

REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 14-2004

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, August 19, 2004 commencing at 6:35 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Almas, Bailey, Baty, Bentley, Bodner, Brock; Burroughs, Casselman, Collins, Eke, Gabriel, Goulbourne, Harry, Heit, Hildreth, Hodgson, Katzman, Leavens, Marshall, Martin, Mastroianni, Redekop; Rigby; Salci, Saracino, Smeaton; Timms; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Farley, Director, Planning Services; Ms. Gilroy, Acting Regional Clerk; Dr. Klooz, Associate Medical Officer of Health; Messrs. Neville, Commissioner, Public Works; Nicol, Commissioner, Human Resources; Ventresca, Acting Commissioner, Social Services; Deputy Chief Moody; Ms. Reilly, Legislative Assistant; Ms. Pilon, Legislative Assistant.

Other Staff
(Part-time): Dr. Williams, Medical Officer of Health; Chief Nicholls; Messrs. Banting, Director, Legal Services; Bowles, Executive Assistant to the Regional Chair; Brcic, Director, Wastewater and Water Services Division; Jones, Director, Administrative Services; Robson, Director, Corporate Strategy; Sidawi, Director, Operational Support Services.

CLOSED COMMITTEE OF THE WHOLE

321. Moved by Councillor Collins
Seconded by Councillor Bentley

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

322. Economic Growth Strategy Steering Committee

Moved by Councillor Harry
Seconded by Councillor Bentley

That the membership of the Economic Growth Strategy Steering Committee, as outlined in the confidential memo dated August 18, 2004 from Peter Partington, Regional Chair and Mike Trojan, Chief Administrative Officer, be approved.

Carried.

COMMITTEE OF THE WHOLE, RISE AND REPORT

323. Moved by Councillor Brock
Seconded by Councillor Rigby

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:35 p.m. with an Invocation by Councillor Redekop followed by the singing of O' Canada.

324. **CONFLICTS OF INTEREST**

Councillor Goulbourne declared an indirect pecuniary interest with respect to Report PWA 145-2004, August 10, 2004, respecting the Niagara College Training for Water and Wastewater Maintenance, as he is employed by Niagara College, and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Heit declared an indirect pecuniary interest with respect to any matters that deal with wireless communication as he is employed by a wireless communication company and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Hildreth declared an indirect pecuniary interest with respect to Report DPD 98-2004, Consent Summary from July 1, 2004 to July 31, 2004, as her property is listed within the report and she therefore took no part in the discussion of, or voting on, this matter.

Councillor Katzman declared an indirect pecuniary interest with respect to the matter of Minute Item # 217, in the Planning Services Committee minutes, respecting Report DPD 102-2004, Niagara Parks Commission, Municipal Planning and the Proposed Great Gorge Interpretive Tour as she is related to the Vice-Chair of the Niagara Parks Commission and therefore took no part in the discussion of, or voting on, this matter.

Councillor Smeaton declared an indirect pecuniary interest to any matters related to the Seniors Homes as he is employed by a Seniors Home and he therefore took no part in the discussion of, or voting on, these matters.

ADOPTION OF THE AGENDA

325. Moved by Councillor Collins
Seconded by Councillor Bentley

That Council Agenda CL 14-2004 be approved as amended to move forward the Corporate and Financial Services Committee and Planning Services Committee minutes to be dealt with immediately following the presentations.

Carried.

326. **CHAIRMAN'S REMARKS**

The Regional Chair provided the following remarks:

- Regional Chair Partington thanked Bokestyn Greenhouses in Jordan Station for the assortment of potted plants adorning the Council Chambers.
- The Chair announced that he received word today that the Ontario Minister of Health, The Honourable George Smitherman, signed the Ambulance Dispatch contract. The Region can now move forward in confidence with the transition.

APPROVAL OF MINUTES

327. Report 13-2004

Moved by Councillor Bailey
Seconded by Councillor Mastroianni

That Report 13-2004, being the minutes of the Proceedings of Council of Thursday, July 22, 2004, be approved and adopted.

Carried.

CORRESPONDENCE

328. The following Communications were received and dealt with as follows:

C6300 Card of thanks from Judy Intini and family for the kind donation to the West Lincoln Memorial Hospital Foundation in memory of her husband Gabriel Intini a long time employee of the Public Works Department.

Received.

C6301 Card of thanks from Jan Kaye, an employee of the Community Services Department, and family for the kind donation to the Interservice Christian Fellowship of Canada in memory of her father Tom Longhurst.

Received.

C6302 Member Communication Alert from the Association of Municipalities respecting nominations to the 2004 – 2005 Board of Directors.

Received.

C6303 Card of thanks from Regional Councillor Debbie Zimmerman and family expressing appreciation for support and kindness during this most difficult time in their lives with the passing of their son Matt.

Received.

C6304 Peter Partington, Regional Chairman (August 9, 2004) respecting Resolutions from other Municipalities.

The Township of Greater Madawaska resolution demanding the total repeal of all sections of Regulation 170/03 Safe Drinking Water Act that deals with untreated water systems.

Received.

C6305 Schedule of Regular Meetings of Regional Council and Standing Committees September 7, 2004 to December 16, 2004.

Approved.

- C6306 Christine Kerr, the 2002 recipient of the Silver Anniversary Bursary (August 17, 2004) expressing gratitude to Regional Council and staff for the bursary and the opportunities she has experienced.

Received.
- C6307 Sarah Beech, the 2001 recipient of the Silver Anniversary Bursary (August 12, 2004) expressing gratitude to Regional Council and staff for the bursary and the opportunities she has experienced.

Received.
- C6308 Card of thanks from Laurie Lloyd, an employee of the Community Services Department, and family for the kind donation to the Canadian National Institute for the Blind (CNIB) in memory of her father Thoms Gardner.

Received.
- C6309 Katherine Glowacz, the 2003 recipient of the Silver Anniversary Bursary (August 18, 2004) expressing gratitude to Regional Council and staff for the bursary and the opportunities she has experienced.

--Received.
- C6310 Memorandum from Regional Councillor Doug Martin (August 19, 2004) inviting Members of Council to attend a meeting with General Motors Representatives regarding Property Tax Issues.

--Received.
- C6311 Memorandum from Brian Hutchings, Director Social Assistance and Employment Opportunities, Community Services Department (August 19, 2004) respecting Report COM 56-2004, Ontario Works and Ontario Disability Support Program Rate Increase.

--Received.

Moved by Councillor Baty
Seconded by Councillor Timms

That Communications C6300 to C6311 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

PRESENTATIONS

329. Emma Lowman
Silver Anniversary Bursary Recipient 2000

Emma Lowman, Recipient, of the 2000 Silver Anniversary Bursary Award, attended to express appreciation to Buffett Taylor & Associates and the Region of Niagara and members of Council for the opportunities presented to her on receiving the Award. Ms. Lowman apprised Council of both her personal experiences and academic achievements while attending McMaster University. Ms. Lowman earned a Degree in Arts & Science combined with French and a minor in Biology.

330. 2004 Recipient and Finalists
Silver Anniversary Bursary 2004

Regional Chairman Peter Partington, together with Councillor Saracino, Chair, Bursary Adjudication Committee and Josie Ainsworth, Senior Service Consultant, Buffett Taylor & Associates Ltd. presented the 2004 Silver Anniversary Bursary Awards. As part of Regional Niagara's Silver Anniversary Celebration in 1995, the firm of Buffet Taylor and Associates established a bursary at McMaster University for students from the Region of Niagara. The 2004 Silver Anniversary Bursary in the amount of \$2,000 (and may continue during undergraduate studies for up to four years), was awarded to Lauren Mackenzie Scott. Finalists Kelly Lyn Maracle, Laura Coppola, and Kathleen Janet Kucyt were awarded \$100 each.

331. 2004 Recipients and Finalists
Regional Chair's Bursary for Brock University
Regional Chair's Bursary for Niagara College

Regional Chairman Peter Partington, together with Councillor Saracino, Chair, Bursary Adjudication Committee, presented the 2004 Regional Chair's Bursaries for Brock University and Niagara College. The 2004 Regional Chair's Bursary for Brock University, in the amount of \$1,000, was awarded to Erik William Janssen. Finalists Anthony Paul Scaringi and Tania Ann Pellegrino will each be awarded \$100.

The 2004 Regional Chair's Bursary for Niagara College, in the amount of \$1,000, was awarded to Graham David Scholl. Finalists, Blair Abraham Delazzer, Dustan James Picken and Tracey Elizabeth Lines each will be awarded \$100.

332. T. Roy Adams Humanitarian of the Year Award 2004

Regional Chairman Peter Partington, together with Regional Councillor Tim Rigby, Chair, Adjudication Committee, and Katie Adams, Granddaughter, presented the T. Roy Adams Humanitarian of the Year Award 2004 to Margaret and Bob Ferguson, who were nominated together as a "team" for their community spirit and outstanding achievements in volunteer work.

COMMITTEE REPORTS

CORPORATE AND FINANCIAL SERVICES COMMITTEE

333. Report 18-2004

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report CFS 18-2004, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, August 11, 2004, be approved and adopted.

Moved by Councillor Martin
Seconded by Councillor Rigby

That Report CSD 122-2004/PWA 146-2004 respecting Waste Management Financing Options Study be lifted and dealt with separately by this Council at this time:

Carried.

Moved by Councillor Rigby
Seconded by Councillor Martin

That Report CSD 122-2004/PWA 146-2004 respecting Waste Management Financing Options Study be deferred for further report and consultation with area municipalities.

Carried.

Moved by Councillor Martin
Seconded by Councillor Salci

That Report CLK 06-2004, August 11, 2004, respecting Vacant Seat on Regional Council, be lifted and dealt with separately by this Council at this time.

Carried.

Moved by Councillor Salci
Seconded by Councillor Bailey

That Ms. Anne Angelone be appointed as Regional Councillor for Niagara Falls to fill the seat left vacant by Rob Nicholson who was elected as a Member of Federal Government.

Carried.

Moved by Councillor Harry
Seconded by Councillor Zimmerman

That Ms. Angelone be appointed to fill the vacancy on the Niagara Peninsula Conservation Authority Board, subject to her swearing the Oath of Office.

Carried.

Moved by Councillor Rigby
Seconded by Councillor Almas

That staff prepare a report to Council on a recommended policy and procedure for the purpose of filling vacant Regional Councillor seats as required in specific instances.

Defeated.

Upon a vote being taken, the Regional Chair declared the original motion, respecting Corporate and Financial Services Committee Report 18-2004, approved, as amended.

PLANNING SERVICES COMMITTEE

334. **Report 13-2004**

Moved by Councillor Eke
Seconded by Councillor Goulbourne

That Report PSC 13-2004, being the minutes of the Planning Services Committee meeting of Wednesday, August 11, 2004, be approved and adopted.

Moved by Councillor Heit
Seconded by Councillor Burroughs

That minute item 224 respecting Communication Program – Agricultural Industry in Niagara, be lifted and dealt with separately by this Council at this time.

Carried.

Moved by Councillor Heit
Seconded by Councillor Rigby

That the last recommendation of minute item 224, Communication Program – Agricultural Industry in Niagara, be amended to read as follows:

“And further that it is recognized that the agricultural organizations will contribute financially along with Regional Niagara from the consulting portion of the Office of Corporate Strategy’s budget to a maximum of **\$50,000.**”

Moved by Councillor Martin
Seconded by Councillor Collins

That minute item 207, DPD 91-2004, Final Recommendations Report Regional Policy Plan Amendment 195 Consent to Sever – Bertie Street, Town of Fort Erie, be lifted and dealt with by this Council at this time.

Carried.

Upon a vote being taken, the original motion respecting Report DPD 91-2004, as contained in PSC 13-2004, was approved.

Moved by Councillor Bentley
Seconded by Councillor Redekop

That the following further motion respecting Minute Item 216 respecting DPD 101-2004, Comments on the Draft provincial Policy Statement and Proposed Reforms to The Planning Act, be approved:

“That the Region of Niagara request the Province to update their information on the agricultural land map as soon as possible so that when the greenbelt policies are implemented they contain accurate information and that the Region of Niagara advise the Province of any inconsistencies in the land map that they are aware of.”

Carried.

Upon a vote being taken, the Regional Chair declared the original motion respecting Planning Services Committee Report 13-2004, approved, as amended.

CLOSED COMMITTEE OF THE WHOLE

335. Moved by Councillor Burroughs
Seconded by Councillor Timms

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to personnel matters.

Carried.

336. Integrated Common Services Project Report
CAO 16-2004

Moved by Councillor Brock
Seconded by Councillor Timms

That the remainder of the agenda respecting the Integrated Common Services Project Report, be deferred to the earliest appropriate date.

Defeated.

Moved by Councillor Rigby
Seconded by Councillor Zimmerman

That Regional Council now hear from the members of the Corporate Management Team.

Carried.

Following a brief discussion, Regional Council requested that the members of the Corporate Management Team excuse themselves from the proceedings.

337. Moved by Councillor Heit
Seconded by Councillor Bentley

That this Council do now rise with report.

Carried.

Regional Council reconvened its meeting in Open Session at 10:20 p.m.

BUDGET REVIEW COMMITTEE

338. Moved by Councillor Brock
Seconded by Councillor Eke

That Report 2-2005 Budget, being the minutes of the Budget Review Committee meeting of Wednesday, August 18, 2004, be approved and adopted.

Carried.

**JOINT CORPORATE AND FINANCIAL SERVICES COMMITTEE
AND PUBLIC WORKS & UTILITIES COMMITTEE**

339. Report CFS 17-2004/PW 17-2004

Moved by Councillor Brock
Seconded by Councillor Eke

That Report CFS 17/PW 17-2004, being the minutes of the Joint Corporate and Financial Services Committee and Public Works and Utilities Committee meeting of Tuesday, August 10, 2004, be approved and adopted.

Carried.

COMMUNITY SERVICES COMMITTEE

340. Report 12-2004

Moved by Councillor Brock
Seconded by Councillor Eke

That Report CSC 12-2004, being the minutes of the Community Services Committee meeting of Monday, August 9, 2004, be approved and adopted.

Carried.

HUMAN RESOURCES COMMITTEE

341. Report 7-2004

Moved by Councillor Brock
Seconded by Councillor Eke

That Report 7-2004, being the minutes of the Human Resources Committee meeting of Tuesday, August 10, 2004, be approved and adopted.

Carried.

PUBLIC HEALTH SERVICES COMMITTEE

342. Report 13-2004

Moved by Councillor Brock
Seconded by Councillor Eke

That Report PHSC 13-2004, being the minutes of the Public Health Services Committee meeting of Monday, August 9, 2004, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

343. Report 16-2004

Moved by Councillor Brock
Seconded by Councillor Eke

That Report PW 16-2004, being the minutes of the Public Works and Utilities Committee of Tuesday, August 10, 2004, be approved and adopted.

Carried.

BY-LAWS

344. Moved by Councillor Brock
Seconded by Councillor Eke

That the following bills be now read and do pass:

Bill 100

A by-law to add a portion of a Lower-Tier Highway to the Region's Highway System and to establish part of the road allowance between Stamford Township Lots 174 and 175 in the City of Niagara Falls as part of Regional Road No. 102 (Stanley Avenue).

Bill 101

A by-law to remove a highway from the Regional Road System in the City of Thorold.

Bill 102

A by-law to remove a highway from the Regional Road System in the City of Niagara Falls.

Bill 103

A by-law to establish part of Lot 210, plan M11, in the Town of Niagara-on-the-Lake as part of Regional Road No. 87 (Lakeshore Road).

Bill 104

A by-law to close and convey part of the excess untravelled portion of Regional Road No. 69 (Pelham Road) in the City of St. Catharines.

Bill 105

A by-law to provide for the adoption of Amendment 195 to the Official Plan for the Niagara Planning area to facilitate a consent to sever on Bertie Street in the Town of Fort Erie.

Bill 106

A by-law to provide for the adoption of Amendment 185 to the Official Plan for the Niagara Planning area to update the servicing policies as they pertain to the extension of Sewer and Water services outside the Urban Area.

Bill 107

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 19th day of August, 2004.

Bill 108

A by-law to amend by-law No. 6200-91 being a by-law to provide for the Regulation of disabled person parking on Regional Highways.

Bill 109

A by-law to provide for the Regulation of traffic on Regional Highways in the City of St. Catharines.

Bill 110

A by-law to provide for the Regulation of traffic on Regional Highways in the Town of Grimsby.

Bill 111

A by-law to authorize debenture financing (1-10 years) in the amount of \$470,000 for Project ZRC0223, Rehabilitation of Structure No. 054205, Prince Charles Drive Bridge over CNR.

Carried.

CLOSED COMMITTEE OF THE WHOLE

345. Moved by Councillor Burroughs
Seconded by Councillor Martin

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to personnel matters.

Carried.

346. Moved by Councillor Rigby
Seconded by Councillor Collins

That Regional Council's curfew, be extended to Midnight.

Carried.

347. Integrated Common Services Project Report
CAO 16-2004

Moved by Councillor Brock
Seconded by Councillor Mastroianni

That Regional Council accepts Option "B", as detailed in CAO 16-2004, Integrated Common Services Project Report dated August 19, 2004.

Carried.

348. Moved by Councillor Heit
Seconded by Councillor Bentley

That this Council do now rise with report.

Carried.

ADJOURNMENT

The Council meeting adjourned at 11:55 p.m.

Janet Pilon
Legislative Assistant

Gail Reilly
Legislative Assistant

Peter Partington
Regional Chair

Pam Gilroy
Acting Regional Clerk