



COUNCIL MEETING, JULY 20, 2004

CITY HALL, COUNCIL CHAMBERS 411 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:20 p.m. and in open session at 7:15 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, M. A. Grimaldi, J. Larouche, S. O'Dell, B. Sharpe and J. Spadafora..

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks (7:00 p.m.)

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:15 p.m.)

General Manager Financial & Corporate Services/Treasurer and Acting City Mgr.
B. Silvestri

Administrative Assistant/Deputy Clerk B. Gallaccio (7:15 p.m.)

General Manager of Planning and Development Services D. Thorpe

General Manager of Parks and Recreation B. LaPlante (7:15 p.m.)

Community Fire Safety Officer/Deputy Fire Chief K. Roach (7:15 p.m.)

04-25 Moved by Dzugan and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 6:20 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 Belcastro that the Committee-of-the-Whole arise from its closed meeting at 7:05 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Mayor Goulbourne disclosed an interest in **Ref. No. 04-5** and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College. During discussion on this issue, Mayor Goulbourne vacated the Chair and Councillor Belcastro presided.

Councillor Sharpe disclosed an interest in **Ref. No. 04-5** and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is employed by Niagara College.

STATUTORY PUBLIC HEARING PURSUANT TO THE PLANNING ACT

04-115Z Letter from Phil Fisher requesting to postpone and refer the Public Hearing regarding the amendment to By-Law 1538 north side of Buchner Road to the Council Meeting of August 17, 2004.

STATUTORY PUBLIC HEARING PURSUANT TO THE DEVELOPMENT CHARGES ACT

96-48 To consider the Development Charges Background Study

The following people were present to speak on this matter:

- Cam Watson, consultant and author of City's Study on Development Charges.
- No one else spoke to this matter.

STATUTORY PUBLIC HEARING PURSUANT TO THE MUNICIPAL ACT

99-99

04-4 To consider the 2004 Budget for the Welland Recreational Canal Corporation.

The following people were present to speak on this matter:

- No one spoke to this matter.

PRESENTATION:

Councillor Fortier presented a certificate to the Mayor on behalf of the Governor General of Canada in appreciation for the City's contribution to the 2004 Governor General's Canadian Leadership Conference.

Councillor Larouche presented a certificate to the Mayor on behalf of the Welland Dragon Boat Festival in appreciation of staff's participation in the festival.

DELEGATIONS:

- 98-82** Bell Canada representatives, Deb Masters, Kimberly Jones and Doug Mathews addressed Council regarding communications for the Civic Square.
- 04-5** Jim Ryan, Vice Chair Board of Governors and Chair of Niagara College Foundation, and Dan Patterson, President, Niagara College updated Council on the progress and plans of Niagara College.

THE FOLLOWING CORRESPONDENCE WAS READ:

- 04-22** A By-law to amend By-law 2003-11, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland.
- 04-20** Letter from Shane Sargant, Tourism of Niagara, requesting a Special Occasion Permit and to
04-119 declare the Niagara Food Festival as a Community Festival.
- 98-62** Letter from Stephen Kaiser, Daimler requesting to revise recommendation contained in Report PDS 2004-34 - The Highlands Subdivision, formerly St. Andrew's Terrace Subdivision (File 26T-14-97005) – Request for extension to draft approval.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

- 98-82** Greg D'Amico, Chair, Welland Downtown Improvement Area Board of Management requesting to address Council no longer needs to speak to Council this evening as the matter regarding the landscaping proposal for the downtown and Civic Square has been addressed.
- 04-15** Sean Bertleff, Regional Municipality of Niagara did not appear to address Council regarding emergency responsibilities.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 96-48** Gen. Mgr. of Planning and Development Services D. Thorpe – New City of Welland Development Charge By-law.
- 97-49** Wendy Ward Grenier, on behalf of the Welland Physician Recruitment Committee – Development of Family Physician Turn-Key Clinic in Welland.
- 97-135** Gordon F. Marasco, Niagara Regional Broadband Network Limited – requesting a Rights of Way access agreement with the City of Welland.
- 98-62** Gen. Mgr. of Planning and Development Services D. Thorpe – Proposed Subdivider's Agreement with 1434386 Ontario Inc. – The Masters at Hunters Pointe – Phase 1 Subdivision (File 26T-14-97005).
- 98-62** A By-law to authorize the signing of a Subdivider's Agreement with 1434386 Ontario Inc. with respect to the development of the Masters at Hunters Pointe – Phase 1 Subdivision.
- 98-62** A By-law to accept the transfer of certain 0.3 metre reserves and lands for open space purposes from 1434386 Ontario Inc. to the Corporation of the City of Welland in the Masters at Hunters Pointe – Phase 1, Subdivision (File 26T-14-97005).
- 98-62** Gen. Mgr. of Planning and Development Services D. Thorpe – The Highlands Subdivision, formerly St. Andrew's Terrace Subdivision (File 26T-12-97005) – Request for extension to Draft Approval.
- 98-82** Bell Canada regarding communications for the Civic Square.
- 98-82** Greg D'Amico, Chair, Welland Downtown Improvement Area Board of Management – City landscaping proposal for downtown and Civic Square.
- 98-82** City Mgr., T. Fitzpatrick – Communications Solution for Civic Square and Off Site Locations.
- 98-82** City Mgr., T. Fitzpatrick – Proposal from Roberto's Food and Beverage Services.
- 98-82** City Mgr., T. Fitzpatrick – Fee Proposal for Consulting Services – Canal Lands landscaping, Canal Plaza and Parking Lot behind the new Civic Square.
- 99-99**
- 98-152** A By-law to amend By-law 11325, (as amended by By-laws 2000-169 and 2002-119) being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor.
- 99-99** City Mgr., T. Fitzpatrick – Approval of 2004 Welland Recreational Canal Corporation Budget.
- 04-4**
- 2000-43** Review of the City's Lot Grading & Drainage for Subdivisions Policy SER-007-004 to
- 2000-83** provide for improved enforcement procedures.
- 01-42** Gen. Mgr. of Planning and Development Services D. Thorpe – Lay –Out, Establish and
- 01-43** Name Various 0.3 metre reserves with respect to the Draper's Creek and Harvest Estates Subdivisions.
- 01-42** A By-law to lay out, establish and name part of Lot 112, Plan NS20 being Part 2, Plan 59R- being a 0.3 metre reserve for the City of Welland as part of Wellbrook Boulevard.
- 01-42** A By-law to lay out, establish and name part of Lot 112, Plan NS20 being Part 1, Plan 59R- being a 0.3 metre reserve for the City of Welland as part of Lynbrook Lane.
- 01-43** A By-law to lay out, establish and name Block 82, Plan 59M-299 being a 0.3 metre reserve for the City of Welland as part of Carlisle Drive.
- 01-42** A By-law to lay out, establish and name Blocks 81 and 85, Plan 59M-299 and Block 88,
- 01-43** Plan 59M-320 being a 0.3 metre reserve for the City of Welland as part of Hillsdale Road.
- 01-46** City Mgr., T. Fitzpatrick – Legal Agreement with Ministry of Transportation Ontario respecting Enterprise Subdivision improvements on Highway 140.
- 01-53** City Mgr., T. Fitzpatrick – Agreement with Regional Niagara concerning funding arrangements for the 2001 Round of Superbuild.
- 01-161** City Mgr., T. Fitzpatrick – Update on Council Strategic Plan/Business Plan.
- 02-85** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Project – Accessibility Review and Implementation Report.
- 03-80** Gen. Mgr. of Planning and Development Services D. Thorpe – Red-Line Revision – Riverside West Subdivision (File 26T-14-02003) – Mac-Bri Developments Inc. – west side of Riverside Drive, south of Lincoln Street.
- 03-38** City Mgr., T. Fitzpatrick – Proposed Amendments to the Municipal Act 2001.
- 03-88** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz –

Feasibility Study for replacement of the Drapers Creek Culvert on Colbeck Drive.

- 03-100** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz –
- 04-120** Engineering Services for Summit Area Watermain Replacement Phase 2 and Fitch Street Watermain Replacement Phase 1.
- 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 29th day of June, 2004 and 20th day of July, 2004.
- 04-3** A By-law to amend By-law 10057, being a By-law providing for the Licensing of Charitable or Religious Organizations to conduct Bingo Lotteries, Raffle Lotteries, Break Open Ticket Lotteries, or Lottery Schemes held at Bazaars within The City of Welland; and to Repeal By-law 11139.
- 04-5** Dan Patterson, President, Niagara College - Update Progress and Plans of Niagara College.
- 04-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Accounts Payable – June 9, 2004 to July 13, 2004.
- 04-13** A By-law to authorize the entering into an Agreement with Streetseen Media to provide advertising on Welland Transit Conventional Fleet.
- 04-13** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Engine Refurbishment of Transit Bus #118.
- 04-13** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Chassis Refurbishment of Transit Bus #115
- 04-14** 2004 Conference Report. Regulation of By-law.
- 04-15** Sean Bertleff, Regional Municipality of Niagara regarding emergency responsibilities.
- 04-15** Chief, Fire and Emergency Services P. Olah - Motorola Minitor IV Pagers.
- 04-15** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz –
- 04-19** Engineering Services for Welland Arena and Prince Charles Drive Fire Hall Parking Lots.
- 04-15** Cahl Pominville, Clerk, Municipality of North Grenville – requesting support of resolution regarding Bill 52 an Act to Amend the Fire Protection and Prevention Act to protect the employment of volunteer firefighters.
- 04-18** City Mgr., T. Fitzpatrick – May 2004 Departmental Reports.
- 04-19** Gen. Mgr. of Parks and Recreation Department B. LaPlante – Parks and Recreation Master Plan Process.
- 04-20** Leya Poulouski, Tourism of Welland Niagara – requesting permission for the following:
- 04-21** Special Occasion Permit for September 24, 25 & 26, 2004; a fireworks display; exemption to the noise By-law and temporary street closures during the **“Niagara Food Festival”**.
- 04-119**
- 04-22** A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland, to enforce the provisions of the Handicapped By-law 9840 and the Fire Route By-law 10011 at the Welland County General Hospital, and to Repeal By-law 2003-181.
- 04-22** A By-law to amend By-law 10721, being a By-law to provide for Regulating, Supervising and Governing the Parking of Vehicles in various Municipal Parking Facilities.
- 04-24** A By-law to amend By-law 10176, being a By-law to establish a comprehensive policy for all Non-Union Employees of the Corporation of the City Of Welland respecting certain terms and conditions of employment.
- 04-26** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Sidewalk Repair and Replacement Program 2004 and Utility Cut Related Concrete Reinstatement.
- 04-37** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri - Water Rates Petition.
- 04-46** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Request for authorization for the procurement of vehicles and equipment as per the 2004 Fleet Replacement Program.
- 04-46** Gen. Mgr. of Parks and Recreation Department B. LaPlante - Procurement of one (1) John Deere Zero Turn Mower.
- 04-82** Letter from Gerb Sammut, S.N.S. Pavement Maintenance regarding poor road conditions and recommendations to prevent roads from further deterioraton.
- 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.

- 04-92** Review Sign By-law.
- 04-104** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Award of Tender – Roadway Resurfacing Program 2004.
- 04-105** Gen. Mgr. of Parks and Recreation Department B. LaPlante – RFQ – Water treatment and preventative maintenance for boilers and towers.
- 04-107** Gen. Mgr. of Planning and Development Services D. Thorpe – Request from residents on Talbot Avenue to delete requirements for sidewalks – Regatta Subdivision (Plan 59M-247) Phase 1.
- 04-116** George Chipman, Local Architectural Conservation Advisory Committee Chair – designation of the King-Hill House at 81 Bald Street as being of architectural and historical significance.
- 04-117** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Salt Management Plan Study.
- 04-118** Gen. Mgr. Engineering, Public Works & Transp. Serv. / City Engineer D. Shantz – Prince Charles Drive Bridge Rehabilitation – Regional Municipality of Niagara, between Lincoln Street and Ontario Road – Road Closure.
- 04-122** John K. Bice, City Clerk, City of Thorold – Award of Various Contracts by Community Care Access Centre (CCAC).

04-1 Moved by Alexander and Grimaldi that the Minutes of the Regular Council Meeting of June 15, 2004 and Special Council Meeting of June 29, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

94-102 Moved by Chiochio and Alexander that staff be 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

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

NAYS: Councillors Dzugan, Fortier and Beaudoin.

- 96-48** Moved by Sharpe and O'Dell
1. That Council accept the *City of Welland 2004 Development Charge Background Study*, dated July 5, 2004, prepared by C.N. Watson and Associates Ltd.;
 2. That the attached proposed Development Charges By-law reflecting the recommendations contained in Report PDS -2004-35 be approved;
 3. That since the Library component of the Civic Square Project will be constructed to a capacity accommodating future growth, the Development Charge fees collected for Library purposes be applied to the payment of costs for the debenture of the Civic Square Project as per the *Development Charges Act*;
 4. That the City of Welland adopt a new Development Charge By-law with the following Charges established for single/semi-detached/duplex dwelling units within the urban area:

...continued...

96-48...Cont'd.

	September 1, 2004- December 31, 2004	January 1, 2005 – December 1, 2005	January 1, 2006 – December 31, 2006
Administration (Development-Related Studies)	\$148.00	\$169.00	\$190.00
Fire Facilities and Equipment	\$114.00	\$130.00	\$147.00
Roads	\$1,329.00	\$1,519.00	\$1,709.00
Public Works	\$50.00	\$57.00	\$64.00
Transit Vehicles	\$88.00	\$101.00	\$113.00
Recreation	\$215.00	\$245.00	\$276.00
Library Facility	\$233.00	\$267.00	\$300.00
Water Distribution	\$412.00	\$471.00	\$530.00
Sanitary Sewerage	\$230.00	\$263.00	\$296.00
Stormwater Management	\$681.00	\$778.00	\$875.00
Total	\$3,500.00	\$4,000.00	\$4,500.00

5. That the City's Development Charges By-law be phased-in as follows:

September 1, 2004	\$3,500
January 1, 2005	\$4,000
January 1, 2006	\$4,500
January 1, 2007	increase calculated annually (for life of Bylaw) in

accordance with

Statistics Canada Quarterly, construction Price Statistics,
Catalogue #62-007;

6. That non-residential developments continue to be exempt from the municipal component of Development Charges;
7. That the following areas be exempt from Development Charges:
1. Downtown Area of the City as shown on Schedule "C"; and

2. Brownfield Sites identified by and within a Community Improvement Plan;
8. That the City adopt an adjusted Development Charge for "St. Andrews" (being those lands east of Highway 406, west of the Welland Canal and north of Daimler Parkway) only for development gaining access from private roadways at a value of \$2,455.00 per unit for single/semi-detached/duplex dwellings, as shown on Schedule "A";
9. That notice be given of the passage of the Development Charge By-law in accordance with Section 13 of the *Development Charges Act, 1997*; and
10. That the Development Charge By-law come into force on September 1, 2004.

CARRIED

97-49 Moved by Spadafora 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 received and referred to staff for study and report; and further

That the WPRC Members be allowed access to the facility to allow further investigation and review for report to the August 17, 2004 Council Meeting.

CARRIED

97-135 Moved by Spadafora and Larouche that the letter from Niagara Regional Broadband Network Limited regarding the entering into a Rights of Way Access Agreement with the City of Welland for a fiber optics backbone network along local hydro utility poles be received and referred to staff for study and report to Council.

CARRIED

98-62 Moved by Spadafora and Larouche

1. That the City of Welland enter into a Subdivider's Agreement with 1434386 Ontario Inc. with respect to the development of the 23 lot residential subdivision (The Masters at Hunters Pointe - Phase 1 Subdivision);
2. That the Mayor and Clerk be pre-authorized to execute any necessary documents associated with the Subdivision;
3. That the Mayor be authorized to sign the Final Plan of Subdivision to allow the Plan to be registered once all Conditions of Draft Approval have been met and the Plan has been checked for conformity, and;
4. That Staff be authorized to prepare the necessary By-laws.

CARRIED

98-62 Moved by Spadafora and Larouche that the letter from Stephen Kaiser, Daimler requesting to revise recommendation contained in Report PDS 2004-34 - The Highlands Subdivision, formerly St. Andrew's Terrace Subdivision (File 26T-14-97005) – Request for extension to draft approval be received for information.

CARRIED

98-62 Moved by Dzugan and Chiochio that Council approve an extension to Draft Approval for The Highlands Subdivision, formerly the St. Andrew's Terrace Subdivision (File 26T-14-97005) for one (1)

year to July 27, 2005 as requested by Stephen Kaiser on behalf of 1276343 Ontario Limited.

CARRIED

98-82 Moved by Spadafora and Fortier that the presentation by Bell Canada representatives Deb Masters, Kimberley Jones and Doug Mathews regarding Telecommunications System Proposal for the new Civic Square Complex be received for information.

CARRIED

98-82 Moved by Spadafora and Fortier

1. That the City of Welland accept the proposal from Bell Canada in partnership with Mitel for the communications solution for the new Civic Square and off site locations at an upset cost of \$324,275.00 plus applicable taxes; and
2. That Funding for the communication solution be from the 2004 Capital Budget utilizing the communications allocation of \$300,000 and the remaining required funding from the general computer equipment funding of \$75,000.00.

CARRIED

98-82 Moved by Dzugan and Larouche that Council authorize Civic Square Committee Chair Belcastro and the City Manager to enter into discussions with Roberto's Food and Beverage Services to provide food service on site at the new Civic Square, including the occupation of the café on the main floor plaza, with lease hold improvements being the responsibility of the food service provider.

CARRIED

98-82

99-99 Moved by Spadafora and Larouche

1. That the City of Welland enter into an agreement with Carruthers Shaw & Partners Limited Architects for the provision of services by Carruthers Shaw & Partners, Janet Rosenberg, Martin Engineering, Yolles Engineering, Merber Corporation, Randall Brown & Associates and Curran Cost Consultants at an upset cost of \$134,750.00 plus GST for the design and inspection of the Canal Lands landscaping, Canal Plaza and parking lot behind the new Civic Square Complex; and
2. That the Mayor and Clerk be authorized to execute all necessary documents in that regard.

CARRIED

99-99

04-4 Moved by Dzugan and Belcastro that Welland City Council approve the 2004 current budget for the Welland Recreational Canal Corporation attached as 'Schedule A' to report CM-2004-30.

CARRIED

2000-43

2000-83 Moved by Spadafora and Larouche that staff be again directed to review the City's Lot Grading & Drainage for Subdivisions Policy SER-007-0004 to provide for improvement 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

01-42

01-43 Moved by Spadafora and Larouche that Staff be authorized to prepare the necessary By-law(s) to Lay Out, Establish and Name various 0.3 metre Reserves associated with the Draper's Creek and Harvest Estates Subdivisions as part of the street system.

CARRIED**01-46**

Moved by Spadafora and Larouche that the Mayor and Clerk be authorized to execute a legal agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation respecting Enterprise Subdivision improvements on Highway 140.

CARRIED**01-53**

Moved by Spadafora and Larouche that the Mayor and Clerk be authorized to execute an agreement with Regional Niagara concerning the 2001 round of Superbuild allocations.

CARRIED**01-161**

Moved by Alexander and Sharpe that Report CM 2004-26 outlining actions taken to date on Council's Strategic Plan / Business Plan be received.

CARRIED**02-85**

Moved by Fortier and Dzugan that the Project of Accessibility Review and Implementation Report, be awarded to SRM Associates, in the amount of \$12,270.00 including applicable taxes.

CARRIED**02-85**

Moved by Grenier and Larouche

That City Council task the Accessibility Advisory Committee to:

1. Review sidewalks throughout the City of Welland and itemize capital improvements necessary to improve mobility for physically and mobility challenged citizens;
2. Prioritize those improvements, primarily curb cuts, that currently pose the most difficulty for passage; and further

That Council recommend these priority curb cuts be done in this budget year with Accessibility Fund money included in the 2004 budget with the remaining sidewalk, crosswalk and curb cuts as identified by the Accessibility Advisory Committee being forwarded to budget review for priority consideration in the 2005 Capital Budget.

CARRIED**03-38**

Moved by Beaudoin and Grenier

1. That Welland Council endorse proposed amendments to the Municipal Act 2001 as set out in Appendix A to Report CM-2004-29; and
2. That the Clerk be directed to forward same to the Ministry of Municipal Affairs and Housing and to AMO.

CARRIED**03-80**

Moved by Belcastro and Dzugan

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;

...continued...

03-80...Con.t'd.

- 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;
- 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;

...continued...

03-80...Cont'd.

- 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;
- 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
- x. the Regional Public Works Department; 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;

...continued...

03-80...Cont'd.

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.
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.

NOT PUT

03-80 Moved by Larouche and Grenier that Report PDS-2004-36 Re: Red-Lined Revision - Riverside West Subdivision (File 26T-14-02003) - Mac-Bri Developments Inc. - West Side of Riverside Drive, South of Lincoln Street be referred to the August 17th, 2004 Council Meeting.

CARRIED

03-88 Moved by Spadafora and Larouche that Ellis Engineering Inc. be retained to complete a feasibility study report for the structure replacement on Colbeck Drive and the creek restoration work downstream of the culvert, in the amount of \$13, 280.00 plus applicable taxes.

CARRIED

03-100

04-120 Moved by Beaudoin and Grenier that the City of Welland retain Robert Martin Engineering Inc. of Niagara Falls, to provide engineering services for the Summit Avenue Area Watermain Replacement Phase 2 and Fitch Street Watermain Replacement Phase 1, as presented in report ENG-2004-35; and That the estimated consulting fees of \$23,516 for Summit Avenue Area Ph 2 and \$27,224 for Fitch Street Ph 1 be funded by means of Capital Budget allocations of \$380,000 and \$450,000 respectively, as approved in the 2004 Water Works Capital Budgets for the two projects; and further That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

04-5 Moved by Beaudoin and Larouche that the presentation by Jim Ryan, Vice Chair of the Board of Governors and Chair of the Niagara College Foundation, and Dan Patterson, President, Niagara College Re: Niagara College Update: Progress and Plans be received for information.

CARRIED

04-5 Moved by Beaudoin and Larouche that the request by Niagara College to renew the \$30,000.00 per year, 5 year contract be referred to staff for study and report.

CARRIED

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

1	09-Jun-04	\$	47,049.42
2	15-Jun-04		1,337,958.49
3	17-Jun-04		1,204,343.00
4	21-Jun-04		5,396,626.33
5	23-Jun-04		59,670.32
6.	25-Jun-04		74,722.65
7.	29-Jun-04		273,122.25
8.	30-Jun-04		45,331.04
9.	05-Jul-04		220,401.03
10.	07-Jul-04		76,129.20
11.	08-Jul-04		272,220.03
12	12-Jul-04		<u>128,292.00</u>
	Total	\$	9,135,865.76

CARRIED

04-13 Moved by Spadafora and Larouche that Council authorizes Harper Detroit Diesel Limited of Hamilton to refurbish the engine of Transit Bus #118, a 1991 35' Orion Model 15 transit vehicle, as per the quotation of June 29, 2004 for a total of \$35,441 plus tax.

CARRIED

04-13 Moved by Spadafora and Larouche that Council authorizes Central Transportation Repair-Dunnville to make chassis refurbishing repairs necessary for Transit Bus #115, a 1990 40' OBI Orion V transit vehicle, as per the quotation for a total of \$43,660 plus tax.

CARRIED

04-14 Moved by Spadafora 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 referred to the Human Resources Committee for review

and report to Council.

CARRIED

04-15 Moved by Spadafora and Larouche

1. That staff be authorized to open the two (2) tenders received for pager devices that have been received; and
2. The staff be authorized to purchase pagers from the lowest tender meeting the criteria, subject to the tender being within budget.

CARRIED

04-15 Moved by Sharpe and Alexander that Welland City Council supports the resolution from the Municipality of North Grenville regarding Bill 52 an Act to Amend the Fire Protection and Prevention Act to protect the employment of volunteer firefighters; and
That the City Clerk advise the appropriate authorities accordingly.

NOT PUT

04-15 Moved by O'Dell and Belcastro that the request from the Municipality of North Grenville regarding Bill 52 an Act to amend the Fire Protection and Prevention Act in order to protect the employment of volunteer firefighters be referred to staff for review and report to the August 17th, 2004 Regular Council Meeting if time permits.

CARRIED

04-15

04-19 Moved by Beaudoin and Larouche that the City of Welland retain of JMC Transportation Group of St. Catharines, to provide engineering services for the Welland Arena and Prince Charles Fire Hall (Station No. 2) parking lots rehabilitation, as presented in report ENG-2004-34;
That the estimated consulting fees of \$24,318.00 be funded by means of Capital Budget allocation of \$340,000, as proposed in the 2004 Facilities Capital Budgets for parking lot improvement projects; and
That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

04-18 Moved by Spadafora and Larouche that Report CM-2004-31, May 2004 Departmental Reports be received for information.

CARRIED

04-19 Moved by Alexander and Sharpe that Council direct staff to facilitate the development of a Parks and Recreation Master Plan Steering Committee to oversee the Master Plan process as outlined in Report P&R-2004-18.

CARRIED

04-20

04-119 Moved by Spadafora and Larouche that Welland City Council has no objection to the issuance of a Special Occasion Permit for the "Niagara Food Festival" to be held at Merritt Island on Friday, September 24 to Sunday, September 26, 2004 and designates this event as a Community Festival subject to the satisfactory completion of the Municipal application for Community Festivals and Special Occasion Permits.

CARRIED**04-20****04-21**

04-119 Moved by Spadafora and Larouche that the letter from Tourism of Welland Niagara requesting permission for a Special Occasion Permit, a fireworks display, exemption to the Noise By-law and temporary street closures during the "Niagara Food Festival" to be held on September 24, 25, and 26, 2004 be received and referred to staff for study and report to the August 17, 2004 Regular Council Meeting.

CARRIED**04-26**

Moved by Fortier and Dzugan that Council accept the tender from Serianni Construction Ltd. for the 2004 Sidewalk Repair and Replacement Program and Utility Cut Related Concrete Reinstatement, as presented in report ENG-2004-32;

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 \$239,272.75, plus applicable G.S.T.

That the estimated project cost, based on the low tender, in the amount of \$255,000.00 be funded from the 2004 Roadways and Sidewalks Capital Budgets, Sanitary Sewers and Water Utility Cut budgets, Municipal Incentive Grant Fund (MIG), all detailed as follows:

\$175,000.00 from Capital Budget – Replacement Program

\$ 25,000.00 from Capital Budget – Curb and Gutter Repair and Replacement

\$ 14,500.00 from Operating Budget – Sanitary Sewers Concrete & Curb Rehab

\$ 21,750.00 from Operating Budget – Water Concrete & Curb Rehab

\$ 6,000.00 from Municipal Incentive Grant Fund (MIG) – Promenade Richelieu/Eastdale Neighbourhood

That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same

CARRIED**04-29**

Moved by Sharpe and Grenier that the Regular Council Meeting of July 20, 2004 reconvene if necessary, at 5:00 p.m. on Wednesday, July 21, 2004 to complete the agenda.

CARRIED**04-37**

Moved by Fortier and Belcastro that the petition signed by residents regarding water rates for 2004 be filed in the Clerk's Department for information.

CARRIED

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

04-46 Moved by Spadafora and Larouche that Council approve the purchase of one (1) John Deere Zero Turning Radius Mower Model 757 complete with a 54" commercial mower seven (7) iron deck at a cost of \$10,106.00.

CARRIED

04-46 Moved by Spadafora and Larouche that Council approve the purchase of:

- a) One (1) Wheel Mounted Diesel Engine Powered Silenced Air Compressor from United Rentals
- b) One (1) Pick Up Crew Cab Truck from David Chevrolet
- c) One (1) Pick up Crew Cab Truck c/w Wilcox Service Body from David Chevrolet
- d) Two (2) Dump Trucks 39,000 GVW Single Axle c/w Sander Body, Controls, Snow Plow and Wing from Archer Truck Centre

those being the lowest tender submissions meeting specifications.

CARRIED

04-82 Moved by Spadafora and Larouche that the letter from Gerb Sammut, S.N.S. Pavement Maintenance 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 Spadafora 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

04-92 Moved by Spadafora and Larouche that Council be again directed to review its sign by-law for the purposes of eliminating the posting of advertisements on utility poles and public places (unless designated) and providing for the location of designated signage facilities for public expression in areas such as:

City Transit Terminal

City walkway(s) near Niagara College and Seaway Mall

Canal Trails

CARRIED

04-104 Moved by Beaudoin and Chiochio that Council accepts the tender of Hard-Rock Construction Inc. for the Roadway Resurfacing Program 2004, as presented in report ENG-2004-31; and 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 \$696,143.00, plus applicable G.S.T.; and further

That the estimated project cost in the amount of \$851,000.00 be funded from the approved 2004 Roadways Capital Budget, by means of long-term financing through Regional Niagara Debenture Issues in the amount of \$725,000.00. Balance to be funded via reserves and other funding.

CARRIED

04-105 Moved by Spadafora and Larouche that Council accept the tender quotation from ChemAqua for the supply of water treatment chemicals, test reagents and preventative maintenance services to steam boilers, evaporative cooling towers and chillers at locations throughout the City of Welland for a period of three years at a total cost of \$18,999.00 plus applicable taxes, this being the lowest of the three tender quotations received.

CARRIED

04-107 Moved by Spadafora and Larouche that Report PDS-2004-33 dated July 20, 2004 Re: Request from residents on Talbot Avenue to delete requirements for sidewalks be referred to the October 19, 2004 Regular Council Meeting.

CARRIED

04-115Z Moved by Larouche and Beaudoin that the Statutory Public Hearing scheduled for the July 20th Council Meeting regarding an application to amend By-law 1538, Part Lot 11, Concession 5, former Township of Crowland, Part 22 on Plan 59R-7377 for lands on the north side of Buchner be postponed and referred to the August 17th Council Meeting as requested by the applicant Phil Fisher, Phil Fisher and Associates Limited in a faxed letter dated July 7, 2004.

CARRIED

04-116 Moved by Spadafora and Larouche that Welland City Council approves the processing of the structure and property referred to as the "King-Hill House" at 81 Bald Street for heritage designation pursuant to the provisions of Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

CARRIED

04-117 Moved by Fortier and Beaudoin that the City of Welland enter into an agreement with Ecoplans Limited to carry out and develop a Salt Management Plan study for the winter maintenance of the roads of the City of Welland, all at a total estimated cost of \$20,300 plus tax.

CARRIED

04-118 Moved by O'Dell and Spadafora that Report TRAF-2004-22 concerning the Prince Charles Drive Bridge Rehabilitation between Lincoln Street and Ontario Road, be received for information; and further That Staff be directed to continue discussions with Regional Staff to express Council's concerns with respect to diverting traffic onto Broadway and Riverside Drive including the need to keep at least one lane open over the Prince Charles Drive Bridge.

CARRIED

04-122 Moved by Spadafora and Larouche that Welland City Council supports the resolution from the City of Thorold to maintain the Victorian Order of Nurses (VON), Niagara Branch in their effort to overturn the decision by Community Care Access Centre (CCAC) Niagara to discontinue the short visit nursing care services provided by the VON; and That the Clerk advise the proper authorities accordingly.

CARRIED

04-122 Moved by Grimaldi and Dzugan
Whereas, The future of Niagara's Victorian Order of Nurses is in peril of ceasing operation in the Niagara area; and
Whereas, The Niagara Victorian Order of Nurses have been a community support group in Niagara for

over fifty years; and

Whereas, Community Care Access Centre Niagara recently announced its acceptance of proposals from St. Elizabeth Health Care of Hamilton and Toronto and Care Partners of Windsor; and

Therefore, be it resolved that the City of Welland petition the Provincial Government to:

- 1) Halt the RFP process until a full and comprehensive review has been completed
- 2) Reinstate traditional non-profit public health care as care givers and that competition for these vital services be abandoned; and

That a copy of the resolution be forwarded to Premier Dalton McGuinty; Minister of Health George Smitherman; MPP Peter Kormos; the Association of Municipalities of Ontario; the Federal Government; MP John Maloney; and all other Region of Niagara Municipalities for their endorsement.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

01-108 Moved by Belcastro and Grenier that Council grant a three (3) month extension (to the end of September 2004) for the closing of the transaction between Multi Use Centre Group with Open Doors Concepts Inc. respecting 17-19 East Main Street, conditional upon the group providing copies of any studies carried out on the building to the City of Welland.

CARRIED

04-113 Moved by Spadafora and Dzugan that Report PDS 2004-30 Re: Offer to Purchase City Owned Lands East Side of Aqueduct Street North of Thorold Road, be referred for consideration in the Parks Master Plan; and further

That the Parks Master Plan address similar situations (to this request) across the entire City.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

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

04-22

BYL 2004 - 91

A By-law to amend By-law 10721, being a By-law to provide for Regulating, Supervising and Governing the Parking of Vehicles in various Municipal Parking Facilities.

04-3

BYL 2004 - 92

A By-law to amend By-law 10057, being a By-law providing for the Licensing of Charitable or Religious Organizations to conduct Bingo Lotteries, Raffle Lotteries, Break Open Ticket Lotteries, or Lottery Schemes held at Bazaars within The City of Welland; and to Repeal By-law 11139.

04-13

BYL 2004 - 93

A By-law to authorize the entering into an Agreement with Streetseen Media to

provide advertising on Welland Transit Conventional Fleet.

04-22

BYL 2004 - 94

A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland, to enforce the provisions of the Handicapped By-law 9840 and the Fire Route By-law 10011 at the Welland County General Hospital, and to Repeal By-law 2003-181.

04-24

BYL 2004 - 95

A By-law to amend By-law 10176, being a By-law to establish a comprehensive policy for all Non-Union Employees of the Corporation of the City Of Welland respecting certain terms and conditions of employment.

...continued...

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

98-62

BYL 2004 - 96

A By-law to authorize the signing of a Subdivider's Agreement with 1434386 Ontario Inc. with respect to the development of the Masters at Hunters Pointe – Phase 1 Subdivision.

98-62

BYL 2004 - 97

A By-law to accept the transfer of certain 0.3 metre reserves and lands for open space purposes from 1434386 Ontario Inc. to the Corporation of the City of Welland in the Masters at Hunters Pointe – Phase 1, Subdivision (File 26T-14-97005).

01-42

BYL 2004 – 98

A By-law to lay out, establish and name Part of Lot 112, Plan NS20 being Part 2, Plan 59R- being a 0.3 metre reserve for the City of Welland as Part of Wellbrook Boulevard.

01-42

BYL 2004 - 99

A By-law to lay out, establish and name part of Lot 112, Plan NS20 being Part 1, Plan 59R- being a 0.3 metre reserve for the City of Welland as Part of Lynbrook Lane.

01-43

BYL 2004 - 100

A By-law to lay out, establish and name Block 82, Plan 59M-299 being a 0.3 metre reserve for the City of Welland as part of Carlisle Drive.

01-42

01-43

BYL 2004 - 101

A By-law to lay out, establish and name Blocks 81 and 85, Plan 59M-299 and Block 88, Plan 59M-320 being a 0.3 metre reserve for the City of Welland as part of Hillsdale Road.

98-152

BYL 2004 - 102

A By-law to amend By-law 11325, being a By-law to provide for paying remuneration to Members of the Council and extended medical benefits to the Mayor.

04-22

BYL 2004 - 103

A By-law to amend By-law 2003-11, being a By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland.

...continued...

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

04-1

BYL 2004 - 104

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 29th day of June, 2004 and 20th day of July, 2004.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Spadafora and Larouche that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, as amended, 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, August 11, 2004 for inclusion on the next Regular Council Meeting Agenda of August 17, 2004.

Council adjourned at 11:05 p.m.

These Minutes approved and adopted by Motion of Council this 17th day of August, 2004.

MAYOR

CLERK