

CITY COUNCIL #17-74July 9, 1974.  
7 p.m.

A Regular Meeting of City Council was held this evening when the following members were 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.

Recognition of Mr. Earl Myers

His Worship Mayor Lumley stated that he was proud, on behalf of members of Council, citizens and fellow workers, to recognize Mr. Earl Myers' achievement in obtaining a Bachelor of Science Degree from Sir George Williams University.

Pool in Mattice Park

A large delegation of parents and children attended this evening's meeting asking Council to consider a pool at Mattice Park. A letter was read by their spokesman, Mrs. Edna Evans, pointing out that the park belongs to the City and it is only logical that a pool should be installed in this park in order to meet with needs of the children in the east end area.

Alderman Guindon now joined the meeting.

As this request is covered in a report prepared for this evening's meeting, the report re NIP Program was considered at this time.

Mr. Courville presented his report recommending that the first area to be considered under the NIP Program be an area bounded by Albert, William, Edward, Duncan, McConnell and Montreal Road, with a second area for consideration to be bounded by McConnell, First, Alice and Montreal Road. A pool in Mattice Park, he noted, is only a very small part of improvements and projects that the City hopes to undertake if approval is received for the reconstruction of this area. Mr. Courville indicated that plans, costs for improved services in the area, recreational facilities will be studied and a committee of citizens formed to submit any recommendations. It is also anticipated that a senior citizens housing development will be erected in this area.

Council was advised that Mayor Lumley, Alderman Clement and Mr. Adams met with citizens from the Nativity-Mattice Park area this afternoon to discuss and receive the opinions of the people regarding the area to be recommended by Council for development under the NIP Program. Alderman Samson was invited but was unable to attend. It was emphasized that in order to qualify under the NIP Program full participation and agreement must be reached by the citizens in that area.

Moved by Alderman Clement, seconded by Alderman Leger, that Zone D, Area 1, is approved as the priority area for the implementation of a Neighbourhood Improvement Program in East Cornwall and that the Director of Housing make application to the Ministry of Housing for planning purposes under Schedule "B". Carried.

#### Adoption of Minutes

Moved by Alderman Pescod, seconded by Alderman Leger, that the minutes of a council meeting held June 26th be adopted as received. Carried.

#### Pitt Street Properties

Mr. Courville reported that he had met with Mr. Kaneb and had been assured that he is willing to comply with the City's request to barricade the windows and paint the boards, make the building completely secure from vandalism and improve the laneway between the two buildings. Mr. Kaneb indicated that as to this date he has been unable to obtain a tenant should he reconstruct the building. Mr. Courville went on to state that he received a letter from the Pitt Street businessmen and tomorrow will again meet with Mr. Kaneb to get a written commitment from him. Mr. Adams stated that he had contacted Mr. Forget and asked that a meeting be arranged with Mr. Kaneb as to the City acquiring the laneway. Answering Alderman Webster, Mr. Courville stated that he had written to Miss Mack as Mr. Smetsinger is anxious to proceed with the painting of the side of their building.

Alderman Guindon tabled with the Clerk copy of a letter submitted by the merchants to Mr. Courville, a copy of which had been forwarded to Alderman Cameron and himself.

Service Club Sign

Mr. Courville reported that he will contact Mr. Robert Kirkey tomorrow regarding the condition of the Service Club Council's sign at the western end of the City.

COMMUNICATIONS1. Downtown Shopping Centre Association - Letter of Thanks

Moved by Alderman Pescod, seconded by Alderman Guindon, that the letter be filed. Carried.

2. Harries, Houser, Brown & McCallum - City Paving Co. Ltd., Tender #1-74

Moved by Alderman Bough, seconded by Alderman Clement, that the letter be referred to the Solicitor. Carried.

3. Miss Seaway Valley Pageant Committee - Pageant Week

Moved by Alderman Cameron, seconded by Alderman Bough, that the letter be referred to the Cornwall Tourist and Convention Bureau. Carried.

The Miss Seaway Valley 1975 Pageant Committee is to be advised that the Mayor will be pleased to proclaim September 22 to 28 as Pageant Week in Cornwall. However, the City is unable to accede to their request to erect banners at Second and Pitt Streets as this is contrary to the Safety Act regulations.

PETITIONSPE #19-74 - Wayne Rodger & others - Sanitary Sewer on Martha from Briarhill to Tollgate

Moved by Alderman Samson, seconded by Alderman Lebano, that the petition be referred to the City Engineer. Carried.

REPORTSBudget Committee #6-74

Moved by Alderman Fawthrop, seconded by Alderman Webster, that the report be received and adopted. Carried.

Report re Reconstruction of Augustus Street, Tender #4-74

Moved by Alderman Leger, seconded by Alderman LeBlanc, that the tender of Cornwall Gravel Company Limited at a total lot price of \$294,718.13 be accepted. Carried.

Report re Eastern Industrial Park Roads, Tender #18-74

Moved by Alderman Webster, seconded by Alderman Guindon, that the tender of Louis W. Bray Construction Limited at a price of \$469,459.00 be accepted. Carried.

Report re Corrugated Culvert Pipe, Tender #26-74

Moved by Alderman Pescod, seconded by Alderman Samson, that the tender of Corrugated Pipe Company Limited at a total lot price of \$6,453.50 be accepted. Carried.

Parks and Recreation Department Monthly Progress Report #4-74

Moved by Alderman Samson, seconded by Alderman LeBlanc, that the report be received and adopted. Carried.

Alderman Lebano stated that on behalf of Council it is worthy of note and commendation of the part played by the Northend Social Club for the work contributed by the members towards the park and facilities over the years and their present contribution.

Report re Neighbourhood Improvement Program

Moved by Alderman Leger, seconded by Alderman Lebano, that the report be adopted as received. Carried.

Alderman Lebano congratulated Mr. Courville for the concise and explanatory report presented by Mr. Courville and the students working with him.

At this point Mr. Courville introduced Mr. Richard Hunter to Council. Miss Elisabeth van Diepen was unable to attend this evening's meeting. Much of the credit for the compilation of this report, Mr. Courville noted, must go to these two students.

Cornwall Tourist and Convention Bureau #5-74; #6-74

Moved by Alderman Samson, seconded by Alderman Guindon, that the reports be received. Carried.

Alderman Lebano suggested that boat tours be conducted along Lake St. Francis and possibly Lake St. Lawrence which would promote the City and area.

BY-LAWS

- By-law No. 1670 - Temporary Loan re By-law No. 1626/74 - \$238,700.00
- 1671 - To authorize the sale of Part of Lot D, Con. 1 to the Raisin Region Conservation Authority
- 1672 - To authorize the purchase of a 625 G.P.M. triple combination Class A pumper - \$32,000.
- 1673 - To authorize the Mayor and Clerk to sign an agreement with Damas & Smith (Traffic Operations Study)
- 1674 - To authorize the Mayor and Clerk to sign a memorandum of agreement with the Ministry of Transportation and Communications

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

- By-law No. 1626 - To authorize the construction of underground Hydro and Telephone facilities on Augustus from Water to Third and on Third from Augustus to Pitt - \$238,700.00
- 1670 - Temporary Loan re By-law No. 1626/74 - \$238,700.00
- 1671 - To authorize the sale of Part of Lot D, Con. 1 to the Raisin Region Conservation Authority
- 1673 - To authorize the Mayor and Clerk to sign an agreement with Damas & Smith
- 1674 - To authorize the Mayor and Clerk to sign a memorandum of agreement with the Ministry of Transportation and Communications

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

NEW BUSINESSPower Dam Drive

Mr. Adams advised Alderman Pescod that the owner of vacant property which needs cleaning up is presently in Europe. He will be contacted upon his return to the City.

Report re Bus Hours

Alderman Lebano congratulated Mr. Hamilton and the Transit Committee for their meetings and submission of a report calculating bus hours for the period from May 9, 1974 to November 9, 1974.

Parking Meter Revenue

Alderman Lebano referred to the report prepared by Mr. Hamilton comparing parking meter revenues in 1974 as against 1973 noting the substantial increase due to a great extent to the increase in meter rates.

Tennis Courts

Alderman Lebano asked that the City finalize work on the tennis courts in the Riverdale area noting that very little progress has been made within the last three weeks.

Mr. Miller reported that the delay has been caused by getting material for the fence but that asphaltting will be started tomorrow and holes will be dug for the fence.

Bob Turner Centre

Alderman Lebano noted that no action has been taken at the Bob Turner Centre and that work should be commenced in order to have the ice surface ready when required.

Mr. Miller replied that Mr. David Palmer was at the Centre today and that work should be commenced within two weeks and finished within a three-month period.

Cul-de-sac

Mr. Adams advised that a cul-de-sac is always on City owned property and never on private property.

Business on Brookdale North

Alderman Guindon stated that he was asked to bring to Council's attention the practice of a newly opened retail outlet on Brookdale North of being open for business on Sunday, it being noted that the store operated on July 7th.

Cenotaph Pool

Alderman Pescod stated that there is nothing positive to report yet from meetings held with respect to the Cenotaph. Test holes have been made in the ground to observe the loss of water from the pool and the migration of water around the Cenotaph.

Cumberland and Fifteenth Area

Mr. Adams advised that Cedar Rapids has been asked to clean up their property in the area of General Vanier School and that a report on this area will be presented to Council at the August meeting.

Docking Facilities

Mr. Adams advised that only preliminary work has been done by Huffey Engineering regarding docking facilities on the canal lands and that he will contact the company. He however pointed out that while the Seaway has given the City an area 500 ft. X 200 ft. Council has not as yet given authority to spending money for this purpose and a report will have to come back to Council for a decision.

Marleau Avenue

Alderman Clement again referred to the dust problem on Marleau Avenue and asked Public Works to consider temporary asphaltting of this street.

Office of Mayor

Alderman Clement asked the Mayor if a legal opinion could be obtained as to whether he can remain in office as Mayor now that he has been elected to the House of Commons.

Mayor Lumley replied that he intended to discuss this matter in Committee of the Whole this evening but since Alderman Clement has brought it up it will be discussed in open Council. The Mayor stated that information he received was that he could finish his term of office but not run again. The solicitor also advised that he found the wording of the Statutes ambiguous, e.g., would he be considered a Member of the House of Commons immediately following the election or after being sworn in? The Mayor went on to state that at this time we do not have a Provincial representative and thus the City has a golden opportunity to do many things in a very short space of time. He said that he would like to finish some of the projects that Council has been working on and further the next few months could be difficult ones with a new manager coming in and elections this fall. However, should someone challenge it and if he went to court a judge would have to make the decision. Mayor Lumley assured members of Council

that he did not want to stand in the way and if Council felt he should resign then he would abide by their decision.

Each member of Council was asked his opinion and it was the unanimous decision of Council that to ensure continuity and avoid a lot of confusion Mayor Lumley should finish out his term of office unless it proved to the Mayor's disadvantage to handle both positions and that they would not challenge his decision. It was felt that Council owed it to the people to work as a team with the Mayor to finish his commitment to the City by completing his term of office. However, Alderman Pescod agreed with Alderman Clement that it might settle a lot of things if we have a legal opinion on the matter. Alderman Guindon stated that should the Mayor remain in office his time should be devoted to City business until the end of the year. Mayor Lumley replied that he could not foresee any conflict of interest in the two positions as three-quarters of the complaints Council receives are matters dealing with Federal and Provincial policies.

Alderman Bough asked that the Mayor in his position not/<sup>publicly</sup> endorse any one particular candidate in the forthcoming election. The Mayor assured Alderman Bough that he would be foolish to do so.

Alderman Cameron joined the meeting at this time.

Fire Department Manning Report #3-74

Moved by Alderman LeBlanc, seconded by Alderman Holden, that the report be received and adopted. Carried.

Fire Chief Carriere was asked to submit a report on a quarterly basis covering use of man days available in the Fire Department, call back for fires and days off due to sickness and lieu days.

Adjournment

Moved by Alderman Leger, seconded by Alderman Holden, Council adjourned into Committee of the Whole.

  
Clerk

  
Mayor