

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 15-2007

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, November 8, 2007 commencing at 6:45 p.m.

ATTENDANCE

Council: Acting Regional Chair Baty; Councillors Augustyn, Badawey, Bentley; Burroughs; Bylsma; Casselman; Collins; Cordiner; D'Angela; Forster; Gabriel; Goulbourne; Greenwood; Heit; Henderson; Katzman; Lepp, Marshall; Martin; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; 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; Pilon, Executive Assistant to the Regional Chair; Murphy, Manager, Policy Development; Moffat; Manager, Property Management; Ms. Matthews-Malone, Director, Water & Wastewater.

CALL TO ORDER

434. Councillor Baty Acting Regional Chair called the meeting to order at 6:45 p.m.

CLOSED SESSION

435. Moved by Councillor Casselman
Seconded by Councillor Collins

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.

436. A Matter Solicitor-Client Advice
Confidential Memorandum

Moved by Councillor Collins
Seconded by Councillor Martin

That the Confidential Memorandum from Mike Kyne, Director, Legal Services (November 2, 2007), respecting A Matter of Solicitor-Client Advice, be received and staff be authorized to proceed as recommended.

Carried.

CLOSED SESSION, RISE AND REPORT

437. Moved by Councillor Badawey
Seconded by Councillor Bentley

That this Committee do now rise with report.

Carried.

Council met in regular session, commencing at 7:05 p.m. with an Invocation by Councillor Greenwood followed by the singing of 'O Canada'.

ADOPTION OF THE AGENDA

438. Moved by Councillor Trombetta
Seconded by Councillor Bentley

That the Council Agenda CL 15-2007 be approved and adopted as presented.

Carried.

439. **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.

PRESENTATIONS

440. National Child Day Poetry Celebration 2007

Dr. Williams, Medical Officer of Health advised Regional Council that the Children's Rights Interest Group of Niagara recently held the third Annual National Child Day Poetry Celebration and the first Annual Poster Celebration, as a lead up to National Child Day on November 20th, 2007. Last year, students in grades 4 through 8, from across the Region, shared their thoughts and enthusiasm around the theme, "**Reaching Our Potential: Our Right to Develop Who We Are**". This year, students in kindergarten through to grade 3, in Niagara, were asked to demonstrate their creativity on this year's theme entitled "**Living Well: Our Right to Survival**" by creating a poster. Students in grades 4 through 8 were once again asked to share their insight into this year's theme through a poem.

Living Well: Our Right to Survival places emphasis on the basic needs which include access to food and shelter and improving upon our standard of living and our health. The theme was taken with permission from the booklet "Say It Right: The Unconventional Canadian Youth Edition of the United Nations Convention on the Rights of the Child".

National Child Day was proclaimed by the Government of Canada on March 19th, 1993 to commemorate two historical events for children - the adoption of the United Nations Declaration on the Rights of the Child in 1959 and the UN adoption of the Convention on the Rights of the Child in 1989.

National Child Day holds a special significance for the Niagara Region, as it is one of the first Regions in Canada to institute a Charter of Rights for Children and Teens. The hope is that the Charter will be used for planning, developing and evaluating policies and decisions made towards improving children's lives.

This year Niagara Region received over 100 poem submissions and over 60 poster submissions from seven schools: three schools from the Niagara Catholic District School Board: St. Theresa Catholic School (St. Catharines), St. Joseph Catholic School (Fort Erie) and St. Ann School (St. Catharines); three schools from the District School Board of Niagara: Sheridan Park Public School (St. Catharines), Caistor Central School (Caistor Centre), and Westdale Public School (St. Catharines); one French school from the French Catholic Board: École Ste-Marguerite Bourgeoys (St. Catharines).

Dr. Williams introduced Victoria Arca a Grade 6 student from St Theresa School, St. Catharines who read her poem entitled "Children of the World"; Johnny Williamson a Grade 5 student from Caistor Central School who read his poem entitled "In Our Great Country"; Jessica Stones a Grade 4/5 student from St. Joseph School, Stevensville who read her poem entitled "Survival" and Katie MacKett a Grade 7 student from St. Ann School, St. Catharines, Steven MacKett, Katie's brother read her poem entitled "Our Right to Survival".

Dr. Williams took this opportunity to congratulate all of the students for their hard work and creativity and the teachers who participated in this year's celebration, along with Regional Council for their support and commitment towards this very important work related to Children's Rights. We collectively are building our communities by continuing to promote and monitor our Children's Rights.

In addition to this year's poetry and poster celebration, the Child's Rights Interest Group of Niagara invited families in Niagara to visit one of the participating municipalities for a free hour of skating and/or swimming to celebrate National Child Day. Dr. Williams thanked all of the participating municipalities.

National Child Day on November 20th is a day to remember that children need love and respect to grow to their full potential. It is a day to marvel at their uniqueness and all they have to offer. It is a day to celebrate the family and think about how adults affect the development of children close to them. It is a day about celebrating children in our community, as active citizens who can and should meaningfully contribute to decision-making as we create a Niagara fit for children. They are our future!

441. Report on Manufacturing in Niagara

Mr. Al Simpson, President and Mr. Kithio Mwanzia, Policy Coordinator, St. Catharines – Thorold Chamber of Commerce noted that there is a crisis in manufacturing in Canada, but that it is not just a Canadian issue, it is one that has gripped all of the G-8 countries with a strong manufacturing base.

Action is required now to ensure Niagara Region has a role to play in the global manufacturing sector. The St. Catharines-Thorold Chamber of Commerce recommends that additional funding for research and development initiatives carried out by Niagara's post secondary institutions relating to the manufacturing industry; establishment of a single, strong manufacturing collecting in Niagara Region; facilitated trade missions organized by Niagara Economic Development Corporation focused on the manufacturing sector to key North American markets; the development of a regional economic plan to transition from traditional manufacturing sector to emerging industries; implementation of tax relief and incentives for manufacturing at the provincial and federal levels; provide targeted incentives for green technology research and development in the manufacturing sector; for the federal government to assist in the transition and capitalize on the high dollar and new wealth in other sectors to create high value added products and produce healthy profits that will translate to industry growth; the federal and provincial governments to examine current procurement policy as well as existing trade agreements with the aim of encouraging the purchase of more Canadian manufactured products for government operations; the municipal and regional governments continue to harmonize regulations in order to streamline the process of business investment and expansion in Niagara Region; the federal government negotiate trade agreements that reflect environmental standards, labour laws, and other regulations that are mandated in Canada as a means to create competitive parity between trading partners.

These recommendations have been brought forward by businesses in the manufacturing industry as a means of ensuring that Niagara Region's manufacturing industry thrives in the future.

REGIONAL CHAIR'S REMARKS

442. Acting Regional Chair Baty noted that the Regional Chair is currently in Japan and South Korea on a business trip, therefore, he will be the Acting Regional Chair for this evening's Council meeting.

Acting Regional Chair Baty noted that the members of the public and staff, may be unaware of regional plans for situations where the Regional Chair or Chief Administrative Officer are unavailable to lead the business of the Region due to other business, illness, vacation, or a host of other potential circumstances. The Chairs and Co-Chairs of the three Standing Committees, as part of their duties, are named as Acting Regional Chair for specific months on a rotational basis. Similarly, Commissioners of the various departments are named as Acting CAO for specific months on a rotational basis as well.

As Co-Chair of the Public Health and Social Services Committee, November happened to be his lucky month, and that is why he is chairing this meeting on the Regional Chair's behalf today.

Regional Chair Partington is currently on an 11-day business trip to Japan and South Korea as the political head of a delegation of business leaders from across Niagara. The trip is arranged by the Niagara Economic Development Corporation, and is focused on recruiting new business to the Niagara peninsula. The delegation will be returning on November 13th.

On November 6th, the Public Health Department, in cooperation with the Provincial Emergency Management Unit, conducted a mass immunization clinic. The purpose of the exercise was to measure our capacity to operate a mass immunization clinic as part of the Niagara Region's pandemic plan.

A total of 1,106 flu shots were administered and Niagara Region is especially grateful to the residents of Niagara and Niagara's emergency responders for their participation in this event. While the clinic was in operation, we also operated the Emergency Operation Centre to test its capacity. Regional Council thanked Dr. Williams and the Public Health team, along with the countless other individuals who assisted with this exercise.

Councillors Martin, McMullan and Goulbourne, Patrick Gedge, CEO, Niagara Economic Development Corporation and Regional Chair Partington, along with a host of public and private sector representatives, including Police Chief Southall, Brock University President Jack Lightstone, and Councillor Zimmerman on behalf of the Grape Growers, returned from their brief visit to Ottawa to lobby federal officials on the economic importance of the Niagara Region as a major gateway and international border crossing. Over the span of 48 hours, they took part in 25 meetings with various federal officials. This included meetings with eight cabinet ministers, and a number of deputy ministers, parliamentary secretaries, and other senior staff. Our thanks to the Niagara Members of Parliament who helped ensure the success of the event. Thanks to Dean Allison, Rick Dykstra, John Maloney and Rob Nicholson for their assistance and support.

The Corporate Employee Recognition Team, marks its 10th Anniversary of the program through a celebration that will be taking place on Tuesday, November 27th, in the Campbell East Atrium from 10:00 a.m. to noon. A short program is scheduled from 10:15 a.m. to 10:30 a.m., and refreshments will be provided. We are encouraging staff attendance to draw attention to this important initiative which has been sustained over the years by staff and through the support of CMT and Regional Council.

Acting Regional Chair Baty noted that he had the opportunity on October 23rd to attend a special presentation by Stephen Brereton, Consul General of Canada, regarding the opportunities and challenges that lay ahead for our bi-national Niagara region. The presentation was held at the Albright-Knox Art Gallery in Buffalo, New York, and discussed the importance of cultural tourism and the renaissance of cities as economic drivers of growth in the 21st century.

Acting Regional Chair Baty will be attending a media event at ReliaClear Canada's offices on Schmon Parkway in Thorold on November 9th, regarding the creation of an innovative wireless internet network. The project is currently under development and expected to blanket the entire Niagara Region upon its completion. It's scheduled to begin with the City of Thorold as a test pilot and installations are anticipated to begin in the early part of 2008.

Regional Council thanked Jan and Fabiola Prins of Prins Grown Inc. in Jordan Station for the stunning floral arrangements that were on display in Council Chambers, these arrangements will be brought to the Woodlands of Sunset, one of our long-term care facilities located in Welland.

APPROVAL OF MINUTES

443. Report CL 14-2007

Moved by Councillor Saracino
Seconded by Councillor Martin

That Report CL 14-2007, being the minutes of the Proceedings of Council of Thursday, October 18, 2007, be approved and adopted.

Carried.

CORRESPONDENCE

444. Moved by Councillor Cordiner
Seconded by Councillor Salci

That Communications C6969, C6971 to C6974, be received and dealt with as noted in the Council Agenda and Addendum:

C6969 A card of thanks from Linda Smith, an employee of the Human Resources Department, for the kind donation to the Canadian Diabetes Society in memory of her mother Mary Miller.

C6971 A letter from Deb Morton, Executive Director, Niagara Regional Police Services Board (October 26, 2007) respecting the confidential copies of the Niagara Police Service's Long-Term Accommodations Strategy Background Reports Package that were distributed to Regional Council on October 26, 2007.

C6972 "Report on Manufacturing in Niagara" prepared by Kithio Mwanzia, Policy Coordinator, St. Catharines – Thorold Chamber of Commerce.

C6973 AMO Member Communication (October 30, 2007) respecting "AMO Welcomes New Cabinet" and a list of the cabinet members.

C6974 A memorandum from John Bergsma, Commissioner of Corporate Services (November 8, 2007) respecting Additional Information Re: Wainfleet Water and Wastewater Servicing Report.

Carried.

445. Moved by Councillor Collins
Seconded by Councillor Saracino

That Communication C6970, An update from Jill Cappa, Niagara Physician Recruitment & Retention Coordinator, respecting the activities accomplished July 1, 2007 – September 30, 2007, be received and referred to the Public Health and Social Services Committee for discussion: and

That Ms. Cappa be invited to attend to answer questions from the Committee.

Carried.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

446. Report 15-2007

Moved by Councillor Henderson
Seconded by Councillor Smeaton

That Report 15-2007, being the minutes of the Planning and Public Works Committee meeting of Wednesday, October 31, 2007, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

- 447 Report 15-2007

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 15-2007, being the minutes of the Corporate Services Committee meeting of Wednesday, October 31, 2007, be approved and adopted.

Carried.

(Refer to Councillor Information Requests)

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

448. Report 15-2007

Moved by Councillor Casselman
Seconded by Councillor Trombetta

That Report 15-2007, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, October 30, 2007, be approved and adopted.

Carried.

MOTIONS

449. Re-establishing the Council Organization Review Committee

Moved by Councillor Goulbourne
Seconded by Councillor Casselman

WHEREAS Regional Council, during it's last term of Council formed the Council Organization Review Committee (Terms of Reference - attached), who undertook the review of the current Standing Committee structure and supported the recommendations (attached) of the Committee on November 9, 2006, which were implemented during this term of Council; and

WHEREAS it is important to bring knowledge and understanding of the formulation of the original recommendations, it is hoped that the several of the members of the original Council Organization Review Committee on Council volunteer as members of the reconvened committee, with membership being open to all members of Regional Council; and

WHEREAS Regional Council is completing their first year of this four year term of office; and

WHEREAS Regional Council has approved the re-establishment of the Council Organization Review Committee with the Accommodation Steering Committee to review the design options submitted by the Consultant with respect to renovations to the Regional Council Chamber, and make recommendations to Council on a preferred option.

THEREFORE, BE IT RESOLVED:

That the Council Organization Review Committee be re-established as an Ad Hoc Committee of Council to review the implementation of the recommendations of the Council Organization Review Committee as endorsed by Council in November, 2006; and

That the Council Organization Review Committee be re-established for an estimated three or four meetings, dependant on the scope of the review to prepare a report on the degree to which the recommendations have been implemented; and

That the first meeting of the reconvened Council Organization Review Committee determine the specific areas on which to focus a review and to develop a survey for all Councillors to determine their input in the review; and

That the review, identify any real or perceived problems and make recommendations, if any, for improvements; refining the process; and

That the staff of the Clerk's Office be charged with preparing background reports to focus the Committee's review by compiling data from the meetings held during the past year; and

That the Council Organization Review Committee review the design options submitted by the Consultant for the proposed renovations to the Council Chambers and make recommendations to Council on a preferred option; and

That a report be prepared for Council by March 1, 2008.

Carried.

450. A Request to Include Niagara Region in the Regional Transportation Study Area

Moved by Councillor Zimmerman
Seconded by Councillor Timms

That Regional Council requests that the Regional Chair forward a letter to Minister Jim Bradley, Ministry of Transportation immediately, requesting that the Niagara Region be included in the Regional Transportation Study Area.

Carried.

OTHER BUSINESS

451. Thank you!

Councillor Rigby thanked Councillor Casselman for taking on the responsibilities of the Co-Chair of Public Health and Social Services Committee.

452. Niagara Regional Police Service Long-Term Accommodations Strategy

Councillor Smeaton noted that the Niagara Regional Police Service Long-Term Accommodations Strategy schedule is very ambitious and asked that Regional Council be patient with the Police Services Board, in order for them to consider all of the information and make the right decision for Niagara Region. The members of the Police Services Board will notify the Regional Chair and advise him of what the schedule appears to be, once they begin deliberations on the Niagara Regional Police Service recommendations.

453. Congratulations Minister Jim Bradley!

Regional Council extended congratulations to Minister Jim Bradley, the new Minister of the Ministry of Transportation.

454. Congratulations to the St. Catharines Arts Council

Regional Council extended congratulations to the St. Catharines Arts Council, for organizing the tremendous James Street Niagara of Art event.

BY-LAWS

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

That the following Bills be now read and do pass:

Bill 103

A By-Law to Amend By-Law 07-2007, Being a Bylaw to Appoint an Acting Regional Chair

Bill 104

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$400,000 for Project ZGD0705, Module System Upgrade

Bill 105

A By-Law to Authorize Long-Term Financing (10 - 20 Years) in the Amount of \$6,000,000 for Project ZSW0004, Wet Weather Flow Control Program

Bill 106

A By-Law to Amend By-Law No. 6200-91 Being a By-Law to Provide for the Regulation of Disabled Person Parking on Regional Roads

Bill 107

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

Bill 108

A By-Law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting Held on the 8th of November, 2007

Carried.

456. Moved by Councillor Bentley
Seconded by Councillor Casselman

That the following Bills be now read and do pass:

Bill 109

A By-Law to Establish Part of Lots 1 and 2, Concession 9, in the Town of Niagara-on-the-Lake as Part of Regional Road 81 (York Road)

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- amend and redistribute the Notice of Meetings for next week to include the details of the Development Charges Committee meeting being held next Tuesday. (Councillor Collins)
- ensure that the members of the Development Charges Committee are given more notice of their meetings. (Councillor Burroughs)
- bring a report back that details the Development Charges incentives and whether they achieved the results that were anticipated. (Councillor Bentley)

ADJOURNMENT

The Council meeting adjourned at 8:45 p.m.

Brian Baty
Acting Regional Chair

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk