

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 1-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, January 18, 2007 commencing at 6:45 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn; Badawey, Baty; Bentley; Burroughs; Bylsma; Casselman; Collins; Cordiner; D'Angela; Forster; Gabriel; Goulbourne; Greenwood; Heit; Henderson; Hodgson; Katzman; Lepp; Marshall; Martin; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Zimmerman.

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

Staff

(Part-Time): Messrs. Kyne, Director, Legal Services; Bowles, Executive Assistant to the Regional Chair; Bernard, Manager Court Services; Friesen, Director, Waste Management; Ms. Rae, Legal Counsel.

CLOSED COMMITTEE OF THE WHOLE

1. Moved by Councillor Bentley
Seconded by Councillor Marshall

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.

2. Personnel Matter

Moved by Councillor Gabriel
Seconded by Councillor Katzman

That the Chief Administrative Officer, be authorized to proceed as recommended.

Carried.

3. Appointments to the Niagara Peninsula Conservation Authority
Confidential Memorandum

Moved by Councillor Gabriel
Seconded by Councillor Forster

That the Confidential Memorandum respecting the appointments to the Niagara Peninsula Conservation Authority, be received and the recommendations contained therein be approved.

Carried.

4. A Matter of Solicitor-Client Advice
Confidential Memorandum

Moved by Councillor Marshall
Seconded by Councillor Rigby

That the Confidential Memorandum respecting A Matter of Solicitor-Client Advice, be received and the recommendation contained therein be approved.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

5. Moved by Councillor Badawey
Seconded by Councillor McMullan

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:45 p.m. with an Invocation by Councillor Augustyn, followed by the singing of 'O Canada'.

CONFLICTS OF INTEREST

6. Councillor Collins declared an indirect pecuniary interest with respect to any matter concerning the Niagara Polices Services Board, as a family member is an employee of the Police Services, and he therefore took no part in the discussion of, or voting on, these matters.

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 Katzman declared an indirect pecuniary interest with respect to Planning and Public Works Committee Minute Item 24 respecting Report DPD 6-2007, Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40), west of 15th Street, Town of Lincoln, as her brother has an interest in the winery, and she therefore took no part in the discussion of, or voting on, this matter.

Councillor Timms declared an indirect pecuniary interest with respect to any matters that deal with development charges as members of his family owns a development business and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Zimmerman declared an indirect pecuniary interest with respect to Planning and Public Works Committee Minute Item 24 respecting Report DPD 6-2007, Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40), west of 15th Street, Town of Lincoln, as she is employed by the Grape Growers Association, and she therefore took no part in the discussion of, or voting on, this matter.

ADOPTION OF THE AGENDA

7. Moved by Councillor Bentley
Seconded by Councillor Badawey

That the Council Agenda CL 1-2007 be approved and adopted as presented.

Carried.

PRESENTATIONS

8. Debbie Zimmerman Early Years Niagara Literary Award

Ms. Susan Reid, Chair, Literary Award Planning Committee noted that the Debbie Zimmerman Early Years Niagara Literary Award has established a unique award for children's literature aimed at the 0-6 age group.

This year, over 1,500 votes were cast, for the award winning book entitled:

Llama, Llama Red Pajama by Anna Dewdney

Councillor Zimmerman was delighted when presented with a copy of the book, which will be distributed to sites within Niagara where families and children gather, including public libraries, Ontario Early Years Centres, licensed child care centres and pediatrician's offices.

9. Recognition of Excellence Awards

Regional Chair Partington; Councillor Collins and Mr. Mike Trojan, Chief Administrative Officer joined Ms. Toby Laugher, Chair, Excellence Sub-Committee, Corporate Employee Recognition Team in congratulating Ms. Linda Beyer for being nominated for a Leadership Award for her outstanding work on the Road Safety initiative. Ms. Beyer's ongoing work on this initiative has gained much respect and recognition within the community since its launch in September 2006.

10. Federation of Canadian Municipalities - Update

Councillor David Alexander, City of Welland, advised Regional Council of an invaluable resource for the Niagara Region, the Federation of Canadian Municipalities (FCM) has tools and funds that could be applied to strategic planning, awards, meetings, etc.

Councillor Alexander outlined some local-national observations and highlighted some best practices across the country, which illustrated that Niagara is on the right track, keeping in mind what Niagara Region has the ability to accomplished.

Councillor Alexander also took this opportunity to demonstrate possible FCM related benefits, such as hosting a board meeting within this term of Regional Council and even suggested the possibility of hosting an FCM National Conference as a realistic concept that should be explored in the medium term with the design and development of a convention facility.

COMMITTEE OF THE WHOLE – BUDGET REVIEW COMMITTEE

At 8:10 p.m. following the presentations, Regional Council reconvened as Committee of the Whole – Budget Review Committee.

Regional Council reconvened at 9:00 p.m.

11. **CHAIRMAN'S REMARKS**

Regional Chair Partington welcomed everyone to the first Council meeting of the New Year.

Regional Chair Partington thanked Boekestyn Greenhouses of Jordan Station for the flowers on display.

Regional Chair Partington advised Regional Council that he was encouraged over the holiday break, to see that the Conference Board of Canada identified Niagara as one of the top potential growth areas in Canada for 2007. Noting that it is now Regional Council's task to work together with staff, along with our municipal partners, to ensure that vision of potential growth is turned into reality for the benefit of all Niagara's citizens, a task this Council is capable of meeting.

Regional Chair Partington reminded Regional Council of the dinner in honour of former Fort Erie Mayor and Regional Councillor Wayne Redekop, which is being held on January 27th at the Fort Erie Leisureplex and of the Council Business Planning Session at Niagara College on January 25th.

APPROVAL OF MINUTES

12. **Report 16-2006**

Moved by Councillor Burroughs
Seconded by Councillor Lepp

That Report 16-2006, being the minutes of the Regional Council meeting of Thursday, November 23, 2006, be approved and adopted.

Carried.

13. **Report 17-2006**

Moved by Councillor Casselman
Seconded by Councillor Lepp

That Report 17-2006, being the minutes of the Regional Council meeting of Thursday, November 29, 2006, be approved and adopted.

Carried.

14. **Report 18-2006**

Moved by Councillor Greenwood
Seconded by Councillor Hodgson

That Report 18-2006, being the minutes of the Regional Council (Inaugural) meeting of Thursday, December 14, 2006, be approved and adopted.

Carried.

CORRESPONDENCE

15. Moved by Councillor Baty
Seconded by Councillor Cordiner

That Communications C6837 to C6840 and C6842 to C6847, be received:

- C6837 A letter of congratulations to all, for a successful election from the Niagara South Federation of Agriculture (December 4, 2006).
- C6838 A letter from Minister George Smitherman, Ministry of Health and Long Term Care (December 7, 2006) in response to the Chair's letter respecting the funding levels for residents of Ontario's long-term care homes.
- C6839 A letter from Debbie Zimmerman, Chair, MPAC Board of Directors, Municipal Property Assessment Corporation (December 7, 2006) congratulating members of Council on their success in the recent Municipal Election and providing Council with an overview of MPAC's current and planned activities.
- C6840 Card of thanks from Peter and Betsy Partington, the Regional Chair and an employee of the Public Health Department, for the kind donation to the United Way of St. Catharines and District in memory of her mother Margaret Becker.
- C6842 A letter from George Pasut, MD, Chief Medical Officer of Health (A), Ministry of Health and Long Term Care (December 12, 2006) respecting the Ministry's appreciation to Niagara Region's Public Health Department for sharing the Mandatory Program Compliance Reports in support of the Ministry's provincial review of mandatory health programs and services.
- C6843 A letter from Minister John Gerretsen, Ministry of Municipal Affairs and Housing (December 20, 2006) thanking the Regional Municipality of Niagara for their support in the Rental and Supportive Component of the Canada-Ontario Affordable Housing Program and inform Niagara Region that the he has signed the Administration Agreement, which has been sent to the General Manager, Niagara Regional Housing.
- C6844 Card of thanks from Cheryl Matchett, an employee of the Community Services Department, for the kind donation to the Trillium Gift of Life Network in memory of her husband Herb Irving Matchett.

- C6845 Card of thanks from Bryan Kent, an employee of the Public Works Department, for the kind donation to St. Paul's Memorial Fund in memory of his mother-in-law Catherine Edith (Kay) Bown.
- C6846 An information sheet detailing the agenda heading where items will be placed on the agenda according to the action required.
- C6847 A letter from Douglas G. Martin, Mayor, Town of Fort Erie to Mr. Rob Nicholson, MP, Minister of Justice & Attorney General (January 10, 2007) requesting that the federal government to assert its authority over the border and bring the work refusals by Canadian Customs officers to a halt, as they are impacting on the Town of Fort Erie's business community.

Carried.

16. Moved by Councillor Forster
Seconded by Councillor Gabriel

That Correspondence Item C6841, a letter from Barbara Gallaccio, Acting City Clerk, City of Welland (November 24, 2006) advising Regional Council of the Welland City Council's resolution supporting the Town of Fort Erie's request that the Ministry of Natural Resources reinstate the complement of Conservation Officers in the Niagara Region, be received and endorsed.

Carried.

PLANNING AND PUBLIC WORKS COMMITTEE

17. Report 1-2007

Moved by Councillor Smeaton
Seconded by Councillor Rigby

That Report 1-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, January 10, 2007, be approved and adopted.

18. Moved by Councillor Marshall
Seconded by Councillor Heit

That Report DPD 6-2007, January 10, 2007, respecting the Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40) west of 15th Street in the Town of Lincoln, be lifted and dealt with by this Council at this time.

Carried.

19. Official Plan Amendment No. 40
Le Clos Jordan Temporary Winery
South Service Road (R.R. 40)
west of 15th Street,
Town of Lincoln
DPD 6-2006

Moved by Councillor Forster
Seconded by Councillor Marshall

That the decision on the approval of the Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40) west of 15th Street in the Town of Lincoln, be deferred pending the receipt of comments from the Wine Council of Ontario, the Grape Growers of Ontario and the Agricultural Sub-Committee.

Defeated.

Upon a recorded vote being requested, Council voted on the original motion:

Voting for the Motion:

Augustyn	Greenwood	
Badawey	Henderson	
Baty	Hodgson	
Bentley	Martin	
Burroughs	Rigby	
Bylsma	Salci	
Cordiner	Saracino	
D'Angela	Smeaton	
Goulbourne	Timms	(18)

Voting against the Motion:

Casselman	Lepp	
Collins	Marshall	
Forster	McMullan	
Gabriel	Puttick	
Heit		(9)

Upon a vote being taken, the Regional Chair declared the original motion, Report DPD 6-2007 respecting the Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40) west of 15th Street in the Town of Lincoln, carried.

20. Landfill Gas Utilization Project
Glenridge Quarry Naturalization Site
City of St. Catharines
PWA 06-2007

Moved by Councillor Burroughs
Seconded by Councillor Heit

That Report PWA 06-2007, January 10, 2007, respecting the Landfill Gas Utilization Project, Glenridge Quarry Naturalization Site in the City of St. Catharines, be lifted and referred to the Corporate Services Committee.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion on Report 1-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, January 10, 2007 as amended, was carried.

21. Appointments to the Niagara Peninsula Conservation Authority

Moved by Councillor Gabriel
Seconded by Councillor Forster

That the following individuals be appointed to the Niagara Peninsula Conservation Authority:

Douglas B. Ransom, Town of Lincoln
Councillor Barbara Butters, City of Port Colborne
Dominic (Mickey) DiFruscio, City of Thorold
Norm Johnson, Township of West Lincoln

Carried.

CORPORATE SERVICES COMMITTEE

22. Report 1-2007

Moved by Councillor Collins
Seconded by Councillor Saracino

That Report 1-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, January 10, 2007, be approved and adopted.

Carried.

(Refer to Staff Directions)

23. 2007 Current and Capital Budget – Reasonable Notice

Moved by Councillor Katzman
Seconded by Councillor Saracino

That Regional Council resolves that the publication of the notice on January 20, 2007 in the area newspapers respecting the approval of the 2007 Current and Capital Budget on February 8, 2007 constitutes reasonable notice pursuant to the *Municipal Act, 2001*.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

24. Report 1-2007

Moved by Councillor Timms
Seconded by Councillor Baty

That Report 1-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, January 9, 2007, be approved and adopted.

Carried.

ACCOMMODATION STEERING COMMITTEE

25. Report 13-2006

Moved by Councillor Timms
Seconded by Councillor Katzman

That Report 13-2006, being the minutes of the Accommodation Steering Committee meeting of Friday, October 13, 2006, be approved and adopted.

Carried.

26. Report 14-2006

Moved by Councillor Lepp
Seconded by Councillor Burroughs

That Report 14-2006, being the minutes of the Accommodation Steering Committee meeting of Friday, December 15, 2006, be approved and adopted.

Carried.

COMMITTEE OF THE WHOLE – BUDGET REVIEW COMMITTEE

27. Moved by Councillor Martin
Seconded by Councillor Saracino

That the decisions made at the Committee of the Whole – Budget Review Committee meeting of Thursday, January 18, 2007, be approved and adopted.

Carried.

CHIEF ADMINISTRATIVE OFFICER'S REPORT

28. Niagara Region: Building Community,
Building Lives (2007-2011)
CAO 1-2007

Moved by Councillor Goulbourne
Seconded by Councillor Bylsma

That Report CAO 1-2007, January 18, 2007, respecting the Niagara Region: Building Community, Building Lives (2007 – 2011), be received for information; and

That the preliminary outline for continuing Niagara Region's strategic planning process (2007-2011), be endorsed by Regional Council.

Carried.

OTHER BUSINESS

29. Retirement Announcement

Mr. Trojan announced that Mr. Ian Neville, Commissioner, Public Works Department would be retiring as of April 30, 2007.

Regional Council wished Mr. Neville the best noting the contributions Mr. Neville has made to the Niagara Region over the past number of years.

30. Greenbelt Public Forum

Councillor Hodgson invited Regional Councillors to attend a Greenbelt Public Forum being held on January 27, 2007 at the Best Western Beacon Harbourside in Jordan Station from 1:00 to 4:30 p.m. Please visit the Town of Lincoln website for further details.

31. Reducing the Amount of Plastic in the Waste Stream and the Move to the Big Blue Bin

Councillor Zimmerman asked that the articles respecting the reduction of the amount of plastic in the waste stream and move to the big blue bins to alleviate the problem with the open blue boxes and the debris that is spread throughout neighbourhoods, be referred to the Waste Management Planning Steering Committee for consideration.

BY-LAWS

32. Moved by Councillor Bentley
Seconded by Councillor Casselman

That the following bills be now read and do pass:

Bill 01

A By-Law to Establish Part of Lots 404 and 898, Corporation Plan No. 6 in the City of St. Catharines as Part of Regional Road No. 89 (Glendale Avenue)

Bill 02

A By-Law to Establish Part of Lot 18, Concession 2, in the Township of Wainfleet as Part of Regional Road No. 3 (Concession 1 Road)

Bill 03

A By-Law to Establish Part of Lots 2 And 3, Plan 148, City Of Niagara Falls ss Part of Regional Road No. 98 (Montrose Road)

Bill 04

A By-Law To Establish Part Of Lots 3 And 4, Plan 64, City Of Niagara Falls As Part Of Regional Road No. 20 (Lundy's Lane)

Bill 05

A By-Law To Establish Part Of Lots 1 And 2, Concession 6, In The Town Of Niagara-On-The-Lake As Part Of Regional Road No. 55 (Niagara Stone Road)

Bill 06

A By-Law To Establish Part Of Range 17, Plan 1, City Of Niagara Falls As Part Of Regional Road No. 102 (Stanley Avenue)

Bill 07

A By-Law to Appoint an Acting Regional Chair

Bill 08

A By-Law to Provide for the Adoption of Amendment 154 to the Official Plan for the Niagara Planning Area to Provide for an Expansion to the Beamsville Urban Area, Bartlett Road East, Town of Lincoln

Bill 09

A By-Law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting Held on the 18th of January, 2007.

Carried.

33. Moved by Councillor McMullan
Seconded by Councillor Heit

That the following bills be now read and do pass:

Bill 10

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$1,000,000 for Project ZRC0017, Widening of Regional Road 20 (Old Hwy.20) and Interchange Upgrades from Pelham Road to Highway 406.

Bill 11

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$800,000 for Project ZPO9802, S.P.I.R.I.T. (Supporting Police in Records Information Technology)

Bill 12

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$650,000 for Project ZRC0548, Rehabilitation of Structure No. 124205 (Central Avenue Bridge) and Bridget Repair Program

Bill 13

A By-Law to Establish Part of the Road Allowance Between Lot 256 and Broken Front Lot 256, City of Welland as Part of Regional Road No. 29 (Webber Road)

Carried.

STAFF DIRECTIONS

Councillor Smeaton requested that the Clerk's Department be directed to provide all Regional Councillors with hard copies of reports when required. (Refers to Minute Item # 22 – CSD 19-2007, Report 1-2007 Corporate Services Committee minutes)

Regional Council requested that the costs incurred for the production of the Blue Books and the agenda packages, be brought back to the Corporate Services Committee at a future meeting. (Refers to Minute Item # 22 – CSD 19-2007 Report 1-2007 Corporate Services Committee minutes)

ADJOURNMENT

The Council meeting adjourned at 10:30 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk