

CITY COUNCIL NO. 18-71

July 12, 1971.

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

Presentation to Mr. Abdul Ismaily - The Administrator read a letter of commendation on behalf of the Public Works Committee to Mr. Abdul Ismaily who recently presented a report on the City's combined sewerage system and its industrial waste problems which report was undertaken in conjunction with his recent studies at the University of Western Ontario.

Mayor Kaneb, on behalf of members of Council, thanked Mr. Ismaily, pointing out that, in increasing his own knowledge he has become a better employee of the City. The Mayor went on to state that Council is very proud of his achievements and trust that he will remain in the employ of the City for many years.

Alderman Gauthier, on behalf of the Engineering Department, the Public Works Committee and Mr. Adams, congratulated Mr. Ismaily on the excellent report and stated that the Committee appreciates whatever Mr. Ismaily undertakes in order to help the City and the citizens of Cornwall. He trusted that Mr. Ismaily would remain as an employee of the Engineering Department for a long time to come.

DELEGATIONS

Montreal Road - Mr. A. Abugov, President of the Vogue Shoppe, stated that he has carried on business in the same location for the past 23 years and, as a businessman, is growing very impatient with the delay in improvements along Montreal Road. He pointed out that work on Pitt Street and Second Street extension has been completed and new sidewalks constructed in front of the Eastcourt Mall. He referred to a special meeting of the Public Works Committee, at which time, various merchants carrying on business on Montreal Road attended. He went on to state that he would now ask Mr. Bourgon, as President of the East Cornwall Businessmen's Association, to address Council on behalf of all the members.

Mr. Bourgon asked to go on record this evening as opposed to the Montreal Road project being undertaken in the manner as recommended by Council on June 28th. He referred to the joint meeting held on July 9th at which time certain proposals were agreed upon. In this respect, he submitted a petition, dated July 12th signed by various members of the East Cornwall Businessmen's Association.

After some discussion, it was moved by Alderman Gauthier, seconded by Alderman Webster that By-law No. 1085, 1971 be submitted to the Ontario Municipal Board for approval and the funds allocated for this project be reserved for the starting of this project in 1972. Carried.

Moved by Alderman Clement, seconded by Alderman Guindon that this Council go on record in recommending to the incoming Council that the sanitary sewers be installed on Montreal

Road from Arthur Street to St. Felix Street in 1972 and further that the sidewalks and pavement along Montreal Road from Marlborough Street to St. Felix Street be completed in 1973.

A recorded vote indicated the following results -

FOR - Aldermen L. Gauthier, R. Carrara, A. Clement, R. Brunet, D. Webster, F. Guindon, A. Lebano, J. Pescod and M. Holden

AGAINST - Aldermen D. Fawthrop and K. Bough

The motion carried.

Mayor Kaneb thanked the delegation for attending this evening's meeting.

Rule '48' - Moved by Alderman Brunet, seconded by Alderman Clement that Rule '48' be suspended in order to hear Mr. Racine. Carried.

Mr. Racine asked the support of Council should he proceed with the erection of a private arena. He stated that the arena would be located immediately east of Rita Street which would be a prefabricated building with a seating capacity of 3,000.

Mayor Kaneb suggested that Mr. Racine attend a meeting of the Parks and Recreation Committee when a full study of his plans can be made.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Holden that the Council minutes of meeting held June 28th be adopted as received. Carried.

#### COMMUNICATIONS

1. Canadian National Railways - Equipment for museum display - Moved by Alderman Carrara, seconded by Alderman Webster that the letter be filed. Carried.

2. S. E. Fennell - Private Bill, Transit Service -  
Moved by Alderman Carrara, seconded by Alderman Webster that the letter be filed. Carried.
3. A. Abugov - Repairs to Montreal Road - Moved by Alderman Gauthier, seconded by Alderman Pescod that the letter be referred to the Public Works Committee for their records. Carried.
4. Ronald Bell - Amendment to the Zoning By-law -  
Moved by Alderman Bough, seconded by Alderman Pescod that the letter be referred to the Cornwall Planning Board. Carried.
5. M. Bourgon & R. Lefebvre - Repairs to Montreal Road -  
Moved by Alderman Gauthier, seconded by Alderman Pescod that the letter be referred to the Public Works Committee for their records. Carried.
6. L. P. Stidwill - Application of co-ordinate system -  
Moved by Alderman Pescod, seconded by Alderman Gauthier that Mr. R. Code be advised that the City of Cornwall would appreciate having the Surveyor-General's office institute and carry out a program of survey monumentation co-ordinates for the City of Cornwall, said monumentation to be laid down on either half a mile or one mile pattern, to encompass the whole municipal area; cost of said survey is to be borne by the Department of Lands and Forests, Surveyor-General's office. Carried.
7. Harold C. Valentine - Bicycle Week - Moved by Alderman Holden, seconded by Alderman Pescod that Bicycle Week be declared from August 1st to August 7, 1971. Carried.

8. Remi L. Gillet - Letter of Thanks - Moved by Alderman Clement, seconded by Alderman Pescod that the letter be filed. Carried.
9. Department of Indian Affairs and Northern Development - Inverarden - Moved by Alderman Bough, seconded by Alderman Lebano that the letter be referred to the Inverarden Committee. Carried.
10. St. Lawrence Power Company - Increase in power cost for Filtration Plant - Moved by Alderman Guindon, seconded by Alderman Gauthier that the letter be referred to the Technical Co-ordinating Committee. Carried.
11. Roy Corbic - Repairs to Montreal Road -
12. East Cornwall Businessmen's Association - Repairs to Montreal Road -  
 Moved by Alderman Gauthier, seconded by Alderman Clement that letter numbers 11 and 12 be filed. Carried.
13. Sports Hall of Fame - Cornwall Athletic Grounds -  
 Moved by Alderman Lebano, seconded by Alderman Webster that the letter be referred to Messrs. M. A. Boyer, and S. E. Fennell for study and action. Carried.
14. Honourable Lucien Lamoureux - Letter of Thanks -  
 Moved by Alderman Guindon, seconded by Alderman Gauthier that the letter be filed. Carried.

PETITIONS

- PE #12-71 - Leo Lalonde & Others - Pavement on St. Michel from Sunnyside to Lemay
- PE #13-71 - Leo Labnde & Others - Storm Sewer on St. Michel from Sunnyside to Lemay

Moved by Alderman Gauthier, seconded by Alderman Clement that the petitions be referred to the Public Works Committee. Carried.

#### REPORTS

Finance Committee No. 13-71 - Moved by Alderman Fawthrop, seconded by Alderman Bough that the report be adopted as received. Carried.

Aldermen Lebano, Brunet and Guindon spoke against the decision of the Finance Committee to withhold granting the request of the Public Works Committee for additional monies for road repairs.

Anti-Pollution Committee No. 7-71 - Moved by Alderman Carrara, seconded by Alderman Gauthier that the report be adopted as received. Carried.

Alderman Lebano asked that the Anti-Pollution Committee obtain further information from Aquatic Controls Limited as to weed cutting in the river and also that the Committee see what action can be taken to control the throwing of debris from boats into the river.

Alderman Pescod requested the Police Department to take action against the unnecessary noise created by the racing of motorcycles which is prevalent particularly in the western section of the City. Alderman Carrara, speaking in support of Alderman Pescod's recommendation, reported that he had received similar complaints from people living in the area of Sydney and First Streets.

Core Redevelopment Committee No. 4-71 - Moved by Alderman Bough, seconded by Alderman Lebano that the report be adopted as received. Carried.

Report on Widening of Fifth; Reconstruction of Thirteenth Street; Sidewalks on various streets, Tender No. 21-71 - Moved by Alderman Gauthier, seconded by Alderman Guindon that the tender of Dibblee Construction Company Limited be accepted at a price of \$148,479.00 for the widening and realignment of Fifth Street from Cumberland to York Streets; reconstruction of Thirteenth Street from Brookdale Avenue to Cumberland Street and construction of sidewalks on various City streets. Carried.

Report on Fuel Oil and Stove Oil, Tender No. 28-71 - Moved by Alderman Pescod, seconded by Alderman Gauthier that the tender of McGuire Fuels Limited be accepted at a price of 15.30¢/ig for #2 fuel oil and 19.00¢/ig for #1 stove oil. Carried.

Report on Tree Cutting and Tree trimming, Tender No. 27-71 - Moved by Alderman Gauthier, seconded by Alderman Bough that the tender of Robert Fox Tree Service be accepted in the amount of \$2,200.00 for tree cutting and tree trimming. Carried.

Fire Chief's Report No. 2-71 - Moved by Alderman Guindon, seconded by Alderman Bough that the report be adopted as received. Carried.

Fire Inspector's Report No. 2-71 - Moved by Alderman Guindon, seconded by Alderman Bough that the report be adopted as received. Carried.

RESOLUTIONS

RE #75-71 - City of Kitchener - Subsidy on costs involved  
in all matters of water management

Moved by Alderman Lebano, seconded by Alderman  
Webster that the resolution from the City of Kitchener be  
endorsed. Carried.

BY-LAWS

By-law No. 1095 - To amend the Zoning By-law (Grant - Rosemount)

1096 - To amend the Traffic By-law

1097 - To authorize the Mayor and Clerk to sign  
an Offer to Purchase between the City and  
Donald J. Cameron (Ninth & Pitt Streets)

1098 - Authorizing the Mayor and Clerk to sign  
an agreement between the City and the  
Minister of Lands and Forests

1099 - To authorize execution of an agreement  
with Irvin Brown

1100 - To authorize the execution of an Option  
to Purchase (Steinberg)

Moved by Alderman Gauthier, seconded by Alderman  
Clement that the by-laws be read a First and Second Time.  
Carried.

By-law No. 1095 - To amend the Zoning By-law

1096 - To amend the Traffic By-law

1098 - To authorize the Mayor and Clerk to sign  
an agreement between the City and the  
Minister of Lands and Forests

1097 - To authorize the Mayor and Clerk to sign  
an Offer to Purchase between the City and  
Donald J. Cameron (Ninth & Pitt Streets)

1099 - To authorize the execution of an agreement  
with Irvin Brown

1100 - To authorize the execution of an Option to  
Purchase (Steinberg)



Moved by Alderman Carrara, seconded by Alderman Guindon that the by-laws be read a Third Time, Passed, Signed and Sealed. Carried.

NEW BUSINESS

Civic Holiday - Moved by Alderman Carrara, seconded by Alderman Guindon that August 2, 1971 be declared a civic holiday. Carried.

Cornwall Housing Authority - Mr. Boyer announced that, as of June 30th, he has resigned from the Cornwall Housing Authority and that any inquiries should be directed to Mr. George Jodoin.

Resolution No. 77-71 - Moved by Alderman Brunet, seconded by Alderman Lebano that whereas the Municipal Act, Section 478, and the Surveys Act, Section 56, provides that, under the circumstances therein set out, a municipality, after it has closed a road, may be required to convey the lands to the adjoining owners without compensation;

AND WHEREAS, in many cases, the land in question has increased in value by reason of the local improvements installed by the municipality in the area;

AND WHEREAS it is inherently unfair that the municipality should be required to convey such land without compensation to the adjoining owners, which thereby enables the said owners to immediately resell the lands for a substantial profit.

BE, THEREFORE, RESOLVED that the Ontario Legislature be requested to amend the Municipal Act and the Surveys Act to require that a municipality may, after it has closed a road, if it desires to dispose of such land, be permitted to charge a fair price for such lands.

AND FURTHER, it shall be resolved that this resolution shall be forwarded to other Ontario Cities, to the Minister of Municipal Affairs, and to the local Member of Parliament.

Carried.

Municipal Councillors Handbook - Mr. Boyer advised Council that, at their request, he had ordered 13 copies of the Municipal Councillors Handbook. He has now been advised that the booklet is out of print and that these will be forwarded if a new edition is issued.

O.M.B. Approvals - Mr. Boyer announced that the City has received O.M.B. approvals to Zoning By-law No. 751, 1969 and amending By-laws No. 1031, 1971, 948, 1970, 980, 1970, 991, 1971 and 1025, 1971.

Fairview Park - Moved by Alderman Lebano, seconded by Alderman Holden that the required by-law be prepared to close Poirier Avenue which 66 foot width is used as a park but designated as a road allowance. Carried.

C.N.R. Crossing - Alderman Lebano commended Mr. Adams for requesting the C.N.R. to repair the potholes at the Cumberland Street crossing which work has now been completed.

Junior Canadian Lacrosse Championship - Alderman Lebano stated that, on July 26th, 27th and 28th, four teams from Ontario, Quebec, New Brunswick and Nova Scotia will be competing here to be followed by western teams on August 30th and September 1st and 2nd for the Junior Canadian Lacrosse 1971 Castral Championship Cup series.

Off-track Betting - Alderman Lebano referred to the recent Provincial Government announcement where all off-track betting will be taken over by the government. He felt that this recommendation was worthwhile as it would eliminate rackateers and, by the province realizing more money, additional revenues could be forthcoming to the municipalities.

Weed Cutting - Alderman Bough referred to complaints he had received regarding charges for the cutting of weeds. Mr. Adams explained that, when a person is notified to have their weeds cut, they are given seven days to carry out the work and, if this is not done, then the City will cut the weeds and charge the actual costs to the property owner. In special circumstances if a person requests, the City will cut the weeds and again charge the owner for costs involved. There is no recurring charge every year for a property owner, Mr. Adams went on to state, but only a charge made in that particular year that the weeds are cut.

Dunkirk Avenue Creek - Alderman Guindon asked that something be done to eliminate the strong odor emanating from the creek which runs across Dunkirk Avenue.

Cornwall Athletic Grounds - Alderman Guindon asked that the dead trees be removed at the athletic grounds. He pointed out that, while there are wild grapes growing over the tree, the tree itself is dead.

Park Supervisors - Alderman Guindon suggested that all supervisors at City parks with long hair whether male or female be required to wear a bathing cap to eliminate the plugging of filters with hair.

Weed Cutting - Alderman Brunet suggested that, if the City is going to request ratepayers to cut their weeds, the firemen should cut the weeds around the fire hydrants. He pointed out Ninth and Cumberland Streets as an area where the weed growth is especially heavy.

Mobile Homes - Alderman Brunet stated that the City is only designating two areas for trailer courts. He brought out the fact that the government will make loans available to persons erecting mobile homes and felt that the City, without allowing this type of home, is causing much inconvenience to its citizens and prevents people ~~on a lowing~~ income from owning their own home.

Advertising of City By-laws - Alderman Brunet suggested that the City place advertisements in the local press making people aware of the various by-laws, i.e., signs by-law, tearing up boulevards, etc. He cited as an example, a person on Montreal Road and Bryden Avenue who had recently asphalted the boulevard and were required after to tear up the asphalt and re-seed the boulevard. In another instance, a sign was placed on vacant property on McConnell Avenue North, advertising a business. Neither the person owning the business nor the person who had rented the billboard space were aware that a sign could only be erected where the business is being carried on. He also referred to a lady who had made an expenditure of \$125.00 for a swimming pool who was then advised that the pool would have to be fenced which could mean a further outlay of \$250.00. He felt that the citizens, for their own information and good public relations, should be made

aware of the City by-laws. He suggested that the Finance Committee put an ad in every month informing people of the different City requirements under the existing by-laws.

Fire Committee Report - Alderman Brunet inquired as to when a report may be expected from the Committee set up to consider the operation of the Fire Department which Committee had visited a few municipalities some time ago. He noted that, if the report is not received here by the August meeting, then he is prepared to give his own report.

Insurance Claims - Alderman Brunet inquired as to who has the final say in insurance claims. He felt that the present practice of an adjuster deciding whether payment is to be made or not when a claim is put in against the municipality, leaves many citizens dissatisfied. He suggested the possibility of setting up a fund for this purpose with the final say as to whether payment should be made or not to be decided by the Police and Engineering Departments. He referred to a claim submitted by a local firm in 1969 caused by a snowplow breaking a large window. This claim, he pointed out, has never been paid and further, when the merchant decided to replace the glass himself, he was asked to obtain a permit in order to build the necessary frame around the window.

Boulevards - Alderman Brunet suggested that businesses operating in a residential area under a non-conforming use be permitted to asphalt the boulevards with the understanding that, should the business be discontinued, the asphalt be removed and the boulevards seeded.

Fire Committee Report - In answer to Alderman Brunet re a report to be submitted by the Fire Department, Alderman Webster stated that the Fire Marshall's Office has made a comprehensive survey of the City and, in his opinion, the Committee would be remiss if they did not incorporate these amounts in the report. Mr. Boyer stated that the report from the Fire Marshall's Office is expected next week.

Second Street East - Alderman Carrara inquired as to the reason for tearing up the centre of the road near St. Felix Street. Mr. Adams replied that the work was required to replace the 9 inch sewer system between St. Felix and Guy Streets because the sewer is too small and trouble has been encountered within the last two years with the present system. The sewer in question, he went on to state, services Second Street westerly to McKay Avenue and on the side streets draining into it. The decision to do the work after the widening was complete was in order to maintain traffic around the side of the road due to a high volumn of vehicular movement which could not be handled on the pavement width. The sewer was placed in the centre of the road because the existing sewer is there. If we had to relocate, then we would have had to cross Second Street with all the streets serviced from the far side of the road.

Eastcourt Subdivision - Alderman Carrara complained of the very inadequate swimming pool installed in the Eastcourt Subdivision. In his opinion, this pool would adequately take six adults and, at the present time, there are 32 families

living in the two apartment buildings and it is expected that three more apartment buildings may be built. He suggested that the Planning Board study any requirements as to the size of a pool being built in a housing development.

Champlain Avenue - Answering Alderman Carrara, Mr. Adams stated that the City had placed fine gravel on Champlain Avenue with the costs to be charged to the contractor. He went on to state that the weeds need cutting and the whole area is in bad condition. Glengarry Village has been contacted and asked to improve the condition of this area and it is hoped that by the end of this week, some agreement will be reached with the developers.

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

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

Committee of the Whole Report No. 17-71 - Moved by Alderman Fawthrop, seconded by Alderman Bough that the report be adopted as received. Carried.

Council Meeting - Answering Mayor Kaneb, Alderman Pescod stated that personally he did not feel it was necessary for the Mayor to meet with members of Council at this time. The other aldermen agreed with Alderman Pescod.

Adjournment - Moved by Alderman Fawthrop, seconded by Alderman Guindon that Council adjourn.

  
Clerk

  
Mayor