

# THE REGIONAL MUNICIPALITY OF NIAGARA

## PROCEEDINGS OF COUNCIL

### REPORT CL 8-2006

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The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, June 15, 2006 commencing at 6:35 p.m.

### ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning and Development; Nicol, Commissioner, Human Resources; Neville, Commissioner of Public Works; Bergsma, Commissioner of Corporate Services; Hutchings, Commissioner of Community Services; Dr. Klooz, Associate Commissioner, Public Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

#### Staff

(Part-Time): Messrs. Brcic, Director, Water & Wastewater Services; Campbell, Planner; Lorenzo, Manager, Chronic Disease; Draper, Business Partner, Strategic Communications; Bowles, Executive Assistant to the Regional Chair.

### CONFLICT OF INTEREST

212. Councillor Zimmerman declared an indirect pecuniary interest with respect to the any matters relating to property assessment, as she is Chair of the Municipal Property Assessment Corporation, and she therefore took no part in the discussion of, or voting on, these matters.

**CLOSED COMMITTEE OF THE WHOLE**

213. Moved by Councillor Harry  
Seconded by Councillor Eke

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.

**CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT**

214. Moved by Councillor Angelone  
Seconded by Councillor Leavens

That this Council do now rise without report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Bailey, followed by the singing of 'O Canada'.

**CONFLICTS OF INTEREST**

215. 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 Marshall declared an indirect pecuniary interest with respect to any matters relating to the Niagara Health System as he is employed by the Niagara Health System and he therefore took no part in the discussion of, or voting on, these matters.

**ADOPTION OF THE AGENDA**

216. Moved by Councillor Trombetta  
Seconded by Councillor Mastroianni

That the Council Agenda CL 8-2006 be adopted as presented.

Carried.

## PRESENTATIONS

### 217. Niagara Regions' 4<sup>th</sup> Annual Water For Life Poster Contest

Regional Chair Partington, Councillor Harry, Chair of the Water Strategy Implementation Committee and Mr. Brcic, Director, Water & Wastewater Services presented the winners of Niagara Region's 4<sup>th</sup> Annual Water For Life Poster Contest with their awards as follows:

In the Grade 3-4 category, the first place went to Miss Simran Sharma, a grade 4 student from Kate S. Durdan School in Niagara Falls. Second place went to Miss Hunter Foster, a grade 4 student from Crowland Central in Welland.

In the Grade 4-5 category, first place went to Miss Sarah Leach, a grade 6 student from St. Christopher School in St. Catharines and second place went to Mr. Philippe Fournier, a grade 6 student from Garrison Road School in Fort Erie.

In the Grade 7-8 category, first place went to Miss Brittany Porter, a grade 8 student from Kate S. Durdan in Niagara Falls and second place went to Miss Alison Shaw, a grade 7 student from Queen Mary's in St. Catharines.

Regional Council was advised that all of the winning posters will be posted on the Region's web site.

### 218. "Recognition of Excellence" Award Recipients Corporate Employee Recognition Team (CERT)

Regional Chair Partington, Councillor Collins and Mr. Trojan, Chief Administrative Officer presented the following employees with the following "Recognition of Excellence" awards:

Suzanne McPetrie, Sandra Noel, Lydia Torbicki, Jennifer Leadley, Tom Jamieson and Ryan Waterhouse the Best Start Mapping Team, received a Team Participation award for the creation on a mapping system which has enabled the Children's Services staff to better analyze areas of need, identify gaps in service and more effectively plan for service delivery.

Catherine O'Leary received a Personal Achievement award, as she has within her day-to-day professional life, gone above and beyond, through her leadership, positive attitude and willingness to help anyone who asks. Catherine, who has recently completed her BA will be pursuing her professional writing and editing skills through Ryerson University in Toronto.

Shirley Perron received a Personal Achievement award for her enormous contribution to the success of the Region's United Way campaign. Shirley is also active in the community and has recently been honoured by the Welland Tribune as a hometown hero for coordinating the Welland Food Drive.

219. 2006 Environmental Awards

Regional Chair Partington and Mr. Marotta, Chair of the Ecological and Environmental Advisory Committee were pleased to present the 2006 Environmental Awards. The Young People's Award was presented to the Maple Grove Public School in the Town of Lincoln for their dedication to environmental conservation for many years. The Volunteer Award was awarded to Land Care Niagara, a Region-wide organization dedicated to promoting environmentally responsible land management while respecting the rights of landowners. The Corporate Award was awarded to Stratus Vineyards in the Town of Niagara-on-the-Lake for their commitment to stewardship which was demonstrated in the development of their winery, the first building in Canada to receive LEED (Leadership in Energy and Environmental Design) certification from the Canadian Green Building Council. The Lifetime Achievement Award was awarded to Rob Eberly of the Town of Fort Erie, a founding member, director and past president of the Bert Miller Nature Club. Mr. Eberly has been an impassioned spokesman for environmental conservation.

220. "Clear Your Lungs"

Regional Council viewed the "Clear Your Lungs" video created by the St. Paul High School in Niagara Falls. The video was prepared as part of the Ministry of Health's promotion commitment to youth tobacco control, a great way for the youth of Niagara to be heard and show not only out creative skills but our ability to be tomorrow's leaders.

221.

**CHAIRMAN'S REMARKS**

Regional Chair Partington began by thanking Minister Jim Bradley for stating that the Provincial government will be releasing the Terms of Reference for the Niagara-GTA Corridor this week. The Regional Chair noted that Niagara Region will maintain its position of assisting the Provincial government wherever possible.

Regional Chair Partington advised Regional Council that he had, had an opportunity earlier this month to attend the Federation of Canadian Municipalities Annual General Conference in Montreal, where he spoke in favour of a resolution calling for the Western Hemisphere Travel Initiative deadline to be extended until alternative secure, inexpensive documents are available. The resolution also calls for an exemption for children to accommodate families and sports teams crossing the border.

The Western Hemisphere Travel Initiative was brought forward by the City of Toronto and supported by delegates present at the conference. The resolution will now be sent to the U.S. Ambassador to Canada, with the request that he forward FCM's concerns to the appropriate United States Government departments and officials.

Regional Council members were reminded of the June 22 Council Business Planning Session taking place from 5:00 to 8:30 p.m. at the Sheraton Four Points in Thorold. Members were encouraged to confirm their attendance with Clerk's Department staff as soon as possible.

Regional Council members were also reminded of an e-mail sent by Mr. Mike Trojan, CAO, which noted that as part of the ICS Peer Review, Western Management Consultants, who are conducting the review would like to solicit their feedback through a brief internet-based survey. A note in your packages this evening directed the members to the web address for the survey.

Regional Chair Partington thanked United Floral Distributors of Fenwick for the flowers on display in Council Chambers.

### **APPROVAL OF MINUTES**

222. Report 7-2006

Moved by Councillor Angelone  
Seconded by Councillor Redekop

That Report 7-2006, being the minutes of the Regional Council meeting of Thursday, May 25, 2006, be approved and adopted.

Carried.

### **CORRESPONDENCE**

223. Moved by Councillor Harry  
Seconded by Councillor Smeaton

That Communications C6780, C6781 and C6783 to C6786, be received and dealt with as noted:

C6780 Card of thanks from Carol Cosgrove, an employee of the Community Services Department, and family for the kind donation to Niagara Peninsula Conservation Authority in memory of her son, Brian William Cosgrove.

Received.

C6781 Memorandum from Carol Patterson, Program Manager, Waste Management Services (June 7, 2006) respecting the Special Events Recycling Program.

Received.

C6783 David Eke, Chair, Niagara Regional Housing Board (June 6, 2006) respecting the NRH Implementation Plan for Governance Review Recommendations.

Received.

C6784 John Gerretsen, Minister, Ministry of Municipal Affairs and Housing (May 30, 2006) respecting the resolution passed by the Council of the City of St. Catharines requesting a change in representation on Regional Council.

Received and referred to the Council Organization Review Committee (CORC) for deliberation during the next term of Council.

C6785 Memorandum from Chado Brcic, Director, Water and Wastewater Services (June 8, 2006) regarding Comments on Issues Raised at Planning and Public Works Committee meeting June 7, 2006, respecting PWA 113-2006 and PWA 118-2006.

Received.

C6786 Card of thanks from Alan Spencer, an employee of the Public Health Department, and family for the kind donation to the Welland General Hospital Foundation in memory of his mother, Muriel Spencer.

Received.

Carried.

224. Moved by Councillor Marshall  
Seconded by Councillor Almas

That Communications C6782 respecting the Tentative Meeting Schedule – Year End 2006, be received and approved.

Carried.

**COMMITTEE REPORTS**

**JOINT REPORTS**

225. Contract RN 06-21  
2006 Hot Mix Resurfacing Program – Part 1  
**PWA 127-2006/CSD 85-2006**

Moved by Councillor Smeaton  
Seconded by Councillor Harry

That Report PWA 127-2006 / CSD 85-2006, respecting Tender Award for Contract RN 06-21-2006 Hot Mix Resurfacing Program – Part 1 be received;

That Long Term Financing (1 -10 years) in the amount of \$1,601,000 gross and net be approved for Project ZRC0601 Roads Rehabilitation Program.

That Contract RN 06-21, 2006 Hot Mix Resurfacing Program - Part 1, be awarded to the low tenderer, Rankin Construction Inc., at its bid price of \$2,783,367.95.

That a contingency allowance in the amount of \$100,000 be provided for this contract.

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara, are presented to Regional Council on June 15, 2006.

That all project costs be charged against Project ZRC0601/RC0601.

Carried.

**PLANNING AND PUBLIC WORKS COMMITTEE**

226. Report 9-2006

Moved by Councillor Smeaton  
Seconded by Councillor Harry

That Report 9-2006 being the minutes of the Planning and Public Works Committee meeting of Wednesday, June 7, 2006, be approved and adopted.

Carried.

(Refer to Staff Directions)

**CORPORATE SERVICES COMMITTEE**

227. Report 8-2006

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report 8-2006 being the minutes of the Corporate Services Committee meeting of Wednesday, June 7, 2006, be approved and adopted.

Carried.

**PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE**

228. Report 8-2006

Moved by Councillor Timms  
Seconded by Councillor Baty

That Report 8-2006 being the minutes of the Public Health and Social Services Committee meeting of Tuesday, June 6, 2006, be approved and adopted.

Carried.

(Refer to Staff Directions)

**CHIEF ADMINISTRATIVE OFFICER'S REPORT**

229. Council Business Planning Sessions – Strategic Planning 2006  
**CAO 11-2006**

Moved by Councillor Heit  
Seconded by Councillor Marshall

That Report CAO 11-2006, June 15, 2006, respecting the Council Business Planning Sessions – Strategic Planning 2006, be received, and

That Regional Council endorses this report, which outlines the 2006 Strategic Priorities.

Carried.

230. Council Business Planning Session – Emergency Management  
**CAO 12-2006**

Moved by Councillor Heit  
Seconded by Councillor Marshall

That Report CAO 11-2006, June 15, 2006, respecting the Council Business Planning Session – Emergency Management, be received.

Carried.

**OTHER BUSINESS**

231. Summit 2006

Regional Council congratulated Mr. Robson and Ms. Neufeld for organizing a very successful event. Councillor Gabriel thanked Councillors Rigby, Brock, Burroughs, Zimmerman, Redekop and Salci for their participation in the day's events.

232. Options for Extending the Life of Niagara Region's Landfill Sites

Councillor Eke advised Regional Council that he had observed during his trip to the City of Halifax, three options for extending the life of Niagara Region's landfill sites, which would be forthcoming in a staff report.

Councillor Eke noted that the City of Halifax uses global positioning satellites to compact the landfill and observe whether it is at its maximum; the City of Halifax is split up into seven sections with the use of clear plastic bags, which has increased their recycling by 30%, another option is to stabilize the waste prior to land filling, which has provided the City of Halifax with a 9% savings in their landfill sites.

233. Town of Lincoln – Zoning By-law Amendment

Councillor Hodgson advised Regional Council of an issue that has arisen in the Town of Lincoln, where a private individual has placed ads in the areas newspapers advertising for volunteers to become members of a Public Liaison Committee, which is a lobbying group for the applicant who has applied for a zoning by-law amendment with the Town of Lincoln and the Niagara Region for a future compost facility.

Councillor Hodgson noted that the Town of Lincoln will be following the planning process and has retained a consultant to conduct a peer review, staff will be preparing a report and the public will be engaged further.

Councillor Hodgson requested Niagara Region's assurance that the process will not be threatened and that no Regional staff time or resources will be extended to the applicant and that the proposed Public Liaison Committee meetings will not be attended by Regional staff. Mr. Neville advised Regional Council that the Niagara Region does not get involved in advocating one applicant over the other.

234. Council Business Planning Session – June 22, 2006

Councillor Zimmerman and Councillor Smeaton noted the importance of attending the June 22, 2006 Council Business Planning Session, as the session will set planning strategies for the future. Regional Council was encouraged to speak to their representatives involved in the planning review.

235. Palliative Care Centre for West Niagara

Councillor Zimmerman thanked Councillor Hildreth, Chair, Community Services Committee for her diligence in maintaining the need for a Regional Senior's Home in West Niagara, which resulted in the acquisition of Deer Park Villa and with that acquisition came a great piece of property, which will now be utilized to house a palliative care centre in west Niagara.

Councillor Zimmerman also thanked Mr. Hutchings, Commissioner, Community Services for being involved in bringing the project to fruition.

236. Use of Sound-Sorb in Niagara Region

Councillor Leavens advised Regional Council of an instance in the Town of Pelham where a product called Sound-Sorb is being used to build a sound berm in the Town of Pelham. Sound-Sorb is a paper fibre biosolids produced by mixing the paper fibre waste with mineral soil.

The use of this material is of importance for all area municipalities, as the Town of Pelham has discovered that only one of the six recommendations contained in the Report of the Experts Panel on Sound-Sorb has been implemented by the Ministry of the Environment. The Town of Pelham will be bringing forward a resolution for the area municipalities and Regional support, requesting that the Ministry of the Environment implement the remaining recommendations in order to sustain the environmental future of Niagara Region.

Councillor Bodner advised Regional Council that the City of Port Colborne is also dealing with a sound berm and the City would be willing to join the Town of Pelham to form an alliance on this matter.

Councillor Trombetta advised Regional Council that the Township of West Lincoln had dealt with a similar incident and that the Ministry of the Environment has policies in place, however, they are not regulations and this material is a patented item that is federally regulated.

Councillor Marshall requested that the site alteration by-laws be revisited, Mr. Cambray advised Regional Council that the Niagara Area Planners will be meeting in the very near future and that this matter will be put on their agenda.

237. Balls Falls Master Plan

Councillor Collins advised Regional Council that the Balls Falls Master Plan was approved unanimously by the Niagara Escarpment Commission. The approval of the plan will boost Niagara's eco-tourism initiatives.

238. Rain Barrels

Councillor Collins advised Regional Council that there were 1200 rain barrels purchased in the City of St. Catharines and that another sale is planned for the Town of Niagara-on-the-Lake and will most likely prove to be worthwhile.

239. Hospital Funding Increased

Moved by Councillor Baty  
Seconded by Councillor Bentley

That Regional Council request that the Regional Chair communicate with the Premier of Ontario and the Minister of Health and Long Term Care to express appreciation and support for their decision to fund the West Lincoln Hospital and the Niagara Health System Hospital programs at a 90% funding level.

Carried.

**BY-LAWS**

240. Moved by Councillor Katzman  
Seconded by Councillor Baty

That the following bills be now read and do pass:

Bill 48

A By-Law to Amend By-law 37-2006 being a By-Law to Set and Levy the Rates of Taxation for Regional general and Special Purposes for the Year 2006.

Bill 49

A By-Law To Establish Part Of The Road Allowance Between Lots 8 And 9, Concession 2, In The Town Of Grimsby, As Part Of Regional Road No. 12 (Mountain Road)

Bill 50

A By-Law To Establish Part Of Township Lot 172, In The City Of Niagara Falls As Part Of Regional Road No. 49 (Mcleod Road)

Bill 51

A By-Law To Establish Part Of Township Lot 77, In The City Of Niagara Falls As Part Of Regional Road No. 57 (Thorold Stone Road)

Bill 52

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 15<sup>th</sup> of June, 2006.

Carried.

241. Moved by Councillor Leavens  
Seconded by Councillor Martins

That the following bill be now read and do pass:

Bill 53

A By-law to Amend By-law 18-2006, being a By-law to Establish Fees and Charges for Services and Activities provided by the Regional Municipality of Niagara and for the use of its property.

Carried.

**STAFF DIRECTIONS**

Staff were requested to:

- meet with the Town of Fort Erie to discuss the proposed start dates of the project to evaluate whether there are any opportunities to move the initiation of the project forward - PWA 113-2006 (addressed in Communication C6785) – Councillor Redekop (Refers to Minute Item 227)
- report back on whether there would be any additional construction costs associated with this project - PWA 118-2006 (addressed in C6785) – Councillor Redekop (Refers to Minute Item 227)
- provide Regional Council with further information on Report COM 35-2006/PHD 40-2006, as the subject is of interest to most of the area's municipalities - Councillor Redekop (Refers to Minute Item 229)
- prepare a comparison of Niagara Region's past responsibility with Niagara's Smoke Free By-law and Niagara's present responsibilities under the provincial Smoke Free Ontario Act - Councillor Timms (Refers to Minute Item 229)

**ADJOURNMENT**

The Council meeting adjourned at 8:40 p.m.

Peter Partington  
Regional Chairman

Janet Pilon  
Deputy Clerk

Pam Gilroy  
Regional Clerk