

CITY COUNCIL NO. 19-70

June 29, 1970.

A Special Meeting of City Council was held this evening with the following members present: His Worship Mayor N. Kaneb, Alderman L. Gauthier, R. Carrara, A. Clement, R. Brunet, D. A. Fawthrop, D. Webster, F. Guindon, G. Cameron, K. Bough, A. M. Lebano, J. Pescod and M. Holden.

Rule "48" - Moved by Alderman Gauthier, seconded by Alderman Lebano that Rule "48" be suspended in order to hear delegations. Voting against the motion was Alderman Bough. The motion carried.

Mr. Phil Gignac asked that Council defer taking any action at this time which would require the demolishing of a building owned by him at the corner of Captain MacDonald Road and Eleventh Street. He stated that he had experienced difficulty in obtaining a contractor to repair the building but he now has a commitment whereby the contractor is prepared to undertake the necessary repairs on the building and finish the work at a certain time.

Moved by Alderman Lebano, seconded by Alderman Pescod that the City defer taking any action against Mr. Gignac provided he gives a commitment in writing that he will have the work on the dwelling owned by him at the corner of Captain MacDonald Road and Eleventh Street finished by the end of August and to the satisfaction of the City Engineer. Unanimously adopted.

Moved by Alderman Holden, seconded by Alderman Gauthier that a by-law be prepared to rescind By-law No. 890, 1970. Unanimously adopted.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Guindon that the minutes of Council meetings held June 8th, 15th and 24th be adopted as received. Unanimously adopted.

Agendas - Alderman Lebano suggested that we have a better system of bookkeeping and that Council members should not have to rush through their agendas. Mayor Kaneb suggested that members of Council submit, in writing, any resolutions.

COMMUNICATIONS

1. Laurent Crevier - Permission to sell raffle tickets in the City of Cornwall - Moved by Alderman Clement, seconded by Alderman Carrara that we grant St. Mary's Parish, Green Valley, permission to sell raffle tickets in the City of Cornwall. Unanimously adopted.

2. W. J. Dickie - Young Voyageur Program - Moved by Alderman Gauthier, seconded by Alderman Pescod that the letter be referred to the Finance Committee. An amendment to the motion was made by Alderman Carrara, seconded by Alderman Lebano that the City tender a civic luncheon. Alderman Fawthrop asked for a recorded vote on the amendment with the following results:

FOR - Alderman Carrara, Clement, Guindon, Holden and Lebano

AGAINST - Alderman Gauthier, Brunet, Fawthrop, Webster, Cameron Bough and Pescod

The amendment was defeated. The motion carried.

3. Northeastern Ontario Municipal Association - Increase in Natural Gas Rates - Moved by Alderman Bough, seconded by Alderman Fawthrop that the Northeastern Ontario Municipal Association be advised that the City endorsed its resolution but

regrets that we have nothing in this year's budget to grant financial assistance. Unanimously adopted.

4. C. N. R. - Freight Switching Services - Moved by Alderman Pescod, seconded by Alderman Lebano that the letter be filed. Unanimously adopted.

5. S. E. Fennell - Eastcourt Parking - Moved by Alderman Webster, seconded by Alderman Cameron that the letter be referred to the Cornwall Planning Board and, at the same time, the Planning Board is to designate areas, where in its opinion, a circus should be permitted to locate. Unanimously adopted.

6. Charles Lawn - Letter of Appreciation - Moved by Alderman Bough, seconded by Alderman Pescod that the letter be filed. Unanimously adopted.

7. S. E. Fennell - Zoning By-law - Moved by Alderman Gauthier, seconded by Alderman Bough that the letter be referred to the Parks and Recreation Committee. Unanimously adopted.

8. Building and Construction Trades Council - Civic Building - Moved by Alderman Clement, seconded by Alderman Brunet that the letter be referred to the Redevelopment Committee. Unanimously adopted.

9. Federal Equipment Company - Landfill Loader - Moved by Alderman Gauthier, seconded by Alderman Guindon that discussion on this letter be deferred until tenders are considered later this evening. Unanimously adopted.

Alderman Guindon suggested that matters, only of an emergency nature, should be added to the agenda once the agenda has been prepared and sent to members of Council.

PETITIONS

PE #22-70 - A. Boudrias and others - Request to have Fly Creek from the C.N.R. tracks to Ninth Street, filled in.

Moved by Alderman Gauthier, seconded by Alderman Holden that the petition be referred to the Anti-Pollution Committee. Unanimously adopted.

REPORTS

Public Works Committee No. 8-70 - Moved by Alderman Gauthier, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Referring to the parking situation at Woolco Shopping Plaza, Alderman Brunet suggested that Woolco will co-operate in improving the situation if so requested by the City.

Alderman Bough, in referring to the parking in the area of St. Felix and Second Streets, noted that there is a large house trailer parked on the boulevard. He asked that the Police Department look into the situation and enforce the by-law. Alderman Gauthier stated that he is investigating the parking condition and will submit a report.

Alderman Guindon suggested that Mr. Ismaily's report on the Ontario Traffic Convention be submitted to Council.

Fire Committee No. 1-70 - Moved by Alderman Brunet, seconded by Alderman Webster that the report be adopted as received. Unanimously adopted.

Urban Renewal Co-ordinating Committee No. 2-70 - Moved by Alderman Carrara, seconded by Alderman Gauthier that the report be adopted as received. Unanimously adopted.

Anti-Pollution Committee No. 11-70 and Pollution

Report - Moved by Alderman Carrara, seconded by Alderman Gauthier that the reports be adopted as received. Unanimously adopted.

Alderman Brunet suggested that the St. Lawrence Seaway be requested to fill in the canal as they had promised to do this work this Spring. Alderman Lebano asked that the Engineer contact the Authority.

Replying to Alderman Cameron as to the pollution problem of the Fly Creek, Mayor Kaneb noted that there is a petition on this evening's agenda from residents in that area.

Referring to part of the old canal, north of Chalet Glass, it was suggested that this area be filled in and that the water for fire protection be pumped in from the river.

Report re C.N.R. Overpass Misc. No. 4-70 - Moved by Alderman Gauthier, seconded by Alderman Guindon that John Chisholm Ltd. be awarded the contract to carry out the necessary repairs to the C.N.R. Overpass on Pitt Street North. Unanimously adopted.

Summary of Engineer's Report No. 5-70 - Moved by Alderman Pescod, seconded by Alderman Bough that the report be adopted as received. Unanimously adopted.

Construction of various asphalt pavements, Tender No. 18-70 - Moved by Alderman Gauthier, seconded by Alderman Pescod that the tender of Cornwall Gravel Company Limited be accepted at a price of \$81,511.50 for the construction of various asphalt pavements in the City. An amendment to the motion was

made by Alderman Clement, seconded by Alderman Cameron that we re-tender and not accept an informal tender. The amendment was withdrawn. The motion carried.

Specialty Machine - Landfill Dump Operation,  
Tender No. 23-70 - A letter of June 26th from Federal Equipment Company Limited was read re a tender submitted by the company on this machine.

Moved by Alderman Gauthier, seconded by Alderman Pescod that the tender submitted by Valley Contractors Equipment Limited for a specialty machine - landfill dump operation be accepted at a price of \$50,925.61. Unanimously adopted.

Widening of Fifth Street and reconstruction of various City sidewalks, Tender No. 19-70 - Moved by Alderman Carrara that we accept the tender of West Front Construction Limited at a price of \$65,630.50 for the widening of Fifth Street and reconstruction of various City sidewalks. There was no seconder to the motion.

Moved by Alderman Lebano, seconded by Alderman Webster that we accept the low bid submitted by Cornwall Gravel Company Limited at a price of \$64,607.50 for tender #19-70. Voting against the motion was Alderman Carrara. The motion carried.

Supply of Watermain Piping, Tender No. 24-70 - Moved by Alderman Gauthier, seconded by Alderman Brunet that we accept the tender of Crane Supply for watermain piping at a price of \$7,919.60. Unanimously adopted.

Garbage Collection Tender No. 22-70 - Moved by

Alderman Clement, seconded by Alderman Brunet that Tender No. 22-70 be referred to a special committee including members of the Public Works Committee for study and report within one week's time. An amendment to the motion was made by Alderman Lebano, seconded by Alderman Carrara that the awarding of the contract for garbage collection be dealt with by all members of Council and that both Mr. A. McDonald and Mr. R. Prieur be asked to attend the meeting. Voting against the Amendment was Alderman Webster. The amendment carried. The motion was defeated.

Alderman Guindon stated that some of the problems encountered by Mr. Prieur in carrying out his agreement with the City on landfill operations at the dump was due to fires being started at the dump. Both Mayor Kaneb and Alderman Gauthier asked Alderman Guindon to submit, in writing, any information he might have regarding setting of fires at the dump. Alderman Fawthrop declared his interest and refrained from discussing or voting on the awarding of Tender No. 22-70.

RESOLUTIONS

RE #46-70 - City of Windsor - Welfare subsidy for Lodging Home residents

Moved by Alderman Lebano, seconded by Alderman Pescod that the resolution from the City of Windsor be endorsed.

Unanimously adopted.

RE #47-70 - Town of Oakville - Planning Act re land for public purposes

Moved by Alderman Gauthier, seconded by Alderman Cameron that the resolution be referred to the Cornwall Planning Board.

Unanimously adopted.

BY-LAWS

- By-law No. 892 - To authorize the widening of Power Dam Drive
- 893 - To expropriate and acquire lands
- 894 - Sanitary Sewer on First Street from 65' W. of W.S.L. of Gardner Avenue to Gardner Avenue and from 155' W. of W.S.L. of Jarvis Street to Jarvis Street
- 895 - Storm Sewer on Anthony Street from Second Street to Bellevue Crescent
- 896 - To authorize the construction of a Storm Sewer on Bellevue Crescent from Anthony Street to 686 ft. easterly and northerly
- 897 - To authorize the construction of an Asphalt Pavement on Wallrich Avenue
- 898 - Temporary Loan re By-law No. 868/70 - \$30,394.07
- 899 - Temporary Loan re By-law No. 869/70 - \$46,892.83
- 900 - Temporary Loan re By-law No. 870/70 - \$29,458.84
- 901 - Temporary Loan re By-law No. 871/70 - \$28,052.27
- 902 - Temporary Loan re By-law No. 872/70 - \$15,044.79
- 903 - To provide for the constrol of the sale of part lots
- 904 - To dedicate a highway, Industrial Plaza
- 905 - To levy the rate of taxation for general purposes in the year 1970
- 906 - To levy the rate of taxation for the S. D. & G. County Board of Education and the S. D. & G. Roman Catholic Separate School Board for the year 1970

Moved by Alderman Gauthier, seconded by Alderman

Bough that the by-laws be read a First and Second Time.

Unanimously adopted.



- By-law No. 859 - To amend By-law No. 148, 1966 as amended
- 868 - To authorize the construction of an Asphalt Pavement on Fatima Street from Twelfth to Thirteenth Streets
- 869 - To authorize the construction of an Asphalt Pavement with Curbing on Notre Dame Street from Thirteenth to Fifteenth Streets
- 870 - To authorize the construction of an Asphalt Pavement with Curbing on Henry Street from Twelfth to Thirteenth Streets
- 871 - To authorize the construction of a Permanent Pavement with Curbing on Paul Street from Eleventh to Twelfth Streets
- 872 - To authorize the construction of a Storm Sewer on Notre Dame Street from Thirteenth Street to 65 feet south of Fifteenth Street
- 892 - To authorize the widening of Power Dam Drive
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Moved by Alderman Cameron, seconded by Alderman Lebano

that the by-laws be read a Third Time, PASSED, SIGNED and SEALED.

Unanimously adopted.

NEW BUSINESS

Trailer Parks - A report of the special committee of the Planning Board re trailer parks was tabled.

Mr. Adams, with the aid of a map, indicated the area that the Planning Board proposes to recommend the establishment of trailer parks.

Alderman Webster read a letter from the Treetops Motel indicating their wish to commence operation of a trailer court. Alderman Lebano also mentioned the Fountain Motel and asked that existing business should be given every consideration to expanding their areas. It was suggested that COM 40, COM 41 and COM 42 areas also be considered by the Planning Board as other areas for operation of trailer courts.

Parking By-law - Moved by Alderman Fawthrop, seconded by Alderman Pescod that the recommendation from the Parking Authority of a meeting held June 11th be adopted as received and that By-law No. 860, 1970 be given a third reading. An amendment to the motion was made by Alderman Clement, seconded by Alderman Brunet that the section of By-law No. 860, 1970 dealing with Montreal Road be deleted. An amendment to the amendment was made by Alderman Cameron, seconded by Alderman Bough that the report of the Parking Authority be deferred until the meeting of Council to be held on July 13th. The amendment to the amendment carried and the amendment to the motion and the motion were defeated. The question is to be considered at the Council meeting to be held on July 13th.

Ontario Housing - Mayor Kaneb reported that he had spoken to Honourable L. Lamoureux who had informed him that he spoke to Honourable Andras and asked that he expedite the necessary requirements so that a start may be made as soon as possible on the senior citizens and family housing developments. Mayor Kaneb further stated that Honourable F. Guindon is also working on behalf of the City to see that both developments may be commenced shortly.

Switching Operations - Mayor Kaneb stated that he had sent a letter to the Vice-President of both C.N.R. and C.P.R., informing them that we are interested in the rights of existing and future industries and that the switching rights of all industries must be protected. He has now been notified that a meeting of the two Vice-Presidents is scheduled to take place in Toronto on July 9th. The C.N.R., he further stated, has met with some of our existing industries. At the next meeting of Council scheduled to take place on July 13th, Mayor Kaneb stated that Council will have to decide as to what they want to do with the proposed agreement with the C.N.R. which was discussed at the previous meeting.

Nativity School Building - The Administrator read a telegram received from the Department of Public Works advising that the premises in the Nativity School building, now occupied by Indian Affairs and Northern Development, will be vacated on July 15th.

Mayor's Blood Donor Clinic - Mr. Boyer reminded members of Council of the Mayor's Blood Donor Clinic to be held in Trinity Hall on July 2nd.

Funland - Mr. Boyer reported that he had contacted both the City of Brockville and Kingston and that neither City has a by-law covering the operation of funland.

Moved by Alderman Webster, seconded by Alderman Lebano that an amendment to By-law No. 1567, 1963, as amended, be prepared, whereby a fee of \$100.00 be charged towards the operation of an entertainment known as "funland". Unanimously adopted.

Road in Industrial Plaza - Moved by Alderman Lebano, seconded by Alderman Clement that the road, dedicated to the City under By-law No. 904, 1970, be named Blackadder Road. Unanimously adopted.

Meeting with Charlottenburgh Council - Mayor Kaneb and Alderman Lebano referred to the recent joint meeting of City Council and Charlottenburgh Council. They stated that there were many areas covered, such as, development of the East Front and pollution problems. Mayor Kaneb also pointed out that he had called a press conference the next morning but was sorry that full coverage was not given to the meeting.

Bathtub Daze - Alderman Lebano pointed out that the Federal Department has rated bathtub daze as one of the top tourist attractions for the Dominion this year. He felt that the Cornwall Tourist and Convention Bureau and particularly, the committee, dealing with the Bathtub Daze, should be commended for its efforts in this respect. Alderman Lebano

also noted the excellent coverage given by the press and radio and urged everyone in the City to participate.

By-law Enforcement Officer - Answering Alderman Brunet, Mr. Boyer reported that he is presently working on the feasibility of the appointment of a City By-law Enforcement Officer.

Superivision along Riverfront - Alderman Brunet referred to the recent tragedy where two youngsters drowned at the foot of McConnell Avenue. He stated that Mr. Fred McGillivray has indicated his willingness to patrol the area for a small fee. Alderman Brunet further stated that, if it is legal, a by-law should be passed whereby a boathouse, within a municipality, must be kept locked or boats along the riverfront must be strongly secured.

Eastcourt Subdivision - Alderman Brunet complained that the owners of the Eastcourt Subdivision have not lived up to their moral obligations by putting in streets along the housing development and, with no grading and no asphaltting, it is necessary for the City to spread oil on the roads which is an expense to the taxpayer.

Asphaltting of Driveways - Alderman Brunet suggested that a fee of \$5.00 be charged for residents engaged in asphaltting driveways and \$10.00 for people living outside the municipality who asphalt driveways. He felt that this is the only manner a control can be kept on this work and an effort made to see that sidewalks and boulevards are not damaged when the work is being done.

Elections at Large - Alderman Brunet again asked that a referendum be placed before the people in the Fall election asking as to whether they are in agreement with elections at large.

He noted that schools and senior governments are now elected in this manner and felt that members of Council should also be elected in this manner.

Moved by Alderman Brunet, seconded by Alderman Lebano that we ask for a referendum to this effect in the December 6th election. Alderman Bough pointed out that this question had been considered in his Administrative Study Report and the committee had suggested that a small committee be formed to study this and other matters. A vote on the motion showed a tie vote and the motion was defeated. Mayor Kaneb suggested that the question be considered again at the next Council meeting to be held on July 13th.

Niagara Falls Council Meeting - Alderman Carrara reported that, about a month ago, he attended a Council meeting in Niagara Falls. The committee operates under a manager type system. The agenda, he noted, is quite small with headings of all items to be discussed followed by a recommendation from the Manager to be used as a guide for Council.

French Week Committee - Alderman Clement reported that he had received a letter from the French Week Committee thanking members of Council for their co-operation.

Traffic Lights - Answering Alderman Clement, Mr. Adams stated that the traffic lights, formerly placed at the corner of McConnell Avenue and First Street, have now been relocated to the corner of Second Street and McConnell Avenue. Alderman Clement then asked that a report be made as to the feasibility of having four-way stops at the corner of First Street and McConnell Avenue.

Meeting with Authority - Alderman Clement inquired as to whether a ratepayer can attend a meeting with an Authority and whether they can be ignored or refused. Mayor Kaneb replied that it would seem good business for any Authority to meet with ratepayers when asked. The setting up of an Authority is constituted by by-law of the City and the Mayor stated that, if he was referring to the Parking Authority, he was not aware of their refusing to meet. Regarding the legality of refusing to hold such a meeting, Mayor Kaneb stated that he would have to take this question under advisement.

Lion's Club Carnival - At the request of Alderman Webster, it was moved by Alderman Carrara, seconded by Alderman Bough that the Lion's Club be permitted to conduct a carnival the last week of July on the south side of Montreal Road on Courtaulds property. Mayor Kaneb and Alderman Bough declared their interest and refrained from discussing or voting on the question. The motion carried.

Social Service Department - Alderman Fawthrop reported that welfare costs for the month of May has caused a great deal of concern. He suggested that Council again consider having applicants surrender their licence plates and car ownership as a means of obtaining welfare assistance. He suggested that the plates could be left at the Police Department and the recipients could receive them when needed. Otherwise, Alderman Fawthrop noted that welfare costs are going to keep increasing as some persons who were unwilling to surrender their licence plates and

car ownership and unable to receive assistance in the past, are now applying for welfare. Alderman Guindon took exception to this practice and stated that there is no law which requires anyone to surrender car ownership as a term of receiving welfare assistance.

Administrative Study Report - Alderman Bough pointed out that, on January 26th, he had tabled an Administrative Study Report. At the following meeting, the report was discussed and he noted that nothing has happened since that time. He asked that the report be placed on the agenda for the next regular meeting of Council and that a detailed study be made commencing with item #1.

Motions submitted to Council - Alderman Bough suggested that at the next meeting, any motions, be written out and submitted to Council. In this respect, he submitted the following two motions to the Clerk:

Committee of the Whole meetings - Moved by Alderman Bough, seconded by Alderman Cameron that commencing with the Committee of the Whole meeting to be held on June 29th that the news media not be excluded from any further meetings except by an express decision of Council covering any particular item on the agenda. An amendment to the motion was made by Alderman Webster that the Mayor make a decision as to whether members of the news media should be in attendance at the meeting or not. There was no seconder to the amendment. The motion carried.

By-law Enforcement Officer - Moved by Alderman Bough seconded by Alderman Lebano that, due to the numerous abandoned cars which appear on many City lots, a By-law Enforcement Officer



be hired for a period not exceeding two months to enforce the present By-law No. 393, 1967. It is also suggested that former City police officer E. Ostler be considered for this position. The motion was defeated.

Fishing Restrictions - Alderman Holden noted that, while the Department of Tourism and Information has spent a great deal of money to have tourists come into Ontario, Honourable R. Brunelle has directed that fish is not to be sold commercially and, if caught, is to be thrown back into the water. He noted that the Quebec Government and also the state of New York has not imposed such restrictions. He felt that this order from the Minister has not only hurt tourists in the area but also has reduced the means of livelihood for certain people by reducing boat rentals, sale of fishing tackle and fish and use of marinas.

Moved by Alderman Holden, seconded by Alderman Lebano that the Minister of Lands and Forests be asked to discuss the question with the Ministers of Health for the Provinces of Ontario and Quebec. Unanimously adopted.

Claims against Contractors - Mayor Kaneb reported that few of our citizens have put in claims against Spino Construction and, as yet, have heard nothing from them. Alderman Pescod replied that there has been a procedure set up which is still in force and that, within three weeks, anyone having a claim against the company should notify the City, who, in turn, will advise O.W.R.C. Mr. Adams advised the members that O.W.R.C. have asked for a documentation of all claims submitted to Spino noting those

that have been paid or the reason for withholding payment.

Adjournment - Moved by Alderman Gauthier, seconded by Alderman Guindon that Council adjourn to go into Committee of the Whole.

Following a meeting of Committee of the Whole, Council reconvened.

Committee of the Whole Report No. 18-70 - Moved by Alderman Bough, seconded by Alderman Guindon that the report be adopted as received. Unanimously adopted.

Adjournment - Moved by Alderman Lebano, seconded by Alderman Bough that Council adjourn.

  
Clerk

  
Mayor