

CITY COUNCIL NO. 1-71

January 11, 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, R. Brunet, D. Webster, D. Fawthrop, F. Guindon, G. Cameron, K. Bough, A. Lebano, J. Pescod and M. Holden.

Excused from Meetings

Moved by Alderman Brunet, seconded by Alderman Guindon, that Alderman Clement be excused from the Council meetings of December 14th, 1970 and January 11th, 1971.

Unanimously adopted.

Best Decorated Homes

Awards of \$25 were presented to the winners of the Best Decorated Homes contest as follows -

- Ward 1 - Mrs. Noel Couture,
798 Iroquois Drive.
- Ward 2 - Mr. Albert Samson,
1100 Third Street East,
- Ward 3 - Mr. Gerald Lapensee,
249 Ninth Street East.
- Ward 4 - Mr. Ronald Eaman,
196 Fifteenth Street West.
- Ward 5 - Mr. J.B. Larocque,
34 York Street.
- Ward 6 - Maurice D. Lemieux,
404 Shirley St. (Mr. Lemieux was not present)

The winners were presented with their prizes by the aldermen in their respective wards. Mr. Eaman was awarded with the grand prize for the second year in a row and was presented with a miniature trophy.

Mayor Kaneb extended congratulations to the winners and to all those who participated in the program.

Mayor's Address

Mayor Kaneb addressed Council and asked the members for their co-operation in trying to recover the City's prosperity. He briefly reviewed the main accomplishments of 1970 and what Council should strive to achieve in the coming year. He appealed to the citizens of Cornwall to promote the City rather than detract from it.

DELEGATIONS1. Mr. Victor Langlois - Property at 4 McConnell Ave.

Alderman Gauthier addressed Council on behalf of Mr. Langlois and advised that Mr. Langlois has purchased the property at 4 McConnell Avenue which Council had previously ordered demolished. Mr. Langlois is a contractor and intends to renovate the building as soon as possible. He requested that Council not take any action towards demolishing the building in the immediate future. On motion of Alderman Gauthier, seconded by Alderman Lebano, the Clerk and the Solicitor were authorized to defer taking any action on the matter until the next regular meeting of Council. Mr. Langlois was advised to meet as soon as possible with Mr. Adams to discuss all requirements necessary to make the building conform to standards.

Secant Construction Co.

Mr. L. Faludy, Vice President of Secant Construction Company, addressed Council. He stated that his company had been forced to take over the shopping centre in the Brookdale Plaza and were trying to keep it alive. However, due to economic conditions they were having difficulties. He added that additional rentals and additional incomes are needed as they are not able to meet their obligations towards mortgage and tax payments. Sale of the shopping centre to a Toronto group did not materialize for three reasons - a) one of the major tenants is moving out; b) no investment group is ready to accept the fact that 31% of the revenue is paid out in taxes; c) inability to rent space. Mr. Faludy requested that the City accept part payment on the taxes every month. It was his hope that in a year or two the taxes could be paid up to date.

Mr. Carl Conway, Chartered Accountant and licensed trustee in bankruptcy, next addressed Council and stated that he had been appointed receiver of the property some fourteen months ago. Mr. Conway presented a statement of income and expenditures for the period of receivership from October 29, 1969 to December 31, 1970. He also presented a statement of projected monthly income and expenditures. Both of these documents are on file in the Clerk-s Office. Mr. Conway stated that one of the reasons why the property was not sold was the arrears of taxes. He asked that Council either foregive the taxes or do something along those lines to make it possible to sell the property.

Mayor Kaneb stated that in effect Mr. Conway was asking the rest of the taxpayers to subsidize someone else's mistake. He pointed out that Mr. Conway's statement left the impression that taxes in the City of Cornwall are so exorbitant that the shopping centre cannot exist. He intimated that escalator clauses in some of the leases could perhaps have prevented the situation.

Mr. Conway stated that he did not mean to give the impression that taxes in the City were unreasonably high. Mr. Faludy also pointed out that the lease with Woolco is the same as with six other Woolco stores.

Aldermen Brunet and Lebano both voiced the opinion that Council could not forgive taxes. Taxpayers should not be persecuted because someone's business venture failed.

Alderman Cameron suggested that the company was going to have to take a loss somewhere along the line and suggested that Mr. Faludy come back to the City with some kind of proposal for the repayment of the taxes.

It was moved by Alderman Carrara, seconded by Alderman Lebano, that the matter be referred to the Finance Committee to explore and with the aid of legal advice come up with some kind of recommendation for the next meeting of Committee of the Whole. Motion carried.

Adoption of Minutes

Moved by Alderman Pescod, seconded by Alderman Cameron, that the Council minutes of meetings held December 14th and 29th, 1970 be adopted as received. Unanimously adopted.

COMMUNICATIONS

1. County Board of Education - Zoning

Moved by Alderman Pescod, seconded by Alderman Webster, that the letter be referred to the Cornwall Planning Board. Unanimously adopted.

2. Canada Safety Council - Certificate of Commendation re Safe Driving Week

Moved by Alderman Gathier, seconded by Alderman Cameron, that the letter be filed. Unanimously adopted.

3. Ontario Good Roads Association - Seminar for Councillors

Moved by Alderman Fawthrop, seconded by Alderman Lebano, that the letter be filed. Unanimously adopted.

4. Mrs. M. Jean Cameron - Resignation from Planning Board

Moved by Alderman Holden, seconded by Alderman Pescod, that Mrs. Cameron's resignation be accepted and that a suitable letter be forwarded to her. Unanimously adopted.

5. Knights of Columbus, Council 5068 - Raffle Tickets

Moved by Alderman Gauthier, seconded by Alderman Lebano, that the Knights of Columbus, Council 5068, be granted permission to sell raffle tickets in the City of Cornwall. Unanimously adopted.

REPORTS

Finance Committee #17-70; #1-71

Moved by Alderman Fawthrop, seconded by Alderman Webster, that the reports be adopted as received. Unanimous.

Alderman Lebano asked why the Finance Committee recommended that the YMCA grant should come under the Parks and Recreation Budget and was advised by Alderman Fawthrop it is for recreation services and ends up in their budget anyway.

Alderman Fawthrop advised that his committee has reviewed the first draft of the 1971 Budget which indicates that there will be a substantial increase in taxes unless something drastic is done to pare the budgets and asked for the co-operation of all Department Heads in doing so.

Alderman Lebano stated that he felt his committee's budget for 1971 was a realistic one and reminded Council that last year he had been requested to reduce it three times.

Alderman Fawthrop stated that Council has some control over the Parks and Recreation Budget. Recreation is a luxury which can be controlled in order to provide for necessary services under Public Works.

Anti-Pollution Committee #16-70

Moved by Alderman Carrara, seconded by Alderman Gauthier, that the report be adopted as received. Unanimous.

Alderman Guindon extended congratulations to Alderman Carrara and his committee for the many advancements made towards fighting pollution.

Technical Co-ordinating Committee #17-70; #18-70

Moved by Alderman Pescod, seconded by Alderman Cameron, that the reports be adopted as received. Unanimous.

Public Works Committee #16-70; #1-71

Moved by Alderman Gauthier, seconded by Alderman Guindon, that the report be adopted as received. Motion carried.

Aldermen Fawthrop and Webster voted against adopting Report #16-70 because of of Item B in New Business which authorizes the hiring of three men as operators.

In reply to Alderman Lebano about the condition of some sidewalks which he described as deplorable, Mr. Adams advised that the whole sidewalk fleet is now out working.

Referring to Item #5 in Report #1-71, Alderman Bough asked why the delay in enacting a by-law to regulate motorized snow vehicles. Alderman Gauthier explained that there will be a safety workshop in Ottawa where recommendations will be made. City representatives will attend the workshop and obtain views from other municipalities. When all possible information is available, the Public Works Committee will make its recommendations to Council.

Alderman Carrara stated that some municipalities had passed by-laws regulating motorized snow vehicles then had to amend them and found themselves worse off than before they had any by-laws at all. He felt it would be wise to wait for the workshop where the matter is bound to be discussed in detail. He suggested that perhaps a representative could be appointed to meet with snow mobile clubs to obtain their views and Council could enact a reasonable by-law from the start.

Alderman Cameron felt we should obtain all the facts before passing any by-law. He did not think they should be banned completely.

Alderman Pescod was of the opinion that those who do not abuse the use of these vehicles should ^{not} be penalized because of a minority who do.

Alderman Brunet felt that if the public were made aware of fines being paid by operators for infractions, Council would not have to even consider banning the vehicles. He advised that snow mobile operators were holding a meeting on Friday at 9 p.m. at the Royal Hotel and it might be worth the City's while to attend to see what they have to offer.

Alderman Holden stated that the Ontario Safety League recently held a session where snow mobile manufacturers were present and he felt that worthwhile recommendations would result. He added that as long as a machine is licensed and insured it can be driven. He felt the government should require tests in the same way they do for anyone wishing to drive an automobile.

Public Works Committee Report #1-71 was unanimously adopted.

Parks and Recreation Committee #14-70

Moved by Alderman Lebano, seconded by Alderman Webster, that the report be adopted as received. Motion carried.

Alderman Lebano advised that the Cornwall Figure Skating Club wants the Parks and Recreation Committee to invest money to provide summer ice facilities. He stated that his committee has never been opposed to this project but has always had to curtail its budget. Since there is a revenue factor involved he felt it was worth considering.

Alderman Fawthrop questioned an item under new business that a dinner meeting be held. He also questioned, in the Administrator's Report, the hiring of seven ice supervisors.

Alderman Lebano replied that it is only fair to pay tribute to the lay members of his committee, who have given so many free hours of assistance to the committee.

He advised that seven senior citizens have been hired as temporary part-time help to supervise the rinks during peak hours for the safety of young children.

In reply to Alderman Guindon, Alderman Lebano advised that it would cost in the neighbourhood of \$10,000 to meet the requirements as set out in a letter from the Health Unit.

Revised Engineer's Summary of Watermains #23-70; #24-70

Moved by Alderman Gauthier, seconded by Alderman Guindon, that the reports be adopted as received. Unanimously adopted.

Engineer's Summary of Projects Completed in 1969 - #25-70

Moved by Alderman Gauthier, seconded by Alderman Guindon, that the report be adopted as received. Unanimously adopted.

Engineer's Summary of Connecting Links #26-70

Moved by Alderman Gauthier, seconded by Alderman Pescod, that the report be adopted as received. Unanimously adopted.

RESOLUTIONS

RE #1-71 - Moved by Alderman Guindon, seconded by Alderman

Bough, that the Clerk be authorized to renew subscriptions and memberships to the various Municipal Organizations to which the City belongs.

It was brought out that the members of Council had not been receiving The Municipal World. The Clerk advised that renewal notices had been sent to the Aldermen individually and if they had not renewed them this would be the reason they were not receiving the magazine. Anyone wishing to receive a subscription to The Municipal World was asked to notify the Clerk.

Alderman Carrara voted against the motion stating that each alderman should pay for his own subscription.

RE #2-71 - City of Kitchener - National Urban Transportation Policy

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

RE #3-71 - City of Kitchener - Alternative to use of Salt on Highways

Moved by Alderman Carrara, seconded by Alderman Guindon, that the resolution from the City of Kitchener be endorsed. Unanimously adopted.

RE #4-71 - Moved by Alderman Gauthier, seconded by Alderman Pescod, that By-law No. 948, 1970 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. Unanimously adopted.

RE #5-71 - Moved by Alderman Guindon, seconded by Alderman Cameron, that By-law No. 980, 1970 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. Unanimously adopted.

BY-LAWS

- By-law No. 989 - To dedicate lands for highway purposes (Sydney from Ninth to Athlone and from Athlone to Thirteenth)
- 990 - To name a street (Sydney St. Extension)
 - 991 - To amend the Zoning By-law (Courtaulds)
 - 992 - For prohibiting and regulating the erection of signs or other advertising devices and the posting of notices on buildings or vacant lots within a defined area or areas or on land abutting on any defined highway or part of a highway
 - 993 - Authorizing the Mayor and Clerk to sign a lease between the City and Canadian Pacific Railway company (Sewer installation along Sixth St. from Adolphus to Amelia)
 - 994 - To partly exempt from taxation for the year 1971, lands held and used as farm lands in the City
 - 995 - To authorize the sale of land (Offer to purchase by Robert Johnston accepted by Council in 1970)
 - 996 - Temporary Loan re By-law No. 930/70 - \$10,108.86
 - 997 - Appointing members to the Cornwall Public Library Board
 - 998 - Appointing members to the Parking Authority
 - 999 - Appointing members to the Committee of Adjustment

By-law No. 1000 - To authorize current borrowing - \$7,974,623.00

1001 - To change the name of Athlone Drive to Sydney St.

1002 - Amendment No. 3 to the Official Plan (Wm. Wright & I. Alguire)

Moved by Alderman Pescod, seconded by Alderman Gauthier, that the by-laws be read a first and second time. Unanimously adopted.

By-law No. 930 - To authorize the construction of a Sanitary Sewage Work on Demontigny - \$10,108.86

989 - To dedicate lands for highway purposes

990 - To name a street

991 - To amend the Zoning By-law

992 - For prohibiting and regulating the erection of signs or other advertising devices and the posting of notices on buildings or vacant lots within a defined area or areas or on land abutting on any defined highway or part of a highway

993 - Authorizing the Mayor and Clerk to sign a lease between the City and Canadian Pacific Railway Company

994 - To partly exempt from taxation for the year 1971, lands held and used as farm lands in the City

995 - To authorize the sale of land

996 - Temporary Loan re By-law No. 930/70 - \$10,108.86

997 - Appointing members to the Cornwall Public Library Board

998 - Appointing members to the Parking Authority

999 - Appointing members to the Committee of Adjustment

1000 - To authorize current borrowing - \$7,974,623.00

1002 - Amendment No. 3 to the Official Plan

Moved by Alderman Carrara, seconded by Alderman Guindon, that the by-laws be given a third reading, passed, signed and sealed. Unanimously adopted.

Alderman Bough asked if the downtown merchants had been asked to suggest new names for appointments to the Parking Authority. He was advised by Mayor Kaneb that the appointments had been discussed in open Council and all organizations should be aware of how appointments are made. Also, there was plenty of publicity in the local press and they had every opportunity to

suggest new names if they wished.

With respect to By-law No. 1002, the Clerk advised that the amendment to the Official Plan had been recommended by the Planning Board but it is up to Council to amend the Zoning By-law if they so wish.

NEW BUSINESS

By-law No. 948/70

RE #6-71 - Moved by Alderman Carrara, seconded by Alderman Cameron, that Council still supports By-law No. 948/70 in spite of objections received. Alderman Lebano voted against the motion and the motion carried.

Appointments to the Cornwall Planning Board

A letter was received from the Cornwall and District Labour Council submitting the following three names, one of whom is to be appointed to the Board - Messrs. Leonard Hart, Gordon Dennis and John Gaucher.

Two names submitted by Alderman Pescod were those of Messrs. J.A. Kirkman and Ewen Munro.

Alderman Cameron submitted the name of Mr. C.T. "Bud" Guilbeault.

Alderman Brunet submitted the name of Mr. John Mousseau

Moved by Alderman Holden, seconded by Alderman Fawthrop, that Mr. Leonard Hart be appointed as a member of the Cornwall Planning Board for the years 1971, 1972 and 1973. Unanimously adopted.

Moved by Alderman Brunet, seconded by Alderman Gauthier, that Mr. John Mousseau be appointed as a member of the Cornwall Planning Board for the years 1971, 1972 and 1973. Motion carried.

Moved by Alderman Bough, seconded by Alderman Holden, that Mr. J.A. Kirkman be appointed as a member of the Cornwall Planning Board for the year 1971.

An amendment was moved by Alderman Cameron, seconded by Alderman Guindon, that Mr. C.T. Guilbeault be appointed as a member of the Cornwall Planning Board for the year 1971.

The amendment was defeated and the motion carried.

Moved by Alderman Fawthrop, seconded by Alderman Webster, that Alderman J. Pescod be appointed as Council's representative to the Cornwall Planning Board for the year 1971. Alderman Pescod voted against the motion and the motion carried.
By-law No. 1003 - Appointments to the Planning Board

Moved by Alderman Cameron, seconded by Alderman Bough, that By-law No. 1003 be read a first, second and third time, passed, signed and sealed. Motion carried.
Property at 326 Marlborough Street

In Mr. Fennell's opinion, the owner or occupant of this property discontinued a non-conforming use and therefore lost the advantages conferred on him by the Planning Act. The Council is powerless to assist him in any way except by changing the Zoning By-law and the Official Plan,

Alderman Lebano recommended that Council accept the Solicitor's opinion.

Alderman Gauthier felt it was unfortunate that the owner had to suffer the consequences if Council accepted the Solicitor's opinion. If the gentleman was granted a license to operate a restaurant, he could perhaps recover some of the money he lost on this property.

Alderman Webster stated that he did not agree with the Solicitor's opinion,

Mayor Kaneb pointed out that granting a license would be contrary to the law and Council could be held liable. He did not think Council had the right to go against the Solicitor's opinion.

Alderman Brunet suggested that the owner find a purchaser for the duplex.

Alderman Guindon Stated that he agreed with Alderman Webster.

Alderman Cameron felt there was nothing the Council could do about the matter.

Moved by Alderman Lebano, seconded by Alderman Cameron, that the Solicitor's opinion be accepted and that a restaurant license not be granted. Aldermen Webster, Guindon, Gauthier and Fawthrop voted against the motion and the motion carried.

Removal of CSR Equipment

Alderman Holden suggested that the City enter into some type of agreement with the Cornwall Street Railway for the removal of unused CSR equipment from the City streets once the company discontinues all transit and freight operations.

Moved by Alderman Holden, seconded by Alderman Lebano, that the matter be referred to the Technical Co-ordinating Committee. Motion carried.

Ice and Snow on Third

Alderman Holden asked that ice and snow be removed from the sidewalks on Third St. between Sydney and Pitt Streets in the vicinity of the parking lot.

Fourth and Guy

Alderman Brunet inquired if there was any progress to report on the proposed acquisition of land at the corner of Fourth and Guy Streets. The Clerk advised that the matter had been referred to the Urban Renewal Officer who unfortunately has been ill.

Alarm Operator

The matter of someone other than a First Class Firefighter carrying on the job of alarm operator will be one of the first items to be discussed during negotiations with the Firefighters' Association.

Clearing Hydrants

Alderman Brunet was of the opinion that the Fire Chief should be instructed to have his men keep hydrants clear of snow and weeds in order to relieve Public Works personnel.

Moved by Alderman Brunet, seconded by Alderman Carrara, that the Fire Chief instruct his men to clear fire hydrants of snow in winter and weeds in summer, if this is within the bounds of our contract with the Firefighters' Association.

Alderman Fawthrop advised that the Finance Committee had met with the Chief who has given his complete co-operation. He felt it was only fair to the Chief to wait until his committee has a final meeting with the Fire Chief.

Mr. Adams advised that he had discussed the matter with the Fire Chief and it was felt that in some instances Public Works equipment would be required to clear snow.

Alderman Guindon moved an amendment to the motion, seconded by Alderman Lebano, that the matter be deferred until a complete report is available to Council, said report to be prepared following a meeting between the Fire Chief, the Clerk-Administrator, the Personnel Director and the City Engineer. The amendment carried and the motion was defeated.

Joint Submission to Cabinet

Alderman Bough suggested that during Hon. D. McKeough's visit to the City, Council should attempt to find out his views on the submission to the Executive Council of the Province of Ontario which was submitted jointly by the Association of Counties and Regions of Ontario, the Association of Ontario Mayors and Reeves, the Ontario Association of Rural Municipalities, and the Ontario Municipal Association. He should also be made aware of Council's views on the submission.

Alderman Lebano pointed out that this Council either supported or instituted all items in this report.

Benches

Alderman Lebano asked Mr. Adams if he had received any complaints or comments re the rest benches. Mr. Adams replied that he had received none. Mayor Kaneb added that two of the benches had to be relocated.

Emma & Pitt Sts.

Alderman Guindon pointed out that poles at the corner of Emma and Pitt Streets had been sawed off for a number of years and were causing a traffic hazard.

Snow Removal on Pitt St.

Alderman Cameron stated that Cornwall Gravel should be requested to remove snow along the sewer project being constructed along Pitt Street north from Tollgate Rd. to the 401 flyover.

Adjournment

Moved by Alderman Gauthier, seconded by Alderman Webster, that Council adjourn into Committee of the Whole.

Following a meeting of Committee of the Whole Council reconvened.

Committee of the Whole #1-71

Moved by Alderman Guindon, seconded by Alderman Webster, that the report be adopted as received. Unanimously adopted.

Adjournment

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


Clerk


Mayor