

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 7-2009

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, May 7, 2009 commencing at 6:34 p.m.

The following individuals were in attendance during the Closed Session of the Regional Council meeting:

ATTENDANCE

Council: Regional Chair Partington; Councillors Badawey, Baty; Bentley; Burroughs; Bylsma; Cordiner; D'Angela; Goulbourne; Greenwood; Heit, Henderson; Hodgson, Katzman; Marshall; Martin; Puttick; Rigby, Smeaton; Timms.

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Pollock, Acting Commissioner, Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff
(Other): Messrs. Lockyer, Treasurer/Director, Financial Management & Reporting; Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

CALL TO ORDER

176. Regional Chair Partington called the meeting to order at 6:34 p.m.

CLOSED SESSION

177. Moved by Councillor Burroughs
Seconded by Councillor Marshall

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to a matter of Labour Relations, Recruitment of Regional Clerk; a matter of security of the property or Niagara Region and Litigation or Potential Litigation affecting the Municipality and Solicitor-Client Advice related to the Infrastructure Stimulus Fund Applications.

Carried.

178. A Matter of Labour Relations:
Recruitment of Regional Clerk
ICP 24-2009 Confidential

Moved by Councilor Smeaton
Seconded by Councillor Katzman

That Confidential Report ICP 24-2009, May 7, 2009, respecting A Matter of Labour Relations: Recruitment of Regional Clerk, be received and the recommendations contained therein be approved.

Carried.

CLOSED SESSION, RISE AND REPORT

179. Moved by Councillor Bentley
Seconded by Councillor Baty

That this Committee do now rise with report.

Carried.

Council met in regular session, commencing at 7:01 p.m. with an Invocation by Councillor Greenwood followed by the singing of 'O Canada'.

The following individuals were in attendance during the Open Session of the Regional Council meeting:

ATTENDANCE

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

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Pollock, Acting Commissioner, Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff
(Other): Messrs. Lockyer, Treasurer/Director, Financial Management & Reporting; McQueen, Director, Administration; Pilon, Associate Director, Service Quality & Improvements; Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

Others: Mr. Gedge, CEO, Niagara Economic Development Corp. (NEDC); Mr. Parass, Chair, NEDC.

ADOPTION OF THE AGENDA

180. Moved by Councillor Heit
Seconded by Councillor Burroughs

That the Council Agenda CL 7-2009 be amended by moving the consideration of the correspondence dealing with the Niagara Health System (C7253, C7259, C7262, C7264, C7268, C7269, C7270 and C7271) following the delegation speaking on the Niagara Health System; and

That Mr. Armstrong's presentation, which is listed under Delegations, be moved to the end of the Presentations.

Carried.

181. Moved by Councillor Bentley
Seconded by Councillor Bylsma

That the Council Agenda CL 7-2009, be approved and adopted, as amended.

Carried.

CONFLICTS OF INTEREST

182. Councillor Heit declared an indirect pecuniary interest with respect to CSD 74-2009, Budget Approval, Initiation and Transfers for Police Project ZPO0910 Wireless Broadband System, as he is employed with a Wireless Company, 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

183. Lincoln & Welland Regiment

Lieutenant-Colonel M.J. Richardson, Commanding Officer, appeared before Regional Council to extend an invitation to Niagara residents to attend the regiment's Annual Family Day event to welcome home veterans returning from their mission in Afghanistan. The Lieutenant-Colonel also provided Regional Council with some history and background information on the regiment which dates back to 1777.

The Lincoln and Welland Regiment has 242 full and part time soldiers who train one night per week and one weekend per month. The regiment sends soldiers (volunteers) overseas.

The regiment's Annual Community Family Day will take place on Sunday, May 31, 2009 from 11:00 a.m. to 4:00 p.m. at Butler's Barracks, Memorial Park, King & John Streets, Niagara-on-the-Lake.

Mr. John Richmond, Chair of the Garrison Community Council, noted the importance of honouring the soldiers' commitment, acknowledging their sacrifice, remembering their heritage, sharing their pride and celebrating their success.

184. Simply Tree-Mendous Challenge

Mary Stack, Director, Communications, Niagara Peninsula Conservation Authority provided Regional Council with details of their Simply Tree-Mendous Challenge which marked the Niagara Peninsula Conservation Authority's 50th Anniversary.

Ms. Stack noted that each municipality, including the Niagara Region, will be receiving 50 native trees to be planted in their municipalities. The objective of the challenge is to plant 50,000 native trees in the Niagara Region within two years time. Residents are encouraged to plant native species as they are better suited to Niagara's climate and once they have planted the trees or shrubs, they are to log onto <http://www.npca.ca/simple-tree-mendous/default.htm> and register the plantings. The site also contains information on native plants and trees to assist residents in choosing suitable varieties.

Moved by Councillor Baty
Seconded by Councillor Henderson

That the Regional Municipality of Niagara hereby approves the participation in the Niagara Peninsula Conservation Authority's, "Simply Tree-mendous" Challenge to achieve the planting of 50,000 trees and shrubs throughout the Authority's watershed area of jurisdiction; and to encourage our residents, groups, service clubs and businesses to take up this challenge/competition in the Regional Municipality of Niagara; and

That the Niagara Peninsula Conservation Authority be so advised in writing.

Carried.

185. International Baccalaureate (IB) Program Update

Mr. Ray Guy and Mr. David Dick Jr., Niagara-on-the-Lake International Baccalaureate Committee provided Regional Council with information on the International Baccalaureate (IB) Program.

The I.B. program offers a continuum of education, consisting of three individual programs. The program spans the years from kindergarten to a pre-university diploma. While IB is traditionally known for the Diploma Program, IB World Schools increasingly offer all three programs.

IB is proud of their reputation for high-quality education sustained for over 35 years. Their curriculum represents the best from many different countries rather than the exported national system of any one. Their challenging Diploma Program assessment is recognized by the world's leading universities. They maintain high standards by actively training and supporting teachers, and by authorizing and evaluating IB World Schools.

IB encourages international-mindedness in IB students. To do this, they believe that students must first develop an understanding of their own cultural and national identity. All IB students learn a second language and the skills to live and work with others internationally—essential for life in the 21st century.

IB encourages a positive attitude to learning by encouraging students to ask challenging questions, to critically reflect, to develop research skills, and to learn how to learn. They encourage community service because they believe that there is more to learning than academic studies alone.

They also ensure that their programs are accessible to students in a wide variety of schools, national, international, public and private, in 135 countries. These IB World Schools form a worldwide community in which there is no such thing as a “typical” school (more than 50% of IB students are in state-funded schools). IB World Schools cooperate in curriculum development, student assessment and the governance of the IB, making this a unique international collaboration.

DELEGATIONS (RELATED TO COMMITTEE REPORTS)

186. Official Plan Amendment No. 37
Queenston Secondary Plan
Town of Niagara-on-the-Lake
PWA 14-2009

Mr. Armstrong, President, Queenston Residents' Association addressed Regional Council with respect to Report PWA 14-2009, Official Plan Amendment No. 37, Queenston Secondary Plan in the Town of Niagara-on-the-Lake.

Mr. Armstrong advised Regional Council that the language concerning the Sand Dock property was not included in the Plan by the public input process, but rather, by a request from Mr. Richardson on behalf of D.G Bawtinheimer Co. to have it included after the fact and that the legal status of the Sand Dock area as an existing legal non-conforming use, is part of the Queenston Residents Association's appeal of the Niagara Escarpment Commission decision allowing a new large building to be constructed on the site.

Mr. Armstrong noted that to approve the portion of the plan that contains wording that legitimizes the intended uses, in the midst of a legal process, seems inappropriate.

Mr. Armstrong requested that Regional Council reinstate the recommendation in the report that defers Policy 10.6.10 pending a decision on the Niagara Escarpment Development Permit relating to the Queenston Sand Dock.

REGIONAL CHAIR'S REMARKS

187. Regional Chair Partington provided Regional Council with some comments on the recent federal announcement regarding Fort George and the Bi-Centennial celebrations of the War of 1812. He also outlined some of the recent events that have occurred, and some upcoming events scheduled across the Niagara Region.

On Friday May 1st, Jim Prentice, Federal Minister of the Environment and Minister responsible for Parks Canada, announced that there will be \$6 million to invest in visitor related infrastructure at Fort George, in Niagara-on-the-Lake. This exciting investment is made in preparation for commemorative celebrations of the Bicentennial of the War of 1812, and will help to preserve and protect a significant piece of Niagara's history.

On May 5, 2009, the Regional Chair along with Councillor McMullan and other provincial Mayors, attended a joint Provincial Municipal Summit. As a result of that Summit they released a report entitled "At the Shoreline: A Mayor's Collaborative Action Plan to Protect the Great Lakes." The Action Plan focuses on the following five priorities:

- (i) Create a municipal-provincial-federal Great Lakes table
- (ii) Improve and promote beaches and natural shorelines
- (iii) Attack nuisance and toxic algae
- (iv) Reduce untreated sewage and stormwater discharges into the Great Lakes
- (v) Build a Business Case and Measure Results of Great Lakes Investments.

The Summit was attended by Provincial Ministers: Minister Gerretsen; Minister Cansfield; and Minister Dombrowsky, and several Heads of Councils of Ontario Great Lakes municipalities. Together, the Ministers and local representatives agreed on an immediate action plan to target the municipal-provincial-federal Great Lakes table and the Business Case for Great Lakes Investments as early win priorities. The Regional Chair was pleased that this event focused on the Great Lakes and how to improve the quality of life, the economy of the regions, and to highlight the need for people to be better committed to the Great Lakes environment.

On May 1st the Regional Chair had the privilege of attending the official groundbreaking ceremony of the Niagara Convention and Civic Centre. The \$92 million investment will be a major catalyst in growing and sustaining the tourism industry, benefiting all areas of Niagara. The Centre is scheduled to open in 2011.

On April 28th the Regional Chair was also pleased to assist in the official groundbreaking ceremony of one of the most significant new infrastructure projects in the Niagara Region. The Niagara Health Care Complex (Walker Family Cancer Centre) is scheduled for completion by 2012, and open to patients the following year. The Complex including a Regional Cancer and Cardiac Centre, as well as a Regional Mental Health Centre will improve health care for all residents, while providing further stimulus to Niagara's growing economy.

May 18th – May 23rd marks National Public Works Week across Canada. The Niagara Region will feature a variety of interactive displays and information resources at various events throughout the week.

The divisions of Public Works will be hosting a "Touch-a-Truck" display, in the Zeller's parking lot at the Pen Centre on Saturday, May 23rd from 9am-5pm. A community barbecue will also be held, supported by M&M Meats and Zehrs. All food and beverages available at the barbeque will be supplied to those in attendance at no charge; however, voluntary donations will be accepted with the proceeds going to the Region's United Way campaign.

During National Public Works Week, residents are encouraged to join Regional Council and the Niagara Region in celebrating the numerous men and women in North America who provide and maintain the infrastructure and services collectively known as Public Works.

May 11th- May 13th is Niagara Week at Queen's Park. The Regional Chair's office continues to prepare for the numerous meetings with Officials, scheduled to occur over the duration of the week. The Regional Chair is looking forward to advancing Niagara's priorities during these meetings.

In preparation for Niagara Week, the Regional Chair's office has just completed a report card entitled, "Ontario-Niagara Partnership Report Card." The purpose of this report card is to both thank and report back to the province, on the current status of past initiatives, provincially funded across the region. This report card was mailed to every Minister.

The Regional Chair was pleased to announce that Kevin Bain has been appointed as Regional Clerk as of June 8, 2009.

Mr. Bain has 30 years of experience in municipal administration with increasingly more responsible senior roles and a solid foundation of experience as a clerk within a municipal environment. Mr. Bain has been London's City Clerk since 2003. Prior to this, he held the positions of City Clerk for Brantford; Deputy Clerk

for Brantford and Assistant City Clerk for Kitchener. Mr. Bain's leadership and communication skills are evident with his proven track record of efficient and effective delivery of municipal Clerk services.

Regional Council joined the Regional Chair in welcoming Kevin Bain to the Niagara Region.

The Regional Chair thanked Creekside Greenhouses Ltd. in Jordan, for the flowers on display in the Council Chamber. The flowers will be donated to Northland Pointe, Port Colborne.

188. H1N1 Virus Update

Dr. Sider, Associate Medical officer of Health, provided an update on the H1N1 Virus. In late April 2009, confirmed human cases of H1N1 (swine influenza) were identified in Mexico, the United States, and Canada. As a result of these cases, the Public Health Emergency Operations Team convened on Monday, April 27, 2009, and daily meetings were held to work through a series of proactive and reactive measures to ensure that Niagara was positioned to respond, as needed.

The Public Health Operations Team used the Incident Management System (IMS) and a series of IMS sub-groups were formed, including planning, operations, logistics, finance/administration, communications, safety, and liaison.

Dr. Sider explained that Increased laboratory testing capacity now available in Ontario has resulted in cases of the H1N1 flu virus being confirmed faster and therefore with lab results being confirmed, it is expected the number of cases will increase. The age range of the cases is 1 to 62 and all cases have been considered mild and individuals fully recovered. While the H1N1 virus may disappear in summer, staff continues to plan for later this year when they anticipate a vaccine for H1N1 will be developed and forthcoming mass immunizations clinics will be provided in the Fall of 2009.

Dr. Sider advised that the World Health Organization (WHO) has declared an escalation in pandemic phase to Phase 5, noting that it is too soon to know if this virus is the next influenza pandemic. This investigation is ongoing.

Despite no confirmed cases of H1N1 Influenza being identified for Niagara, Niagara Region Public Health (NRPH) benefited by experiencing the IMS model and developing action plans based on provincial, national, and international directions.

APPROVAL OF MINUTES

189. Report CL 6-2009

Moved by Councillor Katzman
Seconded by Councillor Timms

That Report CL 6-2009, being the minutes of the Proceedings of Council of Thursday, April 16, 2009, be approved and adopted.

Carried.

CORRESPONDENCE

190. Moved by Councillor Timms
Seconded by Councillor Katzman

That Communications C7252, C7254 to C7257; C7260, C7261, C7263; C7265 to C7267, C7272 to C7274 be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7252 A letter from Dan Patterson, President, Niagara College (April 20, 2009) conveying a heartfelt thank you on behalf of Niagara College, the Niagara College Foundation and Niagara College students for Regional Council's recent commitment of \$1.1 million to the College's Building Futures Campaign.

Received.

C7254 A letter from Minister John Baird, Canada's Minister of Transport, Infrastructure and Communities and Minister George Smitherman, Ontario's Deputy Premier and Minister of Energy and Infrastructure (April 14, 2009) announcing the creation of a new \$4-billion Infrastructure Stimulus Fund, aimed at getting shovels in the ground for infrastructure projects across Canada that can be completed in the next two years.

Received.

C7255 An update to the April 14, 2009 letter from Minister John Baird, Canada's Minister of Transport, Infrastructure and Communities and Minister George Smitherman, Ontario Deputy Premier and Minister of Energy and Infrastructure (C7254) advising municipalities with more than 100,000 residents can submit applications to the Infrastructure Stimulus Fund for as many economic stimulus projects as they choose.

Received.

C7256 A letter from Kenneth Todd, Director Corporate Support Services, City of St. Catharines (April 17, 2009) in support of the Town of Lincoln's resolution: Uploaded Region of Niagara Program Costs and Local Tier OMFP Adjustments.

Received.

C7257 A letter from Mark Roy, Recording Secretary, on behalf of the CAW Local 199 membership (April 21, 2009) expressing how disappointed and angry they are with the results of the vote on the CAW sponsored resolution Buy Canadian, Build Communities resolution.

Received.

C7260 A letter from Larry Iggulden, Chair, Niagara Regional Police Services Board to Minister Jim Bradley, Ministry of Transportation (April 16, 2009) requesting support of the Province in addressing a very serious public safety issue in the Regional Municipality of Niagara that results from the operation of the illegal taxi industry.

Received.

C7261 A letter to Minister Tony Clement from the Regional Chair (April 24, 2009) respecting Niagara – The ideal location for the Southern Ontario Development Agency Head Office.

Received.

C7263 A memorandum from Janet Pilon, Acting Regional Clerk (April 28, 2009) respecting the Proposed Committee of the Whole Meeting and Presentation Protocol for Public Input on Niagara 2031, Niagara's Growth Management Strategy (GMS) Regional Policy Plan Amendment 2-2009, Niagara's Sustainable Community Policies.

Received.

C7265 An e-mail from J. Armstrong, President, Queenston Residents' Association (April 30, 2009) requesting an opportunity to speak at Council respecting Report PWA 14-2009, Official Plan Amendment No. 37 Queenston Secondary Plan Town of Niagara-on-the-Lake.

Received.

C7266 An e-mail from Ms. Helen Hoskin, Township of Wainfleet (May 1, 2009) respecting Report PWA 33-2009 Wainfleet Water & Wastewater Servicing Phase 2: Draft Socio-Economic Impact Assessment Report.

Received.

C7267 Card of thanks from Debby Shields an employee of the Community Services Department for the kind donation to the Ladies Auxiliary, Branch 71, Royal Canadian Legion in memory of her mother Marie Pook.

Received.

C7272 A letter from Emil Kolb, Chair, Regional Municipality of Peel, Police Services Board (April 29, 2009) advising Niagara Region of their website www.connect2ENDviolence.ca a communication tool that provides every citizen with a chance to become involved, which they plan to share with others once it is fine-tuned and fully operational.

Received.

C7273 A letter from Malcolm Allen, M.P. Welland (April 27, 2009) to Minister Peter Van Loan, Ministry of Public Safety requesting that the federal government recognize the critical role municipal police forces play in securing our border with the United States.

Received.

C7274 A memorandum from Betty Matthews-Malone, Director of Water and Wastewater Services (May 6, 2009) respecting At the Shoreline: A Mayor's Collaborative Action Plan to Protect the Great Lakes

Received.

Carried.

191. Moved by Councillor Marshall
Seconded by Councillor Smeaton

That Communication C7258, being Councillor Rigby's nomination as a Director, Regional and Single Tier Caucus, on the 2009-2010 AMO Board of Directors, be received and supported.

Carried.

DELEGATIONS (RELATED TO COMMITTEE REPORTS) (Continued)

192. Official Plan Amendment No. 37
Queenston Secondary Plan
Town of Niagara-on-the-Lake
PWA 14-2009

Ms. Janes, President, The Niagara-on-the-Lake Conservancy addressed Regional Council with respect to Report PWA 14-2009, Official Plan Amendment No. 37, Queenston Secondary Plan in the Town of Niagara-on-the-Lake.

Ms. Janes advised Regional Council that the Queenston Secondary Plan fails to capture the historic elements and 'spirit' of Queenston, or with the Town's current wording in Section 10.6.10, or to protect it from such hugely intrusive uses as the Whirlpool Jet boats. She commented that it has been left to the Queenston residents to ensure that the secondary plan is as protective as possible.

Ms. Janes requested that Regional Council defer passage of Policy 10.6.10 thereby recognizing this planning hierarchy and the special nature of historic Queenston, showing respect for the efforts of many Queenston residents; the history of this important village in the lead up to the celebration of the events of the War of 1812; and the planning process that is in place to protect the Niagara Escarpment where many of these events unfolded almost 200 years ago.

Moved by Councillor Puttick
Seconded by Councillor D'Angela

That the presentations by Mr. Armstrong, President, Queenston Resident's Association and Ms. Janes, President, The Niagara-on-the-Lake Conservancy, respecting Report PWA 14-2009, Official Plan Amendment No. 37, Queenston Secondary Plan, Town of Niagara-on-the-Lake, be received and referred for consideration with the Integrated Community Planning and Public Works Committee minutes.

Carried.

193. Niagara Health System – Update to Council
CSD 75-2009

Ms. Scholfield, People's Healthcare Coalition addressed Regional Council with respect to Report CSD 75-2009 Amended, Niagara Health System – Update to Council.

Ms. Scholfield advised Regional Council that the People's Healthcare Coalition object to the request for \$21 million to be entered into our tax levy for the new Regional Health Programs (Cancer, Tertiary Mental Health and Cardiac Catheterization) for the following reasons: the location is not central to all

Niagara Region residents; the replacement of the aging St. Catharines General has now evolved into the consolidation of regional services emphasizing the need for a more centrally located facility; residents in Fort Erie will have to travel 45 minutes to an hour to the new complex; the Niagara Falls and Welland hospitals are now facing consolidation of the services they provide due to the NHS' budget deficits; hospital costs being introduced into the tax levy to be mandated into residents' property taxes is setting a dangerous precedent that should be stopped now; the interpretation of the wording in the motion "for new Regional Health Programs" could be interpreted to mean operating expenses for these programs which could increase and therefore need replenishing; the funding formula doesn't seem fair to those residents who will now have to incur travelling costs to access these services; and more information is required with respect to the transfer of the leased buildings and property to the Region.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That the presentation by Ms. Scholfield, People's Healthcare Coalition, respecting Report CSD 75-2009 Amended, Niagara Health System – Update to Council, be received and referred for consideration with the Corporate Services Committee minutes.

Carried.

CORRESPONDENCE (Continued)

194. Moved by Councillor Bylsma
Seconded by Councillor Goulbourne

That Communications C7253, C7262, C7268, C7269, C7270 and C7271 be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7253 A letter from Carolyn Kett, Town Clerk, Town of Fort Erie (April 17, 2009) respecting the Town of Fort Erie's Council resolution encouraging the Premier and the Minister of Health to conduct an Operational Review of Niagara Health System and Local Health Integrated Network.

Received.

C7262 A letter from Janet Beckett, City Clerk, City of Port Colborne (April 24, 2009) respecting the City of Port Colborne's Council motion notifying Niagara Region of the City of Port Colborne taxpayers objection to the funding for the new hospital in St. Catharines being mandated on their property taxes and requesting that the previous commitment be rescinded.

Received.

C7268 A letter from Minister David Caplan, Ministry of Health and Long-Term Care (April 23, 2009) in response to Councillor Martin's letter respecting the Douglas Memorial Hospital site of the Niagara Health System (NHS).

Received.

C7269 A letter from Tanya Lamb, Clerk, Township of Wainfleet (April 30, 2009) respecting the Township of Wainfleet's Council motion notifying Niagara Region of the Township's support for the objection to the funding for the new hospital in St. Catharines being mandated on their property taxes and requesting that the previous commitment be rescinded.

Received.

C7270 An information package from Ms. Pat Scholfield (May 7, 2009) respecting her presentation to Regional Council on the Niagara Health System new Health Care Complex in west St. Catharines.

Received.

C7271 A letter from Angela Zangari, Chief Financial Officer, Niagara Health System (May 5, 2009) in response to the City of Port Colborne's letter of April 28th, requesting the Office of the Auditor General immediately begin an audit of the Niagara Health System and the HNHB LHIN for some of the reasons stated.....and to determine value-for-money for these residents and taxpayers of the Niagara Region and taxpayers of the Province of Ontario.

Received.

Carried.

195. Moved by Councillor Goulbourne
Seconded by Councillor Bylsma

That Communication C7259, A letter from Carolyn Kett, Town Clerk, Town of Fort Erie (April 17, 2009) respecting the Town of Fort Erie's Council resolution petitioning Regional Council to refrain from committing any further taxpayer funding to the new Health Care Complex and requesting that Regional Council demand that the Niagara Health System demonstrate leadership and competency in completing the project on budget and meet the expectations of residents with respect to the delivery of health care, be received.

Carried.

196. Moved by Councillor Rigby
Seconded by Councillor Marshall

That Communication C7264 being a copy of the letter to Jim McCarter, Auditor General from the Carolyn Kett, Town Clerk, Town of Fort Erie (April 28, 2009) respecting the Town of Fort Erie's Council resolution calling for an immediate Audit of the Niagara Health System (NHS) and the Hamilton Niagara Haldimand Brant Local Health Integration Network (LHIN) and requesting support from the Regional Municipality of Niagara, (*A copy of the letter from the City of Port Colborne dated April 28, 2009 with an Identical resolution is also attached*), be received.

Carried.

COMMITTEE REPORTS

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

197. Report 6-2009

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 6-2009, being the minutes of the Integrated Community Planning and Public Works Committee meeting of Wednesday, April 29, 2009, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

198. Report 5-2009

Moved by Councillor Martin
Seconded by Councillor Augustyn

That Report 5-2009, being the minutes of the Corporate Services Committee meeting of Wednesday, April 8, 2009 that was concluded on Thursday, April 16, 2009, be received.

Carried.

199. Report 6-2009

Moved by Councillor Augustyn
Seconded by Councillor Bentley

That Report 6-2009, being the minutes of the Corporate Services Committee meeting of Wednesday, April 29, 2009, be approved and adopted. ***as amended by adding the following recommendation to the recommendations in Report CSD 75-2009 Amended: That the Regional Chair and Regional Clerk be authorized to execute a funding arrangement between the Region and the Niagara Health System, in a form satisfactory to the Director of Legal Services.***

(Refer to Councillor Information Requests.)

200. Moved by Councillor Badawey
Seconded by Councillor Martin

That Report CSD 75, 2009 Amended, (April 27, 2009) respecting the Niagara Health System – Update to Council, be lifted and dealt with separately by this Council at this time.

Carried.

201. Niagara Health System – Update to Council
CSD 75-2009 Amended

Moved by Councillor Burroughs
Seconded by Councillor Heit

That Report CSD 75-2009 Amended, April 29, 2009, respecting Niagara Health System – Update to Council, be received, **as amended**.

That the Region's funding commitment of \$21 million, for **new** Regional Health Programs (**Comprehensive Cancer Centre; Regional Longer-Term Mental Health Centre; Regional Cardiac Catheterization Centre**) to be housed within the NHS's new Health Care Complex, be approved.

That the amount be funded in 2011 through a combination of \$5.6 million in cash, plus the equivalent of \$15.4 million financed with annual payments of \$1 million per year for 30 years, commencing in 2011 as outlined in this report, and

That these arrangements be formally communicated to the Niagara Health System.

Upon a recorded vote being requested, the Council was divided on the motion as follows:

Voting for the Motion:

| | |
|-----------------------|---------------------------|
| Councillor Augustyn | Councillor Heit |
| Councillor Baty | Councillor Hodgson |
| Councillor Bentley | Councillor Marshall |
| Councillor Burroughs | Councillor McMullan |
| Councillor Bylsma | Councillor Puttick |
| Councillor Casselman | Councillor Rigby |
| Councillor D'Angela | Councillor Salci |
| Councillor Gabriel | Councillor Smeaton |
| Councillor Goulbourne | Councillor Timms |
| Councillor Greenwood | Councillor Trombetta |
| | Councillor Zimmerman (21) |

Voting Against the Motion:

| | |
|---------------------|-----------------------|
| Councillor Badawey | Councillor Henderson |
| Councillor Cordiner | Councillor Martin (4) |

Upon a vote being taken, the original motion, **as amended**, was carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

202. Report 6-2009

Moved by Councillor Baty
Seconded by Councillor Goulbourne

That Report 6-2009, being the minutes of the Public Health and Social Services Committee meeting of Monday, April 27, 2009, be approved and adopted.

Carried.

NOTICES OF MOTION

203. Councillor Burroughs will be bringing forward a motion on May 28th, respecting the International Baccalaureate (I.B.) Program. The motion is to include a report on the International Baccalaureate Program as background information.
204. Councillors Rigby and Goulbourne will be bringing forward a motion on May 28th, that would authorize the Regional Chair and Chief Administrative Officer to continue discussions with Niagara Regional Police Service, the RCMP and the CBSA to obtain all necessary information regarding potential opportunities and benefits of a partnership including quantifiable savings to taxpayers, respective facility needs, timing, costs and/or funding requirements, partnership arrangements, funding model options and project delivery requirements. The motion will also request that the Regional Chairman maintain a regular dialogue with the Police Services Board Chair regarding general progress and any issues relative to the ongoing discussions.

OTHER BUSINESS

205. Emergency Preparedness Week

Councillor D'Angela spoke to the new program that has been developed to teach Niagara children how to prepare for an emergency. The program, developed through a partnership that includes Niagara Regional Emergency Planning, Canadian Red Cross Disaster Management, and Emergency Management Ontario, was being delivered at the Niagara Region Children's Safety Village May 2nd through May 9th. The interactive program will teach children about emergency facts, the importance of preparing a "Ready Kit" and an emergency plan. Councillor D'Angela commented that Children can lead by example in influencing adult behaviours and urged all Niagara Region residents to obtain an Emergency Preparedness guide and put together a 72 hour kit.

206. Impacts from the Port Dalhousie Tower OMB Decision

Councillor Timms advised that the Ontario Municipal Board has rejected an application filed by PROUD and two other appellants calling for a review of its decision to approve the condo tower project in Port Dalhousie. Councillor Timms requested that staff prepare a report detailing the impact of the Ontario Municipal Board's decision on this matter as it relates to the Heritage Act, the Greenbelt Act, and other related Acts.

207. Unlicensed Motor Vehicles

Councillor Greenwood requested that the Transportation Strategy Steering Committee address safety concerns with unlicensed motorized vehicles on the roadways in Niagara Region.

BY-LAWS

208. Moved by Councillor McMullan
Seconded by Councillor Marshall

That the following Bills be now read and do pass:

Bill 40

A By-Law to Authorize the Execution of a Letter of Agreement Related to Funding Provided by the Province of Ontario under the Transportation Demand Management Municipal Grant Program

Bill 41

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$400,000 for NRP Project ZPO0910, Wireless Broadband System

Carried.

209. Moved by Councillor Henderson
Seconded by Councillor Greenwood

That the following Bills be now read and do pass:

Bill 43

A By-Law to Appoint Kevin Bain as Clerk of the Regional Municipality of Niagara.

Carried.

CONFIRMING BY-LAW

210. Moved by Councillor Gabriel
Seconded by Councillor Zimmerman

That the following Bill be now read and do pass:

Bill 42

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 7th of May, 2009.

Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Inquire as to the circulation of the Niagara Economic Development Corporation (NEDC) minutes with the request that the NEDC minutes be distributed to Area Municipalities and staff. (Timms) Refer to minute 199.

ADJOURNMENT

The Council meeting adjourned at 10:20 p.m.

Peter Partington
Regional Chair

Gail Reilly
Legislative Assistant

Janet Pilon
Acting Regional Clerk