

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 4-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 22, 2007 commencing at 6:30 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn; Badawey; Baty; 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; Trombetta.

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; Dr. Williams, Medical Officer of Health; Ms. Cousins, Acting Commissioner, Community Services; 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.

CLOSED COMMITTEE OF THE WHOLE

96. Moved by Councillor Collins
Seconded by Councillor Trombetta

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.

97. Atlas Landfill Site
Response to Questions Raised on March 15, 2007
Confidential Memorandum

Moved by Councillor Marshall
Seconded by Councillor McMullan

That the Confidential Memorandum respecting the Atlas Landfill Site – Response to Questions Raised on March 15, 2007 (March 21, 2007), be referred to the April 12, 2007 Regional Council meeting.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

98. Moved by Councillor Casselman
Seconded by Councillor D'Angela

That this Council do now rise with report.

Carried.

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

CONFLICTS OF INTEREST

99. Councillor Collins declared an indirect pecuniary interest with respect to any matters that deal with 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 Forster declared an indirect pecuniary interest with respect to Matters of Labour Relations, as she is employed by the Ontario Nurses Association, and she 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.

ADOPTION OF THE AGENDA

100. Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That the Council Agenda CL 4-2007 be approved and adopted as presented.

Carried.

PRESENTATIONS

101. Reconstruction of the Queenston Plaza

Mr. Thomas E. Garlock, General Manager, Secretary, Treasurer, Niagara Falls Bridge Commission provided Regional Council with an update on the progress of the Reconstruction of the Queenston Plaza, which is expected to be completed over a four year period.

Mr. Garlock provided Regional Council with the views of the existing plaza and views of the plaza once the reconstruction has been completed.

Mr. Garlock noted that the traffic on the Peace Bridge, Rainbow Bridge and the Queenston Bridge exceed the traffic that passes between Windsor and Detroit.

The Queenston Bridge is currently open to bicycle traffic, however, there may be times during the reconstruction phases, when we would not recommend bicycle traffic on the bridge.

Mr. Garlock noted that the public can call 1-800-715-6722 to obtain up to date conditions on all three bridges.

- 102.

CHAIRMAN'S REMARKS

Regional Chair Partington was pleased to announce that in Ontario Finance Minister Greg Sorbara budget speech this afternoon, he announced that the provincial government would invest \$17.5 million in 2006-2007 and an additional \$17.5 million in 2007-2008 for the planned Convention Centre in the City of Niagara Falls and \$1.5 million for the Town of Niagara-on-the-Lake's community centre.

This is fantastic news for our region's tourism industry and is a shining example of what can be achieved through the co-operation between our local municipalities, the Region, and the provincial government.

Regional Chair Partington extended his congratulations to the Niagara Falls Private-Public Partnership Group, Mayor Salci and City Council for their hard work and dedication that led to this announcement.

Regional Chair Partington was pleased to be present on Tuesday, March 20, 2007 for the annual Top Hat Ceremony that marked the opening of the Welland Canal shipping season.

Councillors McMullan, Badawey, D'Angela, Augustyn, and Timms were also present at the event, which was a rather chilly start to the shipping season, it is a great event that reaffirms the importance of the shipping industry to our region and, it was wonderful to have Transportation Minister Donna Cansfield present as the keynote speaker.

Regional Chair Partington noted the editorial comments made in this month's edition of Greenhouse Canada Magazine – Canada's National Greenhouse Magazine. Which said:

"The Region of Niagara is probably the most responsive level of government in Canada with respect to the greenhouse sector.

The Niagara Economic Development Corporation has worked diligently to boost the sector.

Tapping into funding sources within the Ontario Ministry of Agriculture, Food and Rural Affairs, the Ontario Greenhouse Alliance, and its own budgets, it's provided innovative marketing services for the greenhouse floriculture sector across the province...

There is much to admire about the way Niagara has assisted the greenhouse sector. Indeed, there is much all levels of government can learn from them."

On behalf of Council, Regional Chair Partington commended the Niagara Economic Development Corporation for their continued excellent work.

Regional Chair Partington was pleased to announce that once again our five MPPs have agreed to join him in co-hosting the reception being held on April 24th, during Niagara Week April 23-25th. Councillors received their invitations to the April 24th reception this evening in their packages and are encouraged to RSVP for the reception to Ms. Bonnie Redman by calling 905-685-1308.

Regional Chair Partington noted that as per Council's request, the Niagara Economic Development Corporation has amended its bylaws to accommodate one additional Regional Councillor on its board. We will have the election for this position at the next Regional Council meeting. Currently serving on the board are Councillors McMullan and Goulbourne.

Regional Chair Partington informed Regional Council of Niagara Region's CAO, Mike Trojan's 20 years of service to Niagara Region. Mike Trojan has served the Region in a variety of different roles throughout the years, and I am fortunate to work closely with him on a day-to-day basis.

On behalf of Council and the Corporation Regional Chair Partington thanked Mike Trojan for his continued service to the Region.

Regional Chair Partington also commended Mike Trojan, on being named the United Way of St. Catharines & District's Community Campaign Chair, noting that Mike Trojan will do an excellent job in this position. Mike Trojan's community-mindedness is a tremendous example for us all.

APPROVAL OF MINUTES

103. Report 2-2007

Moved by Councillor Saracino
Seconded by Councillor Martin

That Report 2-2007, being the minutes of the Committee of the Whole meeting of Thursday, March 1, 2007, be approved and adopted.

Carried.

104. Report 2-2007

Moved by Councillor Henderson
Seconded by Councillor Smeaton

That Report 2-2007, being the minutes of the Budget Review Committee meeting of Thursday, March 1, 2007, be approved and adopted.

Carried.

105. Report 3-2007

Moved by Councillor Trombetta
Seconded by Councillor Casselman

That Report 3-2007, being the minutes of the Proceedings of Council of Thursday, March 1, 2007, be approved and adopted.

Carried.

CORRESPONDENCE

106. Moved by Councillor Hodgson
Seconded by Councillor Badawey

That Communications C6863 to C6868 and C6870 to C6879, be received and dealt with as noted in the Council Agenda and Addendum:

- C6863 A letter from Dean Iorfida, City Clerk, City of Niagara Falls (February 7, 2007) respecting the City of Niagara Falls Council's support for the current efforts of the Mayors, CAO's and Business Development staff from St. Catharines, Niagara Falls, Welland and Fort Erie to review the roles and responsibilities of local business development departments and the Niagara Economic Development Corporation to ensure that duplication does not occur, especially in the area of tourism.
- C6864 A letter from Minister John Gerretsen, Ministry of Municipal Affairs and Housing (February 28, 2007) respecting the government's allocation of \$4.8 million of additional funding to municipal service managers participating in the Provincial Rent Bank Program, in which the Regional Municipality of Niagara receives \$56,691.00.
- C6865 A letter from Susan Daniels, Deputy City Clerk, City of Thorold (March 7, 2007) respecting the City of Thorold Council's support for the Brock University's request to the Province of Ontario for \$42.5 million in capital funding, as adopted by the Regional Municipality of Niagara at their February 8th Council meeting.
- C6866 A letter from Ann Merritt, Assistant Deputy Attorney General, Court Services Division, Ministry of the Attorney General (March 2, 2007) reporting on the Ministry's initiatives to enhance the availability of justice of the peace services in Ontario, in particular, the Central West Region.
- C6867 A letter of gratitude from Andrew Farncombe, Director, International Partnerships, Canadian Urban Institute for the Niagara Region's contribution to the Canadian Urban Institute's Study Tour of Regional Strategic Planning for the delegation from the Ukraine.
- C6868 A letter from Kathryn Vout, Town Clerk (March 12, 2007) respecting the Town of Grimsby Council's resolution urging Regional Council to provide adequate funding to update or replace the Niagara Regional Police, Grimsby detachment.
- C6870 A memorandum from John Bergsma (March 16, 2007) respecting the Reconciliation of Schedule A per the original Budget Report (CSD 24-2007) to Schedule A as per the final Budget Report.

- C6871 A memorandum from John Bergsma (March 15, 2007) respecting the March 14, 2007 Corporate Services Committee Follow-up items – Niagara Regional Police.
- C6872 Card of thanks from June Meller and family, an employee of the Planning and Development Department, for the kind donation to the Children’s Discovery Centre in memory of her step-father, Alex Fulton.
- C6873 A thank you from Lena Vieno, an employee of the Community Services Department, for the kind donation to the Canadian Diabetes Association, Niagara Branch in memory of her father-in-law Leandre Cloutier and mother-in-law Dorothy Cloutier.
- C6874 A letter from Tim Hudak, MPP Erie-Lincoln (March 12, 2007) respecting some recent motions that were debated at the Standing Committee on Finance and Economic Affairs.
- C6975 A letter from the Honourable Dalton McGuinty, Premier (March 14, 2007) thanking Niagara Region for the copy of Regional Council’s resolution regarding Brock University, which he has forwarded to Honourable Christopher Bentley, Minister of Training, Colleges and Universities.
- C6876 A letter from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing (March 19, 1007) confirming funding in the amount of \$1,470,000 for 21 units for the 21 King Street Inc. project under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.
- C6877 A letter from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing (March 19, 1007) confirming funding in the amount of \$1,050,000 for 15 units for the Community Living, Port Colborne Wainfleet project under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.
- C6878 A letter from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing (March 8, 1007) confirming funding in the amount of \$1,610,000 for 23 units for the 290 Oakdale Avenue project under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.
- C6879 A letter from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing (March 19, 1007) confirming funding in the amount of \$2,800,000 for 40 units for the Bethlehem Projects – Niagara Falls project under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.

Carried.

107. Moved by Councillor Badawey
Seconded by Councillor Saracino

That Communication C6869, A letter from Peter Senese, Director of Community & Corporate Services/Deputy Clerk (March 12, 2007) respecting the City of Port Colborne Council's request for support for their resolution respecting the Niagara Regional Police Service - #6 District Police Building, be received and supported.

Carried.

PLANNING AND PUBLIC WORKS COMMITTEE

108. Report 4-2007

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 4-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, March 14, 2007, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

109. Report 4-2007

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 4-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, March 14, 2007, be approved and adopted as ***amended*** as follows:

That Correspondence Items CSC 10-2007, a letter from Deb Morton, Executive Director (February 1, 2007) Regional Municipality of Niagara Police Services Board respecting NRPS 2007 Vehicle Replacements and CSC 11-2007, a letter from Deb Morton, Executive Director (February 1, 2007) Regional Municipality of Niagara Police Services Board respecting NRPS IT Equipment Replacement – Capital Project ZPO0705, be approved.

Carried.

110. POA Prosecution Guidelines (March 7, 2007)

Moved by Councillor Augustyn
Seconded by Councillor Collins

That Regional Council approve the implementation of the Prosecution Guidelines dated March 7, 2007 so that effective April 1, 2007, Niagara Region *Provincial Offences Act* (POA) prosecutors will offer to conduct "Local Prosecutions" (except those related to parking offences) for all willing municipalities on a fee for service basis.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

111. Report 4-2007

Moved by Councillor Baty
Seconded by Councillor Casselman

That Report 4-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, March 13, 2007, be approved and adopted.

Carried.

112. Clean Harbour - Update

Councillor D'Angela and Dr. Williams provided Regional Council with an update on the Clean Harbour incident.

A public meeting was held on March 21, 2007 and attended by representatives of the Ministry of the Environment; Public Health Department; City of Thorold Fire Department; Clean Harbour; members of City Council and Councillor Gabriel. The public meeting was well attended by the general public.

Regional Council was advised that the testing is continuing and all of the results to date verify that there are no health impacts as a result of the explosion, and that the public's concerns are being addressed as they arise.

COMMITTEE OF THE WHOLE

113. Moved by Councillor Heit
Seconded by Councillor Burroughs

That the decisions made at the Committee of the Whole meeting of Thursday, March 22, 2007, be approved and adopted.

Carried.

CHIEF ADMINISTRATIVE OFFICER'S REPORT

114. Process to Review Economic Development
Function in Niagara
CAO 5-2007

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report CAO 5-2007, March 22, 2007, respecting the Process to Review Economic Development Function in Niagara, be received; and

That Regional Council endorse the direction contained in the attached draft Terms of Reference related to a review of the roles and responsibilities among the economic development and tourism promotion organizations in Niagara.

That the steering team (made up of a representative group of the Area Administrators) develop the details of the work plan using the Terms of Reference as a guide.

That the results of the review be reported to Council by the end of May 2007.

Carried.

(Refer to Staff Directions)

NOTICES OF MOTION

115. Leadership Role in Establishing a
Welland Canals National Heritage Corridor

Councillor Timms advised Regional Council that he would be bringing forward a Notice of Motion at the next Regional Council meeting requesting that Regional Council take a leadership role in establishing a Welland Canals National Heritage Corridor through the Heritage Sub-Committee of the Culture Committee.

116. Governance and the Structure of Regional Government

Councillor Puttick advised Regional Council that he would be bringing forward a motion at the May 24, 2007 Regional Council meeting respecting the governance and the structure of regional government.

OTHER BUSINESS

117. Greater Niagara Circle Route

Councillor Greenwood thanked Councillor Timms for attending the City of Niagara Falls' Council meeting on March 19, 2007 and making a presentation on the progress of the trail system and the future directions.

118. Working Together Can Produce TERRIFIC Results!

Councillor Collins noted the four letters from Minister Gerretsen confirming funding projects Niagara Region submitted under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.

Councillor Collins noted that this is just one example of how working together can produce terrific results.

119. Thank you!

Councillor Badawey recognized the individuals of Community Living for the very hard work they put into the applications for Rental and Supportive component of the Canada-Ontario Affordable Housing Program and thanked the Regional Chair, Regional Council and Regional staff, as this funding announcement means a great deal to the organization.

120. Mayors Cup Hockey Tournament Awards

Councillor Badawey noted that Division 'A' was won by the City of Barrie with Divisions 'B', 'C' and 'D' being won by Niagara Region's municipalities.

Councillor Badawey made the following presentations to the winners of the Mayors Cup Hockey Tournament:

Division 'B' - City of Thorold, the plaque was presented to Mayor D'Angela.

Division 'C' - Niagara Region, the plaque was presented to Regional Chair Partington

Division 'D' - Town of Fort Erie, the plaque was presented to Mayor Martin.

BY-LAWS

121. Moved by Councillor Bylsma
Seconded by Councillor Salci

That the following bills be now read and do pass:

Bill 29

A By-Law to Establish Part of Township Lot 46, in the City of Niagara Falls as Part of Regional Road No. 98 (Montrose Road)

Bill 30

A By-Law to Define the Purchasing Policies and Procedures for the Regional Municipality of Niagara, and to Repeal By-Law 78-2006

Bill 31

A By-Law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting Held on the 22nd of March, 2007

Carried.

122. Moved by Councillor Cordiner
Seconded by Councillor Baty

That the following bills be now read and do pass:

Bill 32

A By-law to Establish Part of Lot 92, Plan 525, and Part Parcel B-1, Plan M-66, in the Town of Fort Erie as Part of Regional Road No. 21 (Phipps Street)

Carried.

STAFF DIRECTIONS

Staff was directed to:

- provide Council with the list of stakeholders. (Refers to Minute Item 114)
- include the models reviewed by the steering team as an appendix to the report. . (Refers to Minute Item 114)
- Provide Council with the Terms of Reference, once they are approved by the steering team and the names of the individuals on the steering team once confirmed for their information. (Refers to Minute Item 114)

ADJOURNMENT

The Council meeting adjourned at 8:37 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk