurance policy for the period of December 30, 2009 to June 30, 2011 as received in the amount of \$612,974.88.24 (including applicable P.S.T.);

CARRIED

- (iii) 2009-197-12
Temporary Borrowing By-law

Moved by: Councillor Fullarton

THAT Council hereby authorizes the passing of a Temporary By-law providing for the Mayor and the Treasurer to borrow temporary working capital, as may be required for the Current Fund Operations, of up to \$5,000,000 for the year 2010 (Attachment #1 to Report 2009-197-12)

CARRIED

- (iv) 2009-198-12
Tax Reductions and Cancellations

Moved by: Councillor Fullarton

THAT Council authorizes the cancellation, reduction or refund of taxes pursuant to provisions of the Municipal Act, 2001 in the amount of \$37,151.68 and charge the municipal portion of \$19,233.70 to Tax Write Off Account 9200-0060-2041.

CARRIED

OPERATIONS COMMITTEE

Councillor G. Beach, Chair
Councillor H. Noble, Councillor L. Severson

Meeting held December 9, 2009

OPERATIONS - CONSENT AGENDA

- (i) All matters listed under Consent Agenda 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 "separate" the item.

Moved by: Councillor Beach

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

CARRIED

Councillor Williams requested that this matter be separated from the Consent Agenda.

- (ii) Mr. Rob Hunter, Louis Street
Request for exemption under Care and Use of Streets By-law
to permit road cut for natural gas service

Moved by: Councillor Severson

THAT Council grant an exemption under the Care and Use of Streets By-law, Section 10.3(f) to Mr. Rob Hunter, for the installation of natural gas service for his residence at 85 Louis Street as a matter of public safety.

CARRIED

- (iii) 2009-194-12
Proposal #09-46
The Operation of City-Owned
Food Service Facilities

Moved by: Councillor Beach

THAT Council award Proposal #09-46, the Operation of City-Owned Food Service Facilities located in the J.A.C. Auld Harbour Services Building, Brockville Memorial Civic Centre and Centennial Youth Arena to Linda Turpin in the amount of \$2,232.58 per month plus 10% of vending machine revenues, for a 28 month term commencing January 1, 2010 and terminating April 30, 2012 with annual CPI increases.

CARRIED

- (iv) 2009-196-12
Alterations to Memorial Centre
Exhaust Air System

Moved by: Councillor Beach

THAT Council award the contract for Alterations to the Memorial Centre Exhaust Air System to Lundy Mechanical for \$9,250 to be funded from 970110 9097006 3010.

CARRIED

- (v) 2009-199-12
Water Treatment Equipment
For Ice Making
Memorial Centre

Moved by: Councillor Beach

THAT Council award the contract for Water Treatment Equipment at the Memorial Centre to A.J.'s Water Treatment for \$16,500 to be funded from 970110 9097006 3010.

CARRIED

- (vi) 2009-200-12
Amendment to the Composition of
the Museum Board of Management

Moved by: Councillor Beach

THAT Council authorize an amendment to the composition of the Brockville Museum Board of Management to set a minimum of a ten (10) person composition; and

THAT By-law 287-89 to amended accordingly.

CARRIED

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

- (i) Motion to extend past 11:00 p.m.

Moved by: Councillor Williams

THAT Council approve of extending the meeting adjournment time past 11:00 p.m.

CARRIED

- (ii) Maritime Discovery Centre Amendments City/TSL Partnership Agreement
Councillor Journal provided notice that he will be moving the following motion at the Council meeting scheduled for January 12, 2010:

That the recommended terms of agreement dated December 15, 2009 between the Corporation of the City of Brockville and Tall Ships Landing Development Inc. and the Steering Committee of the Maritime Discovery Centre of the 1000

Islands as presented by the Maritime Discovery Centre Facilitation Committee chaired by Gino Giannandrea be approved in its entirety and that all the necessary agreements to implement the agreement be duly prepared and executed in accordance with established City procedures.

- (iii) Leeds & Grenville Computer Technology Centre
Consideration of bylaw on eWaste

Councillor Journal provided notice that he will be moving the following motion at the Council meeting of January 12, 2009:

THAT Council consider the proposed eWaste By-Law, as recommended from the Leeds & Grenville Computer Technology Centre.

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

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

111-2009 A By-law to Authorize the Appointment of Municipal Law Enforcement Officers and Peace Officers as it Applies to the Private Property of 39 - 41 Buell St., Brockville

112-2009 A By-law to amend City of Brockville Zoning By-law 194-94 (Wall Street Village) - file no. D14-140

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Earle
Seconded by: Councillor Beach

THAT By-laws numbered 111-2009 and 112-2009 be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Earle
Seconded by: Councillor Beach

THAT By-laws numbered 111-2009 and 112-2009 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 Earle
Seconded by: Councillor Beach

THAT By-law Number 113-2009 to confirm the Proceedings of Council at its meeting held on December 15, 2009 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Earle
Seconded by: Councillor Beach

THAT By-law Number 113-2009 to confirm the Proceedings of Council at its meeting held on December 15, 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 Earle
Seconded by: Councillor Beach

THAT Council adjourn its proceedings until the next regular meeting scheduled for January 12, 2010.

The meeting adjourned at 1:00 a.m.

CARRIED

Mayor

Clerk