



COUNCIL MEETING, NOVEMBER 20, 2001

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole at 7:05 p.m. and in open session at 7:35 p.m. on the above date.

Her Worship Mayor Cindy Forster in the Chair.

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

Members Present: Councillors R. Alakas, D. Beaudoin, M. Belcastro, N. Dmytrow-Bilboe, M. Dzugan (until 9:00 p.m.), T. Eybel, D. Fortier, D. Grenier (7:35 p.m. - 9:00 p.m.), J. Irvine, J. Mastroianni, S. O'Dell and J. Spadafora.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

Director of Development Services & Acting CAO T. Fitzpatrick

Fire Chief P. Olah

Director of Operational Services G. Marcello

Community Services Director I. Smith (until 7:35 p.m.)

Acting City Treasurer B. Silvestri

Clerk Steno III B. Gallaccio (7:35 p.m. - 9:00 p.m.)

Fleet Supervisor N. Wilde (7:35 p.m.)

01-25 Moved by Dzugan and Dmytrow-Bilboe that Council meet in Committee-of-the-Whole, closed to the public at 7:05 p.m. to consider:

- a) the security of the property of the municipality; and
- f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

01-25 Moved by Dzugan and Dmytrow-Bilboe that the Committee-of-the-Whole arise from its closed meeting at 7:25 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Dzugan disclosed an interest in Ref. No. 97-101 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed at East Side Mario's Restaurant in Welland.

PUBLIC HEARING PURSUANT TO SECTION 442 - TAX WRITE-OFFS

No one spoke.

DELEGATIONS:

01-28 Janet C. Booth, C.E.O., Welland Public Library updated Council regarding the Welland Public Library 2000 Annual Report and on the development of the Local History Digital site of the Welland Canals.

01-127 Angela Carter and Jim Gillap, Committee Members updated Council on Partners in Pride activities and requested the closure of East Main Street on June 1, 2002 for a community event.

02-21

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

95-103 Dir. of Development Services T. Fitzpatrick - Authorization to dedicate a road widening as part of Quaker Road - Towpath Village Subdivision.

95-103 A By-law to layout, establish and assume as a public highway for road widening purposes and to dedicate and name Part of Lot 5, Plan 59M-230, being Part 5 on Reference Plan 59R-9662 as Part of Quaker Road.

96-58

01-22 Parking Restrictions for Snow Plowing Operations November 1st to March 31st.

97-101 Proposed Regional Smoke-Free By-law.

97-156 A By-law to authorize the entering into a contract with R.V. Anderson & Associates Limited to undertake Phases 3 & 4 of the class environmental assessment for the Sewage Environmental Assessment Study.

- 99-38** Central West Area Trunk Sanitary Sewer (Colbeck Drive).
- 99-43** A By-law to authorize the Shareholder Declaration respecting Welland Hydro-Electric Commission, its subsidiaries and affiliates, and replace the Shareholder Declaration authorized by By-law 2000-90 and amended by By-law 2001-3, and to Repeal By-laws 2000-90 and 2001-3.
- 99-99** Policy with respect to the management of banking and financial matters of the Welland Recreational Canal Corporation.
- 01-1** 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 13th day and 20th day of November, 2001.
- 01-4** Acting City Treas. B. Silvestri - Application for Tax Write-offs - Section 442.
- 01-6** Neil McGregor, Fundraising/Special Events Mgr. - proclamation for World Aids Day - December 1, 2001.
- 01-7** Acting City Treas. B. Silvestri - Accounts Payable Report - Nov. 1 - 14, 2001.
- 01-13** Dir. of Operational Services G. Marcello - Community Christmas Lights Tour.
- 01-22** Supplemental Report to TRAF-2001-26 - Penalty Provisions - By-laws 89-2000 and 10721, TRAF-2001-27 - Municipal Parking Lots; TRAF -2001-28 - Parking.
- 01-22** Staffing and Operating Parking and Traffic Sections.
- 01-22** Amendments to By-law 89-2000 - Sch. "C" - Parking Prohibition; Sch. "P" - Stop Signs at Intersections.
- 01-22** Rose Noonan, Supervisor, Canada Post Corporation - requesting City enforced parking on property located at the near of 26 Division Street.
- 01-28** Janet C. Booth, C.E.O., Welland Public Library - Welland Public Library 2000 Annual Report; and update on the development of the Local History Digital site of the Welland Canals and being awarded the Angus Mowat Award of Excellence from the Ministry Tourism, Culture and Recreation.
- 01-89** Dir. of Community Services I. Smith - HVAC - City Hall Award of Tender.
- 01-127**
- 02-21** Angela Carter and Jim Gillap, Committee Members - update on Partners in Pride activities - closure of East Main St. on June 1, 2002 and that Partners in Pride be added as a rider to the City's existing insurance policy for this one-time event.
- 01-129** Dir. of Operational Services G. Marcello - Procurement of 24,000 GVW Tandem Dual Trailer.
- 01-135** By-law Amendment - Fourth, Fifth and Sixth Streets Area Watermain Replacement Phase 1.
- 01-135** A By-law to amend By-law 2001-148, being a By-law to authorize acceptance of tender and entering into a contract with DeRose Bros. General Contracting Ltd. for replacement of watermains on Fourth, Fifth and Sixth Streets, Patsy Avenue and Rice's Lane, Phase 1.
- 01-166** Increase of Marriage License Fees.
- 01-166** Increase of Administration Service Fees for Vital Statistics.
- 01-166** A By-law to amend By-law 10893, being a By-law to establish a fee structure for live birth registrations, issuance of Registrar's Statements, document certification and marriage licenses.
- 01-168**
- 01-168Z** Proposed Amendment to Official Plan and Zoning By-law 2667 - 1436475 Ontario Inc. - 95 Lincoln Street.
- 01-168** A By-law to authorize the signing of Official Plan Amendment No. 103.
- 01-168Z** A By-law to amend City of Welland Zoning By-law 2667 (1436475 Ontario Inc. - File 2001-12) 95 Lincoln Street.
- 01-169Z** Proposed Amendment to Zoning By-law 2667 - Steven Hegedus (In Trust) - 454 McAlpine Avenue.
- 01-171** Amendments to Clean Yards and Property Standards By-laws respecting derelict/abandoned vehicles.
- 01-173** Carole Ann Jones - safety concerns for school children and requesting expansion of the dead end of Colborne Street to allow access for school bus.
- 02-39** Proposed Building Permit Fee increases.
- 02-39** A By-law to amend City of Welland Building By-law 10230
- 02-40** Proposed Planning Application Fees for 2002.
- 02-40** A By-law to establish a tariff of fees for planning applications, information reports and applications and to Repeal City of Welland By-law 2001-159.

01-1 Moved by Alakas and Dmytrow-Bilboe that the Minutes of the Regular Council Meeting of November 6, 2001 and Special Council Meeting of November 13, 2001 be and the same are hereby approved and adopted as circulated.

CARRIED

95-103 Moved by Alakas and Irvine

1. That Council pass a By-law dedicating Part 5 on Plan 59R-9662 as part of Quaker Road; and
2. That the Mayor and Clerk be authorized to execute all documentation with respect to these transactions.

CARRIED

96-58

01-22 Moved by Beaudoin and Spadafora

1. That Council approve the proposal to impose "No Parking" on any City street between the hours of 2:00 a.m. to 6:00 a.m. between November 1st and March 31st of the following year inclusive to improve snow plowing operations;
2. That the City Solicitor be requested to prepare a By-law to amend By-law 89-2000, to invoke the provisions of Schedule 'C1' - No Parking on any City street between the hours of 2:00 a.m. and 6:00 a.m. (Section 205.01.11), recognizing that Council may wish to exempt these restrictions on certain streets where driveways do not exist;
3. That the penalty for this infraction be established with a 'Set Fine' of \$50.00;
4. That the Director of Operational Services be requested to post the necessary signage on all roadways entering the City of Welland from adjacent municipalities, and place notices in the local press to inform residents of this By-law requirement.

NOT PUT

96-58

01-22 Moved by Grenier and Fortier that the "No Parking" restrictions for snow removal be referred to the November 27th General Committee Meeting.

CARRIED

99-38

Moved by Alakas and Irvine that the Director of Operational Services be authorized to proceed with retaining Kerry T. Howe Engineering Limited to undertake the detailed design including tender documents for the trunk sanitary sewer on Colbeck Drive from Draper's Creek to Webber Road and prepare the preliminary trunk sanitary sewer design to service the remainder of areas as previously defined within the Central West Study - Upper Canada Consultants 1999.

CARRIED

99-99

Moved by Alakas and Irvine that the City of Welland adopt the following policy with respect to the management of banking and financial matters of the Welland Recreational Canal Corporation:

That the Welland Recreational Canal Corporation delegate banking authority to the City of Welland which would include all invoicing, bill payment, banking, etc. until the end of 2002, at which time this arrangement may be reviewed.

CARRIED

01-4 Moved by Mastroianni and Eybel that pursuant to Section 442 of the Municipal Act, R.S.O. 1990, C.M. 45, Council approve the write off of taxes as contained in the attached report listing the reasons for reduction or cancellation and assessment values.

CARRIED

01-6 Moved by Eybel and Alakas that the Mayor declare December 1, 2001 as "**World AIDS Day**" in the City of Welland as requested by Aids Niagara.

CARRIED

01-7 Moved by Alakas and Irvine that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	1-Nov-01	\$	93,968.61
2	6-Nov-01		14,996.79
3	7-Nov-01		2,092,785.91
4	8-Nov-01		291,536.92
5	9-Nov-01		32,557.68
6	14-Nov-01		<u>585,233.00</u>

Total **\$ 3,111,078.91**

CARRIED

01-10

01-127

02-21 Moved by Grenier and Mastroianni that Welland City Council approves the Civic Pride Event to be held by Partners in Pride on June 1, 2002 subject to the applicant's completion of all conditions of the Policy of Street Use for Community Activities except that the application fee be waived; and That the City of Welland agrees to add a rider to its insurance to permit the Partners in Pride organizers to promote a Civic Pride Event in downtown Welland on June 1, 2002 from 11:00 a.m. to 7:00 p.m.; and That Councillor Mastroianni and Fortier be appointed as Liaisons to the Partners in Pride Event.

CARRIED

01-13 Moved by Alakas and Irvine that Council approve a maximum fuel expenditure of \$500.00 to operate the Christmas Lights Tours from December 10th to December 13th, 2001.

CARRIED

01-22 Moved by Alakas and Irvine that Report TRAF 2001-30 regarding Supplemental Report to Traffic Penalty Provisions By-laws, Municipal Parking Lots and Parking Equipment be referred to the November 27, 2001 General Committee Meeting.

CARRIED

01-22 Moved by Alakas and Irvine that Report TRAF 2001-29 regarding Staffing and Operations of the Parking and Traffic Section be referred to the November 27, 2001 General Committee Meeting.

CARRIED

01-22 Moved by Alakas and Irvine

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'C' - Parking Prohibitions with signs by Adding:

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD
		FROM	TO	
Cabot Street	North Side	First Avenue	Northgate Drive	8:30 a.m. to 4:30 p.m. Monday to Friday
Rolling Acres Drive	South Side	Rice Road	Cranbrook Crescent	At No Time
Glenpark Drive	East Side	Glen Park Court	Willson Road	At No Time

2. That the City Solicitor be requested to amend Schedule 'P' - Stop Signs at Intersections by Adding:

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Foxtail Avenue	Chantler Road	Southbound on Foxtail
Lea Crescent	Foxtail Avenue	Westbound on Lea Crescent
Lea Crescent	Autumn Crescent	Northbound on Lea Crescent
Autumn Crescent	Foxtail Avenue	Westbound on Autumn Crescent
Oakcrest Avenue	Thorold Road	Northbound on Oakcrest Avenue

3. That the Director of Operational Services be instructed to install the appropriate signage in accordance with the Highway Traffic Act.

CARRIED

01-22 Moved by Irvine and O'Dell that the request from Canada Post Corporation for City enforced parking on private property located at the rear of 26 Division Street, be received and referred to Operational Services staff for study and review.

CARRIED

01-22 Moved by Eybel and Dmytrow-Bilboe that parking in the City of Welland be free for the month of December 2001.

CARRIED

01-28 Moved by Eybel and Mastroianni that the Welland Public Library be congratulated on being awarded the Angus Mowat Award of Excellence from the Ministry of Tourism, Culture and Recreation for outstanding library service in the development of the Local History Digital site on the history of the Welland Canals.

CARRIED

01-89 Moved by Alakas and Irvine that in accordance with the resolution of Council passed on November 6th, 2001, staff have retained the HECO firm to complete the HVAC project at City Hall at a cost of \$39,694.86.

CARRIED

01-129 Moved by Alakas and Irvine that Council approve the procurement of a 24,000 GVW Tandem Dual Trailer to transport the newly purchased Articulating Diesel Tractor at an estimated cost of \$14,375.00 to be funded from the current Fleet Provisional Reserve and purchased in accordance with the Purchasing Policy.

CARRIED

01-135 Moved by Alakas and Irvine that Council approves the proposed amendment of Watermain Replacement By-law No. 2001-148 to include Canal Bank Street as part of the Fourth, Fifth and Sixth Streets Area Watermain Replacement, Phase 1, as presented in Report ENG-2001-61; and That the City Solicitor be directed to prepare all necessary and appropriate by-laws to reflect the change as proposed.

CARRIED

01-166 Moved by Alakas and Irvine that the fees for the issuance of a marriage license be increased from \$75.00 to \$100.00 effective January 1st, 2002 or as soon as the other cities in the Niagara Region increase their fees similarly.

CARRIED

01-166 Moved by Alakas and Irvine that the administrative service fees for Vital Statistics administration be increased as follows effective January 1st, 2002:

Death Registration \$15.00 (formerly \$10.00)
Birth Registration \$25.00 (formerly \$20.00)

CARRIED

01-168

01-168Z Moved by Alakas and Irvine

1. That the City of Welland adopt Official Plan Amendment No. 103 to redesignate part of Lot 27, Concession 6, former Township of Crowland, now in the City of Welland, being Parts 6 and 11, Plan 59R-5728 and Part 4, Plan 59R-6457 save and except Part 1, Plan 59R-6663 known municipally as 95 Lincoln Street from Residential to Commercial;
2. That Zoning By-law 2667, as amended, be further amended for 75 Lincoln Street (part of Lot 27, Concession 6, former Township of Crowland being Parts 6 and 11, Plan 59R-5728 and Part 4, Plan 59R-6457 save and except Part 1, Plan 59R-6663) by adding the additional uses of a business office and clinic to the existing Site Specific C1-X10 Zone; and
3. That any Zoning By-law Amendment shall come into force once the Official Plan Amendment has been approved.

CARRIED

01-169Z Moved by Alakas and Irvine that Report DSD 2001-90 regarding Proposed Amendment to Zoning By-law 2667- Steven Hegedus (in trust) - 454 McAlpine Avenue be deferred at the request of the applicant, sine die.

CARRIED

01-171 Moved by Dzugan and Dmytrow-Bilboe that Report DSD 2001-91 regarding Amendment to Clean Yards and Property Standards By-law respecting derelict abandoned vehicles be referred to staff for a legal opinion.

CARRIED

01-173 Moved by O'Dell and Mastroianni that the letter from Carole Ann Jones outlining safety concerns for school children and requesting that Colborne Street be expanded into a circular bend to allow for a school bus turn around, be received and referred to Operational Services staff for study and review.

CARRIED

02-39 Moved by Alakas and Irvine

1. That the following Tariff of Fees for Building/Plumbing Applications be adopted by the City of Welland effective January 1, 2002.

CLASS OF PERMIT	EXISTING PERMIT APPLICATION FEE	PROPOSED PERMIT APPLICATION FEE
1. BUILDING		
1.1. NEW CONSTRUCTION AND ADDITIONS		
MAJOR OCCUPANCY		
GROUP A - ASSEMBLY OCCUPANCIES		
School; church; restaurant; daycare; hall; transit; recreation facility; other	\$0.84/ft ²	\$0.89/ft ²
GROUP B - INSTITUTIONAL OCCUPANCIES		
Hospital; retention facility; nursing home; other	\$1.00/ft ²	\$1.06/ft ²
GROUP C - RESIDENTIAL OCCUPANCIES		
One-Family Dwelling	\$0.64/ft ²	\$0.68/ft ²
Semi-detached dwelling; duplex dwelling	\$0.64/ft ²	\$0.68/ft ²
Multiple unit dwellings; apartment building; townhouse	\$0.53/ft ²	\$0.56/ft ²
Hotels; motels	\$0.53/ft ²	\$0.56/ft ²
Other residential	\$0.53/ft ²	\$0.56/ft ²
GROUP D - BUSINESS/PERSONAL SERVICES OCCUPANCIES		
Office; bank; medical; police stations; other	\$0.79/ft ²	\$0.84/ft ²
GROUP E - MERCANTILE OCCUPANCIES		
Store; shopping mall/plaza; shop; market; retail; other	\$0.64/ft ²	\$0.68/ft ²
GROUP F - INDUSTRIAL OCCUPANCIES		
Industrial mall/plaza/garage; plant; factory; warehouse; other	\$0.42/ft ²	\$0.45/ft ²
Industrial buildings with no partitions; no plumbing and no mechanical	\$0.22/ft ²	\$0.23/ft ²

...Continued...

02-39...Cont'd.**SPECIAL CATEGORIES/OCCUPANCIES**

Farm building; greenhouse	\$0.10/ft ²	\$0.11/ft ²
Trailer; air supported structure	\$0.05/ft ²	\$0.06/ft ²
Tent	\$0.05/ft ²	\$0.06/ft ²
	to maximum of \$105.00	to maximum of \$110.00
One-family:		
garage; carport	\$0.22/ft ²	\$0.23/ft ²
covered deck/porch	\$0.22/ft ²	\$0.23/ft ²
uncovered deck/porch	\$0.16/ft ²	\$0.17/ft ²
sunroom/solarium	\$0.42/ft ²	\$0.45/ft ²
shed/accessory building	\$0.22/ft ²	\$0.23/ft ²

1.2 ALTERATIONS**DESCRIPTION**

Unfinished basement	\$0.16/ft ²	\$0.17/ft ²
Roof structure	\$0.05/ft ²	\$0.06/ft ²
Fireplace; woodstove; chimney	\$41.00	\$43.00
Interior Alterations:		
including plumbing and mechanical	\$0.22/ft ²	\$0.23/ft ²
including plumbing or mechanical	\$0.16/ft ²	\$0.17/ft ²
excluding plumbing and mechanical	\$0.11/ft ²	\$0.12/ft ²
Finishing Basement	\$0.32/ft ²	\$0.34/ft ²
One-Family:		
finishing basement	\$0.16/ft ²	\$0.17/ft ²
other minor alteration	\$41.00	\$43.00

1.3 PARTIAL PERMIT/STAGED CONSTRUCTION

Partial/ conditional permits subject to a 50% surcharge of total permit value	Partial/ conditional permits subject to a 50% surcharge of total permit value
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FOUNDATION

Complete to grade including underground services	15%	15%
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...Continued...

02-39...Cont'd.

BUILDING SHELL		
Completed structural shell	40%	40%
Completed architectural shell	80%	80%
BUILDING COMPLETION		
Includes renovation by tenant to complete	100%	100%
2. PLUMBING ONLY		
Fixture; plumbing appliance; stack; interceptor; tank; floor drain; sewage ejector; sump; manhole; catchbasin; rain water leader; other	\$4.36 each	\$4.62 each
All buried piping including building drain and sewer; building storm drain and sewer; storm drainage piping; water service pipe	\$0.37/lf	\$0.39/lf
Water distribution pipe	\$41.00	\$43.00
3. DEMOLITION		
One-family dwelling; buildings less than 3,000 sq. ft. gross area	\$41.00	\$43.00
Other demolitions	\$0.01/ft ²	\$0.02/ft ²
4. MOVING		
	\$41.00	\$43.00
5. SIGN		
	\$0.58/ft ²	\$0.61/ft ²
6. POOL		
Public pool	\$220.00	\$233.00
Inground pool	\$62.00	\$66.00
Above-ground pool	\$41.00	\$43.00
7. RENOVATION		
Minor renovations not requiring plans	\$41.00	\$43.00
8. USE CHANGE		
Permit for the change of use of a building or part thereof	\$56.00	\$59.00

...Continued...

02-39...Cont'd.

9.	OCCUPANCY		
	Permit to allow occupancy		
	Houses, semi-detached dwellings, townhouses	\$41.00	\$43.00
	Other buildings	\$205.00	\$217.00
10.	TRANSFER		
	Transfer of permit to a new owner	\$56.00	\$59.00
11.	DESIGNATED STRUCTURE		
	Retaining wall; pedestrian bridge; crane; runway	\$1.12/lf	\$1.18/lf
	Communication tower	\$154.00	\$163.00
	Other designated structure	\$56.00	\$59.00
12.	SEWAGE SYSTEM		
	Class 4	\$513.00	\$544.00
	Repair of Class 4	\$150.00	\$159.00
	Other than Class 4	\$308.00	\$326.00
	Assessment and comments of existing sewage systems	\$103.00	\$109.00
13.	Minimum Permit Fee and Amendments to Permits	\$41.00	\$43.00
14.	Where Fees must be Established by Value	\$8.50/\$1,000	\$9.28/\$1,000
15.	Refunds		
	Application Filed	80%	80%
	Plans Reviewed	60%	60%
	Permit Issued	40%	40%
	Additional Deduction for each Inspection	10%	10%
16.	Cancellation of an inspection or inspection not ready	\$41.00	\$43.00

CARRIED

02-40 Moved by Alakas and Irvine

1. That the following Tariff of Fees for Planning applications and related matters be adopted by the City of Welland effective January 1, 2002.

	CURRENT	PROPOSED
Official Plan Amendment Application	\$950	\$1,020
Zoning By-law Amendment Application	\$950	\$1,020
Concurrent Official Plan Amendment and Zoning By-law Amendment	\$1,540	\$1,630
Removal of Holding Symbol	\$280	\$295
Temporary Use By-law	\$950	\$1,020
Site Plan Control Application	\$540	\$570
Minor Change to Site Plan Agreement	\$230	\$245
Processing Part Lot Control By-law	\$385	\$410
Processing Condominium Application/Exemption Request	\$2,820	\$2,990
Processing Short Form Subdivision Agreement (Consent)	\$590	\$625
Processing Subdivision Application/Development Agreements	\$2,820	\$2,990
	+ \$500 for each Phase over one	+ \$530 for each Phase over one
	+ \$10/Lot or Block excluding 0.3 reserves	+ \$10/Lot or Block excluding 0.3 reserves
Modification to Draft Plan Conditions Involving Circulation	\$665	\$705
Extension to Draft Plan Approval	\$335	\$355
Processing Servicing/Development Agreement	\$590	\$625
Processing Front-Ending Agreement	\$770	\$815
Information Report	\$75	\$80
Environmental Information	\$75	\$80
Minor Variance Application	\$335	\$355
Consent to Sever	\$615	\$650
Change of Conditions for Consent	0	\$125
Concurrent Minor Variance and Consent	\$820	\$870
Rescheduling of Consent or Minor Variance Application	\$150	\$160

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

98-73 Moved by Irvine and Beaudoin

1. That Lot 44, Plan NS5 be declared surplus and offered for sale in accordance with the provisions of the Municipal Act; and
2. That assuming that there is no individual buyer for the property that the lot be divided and conveyed to the abutting Owners at 92 and 100 Maureen Avenue.

CARRIED

2000-128 Moved by Spadafora and Mastroianni

1. That the City of Welland accept the Offer to Purchase from the Hostess Frito-Lay Company, A Division of Pepsi-Cola Canada Ltd. for Part of Lot 20, Concession 4, Township of Crowland now City of Welland in the amount of \$292,750.00;
2. That the Mayor and Clerk be authorized to execute all necessary documents to affect the transaction;
3. That the City of Welland agree to pay Royal LePage Commercial Inc. a commission of 5%; and
4. That the net proceeds from the sale of the subject lands be deposited in the Industrial Land Reserve Fund.

CARRIED

01-174 Moved by Beaudoin and Irvine

1. That the City of Welland enter into a five year Partnership Agreement with John Deere; and
2. That the City's Purchasing Policy and By-law be amended to accommodate the Partnership Agreement wherein the City of Welland will sole source with John Deere and its Dealers, for any and all City equipment which can be provided by John Deere.

CARRIED

BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Spadafora and Mastroianni that leave now be given to introduce the following proposed By-law entitled:

2000-128

BYL 2001-168

A By-law to authorize the entering into an Agreement of Purchase and Sale for the sale of Part of Township Lot 20, Crowland, Concession 4, now City of Welland (Atlas Avenue) to the Hostess Frito Lay Company, A Division of Pepsi-Cola Canada Ltd.

And that the same be read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Spadafora and Mastroianni that the By-law listed in the foregoing motion for first reading, 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**BY-LAWS****BY-LAWS PRESENTED FOR FIRST READING:**

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

99-43

BYL 2001-159

A By-law to authorize the Shareholder Declaration respecting Welland Hydro-Electric Commission, its subsidiaries and affiliates, and replace the Shareholder Declaration authorized by By-law 2000-90 and amended by By-law 2001-3, and to Repeal By-laws 2000-90 and 2001-3.

97-156

BYL 2001-160

A By-law to authorize the entering into a contract with R.V. Anderson & Associates Limited to undertake Phases 3 & 4 of the class environmental assessment for the Sewage Environmental Assessment Study.

01-135

BYL 2001-161

A By-law to amend By-law 2001-148, being a By-law to authorize acceptance of tender and entering into a contract with DeRose Bros. General Contracting Ltd. for replacement of watermains on Fourth, Fifth and Sixth Streets, Patsy Avenue and Rice's Lane, Phase 1.

95-103

BYL 2001-162

A By-law to layout, establish and assume as a public highway for road widening purposes and to dedicate and name Part of Lot 5, Plan 59M-230, being Part 5 on Reference Plan 59R-9662 as Part of Quaker Road.

01-168

BYL 2001-163

A By-law to authorize the signing of Official Plan Amendment No.103.

...Continued...

BY-LAWS PRESENTED FOR FIRST READING...Cont'd.**01-168Z**

BYL 2001-164

A By-law to amend City of Welland Zoning By-law 2667 (1436475 Ontario Inc. - File 2001-12) 95 Lincoln Street.

02-39

BYL 2001-165

A By-law to amend City of Welland Building By-law 10230.

02-40

BYL 2001-166

A By-law to establish a tariff of fees for planning applications, information reports and applications and to Repeal City of Welland By-law 2001-159.

01-166

BYL 2001-167

A By-law to amend By-law 10821, being a By-law to establish a fee structure for live birth registrations, issuance of Registrar's Statements, document certification and marriage licenses and to Repeal By-law 10893.

01-1

BYL 2001-169

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 13th day and 20th day of November, 2001.

And that the same be now read a first time.

CARRIED**BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Irvine and Spadafora 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 Resolution (No. 92-94) passed on October 3, 2000, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, November 28, 2001 for inclusion on the next Regular Council Meeting Agenda .

Council adjourned at 10:10 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of December, 2001.

MAYOR

CLERK