

CITY COUNCIL NO. 15-72

May 9, 1972.
7:00 p.m.

A Regular Meeting of City Council was held this evening with the following members present - His Worship Mayor E.C. Lumley, Aldermen G. Leger, A. LeBlanc, G. Samson, A. Clement, D. Webster, D. Fawthrop, F. Guindon, G. Cameron, K. Bough, A. Lebano, J. Pescod and M. Holden.

Safety Award Presentation

Mr. Murray Rowe of the Department of Transportation and Communications, presented to Constable G. Kirkey of the Police Department, a safety award which denotes that Cornwall completed Safe Driving Week 1971 without a fatal traffic accident. He offered his congratulations to the City of Cornwall and the Police Department for conducting a successful campaign.

Mayor Lumley and Constable Kirkey thanked Mr. Rowe in turn. Mayor Lumley also congratulated Constable Kirkey on behalf of City Council.

Presentation of Certificate

Mayor Lumley, on behalf of the Council and the citizens of the Cornwall, presented Dr. J.A. Tallon with a certificate in recognition of his service as a member of the Pollution Control Committee. He stated that it was a pleasure to honour a gentleman with so many outstanding achievements to his credit and thanked him for his many contributions to the community.

Dr. Tallon thanked members of Council for the kind gesture and as he left the room received a standing ovation.

DELEGATIONS1. Canadian Fireworks Manufacturing Association

Mr. Ian MacF. Rogers, Q.C., addressed Council on behalf of the Canadian Fireworks Manufacturers Association requesting that the City rescind its legislation banning fireworks in the City. He recalled that firecrackers had been

blamed for the cause of fires and this was the reason for passing the existing by-law. However, Council had banned all fireworks thereby depriving retailers of considerable income. He further backed up his request by stating that for the last 5 years, the Canadian Fire Chiefs' Association and the Ontario Fire Chiefs' Association pass resolutions simply calling for a ban on firecrackers. He added that the Ontario Safety League recommend banning firecrackers and approval of the sale and use of family fireworks.

Moved by Alderman Clement, seconded by Alderman Leger, that Mr. Rogers' request be referred to the Fire Committee for consideration and recommendation to Council.

Carried.

Before leaving the meeting, Mr. Rogers presented the Mayor with a wooden nickle commemorating the golden anniversary of the Borough of North York on whose Council he sits.

Adoption of Minutes

Moved by Alderman Holden, seconded by Alderman Pescod, that the minutes of Council meeting held April 24th be adopted as received. Carried.

COMMUNICATIONS

1. Association for Mentally Retarded - National Week for Mentally Retarded

Moved by Alderman Bough, seconded by Alderman Cameron, that the Mayor proclaim the week of May 14th to 20th as National Week for the Mentally Retarded. Carried.

2. John Graves Simcoe Memorial Foundation - Simcoe Day

Moved by Alderman Webster, seconded by Alderman Cameron, that Council supports Bill 25 which designates the "Civic Holiday" in August as Simcoe Day and that our local Member of Provincial Parliament be so advised. Carried.

3. Historical Society - Annual Fund Raising Event

Moved by Alderman Webster, seconded by Alderman Guindon, that the Historical Society be granted permission to hold their annual fund raising event in the form of a Mini-Circus at Trinity Church Hall on Wednesday, May 17th. Carried.

PETITIONS

- PE #16-72 - Menard Bros & others - Sanitary Sewer on Marleau from Carleton to Iroquois
- PE #17-72 - Menard Bros. & others - Watermain on Marleau from Carleton to Iroquois
- PE #18-72 - Menard Bros & others - Pavement of Marleau from McConnell to Marleau
- PE #19-72 - Menard Bros & others - Storm Sewer on Marleau from McConnell to Iroquois
- PE #20-72 - T. Firth & others - Storm Sewer on Carleton from Lasalle to Marleau
- PE #21-72 - T. Firth & others - Pavement on Carleton from Lasalle to Marleau
- PE #22-72 - H. Graham & others - Storm Sewer on Haldimand from Iroquois to Iroquois
- PE #23-72 - H. Graham & others - Pavement on Haldimand from Iroquois to Iroquois
- PE #24-72 - John Daigle & others - Sanitary Sewer on Johnston from Mercier to McKenzie & on McKenzie from Johnston to Ross

Moved by Alderman Pescod, seconded by Alderman Lebano, that the petitions be referred to the City Engineer for study and report. Carried.

REPORTSCommittee of the Whole No. 10-72

Moved by Alderman Cameron, seconded by Alderman Clement, that the report be adopted as received. Carried.

Tourism and Convention Committee #9-72

Moved by Alderman Webster, seconded by Alderman Guindon, that the report be received. Carried.

Report on Asphalt Resurfacing, Tender #10-72

Moved by Alderman Pescod, seconded by Alderman Leger, that the tender of Cornwall Gravel Co. Ltd. be accepted at a total lot price of \$48,400.00 for asphalt resurfacing of various City streets. Carried.

Report on Crack Sealing, Tender #20-72

Moved by Alderman Cameron, seconded by Alderman Guindon, that the tender of Duron (Ontario) Ltd. be accepted at a total cost of \$9,822.00 for crack sealing for various City streets. Carried.

Report on Drapery for Justice Building, Tender #21-72

Moved by Alderman Cameron, seconded by Alderman Pescod, that the tender of Lynwood Upholstering & Furnishings (Canada) be accepted for drapery for the new Justice Building at a total lot price of \$9,088.63. Carried.

Alderman Bough questioned the fact that firms submitting lower bids had been refused because their tender was not exactly as specified and asked if expert advice had been obtained with respect to materials. Mr. Adams replied that specifications had been drawn up on advice from the architects.

Alderman Fawthrop felt we should retender.

Alderman Guindon agreed with the recommendation of the Purchasing Agent and the City Engineer.

Report on Portland Cement, Tender #22-72

Moved by Alderman Leban o, seconded by Alderman Cameron, that the tender of Cornwall Concrete Products Ltd. be accepted at a unit price of \$1.39 per 80 lb. bag of regular Portland Cement. Carried.

Report of City Engineer re Sanitary Sewer on Danis from Montreal Rd. to a point 295 ft. north of Montreal Rd., #11-72

Moved by Alderman Clement, seconded by Alderman Guindon, that the report be adopted and that the sanitary sewer be constructed if required. Carried.

Cornwall Planning Board #3-72

Moved by Alderman Pescod, seconded by Alderman Bough, that the report be adopted as received. Carried.

Alderman Cameron questioned the paragraph re Leo Lalonde, Tollgate Rd. Mr. Adams advised that commercial and residential zoning cuts through Mr. Lalonde's property and he would like to have it all zoned residential.

Alderman Pescod informed Council that the final decision will still rest with Council.

Alderman Webster questioned the recommendation with respect to side yard clearances for carports.

Mr. Adams explained that at present, under Residential 10, 20, 30 and 40, for single family units, attached garages and/or carports require a side yard clearance of 3 ft. from the property line to the structural support of such accessory building. The minimum lot frontage of 50 ft. is acceptable for single family construction and duplex family construction and when this minimum frontage is applied to the type of residential units being constructed today, there is little room available for accessory attached garages and/or carports within the relatively restricted side yard requirements of our by-law. He added that the by-law will have to be closely policed to ensure that carports are not being closed in.

RESOLUTIONS

RE #35-72 - County of Renfrew - Opposition to legalization of drugs

Moved by Alderman Lebano, seconded by Alderman Webster, that the resolution from the County of Renfrew be endorsed and that a telegram be sent to the County of Renfrew so advising. Carried.

RE #36-72 - City of Sarnia - Operation of Bicycles

Moved by Alderman Bough, seconded by Alderman Leger, that the resolution from the City of Sarnia be filed. Alderman Bough stated that the Chief of Police had made it known in the past that his department preferred not to issue licenses for bicycles and therefore could see no point in supporting the resolution.

Alderman Lebano did not think the resolution should be just filed, as he felt that someone other than the Police Department might be willing to take on the job.

Alderman Holden/^{felt}that the Provincial Government should step in as cyclists are not limited to travel within one municipality but travel from one municipality to another.

Alderman Guindon asked for a recorded vote on the motion and the results were as follows -

FOR

Aldermen G. Leger
A. LeBlanc
D. Webster
D. Fawthrop
G. Cameron
K. Bough
J. Pescod

AGAINST

Aldermen G. Samson
A. Clement
F. Guindon
A. Lebano
M. Holden

The motion carried.

RE #37-72 - City of Sarnia - Centre Two-Way Left Turn Lane

Moved by Alderman Guindon, seconded by Alderman Pescod, ^{that} the resolution from the City of Sarnia be endorsed. Carried.

RE #38-72 - City of Oshawa - Prescription Drugs under the Family Benefits Act

Moved by Alderman Lebano, seconded by Alderman Cameron, that the resolution from the City of Oshawa be referred to the Social Services Committee. Carried.

RE #39-72 - City of Oshawa - Provincial Subsidy to cost of items of Special Assistance

RE #40-72 - City of Oshawa - Emergency Funds

Moved by Alderman Clement, seconded by Alderman Samson, that the resolutions from the City of Oshawa be referred to the Social Services Committee. Carried.

RE #41-72 - City of Penticton - Transient Youth

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

RE #42 - City of Cornwall

Moved by Alderman Pescod, seconded by Alderman Bough, that By-law No. 1219, 1972 is according to the Official Plan of the City of Cornwall;

There is no proposed amendment to the Official Plan contrary to the by-law; and

There has been no amendment, ~~by~~-by-law, to the Official Plan which has not been approved which would be contrary to the proposed by-law. Carried.

BY-LAWS

- By-law No. 1228 - To authorize the construction of Sanitary Sewer on Guy from Eleventh to Twelfth - \$20,835.57
- 1229 - To authorize the construction of Asphalt Pavement on Churchill from Thirteenth to Fifteenth - \$62,104.00
- 1230 - To authorize the construction of Asphalt Pavement on Julie from Sunnyside to Lemay - \$41,789.08
- 1231 - To authorize the construction of Asphalt Pavement on Lasalle from Guy to Carleton - \$23,527.97

- 1232 - To authorize the construction of Asphalt Pavement on Roy from Tenth to Eleventh and on Tenth from Roy to E. Limit of Lot 12, Plan 223 - \$39,191.26
- 1233 - To authorize the construction of Asphalt Pavement on Brodeur from Twelfth to Fatima - \$31,832.29
- 1234 - To authorize the construction of Asphalt Pavement on Susan from Queen to Princess - \$19,015.97
- 1235 - To authorize the construction of Asphalt Pavement on First from Danis to Lefebvre - \$10,883.77
- 1236 - To authorize the construction of Asphalt Pavement on St. Felix from Sandfield to Guy - \$68,366.54
- 1237 - To authorize the construction of Asphalt Pavement on First from Anthony to Leonia - \$16,938.02
- 1238 - To authorize the construction of Asphalt Pavement on Charles from Riverdale to W. Limit of Lot 90, Plan 229 - \$28,407.83
- 1239 - To authorize the construction of Asphalt Pavement on Iroquois from St. Felix to Lot 228 - \$59,858.26
- 1240 - To authorize the construction of Extensions to the Waterworks System on Cooper from centre of Lot 45, Plan 134 to Tenth and on Tenth from 90 ft. W. of Donihee to 20 ft. E. of W. Property Line of Lot 12, Plan 223 - \$10,391.94
- 1241 - To authorize the construction of Extensions to the Waterworks System on Brookdale from Second to 315 ft. N. of Water St. - \$22,993.40
- 1242 - To provide for borrowing from the Bank of Montreal to provide capital financing for the construction of a police office - \$657,625.00
- 1243 - To impose a sewer rate re Upper Fly Creek Storm Diversion Drain Part "A"
- 1244 - To impose a sewer rate re Upper Fly Creek Storm Diversion Drain Part "B"
- 1245 - Temporary Loan re By-law No. 1201/72 - \$600,221.34

1246 - To repeal By-law No. 1222, 1972

1247 - To authorize the Mayor and Clerk to execute an agreement for the carrying out of preliminary work for the provision of sewage disposal facilities (Upper Fly Creek Storm Diversion Drain)

1248 - Authorizing the Mayor and Clerk to sign an Agreement with Menard Bros. (Subdividers Agreement)

Moved by Alderman Guindon, seconded by Alderman Leger, that the by-laws be read a first and second time. Carried

With respect to By-law No. 1248, Alderman Clement reminded Council that the City has no right to refuse a building permit to Menard Bros. if they wish to erect a building on their lot on Guy Street in the vicinity of Fifth Street (extended), which construction could interfere with the possible extension of Fifth Street easterly.

Alderman Pescod was of the opinion that Menard Bros. are willing to defer any construction on this particular lot for a reasonable length of time. He is to contact Menard Bros. and advise that the traffic study will be updated, priority given to the Fifth Street East area, with a view to making a recommendation to Council as soon as possible.

By-law No. 1201 - To authorize the construction of watermain extensions on Tenth from Virginia Dr. to Boundary Rd. from 312 ft. S. of Tyotown Rd. to Tenth - \$600,221.34

1245 - Temporary Loan re By-law No. 1201/72 - \$600,221.34

1246 - To repeal By-law No. 1222, 1972

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Moved by Alderman Fawthrop, seconded by Alderman Clement, that the by-laws be read a third time, passed, signed and sealed. Carried.

NEW BUSINESSMenard Bros.

Moved by Alderman Clement, seconded by Alderman Leger, that should Menard Brothers apply for a building permit for Block C , Plan 225, Council will reserve the right to call a meeting with the people concerned with the extension of Fifth Street easterly from McConnell to Guy. Carried.

Burning Rubbish

Alderman Fawthrop complained about rubbish being burned on CPR lands on Sixth Street between Sydney and Adolphus Streets. He suggested that the CPR should be advised that they have to abide by the City's by-law with respect to burning. Mr. Adams informed Council that the matter is now in the hands of public property.

Board of Health

Alderman Fawthrop stated that no funds have been received from the Board of Health pertaining to the two members of Council sitting on the Board. Alderman Fawthrop moved that further payments to the Board of Health be withheld until compensation is received from the Board for salaries paid to the two members.

Mayor Lumley advised that the Clerk-Administrator has an opinion from our solicitor on this matter which should be discussed in Committee of the Whole.

Alderman Lebano asked that the matter be explored further by the Treasurer and a report brought back to Council as other members of Council are similarly involved with other boards. Alderman Fawthrop withdrew his motion pending investigation and report by the Treasurer.

Free Transportation for Senior Citizens

Alderman LeBlanc asked that consideration be given to providing free bus transportation to anybody over 65 years of age. He felt that a survey should be made of other municipalities to find out what their policy is in this respect.

Alderman Cameron advised that the subject was on the agenda for the meeting of the Community Transportation and Power Committee to be held on Wednesday.

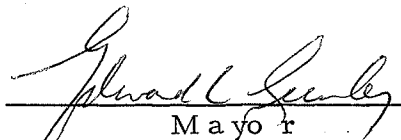
Appreciation Night

Alderman Lebano informed Council that an Appreciation Night was being held on May 25th for the Royals Hockey Team and suggested that the Industrial Committee might be willing to co-operate with the Parks and Recreation Committee in showing the City's appreciation.

Adjournment

Moved by Alderman Fawthrop, seconded by Alderman Leger, Council adjourned at 9 p.m.


Clerk


Mayor