

CITY COUNCIL #29-86

October 27, 1986.
7:30 p.m.

The regular meeting of City Council was held this evening when the following were present - His Worship Mayor B. Lynch, Aldermen R. Aubry, D. Carr, C. Charlebois, B. Gallant, G. Grant, T. Green, F. Guindon, R. Lalonde, G. Leger and C. Poirier. Aldermen T. Lalonde and LeBlanc were in Toronto attending the Ontario Hospital Association Convention.

ADOPTION OF MINUTES

Moved by Aldermen Leger and Gallant that the minutes of the October 14th meeting of City Council be adopted. Carried

Moved by Aldermen Poirier and Green that the minutes of the October 14th meeting of Committee of Council be adopted. Carried

COMMITTEE OF THE WHOLE

Moved by Aldermen Poirier and R. Lalonde that Council go into Committee of the Whole and that all delegations, resolutions, communications and by-laws be referred to that Committee and that By-laws 148 to 150 be given first reading -

- By-law 148 - To prohibit smoking in certain designated areas
- 149 - To amend By-law 11/86 (procedural by-law re: delegations)
- 150 - To enter into lease agreement with le Club Age d'Or Ste-Therese

Carried

DELEGATIONS

Isadore Bell - Mr. Bell advised that approximately five year ago when he acquired the property in question, the property had been surveyed and verified by the City. As a result Mr. Bell proceeded to obtain the services of a company to install the fencing in line with the surveyor's pegs. He stated that the City now claims that the fence along the south limit of his property is encroaching on City property and that the fence in question must be relocated to the satisfaction of the Corporation. He added that the notice from Mr. Adams indicates that if the fence in question is not relocated the City will do the work at his expense and that the cost will be recovered in a like manner as municipal taxes. Mr. Bell contends

that the municipality had agreed on the location of the pegs and that if there is an encroachment on City property, the responsibility to relocate the fence is not his and he does not think it is proper for the City to charge him the cost. In response Mr. Adams indicated that the fence in question, for its entire length on the south side, is on City property and should be relocated.

Moved by Aldermen Aubry and Poirier that this matter be referred back to Administration for a further review and a final report be placed before Council. Carried

Elaine Kennedy - Moved by Aldermen Green and Poirier that Miss Kennedy be granted an additional five minutes for her presentation. Carried

Miss Kennedy explained the various amendments being proposed in By-law 148 which in effect repeals By-law 49/84. In reviewing each amendment to the By-law, Council was provided an opportunity to question the delegation on any of the matters introduced. At the conclusion of Miss Kennedy's presentation, Mayor Lynch advised that this matter would be voted on under Communications #1.

RESOLUTIONS

#23 - Moved by Aldermen R. Lalonde and Green that in spite of objection received Council still supports By-law No. 128, 1986. Carried

CONSENT AGENDA

A. **Cornwallis Lot** - Becomes Communications #11
 B. **Heritage Cornwall** - Receive minutes
 Moved by Aldermen R. Lalonde and Guindon that the Consent Agenda be approved. Carried

COMMUNICATIONS

1. **No Smoking By-law** - City Council agreed that each amendment would be voted on separately and Mayor Lynch asked for a recorded vote on each amendment.

Moved by Aldermen Green and Aubry that Section 7, Service Lines be approved.
 A recorded vote resulted as follows -
For the Motion: Mayor Lynch, Aldermen Gallant, R. Lalonde, Charlebois, Poirier, Leger, Green and Aubry.
Against the Motion: Aldermen Grant, Guindon and Carr. Carried

Moved by Aldermen Aubry and R. Lalonde that Sections 8 and 9, Restaurants, be approved.

A recorded vote resulted as follows -

For the Motion: Mayor Lynch, Aldermen R. Lalonde, Charlebois, Poirier, Green and Aubry.

Against the Motion: Aldermen Grant, Gallant, Guindon, Leger and Carr.

Carried

Moved by Aldermen Green and Aubry that Section 10, Retail Shops, be approved.

A recorded vote resulted as follows -

For the Motion: Mayor Lynch, Aldermen R. Lalonde, Charlebois, Poirier, Green and Aubry.

Against the Motion: Aldermen Grant, Gallant, Guindon, Leger and Carr.

Carried

Moved by Aldermen Gallant and Green that Section 11, Reception Areas, be approved.

A recorded vote resulted as follows -

For the Motion: Mayor Lynch, Aldermen Grant, Gallant, R. Lalonde, Charlebois, Poirier, Leger, Green and Aubry.

Against the Motion: Aldermen Guindon and Carr.

Carried

Moved by Aldermen Aubry and Leger that Section 1(i) include the Kinsmen Municipal Centre and that Section 12 be approved with the addition of the swimming pool and gym areas at the Kinsmen Municipal Centre and the corridors leading to the lockers and change rooms at the Civic Complex, the Cornwall Community Arena, the Bob Turner Memorial Centre and the Kinsmen Municipal Centre.

An amendment was moved by Aldermen Green and R. Lalonde that Section 1(i) include City Hall and that Section 12 be approved with a further addition of the City Hall Council Chambers where smoking will be prohibited at any time.

Moved by Aldermen Guindon and Grant that the motion and the amendment be deferred until all members of Council are present.

A recorded vote resulted as follows -

For the Motion: Aldermen Grant, Guindon and Poirier.

Against the Motion: Mayor Lynch, Aldermen Gallant, R. Lalonde, Charlebois, Leger, Carr, Green and Aubry.

Defeated

A recorded vote on the original motion and the amendment resulted as follows -

For the Motion and Amendment: Mayor Lynch, Aldermen Grant, Gallant, R. Lalonde, Charlebois, Poirier, Leger, Green and Aubry.

Against the Motion and Amendment: Aldermen Guindon and Carr.

Carried

2. Broadview Prk - Moved by Aldermen Guindon and Poirier that, at the request of the executive of le Club Age d'Or Ste-Therese, this matter be deferred until the full membership of the club has had an opportunity to review the lease. Carried
3. Traffic Control Augustus & First Streets - Moved by Aldermen Carr and Poirier that the Traffic Engineer and the Finance Department include in the 1987 budget \$35,000 for the installation of traffic control signals at the corner of First and Augustus Streets that will be actuated to have the least impact on traffic operations on Augustus from Water to Second. Carried
4. Flood Plain Planning Draft Policy Statement - Moved by Aldermen Carr and Guindon that Council pass the resolution as recommended by the Chief Administrator in a report dated October 10th. Carried
5. Tax Write-offs and Refunds - Moved by Aldermen R. Lalonde and Green that the tax write-offs and refunds as recommended by the Tax Collector be approved. Carried

6. Justice Building Renovations - Moved by Aldermen Guindon and Grant that the unapplied capital receipts realized from the construction of Montreal Road and Pitt Street be used to finance the overrun of the Justice Building renovations from 1985. Carried
7. Winter Parking Restrictions - Moved by Aldermen Poirier and Guindon that the dates of winter parking restrictions be maintained as November 15th to April 15th of the following year. Carried
8. Operational Review Civic Complex - Moved by Aldermen Grant and Aubry that the Operational Review of the Civic Complex be put on hold until Council can give consideration to both the Somanco Organizational Development Study and the Rethink Inc. Master Plan for Recreational and Cultural Needs of the Corporation. An amendment was moved by Aldermen Green and Leger that the proposed terms of reference of the Operational Review Committee be forwarded to Somanco Management Consultants Limited, Rethink Inc. and the standing Audit Committee for their consideration. The amendment carried and the motion carried as amended.
9. Renovations City Hall Annex - Moved by Aldermen Guindon and R. Lalonde that, instead of renovating the City Hall Annex, the City proceed with the development of a new facility to house both the East End Fire Department Substation and the Social Services Department at an estimated cost of \$1 million. Carried
10. Staff Replacement - Moved by Aldermen Poirier and Guindon that the position of Animal Control Officer be refilled as soon as possible. Carried

11. Cornwallis Lot - Moved by Aldermen Guindon and R. Lalonde that a petition from Betty Lalonde et al be referred to Administration for report.

Carried

C O U N C I L

The Chairman of the Committee of the Whole reported to Council the actions of the Committee including the second reading of the by-laws and recommendations for enactment.

- Committee of the Whole - Moved by Aldermen Carr and Guindon that the Committee of the Whole be adopted.

Carried

- By-laws - Third Reading - Moved by Aldermen Charlebois and R. Lalonde that By-laws 140, 148 to 150 as listed for third reading be taken as read a third time and finally passed.

Carried

The meeting adjourned at 9:10 p.m.


City Clerk


Mayor