



Council Minutes

City of Brockville

22nd Meeting of Council

Tuesday, May 26th, 2009, 7:00 p.m.
City Hall - Council Chambers

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
Ms. D. Cyr, Director of Finance
Mr. C. Cosgrove, Director of Operations
Mr. H. Jones, Fire Chief
Ms. M. Pascoe Merkley, Director of Planning
Mr. D. Paul, Director of Economic Development
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 Noble

THAT pursuant to *Municipal Act*, 2001, Sections 239(2)(b)(d)(e), 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 employees;
2. labour relations or employee negotiations;
3. 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 (7:00 p.m.)

Moved by: Councillor Williams

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 of the Mast, Motors and Music concert scheduled at the waterfront on June 6th.

His Worship spoke of the Racing with Drugs event that was held at the Brockville Memorial Centre earlier today. Over 1,000 Grade 4 and Grade 5 students had the opportunity to participate.

DISCLOSURE OF INTEREST

Councillor Kalivas declared a conflict of interest with respect to item 3 of the Closed Meeting Agenda.

ADOPTION OF COUNCIL MINUTES

Moved by: Councillor Williams

THAT the minutes of the Council Meeting of May 12, 2009 be adopted and circulated as read.

CARRIED

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Journal
Seconded by: Councillor Noble

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

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

(i) REQUEST FOR PROCLAMATION[S]

Moved by: Councillor Fullarton

THAT Council make the following proclamation[s]:

- Developmental Services Week - June 14 to June 20, 2009
(Developmental Services of Leeds and Grenville)
- St. John Ambulance Week - June 22 to June 28

THAT in honour of St. John Ambulance Week, the St. John Ambulance flag be flown at Tunnel Bay from June 22 to June 29, 2009.

(St. John Ambulance)

- THAT in honour of St. Jean Baptiste Day, that the Franco flag be flown at Tunnel Bay from June 22 to June 29, 2009.
(Brockville and District Multicultural Society)

CARRIED

**(ii) APPOINTMENTS TO BOARDS AND COMMITTEES
BROCKVILLE PUBLIC LIBRARY BOARD**

Moved by: Councillor Beach

THAT Council remove Don McGowan from the Brockville Public Library Board whose term was to expire November 30, 2010; and

THAT Council appoint Rick Sands to the Brockville Public Library Board whose term will expire November 30, 2010; and

THAT By-Law 122-2006 be amended accordingly.

CARRIED

DELEGATIONS

- (i) Paula Bennett addressed Council with respect to video surveillance in the downtown.
- (ii) Mr. Andy Neeteson addressed Council with respect to the 1000 Islands and Seaway Cruises Lease Agreement (Report No. 2009-052-05).
- (iii) **PRESENTATION**
Councillors Beach and Fullarton presented findings with respect to the development of a splash pad.

STAFF REPORTS

Nil.

REPORTS BOARDS AND COMMITTEES

FINANCE AND ADMINISTRATION COMMITTEE

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

Meeting held May 19, 2009

FIN. ADM. - 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) **2009-064-05**
2009 WORKPLAN QUARTERLY REPORT

Moved by: Councillor Baker

THAT report 2009-064-05, 2009 Work Plan Quarterly Report, be received for information purposes.

CARRIED

- (ii) **2009-066-05**
MUNICIPAL INTERNSHIP PROGRAM

Moved by: Councillor Baker

THAT Council receive this report which updates the status of the City's application to A.M.C.T.O. for a Municipal Intern.

CARRIED

(iii) **2009-067-05**
ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT
AND EMPLOYMENT STANDARDS

Moved by: Councillor Baker

THAT Council receive this information report on proposed changes to Employment Standards under the Accessibility for Ontarians with Disability Act (AODA).

CARRIED

(iv) **2009-070-05**
BROCKVILLE SENIOR CITIZENS INC

Moved by: Councillor Baker

THAT Council consider a request from the Brockville Senior Citizens Inc. for an annual contribution towards the operating and maintenance costs of their facility during the 2010 budget process; and,

THAT this item be added when Council considers it's 2010 budget guidelines in September.

CARRIED

(v) **2009-072-05**
2008 DEVELOPMENT CHARGES ANNUAL REPORT

Moved by: Councillor Baker

THAT Council receives the 2008 Annual Report and Continuity Financial Statement with respect to the City's Development Charge Reserve Funds [Attachment 1 to Report # 2009-072-05];

AND THAT this be forwarded as required to:

Housing

Municipal Finance Branch
Ministry of Municipal Affairs &

777 Bay Street, 13th Floor
Toronto, ON M5G 2E5

CARRIED

(vi) **2009-073-05
REQUEST FOR ENCROACHMENT AGREEMENT
GARY NEWBURY - 44 AMY STREET, BROCKVILLE**

Moved by: Councillor Baker

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with Gary Newbury, 44 Amy Street, Brockville, for the encroachment a portion of a front porch and front steps that encroach onto the Amy Street road allowance to a maximum of 1.77 metres (5.8 ft.).

CARRIED

(vii) **COMPUTERS FOR SENIORS PROGRAM FUNDING**

Moved by: Councillor Baker

THAT the City approve initial seed money funding in the amount of \$10,000 to allow the Kinsmen Club of Brockville to assume the responsibility of running the "Computers for Seniors" program for an additional 3 years, to be funded from Fiscal Policy.

CARRIED

FIN. ADM. - REGULAR AGENDA

(i) **2009-074-05
INFRASTRUCTURE STIMULUS FUND**

Moved by: Councillor Journal

THAT Council authorize staff to pursue long-term financing for the secondary treatment upgrade to the Water Pollution Control Centre under the CMHC Municipal Infrastructure Loan Program, the FCM Green Municipal Fund and Infrastructure Ontario (OIPC); and,

THAT grant applications to the new Recreational Infrastructure Canada Program in Ontario (RInC Ontario) be submitted for the following projects:

1. Youth Arena
2. Brockville Memorial Centre building and grounds
3. Brock Trail; and

CARRIED

OPERATIONS COMMITTEE

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

Meeting held May 20, 2009

Councillor Kalivas requested that Report 2009-052-05 be separated from the Consent Agenda.

OPERATIONS - 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) **1000 ISLANDS CHAPTER
SAVE ONTARIO SHIPWRECKS
REQUEST FOR SUPPORT**

Moved by: Councillor Williams

THAT Council authorize the Thousand Islands Chapter of the Save Ontario Shipwrecks to erect a Heritage Sign identifying 5 local shipwrecks on Blockhouse Island along the east seawall; and

THAT staff be authorized to provide in-kind services for the erection of the said sign.

CARRIED

(ii) **ROTARY CLUB
REQUEST TO ERECT SIGNAGE
ROTARY PARK**

Moved by: Councillor Williams

THAT Council authorize the Rotary Club of Brockville to erect a sign in Rotary Park.

CARRIED

(iii) **2009-065-05
TENDER FOR CONTRACT 2009-11
KEEFER STREET RECONSTRUCTION**

Moved by: Councillor Williams

THAT Council accept the tender from Ken Miller Excavating in the amount of Nine Hundred and Thirty-Four Thousand, Four Hundred and Twenty-Seven Dollars and Fifty Cents (\$934,427.50) excluding GST for Contract No. 2009-11 for the reconstruction of Keefer Street, from North Augusta Road to First Avenue including sanitary and storm sewers, watermain, grading, granular, concrete curb and gutters, concrete sidewalks and asphalt pavement plus a Forty-Eight Thousand Dollar (\$48,000.00) contingency; and

THAT \$56,700.00 of the MRIF funding originally allocated in the 2009 Capital Budget to the Sewer portion of the project be reallocated to the Water portion of the project; and,

THAT the funds be allocated from account C3011-KEEF.

CARRIED

(iv) **2009-068-05
TENDER FOR CONTRACT 2009-06
RECONSTRUCTION OF CONCRETE CURBING
AND SIDEWALKS IN VARIOUS LOCATIONS**

Moved by: Councillor Williams

THAT Council accept the tender from W. J. Sherwood & Sons Construction in the amount of Sixty-Four Thousand, Nine Hundred and Sixty-Two Dollars and Forty Cents (\$64,962.40) excluding GST for Contract No. 2009-06 for the reconstruction of concrete curbing and sidewalks in various locations; and

THAT the funds be allocated from account C3011-ACPM-3001.

CARRIED

(v) **2009-076-05
REQUEST FOR EXEMPTION FROM
THE CITY'S NOISE BY-LAW 138-80**

Moved by: Councillor Williams

THAT Council approve the request for an exemption from the City's Noise By-law 138-80 on Sunday, May 31, 2009 from 8:00 a.m. to 6:00 p.m. for the operation of a gasoline powered high pressure water washer at 66 to 78 Perth Street.

CARRIED

(vi) **2009-077-05
BROCKVILLE ARTISANS VILLAGE
2009 SEASON**

Moved by: Councillor Williams

THAT Council approve the Brockville Artisans Village for the 2009 season.

CARRIED

OPERATIONS - REGULAR AGENDA

(i) **2009-052-05
1000 ISLANDS AND SEAWAY CRUISES LEASE
AGREEMENT**

Moved by: Councillor Earle

THAT the City enter into a lease agreement with 1082233 Ontario Limited O/A 1000 Islands and Seaway Cruises for the mooring of two commercial tour boats in the Brockville Municipal Harbour for a 32 month period commencing May 1, 2009 through to December 31, 2011.

CARRIED

Motion to Amend

Moved by: Councillor Earle

THAT the words "a 7 month period commencing May 1, 2009 to December 21, 2009" after Brockville Municipal Harbour, be replaced with the words " a 32 month period commencing May 1, 2009 through to December 31, 2011".

CARRIED

**NEW BUSINESS - REPORT FROM MEMBERS OF
COUNCIL**

(i) **DONATION TO FUN WITH BOOKS**

Moved by: Councillor Severson

THAT Council authorize a donation to "Fun with Books" spring fundraiser in the amount of One Thousand Dollars (\$1,000) to be funded from Fiscal Policy.

Recorded Vote: Yes Councillors Williams, Noble, Beach,
Earle, Kalivas, and Severson, 6

No Councillors Journal, Baker, Fullarton and
Mayor Henderson 4

CARRIED ON A VOTE OF 6 TO
4

Councillor Journal requested a recorded vote.

MOTION TO RETURN TO COUNCIL

Moved by: Councillor Journal

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 Journal

Seconded by: Councillor Noble

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

CARRIED

UNFINISHED BUSINESS

Nil.

EMERGENCY BUSINESS

Nil.

BY-LAWS

059-
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 (Brockville Public Library)

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Beach
Seconded by: Councillor Earle

THAT By-law Number 059-2009 be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Beach
Seconded by: Councillor Earle

THAT By-law Number 059-2009 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 Beach
Seconded by: Councillor Earle

THAT By-law Number 060-2009 to confirm the Proceedings of Council at its meeting held on May 26th, 2009 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Beach
Seconded by: Councillor Earle

THAT By-law Number 060-2009 to confirm the Proceedings of Council at its meeting held on May 26th, 2009 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

The next regular meeting of Council is scheduled for Tuesday, June 9th, 2009 at 7:00 p.m.

MEDIA QUESTION PERIOD

ADJOURNMENT

Moved by: Councillor Beach
Seconded by: Councillor Earle

THAT Council adjourn its proceedings until the next regular meeting scheduled for June 9th, 2009.

CARRIED

The meeting adjourned at 9:47 p.m.

Mayor

Clerk