



COUNCIL MEETING, OCTOBER 5, 2004

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 p.m. and in open session at 7:40 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present: Councillors D. Alexander, D. Beaudoin, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier (6:50 p.m.), M. A. Grimaldi, J. Larouche, S. O'Dell, and B. Sharpe

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks (6:40 p.m.)

City Manager T. Fitzpatrick

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:40 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:40 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:40 p.m.)

Regional Councillor J. Mastroianni (7:40 p.m.)

04-25 Moved by Larouche and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 6:30 p.m. to consider:

- a) the security of the property of the municipality; and
- b) personal matters about an identifiable individual, including municipal employees.

CARRIED

04-25 Moved by Dzugan and Larouche that the Committee-of-the-Whole arise from its closed meeting at 7:30 p.m.

CARRIED**DELEGATION:**

- 04-6** Nancy Kovacs, Community Service Coordinator, addressed Council regarding the RespectED Program which focuses on youth services and requested that the month of October be declared "***Child Abuse Awareness Month***".

THE FOLLOWING CORRESPONDENCE WAS READ:

- 04-141** Petition from Councillor Pat Chiocchio on behalf of the residents of Willowlanding Court objecting to the proposed installation of sidewalks.
- 04-45** Letter from Jeff and Cindy Skelton residents of St. George Street, regarding sewer backup of July 31 and September 8, 2004.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 97-59** Welland Physician Recruitment Committee – Development of Family Physician Turn-Key Clinic in Welland.
- 2000-43** Review of the City's Lot Grading & Drainage for Subdivisions Policy SER-007-004 to **2000-83** provide for improved enforcement procedures.
- 02-136** City Clerk C.A. Stirtzinger – Review of the Environmental Assessment Terms of Reference for Niagara-Hamilton Joint Study on Waste Disposal.
- 03-80** Gen. Mgr. Planning and Development Services D. Thorpe – Red-Lined Revision –Riverside West Subdivision (File 26T-14-02003) – Mac-Bri Developments Inc. – west side of Riverside Drive, south of Lincoln Street.
- 03-100** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Summit Avenue Area Watermain Replacement – Phase 2 – Linrose Avenue, Linwood Drive, Summit Avenue and Maplewood Crescent.
- 04-1** A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 28th day of September, 2004 and 5th day of October, 2004.
- 04-4** A By-law to appoint the firm of Grant Thornton to provide audit services to the Corporation of the City of Welland and its Local Boards.
- 04-4** A By-law to adopt the revised 2004 Capital Budget.
- 04-6** Nancy Kovacs, Community Service Coordinator, RespectED, International and Youth Services, on behalf of Canadian Red Cross - requesting Council to proclaim the month of October as "***Child Abuse Awareness Month***".
- 04-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri-Accounts Payable – September 15, 2004 to September 27, 2004.
- 04-13** A By-law to authorize the acceptance of tender from Crestline Coach Limited for the procurement of two transit buses.
- 04-13** A By-law to authorize the procurement of a used transit bus from Capital Bus Company.
- 04-14** 2004 Conference Report-Regulation of By-law.
- 04-21** Mary-Lou Ambrose-Little, Community Recreation Coordinator – on behalf of the Welland Recreation Projects Association – requesting permission to hold the Annual Santa Claus Parade.
- 04-21** Khayyam Syne, Principal, Notre Dame College School – requesting permission to hold "***Notre Dame's 29th Annual Pilgrimage***".
- 04-22** A By-law to amend Schedule "C" of By-law 89-2000, being a By-law Regulating Traffic and Parking on City Streets.
- 04-22** A By-law to appoint certain By-law Enforcement Officers of the Corporation of the City of

Welland.

- 02-170** Janine Ralph, Manager, Waste Policy & Planning, Waste Management Services Division, Regional Niagara, Public Works Department – Regional Niagara Waste Management Financing Options Study.
- 04-45** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Program for protection from basement flooding.
- 04-45**
- 04-139** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Clare Avenue Sanitary Sewer Drainage Area Extraneous Flow Study.
- 04-45** Petition received by Councillor Larouche from residents of St. George Area re flooding conditions.
- 04-46** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Procurement of one (1) new 2005 extended cab and chassis truck complete with a Del 9' "Job Boss" Dump Body.
- 04-46** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Request for authorization for the procurement of one (1) compact car.
- 04-58** A By-law to authorize the entering into a contract with Provincial Construction Limited for extension of the watermain replacement on Empress Avenue from Harrison Avenue to Sutherland Avenue.
- 04-66** A By-law to authorize amendment to the contract with Centennial Construction and Contracting (Niagara) Inc. for additional construction costs associated with the Hellems-Burgar Area Sewer Separation - Phase 2 from Dorothy Street to Victoria Street.
- 04-82** Letter from Gerb Sammut, S.N.S. Pavement Maintenance regarding poor road conditions and recommendations to prevent roads from further deterioration.
- 04-91** Existing Carnegie Library building on King Street be made available as the future home of the Welland Museum after the Welland Library moves to the new Civic Centre.
- 04-124** Matter regarding providing refunds to individuals who were required to pay for the installation of a water meter prior to January, 2004.
- 04-135** A By-law to authorize the entering into a contract with Kerry T. Howe Engineering Ltd. to provide engineering services for the Central West Area Sanitary Sewer Phases 3 and 4, Webber Road and South Pelham Road.
- 04-136** Semi-Annual Status Report – June 30, 2004.
- 04-137** Jim Watson, Minister, Ministry of Consumer and Business Services – enhancing access to civil marriage services across Ontario.
- 04-140** Robert Cotterill, Chief Administrative Officer/Deputy City Clerk, City of Port Colborne – request to support resolution regarding the closing and relocation of the Elm Street Compost Site.

04-1 Moved by Dzugan and Grenier that the Minutes of the Regular Council Meeting of September 21, 2004 and Special Council Meeting of September 28, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

97-49 Moved by Fortier and Larouche that the letter from Wendy Ward Grenier on behalf of the Welland Physician Recruitment Committee (WPRC) regarding the potential site for a family physician clinic or office at the former arena location (501 King Street) be again referred to staff for study and report.

CARRIED

2000-43**2000-83**

Moved by Fortier and Larouche that staff be again directed to review the City's Lot Grading & Drainage for Subdivisions Policy SER-007-0004 to provide for improved enforcement procedures; and
That Council again direct staff to review the need to deal with lot grading and drainage issues with new and existing subdivisions.

CARRIED**02-136**

Moved by Fortier and Grenier that the Ministry of Environment be advised that the City of Welland will not be responding to the Ministry's Review of the Environmental Assessment Terms of Reference for the Niagara/Hamilton Joint Study on Waste Disposal for the following reasons:

- i) the deadline for response (October 4, 2004) is too short to adequately respond.
- ii) in view of the deadline and the fact that the jurisdictional responsibility of waste management now rests with the Regional Municipality of Niagara, the resultant staffing changes have left the City with limited expertise to respond in such a short time frame.
- iii) the City of Welland will rely on the Region of Niagara to protect the interests of the City of Welland and its citizens; and further,

That the Region of Niagara be requested to provide a summary report to the City of Welland on any proposed impact on the City of Welland evolving out of the proposed Terms of Reference.

CARRIED**02-170**

Moved by Belcastro and Dzugan that the Report from Janine Ralph, Manager, Waste Policy & Planning, Waste Management Services Division, Regional Niagara, Public Works Department regarding the Waste Management Financing Options Study be referred to staff for study and report.

CARRIED**03-80**

Moved by Grimaldi and Fortier

1. That the City of Welland hereby grants red-line revision to Draft Approval for the Riverside West Subdivision (File 26T-14-02003) developed by Mac-Bri Developments Inc., being parts of Lots 29 and 30, Concession 6, former Township of Crowland based upon a plan prepared by Kirkup & Ure Surveying Ltd. revised February 3, 2004 consisting of twenty-nine (29) single-detached residential lots, two (2) Blocks for walkways and services and an additional Block for open space purposes including a Storm Water Management Facility subject to the following Conditions:
 - a. That the Owner enter into a Subdivider's Agreement with the City of Welland to be registered on Title;
 - b. That no grading or construction work shall commence on the site until such time as the Subdivider's Agreement has been entered into, all financial security is in place and the Plan and all documentation has been registered on Title;
 - c. That all necessary Easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances;
 - d. That Blocks 30 and 31 be transferred to the City of Welland free of all encumbrances for walkway, emergency access and servicing purposes;
 - e. That Blocks 30 and 31 be improved by the Owner, with a 3.0 metre asphalt walkway, fencing and vehicular restriction (i.e. bollards) to the City's standards and satisfaction;
 - f. That Blocks 33, 34 and 35, being 0.3 metre reserves, be transferred to the Regional Municipality of Niagara free of all encumbrances for access control purposes;
 - g. That Block 32 be transferred to the City of Welland free of all encumbrances for storm water

management and floodplain purposes only after the Owner has constructed the required Storm Water Management Facility, including any required landscaping to the satisfaction of Community Services and the Owner has improved the remainder of Block 32 to the satisfaction of Community Services;

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03-80...cont'd.

- h. The Owner shall provide a one (1) year maintenance period for the Storm Water Management Facility after assumption by the City. Prior to assumption, the Owner shall be responsible for all maintenance;
- i. That the Owner shall pay Cash-in-Lieu of Parkland Dedication based upon current City requirements;
- j. The Owner shall prepay for the future installation of a sidewalk across the full frontage of the subject lands on Riverside Drive;
- k. That all lands located within the floodplain be included within an Environmental Protection Zone where no structural development is permitted;
- l. That detailed lot grading and drainage plans, delineating both existing and proposed grades and the means whereby major system flows will be accommodated across the site, be submitted to the Conservation Authority for review and approval;
- m. That detailed sedimentation and erosion control plans detailing methods proposed for the control of silt and erosion during the construction phase and restoration proposed for the site after construction be submitted to the N.P.C.A. for review and approval;
- n. That prior to approval of the Final Plan, the Owner submit to the Regional Planning Department for review and approval a detailed Stormwater Management Plan for the Subdivision completed in accordance with the Ministry of Environment documents entitled Stormwater Management Practices, Planning and Design Manual, June 1994, as revised and Stormwater Quality Guidelines for New Development, May 1991, endorsed by a suitably qualified Professional Engineer. A copy of the Stormwater Management Plan and supporting documentation should also be submitted to the Niagara Peninsula Conservation Authority for its review and response to the Regional Planning Department. Furthermore, that the Owner agree in the Subdivision Agreement to implement the approved Stormwater Management Plan.
- o. That Permit approval be obtained from the N.P.C.A. for any proposed balanced cut and fill measures;
- p. That the Owner agrees in the executed Subdivision Agreement to:
 - i) include all lands located within the floodplain within an Environmental Protection Zone where no standard development is permitted;
 - ii) implement the lot grading and drainage plans, sedimentation and erosion control plans and stormwater management plans;
 - iii) not place or dump material of any kind, whether originating on site or off-site, in the Welland River floodplain unless a Permit from the N.P.C.A. has been issued;
 - iv) obtain proper Permit approvals for any balanced cut and fill measures
 - v) revegetate or otherwise stabilize all disturbed areas immediately following the completion of construction.
- q. That the Owner acknowledge promptly to the Regional Planning Department that the Draft Approval of this Subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara. Servicing allocation will be assigned instead at the time of Final Approval of this Subdivision for registration purposes;
- r. That immediately following Notice of Draft Plan Approval, the Owner shall provide the Regional Planning Department with a written undertaking that all Offers and Agreements of Purchase and Sale that may be negotiated prior to registration of the Subdivision shall contain a clause clearly indicating that a servicing allocation for the Subdivision will not be assigned until the Plan is granted Final Approval for registration;
- s. That the detailed design drawings for the watermain system, the sanitary sewer and the stormwater drainage system required to service this proposal be submitted to the Regional Public Works Department for its review and approval. NOTE: For all three systems, it may be necessary to

include the required downstream servicing improvements as part of the submission. In addition, the stormwater drainage system shall be sized to accommodate a possible future storm sewer on Riverside Drive;

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03-80...cont'd.

- t. That the Ministry of the Environment Certificate of Approval be obtained for the necessary servicing (water, sanitary sewer and stormwater drainage) for the development prior to Final Approval for registration. NOTE: Where a quality/quantity facility or a new outlet to a receiving stream is being proposed, the design for the stormwater management system should be submitted directly to the Ministry of the Environment (Attention: M. Dhalla, P. Eng.) for approval and the issuance of a Certificate of Approval;
 - u. That a road widening across the entire frontage of the subject lands (Block 39) with a width sufficient to provide a 26 metre width for the Riverside Drive road allowance and the 5 metre x 5 metre daylighting triangle being Blocks 36 and 37, be conveyed to Regional Niagara free and clear of all encumbrances;
 - v. That the lot grading plans for those lots abutting Regional Road 27 (Riverside Drive) and Regional Road 29 (Lincoln Street) be submitted to the Regional Public Works Department for its review;
 - w. That in the Subdivision Agreement with the City of Welland, the Owner agrees to protect and ensure access to the Regional 900 mm sewage forcemain through the following measures:
 - i. Verify the location of the pipe within the existing Easement prior to any site alteration;
 - ii. Provide cut and fill plans affecting the Easement to the Regional Public Works Department for its review;
 - iii. Not plant large trees nor allow any development within the Easement;
 - iv. Install a fence between the Easement and the residential lots;
 - v. Maintain an access for heavy equipment to the Easement for maintenance purposes;
 - vi. Adjust, at the Developer's cost, any existing manholes to any new grade changes resulting from site alteration; and
 - vii. Provide plans showing final grade elevations and manhole elevations along the Easement to the Regional Public Works Department;
 - x. That the Owner carry out an archaeological assessment of the subject property and mitigate any adverse impacts to any significant archaeological resources found through preservation or resource removal and documentation. Furthermore, that no grading or other soil disturbances take place on the subject property prior to the Regional Planning Department and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements;
 - y. That prior to the granting of Approval for the Final Plan, City of Welland Planning and Development Services will require written notice from the following upon their respective Conditions having been met satisfactorily:
 - Regional Niagara Planning and Development Department for Conditions n, q, r, x;
 - Regional Niagara Public Works Department for Condition c, f, s, t, u, v, w;
 - Niagara Peninsula Conservation Authority for Conditions k-p;
 - Ministry of the Environment for Condition t;
 - Ministry of Culture for Condition x;
 - z. That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request an extension to Draft Approval, a written request, with reasons why the extension is required, must be received by the City prior to the lapsing date;
2. That the Mayor be authorized to sign Draft Approval and Final Approval Plan for the Riverside West Subdivision once all Conditions have been satisfied; and
 3. That City Council considers these changes to Conditions of Draft Approval minor in nature and that notification is not required as per Section 51(47) of the Planning Act.

NOTES:

1. Land required to be registered under the Land Titles Act.

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03-80...cont'd.

2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "DANGER - Overhead Electrical Wires" in all locations where personnel and construction vehicles might come in close proximity to the conductors.

CARRIED

(Councillors O'Dell, Grimaldi and Larouche asked to be recorded as opposed to this Resolution.)

03-100 Moved by Fortier and Larouche

1. That Council accept the tender of Vic Vatr Contracting Limited for the Summit Avenue Area Watermain Replacement - Phase 2, Linrose Avenue, Linwood Drive, Summit Avenue and Maplewood Crescent, as presented in report ENG-2004-47;
2. That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into a contract with the said contractor, to execute the construction, at the tender price of \$291,801.52, plus applicable G.S.T.; and
3. That financing of the project be in accordance with the approved 2004 Waterworks Capital Budget which allocates \$380,000 for the project.

CARRIED

04-6 Moved by Grenier and Fortier that the presentation by Nancy Kovacs, Community Service Coordinator, regarding the RespectED Program which focuses on abuse and neglect of youth be received for information; and further
That the Mayor declare the month of October as "***Child Abuse Awareness Month***" in the City of Welland.

CARRIED

04-7 Moved by Fortier and Larouche that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	16-Sep-04	\$	4,500.00
2	17-Sep-04		3,543,752.83
3	21-Sep-04		1,636,003.63
4	24-Sep-04		548,500.41
5	27-Sep-04		<u>231,851.84</u>
	Total	\$	5,964,608.71

CARRIED

04-14 Moved by Fortier and Larouche that the matter of Conferences, including the number of conferences to be attended, any special considerations for City representation on association executives, the current regulating by-law be again referred to the Human Resources Committee for review and report to Council.

CARRIED

04-21 Moved by Fortier and Larouche that Welland City Council approves the application of Welland Recreation Projects Association for the Annual Santa Claus Parade to be held on Saturday, December 4, 2004 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

04-21 Moved by Fortier and Larouche that Welland City Council approves the application for "Notre Dame's 29th Annual Pilgrimage" for the Third World on Sunday, October 24, 2004 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

04-22 Moved by Beaudoin and Grenier that staff be directed to investigate and report to Council on the issue of transport vehicles being parked in residential areas; and to:

1. Investigate a site in our community where trucks/trailers may park.
2. Investigate a possible permit parking policy to allow trucks to stay at their residences in between runs.

CARRIED

04-26 Moved by Dzugan and Fortier that staff review the feasibility of and initiate discussions with the Conseil Scolaire De District Catholique Centre-Sud to enter into a 50/50 partnership to construct a sidewalk along Harrison Avenue from Classic Avenue to Empress Avenue for students attending St. Francois School; and further

That staff establish for 2005 a Capital Budget for new sidewalk construction for this and other new sidewalk proposals.

CARRIED

04-37 Moved by Fortier and Larouche that report FIN 2004-20 regarding the City of Welland Water and Sewer Rate structure be referred to the October 19, 2004 Council Meeting.

CARRIED

04-45 Moved by Larouche and O'Dell that the petition received by Councillor Larouche from residents of St. George Street and the letter from Jeff and Cindy Skelton of St. George Street re flooding conditions be received and referred to staff for information.

CARRIED

04-45 Moved by O'Dell and Larouche

1. That Council approve, in principle, a Sewer Backflow Prevention Installation Grant Program through \$75,000 in funding in the 2005 Sanitary Sewer Operating Budget; and
2. That until the City's sewer backflow prevention installation grant program is funded, Council approve a "non-collection" policy for the payment of required Building (Plumbing) Permits to facilitate the installation of Back-up Prevention Valves and sump pumps for foundation weeping tile drains associated with backflow prevention.
3. That this program be made retroactively eligible to any residential home which has had an approved installation undertaken since July 31, 2004 provided that all other criteria of the program is met to a maximum program expenditure for 2004 of \$100,000.00.

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04-45 Moved by Beaudoin and Fortier that Resolution 04-45 be amended in Part 3 to remove "since July 31, 2004".

LOST

FOLLOWING THE LOST VOTE ON THE AMENDMENT, THE MAIN MOTION WAS THEN PUT IN ITS ORIGINAL FORM AND.....

CARRIED

YEAS: Councillors O'Dell, Grimaldi, Dzugan, Fortier, Sharpe, Beaudoin, Alexander, Grenier, Chiochio, Larouche, Belcastro and Mayor Goulbourne.

04-45

04-139 Moved by O'Dell and Grimaldi

1. That the General Manager, Engineering, Public Works and Transportation Services be authorized to proceed with retaining EarthTech Canada to undertake an Extraneous Flow Study of the Clare Avenue Sanitary Sewer Drainage Area at an upset price of \$21,200; and
2. That the City Solicitor be directed to prepare all necessary and appropriate By-laws to execute the same.

CARRIED

04-46 Moved by Beaudoin and O'Dell that Council deny the negotiation of an "off the lot" purchase of one (1) new 2005 Extended Cab and Chassis Truck complete with a Del 9' "Job Boss" dump body for use in the Water & Sewer Division and instruct staff to tender for same.

CARRIED

YEAS: Councillors O'Dell, Grimaldi, Fortier, Sharpe, Beaudoin, Alexander, Grenier, Chiochio, Larouche, Belcastro and Mayor Goulbourne.

NAYS: Councillor Dzugan.

04-46 Moved by Beaudoin and Sharpe that Council approve the purchase of one (1) 2005 new compact car from Performance Chrysler Dodge Jeep, this being the lowest of five (5) tenders submitted meeting tender specifications.

CARRIED

(Councillor Beaudoin asked to be recorded as opposed to this Resolution.)

04-82 Moved by Fortier and Larouche that the matter regarding poor road conditions and recommendation to prevent roads from further deterioration be again referred to the Public Works staff for report to Council.

CARRIED

04-91 Moved by Fortier and Larouche that the request from John Mastroianni, Chair, on behalf of the Board of Directors of the Welland Historical Museum requesting that the existing Carnegie Library building on King Street be made available as the future home of the Welland Museum after the Welland Library moves to the new Civic Centre be again referred to the City Manager for report to Council.

CARRIED

04-124 Moved by Fortier and Larouche that staff be again directed to prepare a report for Council dealing with the matter of providing refunds to individuals who were required to pay for the installation of a water meter prior to January, 2004.

CARRIED

04-126 Moved by Fortier and Larouche that staff review the very serious issue of dog ownership of a breed called Pitbull.

NOT PUT

04-126 Moved by Beaudoin and Belcastro that the matter regarding dog ownership of the Pitbull breed be referred to staff for a legal opinion and report to the October 19th, 2004 Regular Council Meeting.

CARRIED

04-136 Moved by Fortier and Larouche that the Semi-Annual Subdivision Status Report as of June 30, 2004 be received for information.

CARRIED

04-137 Moved by Fortier and Larouche that the letter from Jim Watson, Minister, Ministry of Consumer and Business Services regarding enhancing access to civil marriage services across Ontario be received for information.

CARRIED

04-140 Moved by O'Dell and Fortier that Welland City Council supports the resolution from the City of Port Colborne to close and relocate the Elm Street Compost Site.

CARRIED

04-141 Moved by Alexander and Fortier that the petition from Councillor Pat Chiochio on behalf of the residents of Willowlanding Court objecting to the proposed installation of sidewalks be received and referred to staff for study and report at the next regular Council Meeting of October 19, 2004.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

04-48 Moved by Alexander and O'Dell that the amount of any tax write off for the Atlas Steels property be a joint consensus decision between Welland City Council and Regional Niagara Council.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Alexander and Sharpe that leave now be given to introduce the following proposed By-laws entitled:

04-4

BYL 2004 – 133

A By-law to appoint the firm of Grant Thornton to provide audit services to the Corporation of the City of Welland and its Local Boards.

04-4

BYL 2004 – 134

A By-law to adopt the revised 2004 Capital Budget.

04-13

BYL 2004 – 135

A By-law to authorize the acceptance of tender from Crestline Coach Limited for the procurement of two transit buses.

04-13

BYL 2004 – 136

A By-law to authorize the procurement of a used transit bus from Capital Bus Company.

04-22

BYL 2004 - 137

A By-law to amend Schedule "C" of By-law 89-2000, being a By-law Regulating Traffic and Parking on City Streets.

04-22

BYL 2004 - 138

A By-law to appoint certain By-law Enforcement Officers of the Corporation of the City of Welland.

04-58

BYL 2004 - 139

A By-law to authorize the entering into a contract with Provincial Construction Limited for extension of the watermain replacement on Empress Avenue from Harrison Avenue to Sutherland Avenue.

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BY-LAWS PRESENTED FOR FIRST READING...CONT'D.:

04-135

BYL 2004 - 140

A By-law to authorize the entering into a contract with Kerry T. Howe Engineering Ltd. to provide engineering services for the Central West Area Sanitary Sewer Phases 3 and 4, Webber Road and South Pelham Road.

04-66

BYL 2004 - 141

A By-law to authorize amendment to the contract with Centennial Construction and Contracting (Niagara) Inc. for additional construction costs associated with the Hellems-Burgar Area Sewer Separation - Phase 2 from Dorothy Street to Victoria Street.

04-1

BYL 2004 - 142

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 28th day of September, 2004 and 5th day of October, 2004.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Alexander and Sharpe that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, October 13, 2004 for inclusion on the next Regular Council Meeting Agenda of October 19th, 2004.

Council adjourned at 11:00 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of October, 2004.

MAYOR

CLERK