

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 14-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, October 18, 2007 commencing at 6:30 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; Saracino; Smeaton; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Hutchings, Commissioner, Community Services; Farley, Director, Planning Development; Brothers, Commissioner, Public Works; Nicol, Commissioner, Human Resources; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff

(Part-Time): Messrs. Kyne, Director, Legal Services; Robson, Director, Community Integration; Ms. Rossetto, Insurance Claims Analyst.

CALL TO ORDER

396. Councillor Smeaton Acting Regional Chair called the meeting to order at 6:30 p.m.

CLOSED SESSION

397. Moved by Councillor Collins
Seconded by Councillor Katzman

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.

398. A Matter Concerning the Security of the Property of the Region of Niagara – Insurance Program Renewal
CSD 157-2007 Confidential

Moved by Councillor Rigby
Seconded by Councillor Collins

That Confidential Report CSD 157-2007, October 18, 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.

Carried.

Regional Council also approved the sharing of Confidential Report CSD 157-2007 with senior Niagara Regional Housing staff.

CLOSED SESSION, RISE AND REPORT

399. Moved by Councillor Badawey
Seconded by Councillor Bentley

That this Committee do now rise with report.

Carried.

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

ADOPTION OF THE AGENDA

400. Moved by Councillor Martin
Seconded by Councillor Baty

That the Council Agenda CL 14-2007 be approved and adopted as presented.

Carried.

401. **CONFLICTS OF INTEREST**

Councillor Badawey declared an indirect pecuniary interest with respect to Minute Item # 425 of the Planning and Public Works Committee minutes of October 10, 2007, respecting Report DPD 116-200, October 10, 2007, Lifting of Deferral of the Core Natural Heritage Map, City of Port Colborne Section, Regional Policy Plan Amendment 187, as he owns property in this area, 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.

PRESENTATIONS

402. **Bicycle Friendly Awards**

Councillor Baty, Chair, Regional Niagara Bicycling Committee introduced the 2007 Bicycle Friendly Awards, a program sponsored by the Regional Niagara Bicycling Committee and the Niagara Region Public Health Department, established to encourage and recognize organizations which promote cycling in the Niagara Region.

The Bicycle Friendly Awards are based on five strategies: Awareness Raising, Education and Skill Building, Events, Supportive Environments and Policy Development and fall into three award categories: Gold – a minimum of one activity in all five of the strategies have been implemented, Silver – a minimum of one activity in any four of the five strategies have been implemented and Bronze – a minimum of one activity in any three of the five strategies have been implemented.

The 2007 Bicycle Friendly Award Recipients are in the category of:

Workplaces: Ontario Power Generation (Gold); GDX Automotive (Silver); Community Living Welland Pelham (Silver); the Corporate Wellness Committee (Silver); and the City of Welland (Bronze)

Business: Bikefit (Gold) and Liberty! Bicycles (Gold)

Community Groups: The Sunflower Squad (Gold)

Government Institutions: The School Health Program (Bronze) and the Town of Niagara-on-the-Lake (Bronze)

Regional Council congratulated all of the 2007 Bicycle Friendly Award winners.

APPROVAL OF MINUTES

403. Report BRCOTW 2-2008

Moved by Councillor Martin
Seconded by Councillor Rigby

That Report BRCOTW 2-2008, being the minutes of the Budget Review Committee of the Whole meeting of Thursday, September 27, 2007, be approved and adopted.

Carried.

404. Report CL 13-2007

Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That Report CL 13-2007, being the minutes of the Proceedings of Council of Thursday, September 27, 2007, be approved and adopted.

Carried.

405. Report COTW 8-2007

Regional Council deferred the approval of the October 11, 2007, Committee of the Whole minutes to later in the meeting.

(Refer to Minute Item # 429)

CORRESPONDENCE

406. Moved by Councillor Bylsma
Seconded by Councillor Lepp

That Communications C6960, C6961, C6965 and C6966, be received and dealt with as noted in the Council Agenda and Addendum:

C6960 A card of thanks from Sylvia Breitenbach, an employee of the Community Services Department, for the kind donation to Help a Child Smile in memory of her sister Andrea Sveda.

C6961 An e-mail of thanks from Donald Smith an employee of the Public Works Department, for the kind donation to Dr. Bob Kemp Hospice in memory of his father Kenneth Smith.

C6965 A card of thanks from Norm Puttick, Regional Councillor for the kind donation to Meadows of Dorchester in memory of his mother-in-law Mary Coccimillo.

C6966 A letter from Deb Morton, Executive Director, Niagara Regional Police Services Board (October 3, 2007) in response to Haldimand County's request for the provision of policing services to Haldimand County (C6930).

Carried.

AGENCIES, BOARDS AND COMMISSIONS

407. Niagara Peninsula Conservation Authority
Appointment to the Niagara Peninsula Source Protection Committee

Councillor Rigby expressed an interest in serving as Council's representative on the Niagara Peninsula Source Protection Committee, it was therefore:

Moved by Councillor Marshall
Seconded by Councillor McMullan

That Correspondence Item C6962, A memo from Ken Brothers, Commissioner of Public Works (October 3, 2007) respecting the Niagara Peninsula Source Protection Committee Appointment, be received; and

That Councillor Rigby, be appointed as the Region's representative on the Niagara Peninsula Source Protection Committee.

Carried.

408. Moved by Councillor Burroughs
Seconded by Councillor Heit

That Correspondence Item C6963, A letter from Holly Dowd, Town Clerk, Town of Niagara-on-the-Lake (October 10, 2007) respecting the Council of Town of Niagara-on-the-Lake's recommendation to the Region to consider Mr. Dave Lambert as a possible candidate as a representative for Group 3 of the Niagara Peninsula Conservation Authority Proposed Source Protection Committee for the Niagara Peninsula Source Protection Area, be received.

Carried.

Regional Chair Partington assumed the Chair for the remainder of the meeting.

REGIONAL CHAIR'S REMARKS

409. Regional Chair Partington thanked Councillor Smeaton as this month's acting Regional Chair for stepping in and managing council at the start of session, while I introduced Margaret Trudeau, who was speaking at Brock University on behalf of the Canadian Mental Health Association's Niagara chapter on the stigma attached to mental illness this evening.

Regional Chair Partington welcomed back to Councillor Bruce Timms, and congratulated him on a well-run and focused provincial election campaign in the St. Catharines riding.

Regional Chair Partington congratulated the four incumbent Niagara Members of Provincial Parliament, Jim Bradley, Kim Craitor, Tim Hudak and Peter Kormos, on their successful bids to represent their constituents once again.

Regional Chair Partington also thanked and congratulated all of the individuals who ran for office. Niagara Region witnessed a number of intriguing electoral races and the presence of many strong candidates benefits us all during an election.

Regional Chair Partington congratulated the cities of Welland and Port Colborne for bringing forth an innovative transit partnership between the cities which saw the first bus link between the two on October 9th.

The Regional Chair advised Regional Council that he would be leading a delegation next week that will make it's way to Ottawa for the third year in a row to discuss Niagara issues with federal government Ministers and senior staff. Niagara's representatives look forward to seeing the continued success of these ventures, and the Regional Chair will certainly report back to Regional Council in the coming weeks on the visit.

The Regional Chair also advised Regional Council that he would be taking part in a trade and economic mission to Japan and South Korea for two weeks in early November. The Regional Chair is hopeful that Niagara can stand to gain economically from the relationships and ties developed over the course of these trips.

The Regional Chair noted that Lieutenant-Governor David Onley will be in the Niagara Region tomorrow for a pair of events in Thorold and Welland.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

410. **Report 14-2007**

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 14-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, October 10, 2007, be approved and adopted.

Carried.

(Refer to Councillor Information Requests)

411. Regional Chair's Agricultural Task Force Minutes
September 25, 2007 - Minute Item 4

Moved by Councillor Hodgson
Seconded by Councillor Baty

That the Niagara Area Planners Group begin a collaborative and comprehensive review of land use policy (local, regional and provincial) and current land use issues, regarding on farm value-added activities (including processing, agri-tourism, culinary tourism, etc.) to better inform the Greenbelt process; and

That Regional Council increase awareness and recognition of the very significant contribution of our farming community to environmental and public health objectives and to the economic sustainability of rural communities as a priority.

Carried.

CORPORATE SERVICES COMMITTEE

412. Report 14-2007

Moved by Councillor Collins
Seconded by Councillor Martin

That Report 14-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, October 10, 2007, be approved and adopted with the exception of Minute Item # 248 in the Corporate Services Committee meeting minutes of October 10, 2007, Report CSD 144-2007, respecting the 2008 Meeting Schedule, which is to be dealt with separately.

Carried.

(Refer to Councillor Information Requests)

413. 2008 Meeting Schedule and Memo from Councillor Collins
CSD 144-2007 and C6964

Moved by Councillor Collins
Seconded by Councillor Martin

That Report CSD 144-2007, October 10, 2007, respecting the 2008 Meeting Schedule and Communication C6964, a memo from Councillor Collins (October 12, 2007) respecting the 2008 Draft Meeting Schedule – CSD 144-2007, be received.

Carried.

414. 2008 Meeting Schedule - Option 'F'
C6967

Councillor Collins advised Regional Council that Option 'F' amends Option 'E', attached to C6964, which moves the Planning and Public Works Committee meeting from August 27th at the call of the Co-Chairs to September 3, 2008 at 9:00 a.m. eliminating the conflict with AMO.

Moved by Councillor Collins
Seconded by Councillor Martin

That Communication C6967, be received, approved and adopted as the 2008 Meeting Schedule.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

415. Report 14-2007

Moved by Councillor Baty
Seconded by Councillor Cordiner

That Report 14-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, October 9, 2007, be approved and adopted.

Carried.

CHIEF ADMINISTRATIVE OFFICER'S REPORT

416. Niagara Regional Police Long Term Accommodation Strategy –
Public Consultation Process
CAO 11-2007

Moved by Councillor Bentley
Seconded by Councillor Saracino

That Report CAO 11-2007, October 18, 2007, respecting the Niagara Regional Police Long Term Accommodation Strategy – Public Consultation Process, be received for information; and

That Council endorse the collaborative process for public consultation as outlined in the report and the attached Police Services Board report; and

That Council endorse the format of the November 8th Committee of the Whole (COTW) meeting, as outlined in the report.

Carried.

OTHER BUSINESS

417. Co-Chair of the Public Health and Social Services Committee

Councillor Timms upon his return to Regional Council suggested that Councillor Casselman assume the Co-Chair's position (Aligned to the Public Health Department) until January 2008, when an election for the Co-Chairs of the Committee will be held.

418. United Way

Mike Trojan thanked the Regional Chair and Regional Council for supporting the Niagara Region's involvement in the United Way.

Mr. Trojan advised Regional Council that the goal for Niagara Region's employees is \$130,000, St. Catharines is \$3.1 million and for Niagara Region as a whole is over \$5 million.

419. Poverty in Niagara

Councillor Puttick asked staff to report back to Committee on the current status of poverty in Niagara Region.

420. Children Participating on Sports Teams

Councillor Puttick asked staff to report back to Committee on the number of children in Niagara Region who are unable to participate on sports teams due to financial hardship.

421. Niagara Falls Review

Councillor Puttick asked staff to find out whether the Niagara Falls Review is being delivered to the Niagara Region, if it is not, staff are to find out why.

422. Proposed Statutory Holiday "Family Day" in February

Regional Council was advised that the Corporate Management Team have been discussing the proposed statutory holiday "Family Day" in February, that will incur a cost of approximately \$250,000 to the Niagara Region.

423. Ontario Economic Summit – Niagara-on-the-Lake

Councillor Burroughs was pleased to announce that the former U.S. President Bill Clinton is scheduled to give a keynote address on November 13, 2007 on the opening night of the Ontario Economic Summit in Niagara-on-the-Lake.

424. Thorold's Mock Emergency Exercise

Councillor D'Angela thanked the various agencies and individuals who participated in the City of Thorold's mock emergency exercise.

425. Celebrate Canada Luncheon – David Onley, Lieutenant-Governor

Councillor D'Angela advised Regional Council that the Niagara Region is honoured that the Lieutenant-Governor, David Onley will be speaking at the Celebrate Canada Luncheon.

426. Sixth Annual Canal Bank Shuffle

Councillor D'Angela invited everyone to visit the City of Thorold October 18th – 20th and attend the Sixth Annual Canal Bank Shuffle.

427. Launch of the Think and Drive Campaign

Councillor Greenwood attended the launch of the Think and Drive Campaign On Tuesday, October 16, 2007 at Saint Paul High School, where Lucas Hodgson spoke about his experience and the dangers of driving while impaired or distracted.

428. Waste Reduction Week

Regional Council received travel mugs in celebration of Niagara Region's Waste Reduction Week festivities.

APPROVAL OF MINUTES (Continued)

429. Report COTW 8-2007

Moved by Councillor Henderson
Seconded by Councillor Rigby

That Report COTW 8-2007, being the minutes of the Committee of the Whole meeting of Thursday, October 11, 2007, be approved and adopted.

Carried.

Councillor Puttick requested that he be recorded as opposed to the aforementioned motion.

CORRESPONDENCE (Continued)

430. Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That Communication C6968, a memo from John Bergsma, Commissioner of Corporate Services (October 18, 2007) respecting Additional Information Re: Wainfleet Water and Wastewater Servicing Report, be referred back to staff for revision and redistribution at the next Council meeting.

Carried.

BY-LAWS

431. Moved by Councillor Lepp
Seconded by Councillor Bylsma

That By-law 96-2007, A By-law to Govern the Calling, Place and Proceedings of the Meetings of Council and its Committees and to Repeal By-law 120-2005, as approved on September 27, 2007, be received for information.

Carried.

432. Moved by Councillor Katzman
Seconded by Councillor Timms

That the following Bills be now read and do pass:

Bill 97

A By-Law to Provide the Claw Back Percentages to be Used for Each Capped Class to the Area Municipalities

Bill 98

A By-Law to Provide for the Adoption of Amendment 6-2007 to the Official Plan for the Niagara Planning Area to Update the Regional Road Allowance Policies

Bill 99

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

Carried.

433. Moved by Councillor Heit
Seconded by Councillor Burroughs

That the following Bills be now read and do pass:

Bill 100

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

Bill 101

By-Law to Provide for the Regulation of Traffic on Regional Highways in the Township of West Lincoln and Township of Wainfleet

Bill 102

A By-Law to Establish Part of Lot 20, Plan M-89, in the Township of West Lincoln as Part of Regional Road No. 20 (St. Catharine Street)

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- Report back with the timeframe for the completion of these tasks listed in the Corporate Services Committee minutes of October 10, 2007 on Page 150 Item (ii). (Refers to Minute Item # 411) **Councillor Burroughs**
- Pursue the reasons why the Government of Canada did not include 'Agriculture' as a component of investment in industry in the Speech from the Throne. (Refers to Minute Item # 409) **Councillor Zimmerman**
- Provide the Corporate Services Committee with a detailed listing for the past eight years of capital projects by municipality, in order for Councillors to determine exactly what is being spent in each of the municipalities. **Councillor D'Angela**

ADJOURNMENT

The Council meeting adjourned at 8:55 p.m.

Peter Partington
Regional Chair

Bill Smeaton
Acting Regional Chair

Pam Gilroy
Regional Clerk

Janet Pilon
Deputy Clerk