

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 15-2008

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, September 25, 2008 commencing at 6:30 p.m.

ATTENDANCE

Council: Acting Regional Chair Rigby; Councillors Augustyn, Badawey, Baty; Bentley; Burroughs; Bylsma; Casselman; Collins; Cordiner; D'Angela; Forster; Greenwood; Heit; Hodgson; Katzman; Lepp; Marshall; Martin; Puttick; Saracino; Smeaton; Timms.

Staff: Messrs. Trojan, Chief Administrative Officer; Robson, Acting Commissioner, Planning and Development; Hutchings, Commissioner, Community Services; Bergsma, Commissioner, Corporate Services; Dr. Sider, Associate Medical Officer of Health; Ms. Elliott, Lead, Human Resources; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Kyne, Director, Legal Services; Hilbing, Manager, Client & Support Services; Moffatt, Manager Property Management; Ms. Pennisi, Director, Social Assist Employment.

CALL TO ORDER

400. Acting Regional Chair Rigby called the meeting to order at 6:30 p.m.

CLOSED SESSION

401. Moved by Councillor Burroughs
Seconded by Councillor Greenwood

That this Council do now move into Closed Session for the purposes of receiving information and dealing with Proposed Acquisition of Land by the Municipality from the Corporation of the Town of Niagara-on-the-Lake and a Matter of Solicitor-Client Advice.

Carried.

402. A Matter of Solicitor-Client Advice

There were no issues raised.

CLOSED SESSION, RISE AND REPORT

403. Moved by Councillor Badawey
Seconded by Councillor Bentley

That this Committee do now rise without report.

Carried.

ATTENDANCE

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

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

ADOPTION OF THE AGENDA

404. Moved by Councillor Burroughs
Seconded by Councillor Collins

That the Council Agenda CL 15-2008 be approved and adopted as presented.

Carried.

CONFLICTS OF INTEREST

405. Councillor Casselman declared an indirect pecuniary interest with respect to any matters relating to the Hospital Improvement Plan as submitted to the Local Health Integrated Network by the Niagara Health System as it has the potential to affect her husband's practice of Urology in St. Catharines, and she 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 relating to the Police as he has a family member employed by the Niagara Regional 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 any matters relating to the Hospital Improvement Plan as submitted to the Local Health Integrated Network by the Niagara Health System as she represents the Ontario Nurses Association and the Niagara Health System nurses may be affected, she therefore took no part in the discussion of, or voting on, these matters.

PRESENTATIONS

406. Community Workplace Health and Safety Charter

The Honourable Steven W. Mahoney, PC, Chair of the Workplace Safety and Insurance Board advised Regional Council that the Community Workplace Health and Safety Charter is designed to accomplish two (2) things:

- (i) Engage community leaders (yourself and all Members of Council) as local champions in a province-wide effort to eliminate preventable workplace incidents by supporting the Charter within their respective communities; and
- (ii) Demonstrate continuing leadership on the part of all Council - we know health and safety programs are only successful to the extent that the leaders of a community are demonstrably committed to the principles of exemplary workplace safety - Council's public support of the Charter principles places the issue squarely on the public radar screen.

The Charter is focused on both external audiences and those internal to the municipal corporation - its purpose is a public declaration by community leaders (i.e. Council) supporting the notion that "there really are no accidents" in Ontario's workplaces. Your Council's support of the principles that underpin exemplary workplace health and safety in all employment sectors within your community is vital to eliminating preventable workplace incidents.

The Charter does not require the commitment of municipal resources beyond those already allocated to your corporate health and safety efforts. It does not anticipate (or encourage) municipal officials or staff to act as labour inspectors, labour law enforcement officers or expend funds to train employers within the broader community.

Moved by Councillor Augustyn
Seconded by Councillor Badawey

That the Regional Municipality of Niagara endorses the principles that engaging senior community leadership is fundamental to ensuring real change occurs in eliminating workplace injuries in our community;

That the Regional Municipality of Niagara accepts that effectively managing workplace health, safety and wellness is essential for our community's continued social welfare and economic success;

That the Regional Municipality of Niagara recognizes that the involvement of all sectors of our community at every level in the workplace is a prerequisite to eliminating workplace injuries in the Regional Municipality of Niagara; and

That by signing this Community Workplace Health and Safety Charter, the Regional Municipality of Niagara is making a public commitment to actively participate within a learning community that provides and receives best practices for the enhancement of employee physical, social and mental well-being in all employment sectors within our community.

Carried.

Following the unanimous approval of the motion, the Acting Regional Chair Rigby and the Honourable Steven W. Mahoney signed the Community Workplace Health and Safety Charter.

REGIONAL CHAIR'S REMARKS

407. Acting Regional Chair Rigby noted that as we start the beginning of fall, we celebrate all the riches that Niagara has to offer! In particular this month we celebrate the Niagara Wine Festival which is now officially underway. Last year the Niagara Wine Festival attracted well over 500,000 visitors and I understand that more are expected this year.

This year's festival marks the 57th year for celebrating Niagara's Grape and Wine industry. This celebration allows participants the opportunity to enjoy more than 100 events including winery tours and tastings, concerts, Niagara cuisine, artisan shows, wine seminars, family entertainment. Don't forget to come out and enjoy one of Canada's largest street parades. The Grande Parade takes place on Saturday, September 27th is expected to draw approximately 150,000 visitors to downtown St. Catharines.

Acting Regional Chair Rigby announced that as of September 30th we are www.niagararegion.ca, which is consistent with the Niagara Region's overall brand and the adoption of the revised logo in 2005. The change makes it easier for citizens to type in our domain name, and to remember it, to access information they need about regional government, our programs and services. Residents will start noticing our new domain name on print materials, signs and the fleet. Staff have been updating business products, resources and materials where they can, using up old stock first. Regional Councillors have probably already started to see it in print and in use. This is an important step forward in identifying ourselves consistently as Niagara Region in all formats, in print and on the web. Our web site received 1.7 million visits last year, and just over 1 million so far this year. We receive steady feedback from citizens and staff about ways

to make our web site more user-friendly. On September 30th, you'll also notice changes to Niagara Region's home page based on these comments and evaluations. It is the first step in reviewing and updating Niagara's web site to provide better information about regional government and the services we provide to our citizens.

Statistics Canada is delivering a presentation here in Council Chambers tomorrow, September 26th, from 2 p.m. to 4 p.m. You're all invited to attend. The presenters will be describing the results of the 2006 Census and what has been learned about the "St. Catharines-Niagara Census Metropolitan Area". The topics include: population growth and/or decline; immigration; education; aging of the population; family composition; etc.

The plants that adorn the Council Chamber this evening have been provided courtesy of Debbie Boverhof of United Floral Distributors of Fenwick. These plants will be donated to Northland Pointe in Port Colborne. On behalf of Council the Acting Regional Chair thanked United Floral Distributors for their gift.

APPROVAL OF MINUTES

408. Report CL 14-2008

Moved by Councillor Saracino
Seconded by Councillor Martin

That Report CL 14-2008, being the minutes of the Proceedings of Council of Thursday, September 4, 2008, be approved and adopted.

Carried.

CORRESPONDENCE

409 Moved by Councillor Bentley
Seconded by Councillor Casselman

That Communications C7108 to C7112 and C7114 to C7120, be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7108 A letter from Ms. Domonie Pierre, Investigator, Ombudsman (September 3, 2008) in response to two complaints that the Niagara Regional Council had conducted a closed meeting on March 20, 2008, and that the reports should have been made public and they were discussed in closed session inappropriately. *(e-mailed to all Regional Councillor on September 10, 2008)*

Received.

C7109 Card of thanks from Danny Pinelli, an employee of the Public Health Department, for the kind donation to Foyer Richelieu in memory of his mother-in-law Cecile Bibeau.

Received.

C7110 A letter from Deputy Premier, Minister George Smitherman, Ministry of Energy and Infrastructure (August 27, 2008) respecting the approval of Niagara's Municipal Eco Challenge Fund (MECF) Application, with an award of up to \$100,000.

Received.

C7111 A letter from Dave Augustyn, Mayor, Town of Pelham (September 18, 2008) respecting the schedule for improvements to Regional Road #20 and requesting that the Chair's office encourage staff to expedite the property purchase/expropriation process in order for the reconstruction to begin this fall.

Received and referred to the Public Works Department.

C7112 Resolutions for support from the Town of Fort Erie (September 10, 2008) respecting the Niagara Health System – Hospital Improvement Plan: Election of all hospital boards in the Province of Ontario and The legislative enacting of the protective status of the Rural Hospital designation to the Douglas Memorial Hospital in the Town of Fort Erie and all other qualifying hospitals in Ontario.

Received and referred to the Public Health Department.

C7114 A thank you letter from Jillian Eden, (September 14, 2008) thanking Regional Council for the opportunity to be one of the recipients of the 2008 Regional Chair's Bursary and for the \$350.00 which has been applied towards her education.

Received.

C7115 Card of thanks from Danielle Murray, an employee of the Corporate Services Department for the kind donation to the Canadian Liver Foundation in memory of her mother-in-law Marie Powers.

Received.

C7116 Report CAO 10-2007 (approved by Council – September 27, 2007), respecting the Review of the Economic Development and Tourism Function in Niagara (September 27, 2007) background information to Councillor Puttick's motion respecting the Agreement Between Niagara Region and the Niagara Economic Development Corporation.

Received.

C7117 Card of thanks from Mary Heyermans, an employee of the Public Health Department for the kind donation to the Lupus Foundation of Ontario in memory of her mother-in-law Cornelia Heyermans.

Received.

C7118 A letter from Janet Beckett, City Clerk, City of Port Colborne (September 19, 2008) requesting support for the City of Port Colborne's motion respecting Business Expansion and Business Attraction Programs for the Niagara Region.

Received and referred to the Niagara Economic Development Corporation.

C7119 An e-mail from Premier Dalton McGuinty (September 22, 2008) respecting the Ontario's fairness campaign, 'A Strong Ontario for a Strong Canada'.

Received.

C7120 Background information respecting the Community Workplace Health and Safety Charter – The Road to Zero. (*e-mailed to all Regional Councillor on September 22, 2008*)

Received.

410. Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Communication C7118, a letter from Janet Beckett, City Clerk, City of Port Colborne (September 19, 2008) requesting support for the City of Port Colborne's motion respecting Business Expansion and Business Attraction Programs for the Niagara Region, be lifted and dealt with separately at this time.

Carried.

411. Moved by Councillor Badawey
Seconded by Councillor Augustyn

That Communication C7118, a letter from Janet Beckett, City Clerk, City of Port Colborne (September 19, 2008) requesting support for the City of Port Colborne's motion respecting Business Expansion and Business Attraction Programs for the Niagara Region, be received and supported.

Carried.

Upon a vote being taken, the Acting Regional Chair declared the original motion with the exception of Communication C7118, carried.

(Refer to Councillor Information Requests)

412. Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That Communication C7113, the Draft 2009 Schedule of Regular Meetings: Regional Council, Budget Review Committee of the Whole and Standing Committees from September to December 31, 2009, be received and approved.

Carried.

AGENCIES, BOARDS AND COMMISSIONS

413. Update on the Police Long Term Accommodation Committee

Moved by Councillor Lepp
Seconded by Councillor Bylsma

That the memorandum from Mike Trojan, Chief Administrative Officer and Wendy Southall, Chief of Police dated September 18, 2008, respecting the Update on the Police Long-Term Accommodations Committee, be received for information.

Carried.

414. Niagara Regional Housing Quarterly Report
April 1, 2008 – June 30, 2008
NRH 4-2008

Moved by Councillor Forster
Seconded by Councillor Marshall

That Report NRH 4-2008, September 25, 2008, respecting Niagara Regional Housing Quarterly Report, be received for information.

Carried.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

415. Report 12-2008

Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That Report 12-2008, being the minutes of the Planning and Public Works Committee meeting of Wednesday, September 17, 2008, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

416. Report 12-2008

Moved by Councillor Collins
Seconded by Councillor Martin

That Report 12-2008, being the minutes of the Corporate Services Committee meeting of Wednesday, September 17, 2008, be approved and adopted.

Carried.

Conflict of Interest

Acting Regional Chair Rigby declared an indirect pecuniary interest with respect to the matter related to Opportunities Niagara, as he is a member of the Opportunities Niagara Board, and he therefore requested that Councillor Smeaton take the chair during consideration of the September 16, 2008 Public Health and Social Services Committee minutes.

Councillor Smeaton assumed the Chair during the consideration of the following matter:

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

417. Report 11-2008

Councillor Augustyn volunteered to be a member of the Advisory Committee (Increasing Prosperity for Niagara Families Living in Poverty – COM 43-2008).

Moved by Councillor Baty
Seconded by Councillor Lepp

That Report 11-2008, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, September 16, 2008, be approved and adopted.

Carried.

Acting Regional Chair Rigby assumed the Chair for the remainder of the meeting.

NIAGARA REGION COMMUNICATIONS ADVISORY PANEL

418. Report 2-2008

Moved by Councillor Marshall
Seconded by Councillor Badawey

That Report 2-2008, being the minutes of the Niagara Region Communications Advisory Panel, be approved and adopted.

Carried.

MOTIONS

419. Agreement Between the Region and the
Niagara Economic Development Corporation

Councillor Puttick requested that the motion be **amended** to read **November 6, 2008** to provide staff sufficient time to report back to Regional Council. It was therefore;

Moved by Councillor Puttick
Seconded by Councillor Greenwood

That Regional Council direct the Regional Director of Legal Services to meet with the solicitors of the area municipalities that have economic development offices, together with their respective Economic Development Officers, to review the Niagara Economic Development Corporations regional agreement to determine whether or not the Niagara Economic Development Corporation is achieving their obligations under that agreement and report his findings in writing to Regional Council at their **November 6, 2008** Council Meeting.

Carried.

NOTICE OF MOTIONS

420. Inclusion of Niagara Region in the Metrolinx 25 Year Plan

Councillor Timms gave notice that he will be bringing a motion forward respecting the inclusion of Niagara Region in the province's plan for GO services extension now, rather than wait for the end of the 25 year plan; and to request that the Regional Chair meet with the local MPP's and the Minister of Transportation to press the case for Niagara GO services before all of the province's resources are committed elsewhere with the consideration of the costs associated with being a dues paying member.

(Refer to Councillor Information Requests)

OTHER BUSINESS

421. Partners for Long-term Urban Sustainability - PLUS

Councillor Smeaton provided Regional Council with a brief overview of his trip to South Africa, where he attended with Patrick Robson, the Partners for Long-term Urban Sustainability – PLUS Conference, Partners being any municipality with difficulties on the horizon.

Councillor Smeaton advised Regional Council that information sessions on the PLUS organization will be scheduled in the near future.

422. 2012 Celebration - Update

Councillor Burroughs requested an update on the funds being expended for the 2012 Celebrations, in particular whether the funds will be utilized to assist the smaller municipal groups.

Regional Council was advised that the funds previously identified were to secure the Executive Director and now that he has been secured, his first priority is to communicate with the various groups within the municipalities.

423. Federal Cuts to the Arts

Councillor Puttick asked staff to report back on the affects the federal cuts to the arts will have on Niagara Region.

424. Building Canada Fund

Councillor Augustyn requested that staff provide the Corporate Services Committee on October 8, 2008 with an update on the Building Canada Fund.

Councillor Burroughs requested that the update specifically contain clarity on who is eligible (regions; municipalities; airports, etc.).

Councillor Henderson advised Regional Council that under the Communities Component, Canada and Ontario will both contribute \$362 million towards smaller projects in communities with a population less than 100,000.

425. Toronto/Greater Golden Horseshoe Bid for the 2015 Pan American Games

Acting Regional Chair Rigby reminded Regional Council of the invitation to attend the launch of the Toronto/Greater Golden Horseshoe Bid for the 2015 Pan American Games, on Thursday, October 2, 2008 in Toronto from 4:00 to 6:00 p.m.

BY-LAWS

426. Moved by Councillor Katzman
Seconded by Councillor Timms

That the following Bills be now read and do pass:

Bill 96

A By-Law to Govern the Execution of Documents and to Delegate Certain Administrative Powers and Duties to Staff.

Bill 97

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

Carried.

427. Moved by Councillor Heit
Seconded by Councillor Burroughs

That the following Bills be now read and do pass:

Bill 99

A By-Law to Provide for the Adoption of Amendment 2-2008 to the Official Plan for the Niagara Planning Area to Add to a Policy for Complete Applications.

Bill 100

A By-Law to Require Pre-Consultation on Amendments to the Official Plan for the Niagara Planning Area.

Bill 101

A By-Law to Accept, Assume and Dedicate Part of Township Lot 158, in the City of Thorold as Part of Regional Road No. 20 (Canboro Road)

Bill 102

A By-Law to Accept, Assume and Dedicate Part of Lot 21, Concession 4, in the City of St. Catharines as Part of Regional Road No. 42 (Ontario Street)

Carried.

CONFIRMING BY-LAW

428. Moved by Councillor Gabriel
Seconded by Councillor Forster

That the following Bill be now read and do pass:

Bill 98

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 25th of September, 2008.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- include the response to Communication C7111 from the Chair's office on the October 8th Planning and Public Works Committee agenda. (Refers to Minute Item 409) Councillor Augustyn
- have the Regional Chair report back to Council on the status of Niagara Region's membership on Metrolinx, Gateway Liaison Group and to include in the report the details of whether the Chair of Metrolinx took into consideration the comments of the Gateway Liaison Group in the 25 year plan. (Refers to Minute Item 420) Councillor Timms

ADJOURNMENT

The Council meeting adjourned at 8:44 p.m.

Tim Rigby
Acting Regional Chair

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk