

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 9-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, July 5, 2007 commencing at 6:30 p.m.

ATTENDANCE

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

Staff: Messrs. Nicol, Commissioner, Human Resources; Bergsma, Commissioner of Corporate Services; Hutchings, Commissioner, Community Services; Dr. Williams, Medical Officer of Health; Messrs. Farley, Director of Planning Services, Friesen, Director, Waste Management Services, Ms. Pilon, Acting Regional Clerk, Ms. Staines, Legislative Assistant.

Staff

(Part-Time): Messrs. Kyne, Director, Legal Services; Murphy, Manager Policy Development.

CALL TO ORDER

255 Regional Chair Partington called the meeting to order at 6:30 p.m.

CLOSED SESSION

256. Moved by Councillor D'Angela
Seconded by Councillor Puttick

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

Carried.

257. Termination of Lease Agreement
City of St. Catharines

Moved by Councillor Timms
Seconded by Councillor Baty

That the Director of Legal Services be authorized to proceed as recommended respecting the termination of a lease agreement in the City of St. Catharines.

Carried.

258. Ontario Municipal Board Decision – Request for Compensation

Moved by Councillor Puttick
Seconded by Councillor Casselman

That the Director of Legal Services be authorized to proceed as directed respecting an Ontario Municipal Board legal matter.

Defeated.

CLOSED SESSION, RISE AND REPORT

259. Moved by Councillor Trombetta
Seconded by Councillor Bylsma

That this Committee do now rise with report.

Carried.

Following Closed Session, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor D'Angela, followed by the singing of 'O Canada'.

260. **CONFLICTS OF INTEREST**

Councillor Bylsma declared an indirect pecuniary interest with respect to wind energy projects, and he therefore took no part in the discussion of, or voting on, these matters.

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, 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 Timms declared an indirect pecuniary interest with respect to matters related to Regional Development Charges as his family owns a business that may be subject to development charges, and he therefore took no part in the discussion of or voting on these matters.

ADOPTION OF THE AGENDA

261. Moved by Councillor Lepp
Seconded by Councillor Trombetta

That the Council Agenda CL 9-2007 be approved and adopted as presented.

Carried.

PRESENTATIONS

262. Co-Generation Project

Mr. Mark Macdonald, Human Resources Manager, and Mr. Jonathan Ng, Environmental Coordinator, Abitibi Consolidated, provided Regional Council with a presentation respecting the Co-Generation Project they have begun with Northland Power. Mr. Macdonald and Mr. Ng provided an overview of Abitibi Consolidated in general and their Thorold Division in particular, noting that Abitibi is the largest recycler of newspapers and magazines in North America, and briefly outlined their Paper Retriever program which contributed nearly \$3.8 million to schools, churches and other non-profit organizations to build playgrounds. Abitibi also partners with Walker Industries to supply 25% of their steam demand by using Landfill Gas. The Co-Generation Project is a \$400+ Million private industry investment in Niagara Region to be constructed over approximately 30 months and will result in the eco-friendly co-generation of enough electricity to power over 100,000 homes.

263. Jill Hildreth 1k and 5k fun run/walk

The Jill Hildreth 1k and 5k fun run/walk was conceived as a dedication to Ms. Hildreth on her retirement from Regional Council after having served six consecutive terms of office with eighteen years of dedicated service. Mr. Hutchings, Commissioner, Community Services, advised that, due to its overwhelming success last year, it was decided to continue with this annual event, and this year Regional Council's TREKZONE Strategy on obesity prevention in accordance with the Regional Council's Business Plan has been

added. The walk/run will take place September 15, 2007 at the Glenridge Quarry Naturalization Site.

Ms. Hildreth challenged Councillors to participate in this “fun” and “fund raising” event. All funds raised this year will benefit the construction of the children’s bike path at the St. Catharines Regional Child Care Centre. The entry fee of \$25 includes a barbecue at Regional headquarters, a t-shirt for those who register by August 15th as well as an opportunity to win a draw prize. As an added incentive, Commissioner Hutchings will personally donate an additional \$5.00 for every Regional employee or Councillor who can beat his 5k run time that day! For more details on entering the walk/run or to donate prizes, Ms. Hildreth asked Councillors to contact Judy Turton, Community Services.

REGIONAL CHAIR’S REMARKS

- 264 The beautiful flowers that graced Council Chambers were donated by Boekestyn Greenhouses of Jordan Station. The Chairman thanked owner John Boekestyn of 13th Street Louth for the potted Chrysanthemums.

The Regional Chairman congratulated Councillor Henry D’Angela, the City of Thorold and all Thorold residents on the city’s designation as Canada’s most patriotic city. They earned the honour by flying the most Canadian flags per capita this Canada Day. The city looked great draped in red and white as it was on the Canada Day Weekend.

Recently, a successful meeting was held with Opportunities Niagara, area municipalities with local city bus services, and regional officials to discuss their joint interest in Inter-Municipal Transit. A consensus developed among the group to improve and explore an inter-municipal transit model that would build on the current transit operation and capabilities. Opportunities Niagara took a lead role in completing a grant proposal submitted to the Federation of Canadian Municipalities to explore an inter-municipal transit model. This is a collaborative effort that builds on our collective strength and successes with local transit, Regional specialized transit and the Job Bus initiative. While there’s no guarantee at this time, we have been invited to submit a formal grant proposal for up to \$1.3 million in funding, and we’re optimistic we’ll hear good news. A follow-up meeting will take place in two weeks with staff to move this forward.

Now that we’re well into the summer, it’s great to participate in the many summer fairs, festivals and special events that are planned across the municipalities. Chair Partington noted that we all look forward to getting outside, enjoying Niagara produce (fruits and vegetables), our local wines, the musicians, the arts and cultural life that Niagara offers.

APPROVAL OF MINUTES

265 Report 8-2007

Moved by Councillor Burroughs
Seconded by Councillor Heit

That Report 8-2007, being the minutes of the Proceedings of Council of Thursday, June 14, 2007, be approved and adopted.

Carried.

CORRESPONDENCE

266 Moved by Councillor Trombetta
Seconded by Councillor Casselman

That Communications C6919 to C6925, be received and dealt with as noted in the Council Agenda and Addendum:

- C6919 An invitation to attend an open house from International Niagara Board of Control respecting matters affecting flows and levels in the Niagara River on September 12, 2007 at 7:30 p.m. at the Old Stone Inn in Niagara Falls.
- C6920 A memorandum from Mike Trojan, C.A.O. (July 5, 2007) respecting Update # 2 – Review of Economic Development and Tourism Function.
- C6921 A letter from Jim Watson, MPP, Ministry of Health Protection (June 21, 2007) announcing the provincial government's commitment of \$99,848 to Niagara Region for Healthy Living Niagara for 2007.
- C6922 A letter from Robert Malcomson, a resident of the City of St. Catharines (June 26, 2007) respecting the closure of Brock's Monument at Queenston Heights.
- C6923 The Key Plan for Tender Award Report for Contract RN 07-12, Report PWA 114-2007 / CSD 106-2007, as requested by Planning and Public Works Committee.
- C6924 A note of thanks from Jim Simpson, an employee of the Public Health Department, for the kind donation to the Port Colborne General Hospital Foundation in memory of his father John Nelson Simpson.

C6925 A letter from Mr. Dragan Matovic, Project Director, Niagara Convention and Civic Centre (June 29, 2007) acknowledging Niagara Region's assistance in the development of the Niagara Convention and Civic Centre.

Carried.

267 Moved by Councillor Cordiner
Seconded by Councillor Baty

That Communication C6926, respecting the Proposed Summer Meeting Schedule (July 5, 2007), be received; and

That Regional Council cancel the meetings related to the August 16th Council meeting (last Council meeting July 26th, reconvening August 28th and 29th for Standing Committee meetings with Council on September 6, 2007).

Defeated.

PLANNING AND PUBLIC WORKS COMMITTEE

268 Report 9-2007

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 9-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, June 27, 2007, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

269 Report 9-2007

Moved by Councillor Collins
Seconded by Councillor Martin

That Report 9-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, June 27, 2007, be approved and adopted.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

270. Report 9-2007

Moved by Councillor Timms
Seconded by Councillor Baty

That Report 9-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, June 26, 2007, be approved and adopted.

Carried.

COMMITTEE OF THE WHOLE

271. Niagara Convention and Civic Centre

Councillor Salci expressed his appreciation and that of his Council for the support of Regional Council for the Niagara Convention and Civic Centre (NCCC) proposal. This speaks to the essence of Niagara Region, the union of twelve municipalities who speak as one. Councillor Salci noted he was proud and thankful to members of Council, the Niagara Falls Council and staff at the regional and municipal level. The proposal should benefit all areas of the Region through provision of jobs and additional tourism.

Moved by Councillor Marshall
Seconded by Councillor Rigby

That the decisions made at the Committee of the Whole meeting of Thursday, July 5, 2007, be approved and adopted.

Carried.

MOTIONS

272. Leadership Role in the Protection of Our Environment for Future Generations

Moved by Councillor McMullan
Seconded by Councillor Augustyn

That the following motion respecting the Leadership Role in the Protection of Our Environment for Future Generations, be referred to a Council Business Planning Session:

WHEREAS climate change is emerging as a significant concern both within our region and throughout the world;

WHEREAS increasing temperatures will lead to changes in many aspects of weather, such as wind patterns, the amount and type of precipitation, and the types and frequency of severe weather events;*

WHEREAS municipal governments can be leaders in addressing climate change because up to half of Canada's greenhouse gas (GHG) emissions (350 million tonnes) are under direct or indirect municipal control or influence;*

WHEREAS the City of Toronto has launched a Zerofootprint initiative to encourage residents to reduce their environmental footprint, and challenged other municipal governments to adopt green practices;

WHEREAS cities worldwide have committed to greener practices and emissions reductions targets during the C40 Large Cities Climate Summit;

THEREFORE BE IT RESOLVED that the Regional Municipality of Niagara join other municipal governments in assuming a leadership role in the protection of our environment for future generations;

BE IT FURTHER RESOLVED that the Regional Municipality of Niagara investigate tangible and measurable targets that will contribute towards addressing climate change and global warming;

BE IT FURTHER RESOLVED that the Regional Municipality of Niagara develop an action plan to meet identified targets, including encouraging Niagara's communities to develop their own action plans.

BE IT FURTHER RESOLVED that Regional Municipality of Niagara circulate this motion to all area municipalities.

Carried.

273 Amendment to Procedural By-law

Moved by Councillor Baty
Seconded by Councillor Cordiner

That article 4.2.3 of Procedural By-law 120-2005, be amended as follows:

All Closed Session items shall be discussed in Closed Session prior to the commencement of the Open Session at 7:00 p.m. In the event that the Closed Session cannot conclude prior to 7:00 p.m., Closed Session shall be recessed at

6:55 p.m., to be reconvened at an appropriate time following the agenda item 11. Delegations (related to Committee Reports) or at a later time, as determined by members of Regional Council.

Carried.

NOTICE OF MOTION

274. **Support for the One-Cent Solution Campaign**

Councillor Zimmerman advised she is postponing putting forward a motion requesting support for the one-cent solution campaign that is aimed at channeling part of the federal taxes collected by Ottawa into municipalities until the Association of Municipalities of Ontario (AMO) has addressed the issue.

OTHER BUSINESS

275. **Port Colborne Festival of Food, Wine and Music**

Councillor Smeaton attended the Port Colborne Festival of food, wine and music last weekend and congratulated Mayor Badawey and the organizers of the event for the well-managed and successful Festival. Councillor Smeaton noted the extensive list of events planned by the City of Port Colborne for the summer months.

276. **Birthday Celebration**

Councillor Smeaton announced a celebration in honour of Netta Mathieson, a former secretary to the Mayors of Niagara Falls for close to forty years. The celebration will be held at Queenston Heights Park from noon until 5:00 p.m. on July 21, and Councillor Smeaton issued an invitation to all to attend the party to honour Ms. Mathieson.

277. **Sesquicentennial – Fort Erie**

Councillor Martin announced that Fort Erie will be celebrating its 150th anniversary. A Sesquicentennial council meeting to recognize this milestone will be held at the old Fort at 6:00 p.m. July 16th.

BY-LAWS

278. Moved by Councillor Lepp
Seconded by Councillor Trombetta

That the following Bills be now read and do pass:

Bill 66

A By-Law to Delegate All Authority with Respect to the Approval of the Rosedale Plan of Subdivision (File 26T 87018); a Subdivision Application in the City of Port Colborne

Bill 67

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$400,000 for Project ZCW0002, Elevated Storage Tanks Painting and Improvements

Bill 68

A By-Law to Amend By-Law 43-2007 Being a By-Law to Set and Levy the Rates of Taxation for Regional General and Special Purposes for the Year 2007

Bill 69

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$270,000 for Project ZPL0701, Greater Niagara Circle Route Trails

Bill 70

A By-Law to Authorize the Borrowing Upon Instalment Debentures in the Aggregate Principal Amount of \$26,850,196.00 (5 Year Instalment Debentures in the Principal Amount of \$890,000.00 and 10 Year Instalment Debentures in the Principal Amount of \$25,960,196.00), \$4,329,495.00 of Which 10 Year Instalment Debentures May be Raised by the Issue of Refinancing Debentures, For the Purposes of The Regional Municipality of Niagara (*To be attached to the Council Addendum*)

Bill 71

A By-Law to Authorize the Borrowing Upon 10 Year Instalment Debentures in the Aggregate Principal Amount of \$22,809,804.00 For the Purposes of the Cities of Niagara Falls, St. Catharines, Welland and Port Colborne and the Towns of Lincoln and Fort Erie (*To be attached to the Council Addendum*)

Bill 72

A By-Law to Authorize the Borrowing of the Aggregate of the Principal Amounts Authorized by By-Laws Nos. 70-2007 and 71-2007 in the Aggregate Principal Amount of \$49,660,000.00 (5 Year Instalment Debentures in the Principal Amount of \$890,000.00 and 10 Year Instalment Debentures in the Principal Amount of \$48,770,000.00) and the Issuing of One Series of Instalment Debentures Therefore, \$4,329,495.00 of Which Debentures May be Raised by the Issue of Refinancing Debentures (*To be attached to the Council Addendum*)

Bill 73

A By-Law to Authorize the Borrowing Upon 20 Year Amortizing Debentures in the Principal Amount of \$6,777,000 for a Purpose of The Regional Municipality of Niagara (*To be attached to the Council Addendum*)

Bill 74

A By-Law to Adopt, Ratify and Confirm the Actions of the Regional Council at its meeting held on the 5th of July, 2007

Carried.

279. Moved by Councillor Augustyn
Seconded by Councillor Badawey

That the following Bills be now read and do pass.

Bill 75

A By-Law to Provide for the Adoption of Amendment 3-2006 to the Official Plan for the Niagara Planning Area to Permit an Expansion to the Urban Area in the City of Welland.

Bill 76

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the City of St. Catharines

Bill 77

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the City of St. Catharines

Carried.

STAFF DIRECTIONS

Staff were directed to:

- Provide Councillor Collins with a list of meeting dates for the Council Business Planning Sessions. (Refer to Minute Item # 272)
- Include the air quality programs through the Public Health Department (already a leader in this area) in discussions of the Region's contributions to the protection of our environment for future generations as an example of steps the Region has already taken (Refer to Minute Item #272)

ADJOURNMENT

The Council meeting adjourned at 8:10 p.m.

Peter Partington
Regional Chair

Betty Staines
Legislative Assistant

Janet Pilon
Acting Regional Clerk