

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 11-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, August 16, 2007 commencing at 6:35 p.m.

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Lockyer, Acting Commissioner, Corporate Services; Hutchings, Commissioner, Community Services; Robson, Director, Community Integration; Cousins, Acting Commissioner, Public Works; Dr. Williams, Medical Officer of Health; Ms. Elliott, Acting Commissioner, Human Resources; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff

(Part-Time): Messrs. Roberts, Executive Assistant to the Regional Chair; Kyne, Director, Legal Services; Atack, Coordinator Information Management & Special Projects; Ms. Manzer, Council Support Assistant.

CALL TO ORDER

307. Regional Chair Partington called the meeting to order at 6:35 p.m.

CLOSED SESSION

308. Moved by Councillor Collins
Seconded by Councillor Baty

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.

309. A Matter Concerning the Security of the Property of the Region of Niagara
Insurance Program Renewal
CSD 129-2007 Confidential

Moved by Councillor Collins
Seconded by Councillor Rigby

That Confidential Report CSD 129-2007, August 8, 2007, respecting A Matter Concerning the Security of the Property of the Region of Niagara – Insurance Program Renewal, be received and the recommendations contained therein be approved **as amended**, save and except recommendations No. 2 **and 3**, which **are** referred to staff for further information; **with an amendment to the premium cost in recommendation No. 1 as reported.**

Carried.

CLOSED SESSION, RISE AND REPORT

310. Moved by Councillor Collins
Seconded by Councillor Badawey

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 Gabriel, followed by the singing of 'O Canada'.

311. **CONFLICTS OF INTEREST**

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 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

312. Moved by Councillor Collins
Seconded by Councillor Trombetta

That the Council Agenda CL 11-2007 be approved and adopted as amended by moving the Notices of Motion following the Correspondence.

Carried.

PRESENTATIONS

313. T. Roy Adams Humanitarian of the Year Award

Regional Council awarded the fifth T. Roy Adams Humanitarian of the Year Award to Ms. Catherine Mindorff.

The T. Roy Adams Humanitarian of the Year Award is presented in Roy's name as a memorial award to honour a resident of Niagara who best exemplifies his values and dedication to community service; a person who sees volunteerism as an integral part of their life.. Mr. Roy Adams was a colleague and a dear friend, who served as Mayor for the City of St. Catharines from 1976 to 1985, and as a Regional Councillor from 1988 to 2002. Roy was not only a dedicated Mayor and Regional Councillor, but also a dedicated volunteer to community service, who could always be counted upon to be there, he approached everyone the same, and was a friend to all who knew him.

Ms. Catherine Mindorff was nominated for how she has enhanced the lives of people in the community, broken new ground, overcome barriers, and an example of leadership to others around her. Mr. Mindorff has spent countless hours in Community Service. Her ability to get the job done on time and on budget are characteristics that enhance her leadership style. She is recognized as a Door Opener helping women achieve greater independence and success. Ms. Mindorff is a definite asset to her community.

Since Ms. Mindorff's retirement in 2001, her volunteering has included being the Chair of the Niagara Newcomer Employment Council; Co-Chair of the Community Services Quality Council; Chair of the Niagara Integrated Social and Community Planning Project; Volunteer leadership role to facilitate the development of Canada's first migration health centre to be located at the Peace Bridge in Fort Erie and Niagara Training and Adjustment Board (NTAB) Diversity Director Chair.

Ms. Mindorff is the driving force behind the development and implementation of Peace Bridge Newcomers Centre – Fort Erie; Fort Erie Community Health Centre; Niagara Integrated Community and Social Planning Project and the Niagara Newcomers Employment Council.

314. 2007 Recipients and Finalists: Regional Chair's Bursary for Brock University Regional Chair's Bursary for Niagara College

The Regional Chair's Bursaries (\$1,000 – Brock University and \$1,000 – Niagara College, with \$250 for each of the four finalists) were approved by Council in 2002 and are awarded to a first-year student entering Brock University and to a first-year student entering Niagara College.

Regional Council congratulated Ms. Amber Shelton a graduate of Centennial Secondary School in Welland entering Brock University to pursue a degree in Mathematics Integrated with Computers and Applications for being awarded the Bursary for Brock University and the finalists Ms. Kaitlyn Luey a graduate of Blessed Trinity Secondary School in Grimsby entering Brock University to pursue a degree in Biomedical Science and Mr. Taylor McLinden a graduate of St. Catharines Collegiate Secondary School in St. Catharines entering Brock University to pursue a degree in Biomedical Sciences.

Regional Council also congratulated Ms. Nicole Dupuis, a graduate of St. Francis Secondary School in St. Catharines. Entering Niagara College to pursue a career as a Dental Hygienist for being awarded the Bursary for Niagara College and the finalists Ms. Shienna Seguin a graduate of Laura Secord Secondary School – Independent Learning Centre in St. Catharines entering Niagara College to pursue a career in the Social Service Worker program and Corrections and Ms. Brittany Kremer a graduate of Eden High School in St. Catharines entering Niagara College to pursue a career as a Dental Hygienist.

315. Southern Ontario Gateway Council

Mr. John Best, Executive Director, Southern Ontario Gateway Council provided Regional Council with a presentation on the Southern Ontario Gateway Council, a transportation forum with a unique blend of members from the public and private sectors.

Southern Ontario Region is the 12th largest region in North America and is Canada's major economic hub with both voting and resource members that encompass the entire transportation gammit.

The Southern Ontario Gateway has a well-developed and mature transportation (rail, road, marine, public transit and aviation) network, however, they were without a forum, which is why the Southern Ontario Gateway Council was formed.

Mr. Best noted the importance of the gateway in relation to the U.S. with imports from the U.S. into Ontario being 84% and exports to the U.S. from Ontario being 94%.

The challenges the Southern Ontario Gateway Council are facing are congestion that is only going to worsen if the traffic and population growth projections come to fruition, therefore, there is a need for action, a coordinated action to create a transportation planning dynamic that will proactively manage the improvements and expansion of region's transportation system.

The Southern Ontario Gateway Council's vision is "To Support the prosperity of Southern Ontario by achieving excellence in an integrated transportation system" and their key strategic issues are infrastructure and funding; network efficiency; integrated planning; borders, security and safety and competitiveness.

REGIONAL CHAIR'S REMARKS

316. Regional Chair Partington noted that work is continuing on the updating of the 2007-2011 Council Business Plan. The Regional Chair thanked all members of Council for the exceptional attendance, effort and enthusiasm that has gone into the discussions about this plan.

The plan will form the blueprint for moving the Region forward for this term of Council. As part of the process, senior staff, local municipal staff and community stakeholders have been invited to provide feedback and input into the process.

Regional Chair Partington thanked everyone who has participated so far and those who have agreed to share their time and thoughts to assist Regional Council in developing a good plan for the Niagara community.

Gilmore Lodge, long-term care home continues to be a key contributor to the vibrancy of its local community in Fort Erie, for the fourth year, Gilmore Lodge has been honoured at the Communities in Bloom awards ceremony.

On August 9th, Gilmore was awarded first place in the institutional category with the top award of five Blooms indicating a score of 86 points or more. Gilmore Lodge also received the award for Urban Forestry.

On behalf of Regional Council, Regional Chair Partington extend congratulations to the staff and volunteers at Gilmore Lodge who use their free time to beautify the grounds of this home for the benefit of the residents, as well as residents of the Town of Fort Erie.

The plants that adorn the Council Chamber this evening have been provided courtesy of Meyers Fruit Farms Inc. of Niagara-on-the Lake. On behalf of Council Regional Chair Partington thanked them for their gift.

CORRESPONDENCE

317. Moved by Councillor Baty
Seconded by Councillor Cordiner

That Communications C6942 to C6946, be received and dealt with as noted in the Council Agenda and Addendum:

C6942 A card of thanks from Carol Reece, an employee of the Community Services Department, for the kind donation to the Canadian Cancer Society in memory of her brother Bob Jones.

- C6943 A letter from Jocelyn Gagne, Chair, Accessibility Advisory Committee (August 15, 2007) to the Minister of Community and Social Services respecting the Accessibility Advisory Committee's comments proposed Transportation Standards as developed under the *Accessibility for Ontarians with Disabilities Act*. (AODA).
- C6944 A letter from Joe Cousins, Director, Transportation Services (August 14, 2007) to the Minister of Community and Social Services respecting the Region of Niagara's comments on the proposed Transportation Standards as developed under the *Accessibility for Ontarians with Disabilities Act*. (AODA).
- C6945 A petition signed by concerned residents of the Pelham Road area, acknowledging the growing number of motor vehicles driving in excess of the 70 km/h posted speed limit.
- C6946 A letter from Larry Iggulden, Chair of the Police Services Board and Chief Wendy Southall (August 16, 2007) respecting the Niagara Regional Police Service Long Term Accommodation Strategy.

Carried.

NOTICES OF MOTION

318. Moved by Councillor Rigby
Seconded by Councillor Zimmerman

That Regional Council waive the notice requirement, in order for Regional Council to deal with the motion respecting the Public Release of Recommendations Regarding the NRP Facilities in Niagara at this time.

Carried.

319. Release of the Report Respecting
Niagara Regional Police Facilities

As the notice requirements had been waived Councillor McMullan presented the motion respecting the Public Release of Recommendations regarding the NRP facilities in Niagara.

Following a lengthy discussion, it was:

- Moved by Councillor McMullan
Seconded by Councillor Badawey

WHEREAS taxpayers in Niagara pay over \$100 million each year through their property taxes to support the operations of the Niagara Regional Police;

WHEREAS a police detachment located in the communities of Niagara Falls, St. Catharines and Port Colborne is important not only to the responsiveness of police officers but also to the safety and security of residents;

WHEREAS speculation regarding the potential closure of police detachments in Niagara Falls, Port Colborne and St. Catharines has caused distress among the residents of these communities;

WHEREAS previous requests to release the confidential report on the future of Niagara Regional Police facilities in Niagara communities have been denied;

THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of Niagara respectfully request the Niagara Regional Police Services Board release to the public the consultants report regarding Niagara Regional Police facilities given due consideration to specifics relating to property acquisition and construction values.

BE IT FURTHER RESOLVED that representatives of the Niagara Regional Police Services Board be requested to appear before Niagara Regional Council to present the report's findings and recommendations.

BE IT FURTHER RESOLVED that the Niagara Regional Police Board disclose its intentions for public consultation – including timelines, workplans, level of input sought and anticipated outcomes – once the report is released.

Carried.

Regional Council recessed at 9:05 p.m. to resolve into Committee of the Whole and reconvene following the adjournment of Committee of the Whole meeting.

Regional Council reconvened at 9:20 p.m.

APPROVAL OF MINUTES

320. Report CL 10-2007

Moved by Councillor Lepp
Seconded by Councillor Byslma

That Report CL 10-2007, being the minutes of the Proceedings of Council of Thursday, July 26, 2007, be approved and adopted.

Carried.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

321. Report 11-2007

Moved by Councillor Rigby
Seconded by Councillor Marshall

That Report 11-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, August 8, 2007, be approved and adopted.

Carried.

322. Transfer of Approved Millennium Partnerships
Funding Between Projects
PWA 130-2007 & Memorandum

Moved by Councillor Henderson
Seconded by Councillor Badawey

That Report PWA 130-2007, August 8, 2007, respecting Transfer of Approved Millennium Partnerships, Funding Between Projects and the Memorandum from Mr. Leo Gohier, Acting Director, Water & Wastewater Service, dated August 16, 2006 respecting the Additional Information Request to PWA 13-2007, Transfer of Approved Millennium Funding, be received;

That approval is given to seek approval from the Ontario Ministry of Public Infrastructure Renewal (MPIR) to transfer all unutilized Millennium Partnerships Initiative funding in the amount of approximately \$8,250,517 from the Wainfleet Water and Wastewater Servicing Project (#7314), the West Street Revitalization Project (#7306) and the Port Robinson Lagoon Decommissioning Project (#7301) to the Welland CSO Control/ OAW Sewer Separation Project (#7304), and

That a request be made to MPIR to extend the completion date of the OAW Project to the end of 2008, and

Equivalent funding be reallocated at a future time to Wainfleet W&WW Servicing Project, should Council decide to proceed with this undertaking.

Carried.

323. Tender Award for 2007-T-113
Contract No. RN 07-13
2007 Hot Mix Resurfacing Program
PWA 141-2007

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 141-2007, August 16, 2007, respecting the Tender Award for 2007-T-113, Contract No. RN 07-13, 2007 Hot Mix Resurfacing Program, be received.

That Contract RN 07-23, 2007 Hot Mix Resurfacing Program, be awarded to the low tenderer, Rankin Construction Inc., at its bid price of \$1,587,567.00.

That a contingency allowance in the amount of \$150,000.00 be provided for this contract.

That the Regional Clerk be directed to ensure that the necessary by-laws, included 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 August 16, 2007.

That all project costs be charged against Parent Project ZRC0701/RC0701.

Carried.

JOINT REPORTS

324. Request for Approval of Tunnel Extension under
Contract RN 06-16 Oxford Atlas Wellington Sanitary Sewer
City of Welland
Project ZSW0204/SW0416
PWA 133-2007 (CSD 134-2007)

Moved by Councillor Marshall
Seconded by Councillor Rigby

Report PWA 133-2007 (CSD 134-2007), August 8, 2007, respecting Request for Approval of Tunnel Extension under Contract RN 06-16 Oxford Atlas Wellington Sanitary Sewer in the City of Welland, Project ZSW0204/SW0416, be received;

That subsequent to Regional Council and the Ontario Ministry of Public Infrastructure Renewal (MPIR) approval, funding from Millennium Partnerships Initiative (MPI) in the amount of approximately \$8,250,517 be transferred from the Wainfleet Water and Wastewater Servicing Project, the Port Robinson Lagoon Decommissioning Project and the West Street Revitalization Project to the Welland CSO Control/ OAW Sewer Separation Project.

That Contract RN 06-16, Oxford Atlas Wellington Sanitary Sewer awarded to McNally Construction Inc. be amended to include extension of the sanitary sewer tunnel at an additional cost of \$4,871,228.44 for a revised total contract price of \$16,693,400.44.

That a contingency allowance in the amount of \$250,000.00 be approved for this contract extension.

That approval be given to increase the engineering budget of Associated Engineering by \$310,545.00 to reflect the additional scope of work for design modifications, construction administration and inspection for the sanitary sewer tunnel extension.

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council, including authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara.

Carried.

CORPORATE SERVICES COMMITTEE

325. Report 11-2007

Moved by Councillor Collins
Seconded by Councillor Casselman

That Report 11-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, August 8, 2007, be approved and adopted as amended during Regional Council's Closed Session.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

326. Report 11-2007

Moved by Councillor Casselman
Seconded by Councillor Lepp

That Report 11-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, August 7, 2007, be approved and adopted.

Carried.

BUDGET REVIEW COMMITTEE OF THE WHOLE

327. Moved by Councillor Rigby
Seconded by Councillor Marshall

That Report 1-2008 Budget, being the minutes of the Budget Review Committee of the Whole meeting of Thursday, July 26, 2007, be approved and adopted.

Carried.

COMMITTEE OF THE WHOLE

328. Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That the decisions made at the Committee of the Whole meeting of Thursday, August 16, 2007, be approved and adopted.

Carried.

OTHER BUSINESS

329. Terry Fox at Work Day – Great Canadian HeadShave

Councillor Saracino donned his shaven head in support of the Great Canadian HeadShave and is accepting donations now. If you are interested in donating to this worthy cause, please contact Councillor Saracino by e-mail: robert.saracino@regional.niagara.on.ca

BY-LAWS

330. Moved by Councillor Forster
Seconded by Councillor Gabriel

That the following Bills be now read and do pass:

Bill 86

A By-Law to Establish Part of Township Lot 11, in the City of Niagara Falls as Part of Regional Road No. 70 (Taylor Road)

Bill 87

A By-Law to Close and Convey Part of the Excess Untravelled Portion of Regional Road No. 38 (Martindale Road) in the City of St. Catharines

Bill 88

A By-Law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 16th of August, 2007

Carried.

331. Moved by Councillor Bylsma
Seconded by Councillor Goulbourne

That the following Bills be now read and do pass:

Bill 89

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the Town of Niagara-on-the-Lake

Carried.

ADJOURNMENT

The Council meeting adjourned at 9:40 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk