

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 13-2009

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, October 1, 2009 commencing at 6:30 p.m.

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

ATTENDANCE

Council: Regional Chair Partington; Councillors Baty, Burroughs; Bylsma, Cordiner; D'Angela; Goulbourne; Greenwood; Heit, Henderson; Katzman; Lepp, Marshall; Puttick; Rigby; Timms, Trombetta.

Staff: Messrs. Hutchings, Acting Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Cousins, Acting Commissioner Public Works; Bain, Regional Clerk; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Ms. Elliott, Director, Human Resources Services.

CALL TO ORDER

378. Regional Chair Partington called the meeting to order at 6:30 p.m.

CLOSED SESSION

379. Moved by Councillor Henderson
Seconded by Councillor Rigby

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to Personal Matters About Identifiable Individuals and Matters of Labour/Employee Relations – MOH/AMOH Compensation Agreement and the Region's Courier Service.

Carried.

CLOSED SESSION, RISE AND REPORT

380. Moved by Councillor Rigby
Seconded by Councillor Trombetta

That this Committee do now rise without report.

Carried.

Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor McMullan 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, Cordiner; D'Angela; Gabriel; Garcia; Goulbourne; Greenwood; Heit, Henderson; Katzman; Lepp, Marshall; Martin; McMullan; Puttick; Rigby; Salci; Smeaton; Timms, Trombetta; Zimmerman.

Staff: Messrs. Hutchings, Acting Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Cousins, Acting Commissioner Public Works; Bain, Regional Clerk; Dr. Williams, Medical Officer of Health; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Steele, Assoc Dir Strat Business Mgmt; Inman, Assoc Director Energy Mgmt; Ms. Beckwith, General Manager, Niagara Regional Housing.

FILLING OF THE VACANT SEAT

381. Moved by Councillor Katzman
Seconded by Councillor McMullan

That Communication C7335, a letter from Dan Carnegie, Director of Corporate Support Services (September 22, 2009) respecting the St. Catharines Council's recommendation for the appointment of Carlos Garcia to serve as Regional Councillor for the City of St. Catharines, be received.

Carried.

382. Moved by Councillor McMullan
Seconded by Councillor Heit

Whereas N. Carlos Garcia has consented to accept the office of Regional Councillor if appointed; and

Now therefore be it resolved that N. Carlos Garcia be appointed as Regional Councillor for the City of St. Catharines to fill the vacant seat for the remainder of the existing Council term and that the Regional Clerk administer the Declaration of Office to N. Carlos Garcia at this time in order that Mr. Garcia can assume his seat immediately after taking the Declaration of Office.

Carried.

383. Declaration of Office

Kevin Bain, Regional Clerk administered the Declaration of Office to Mr. Garcia, who then took his seat in the Council Chambers.

ADOPTION OF THE AGENDA

384. Moved by Councillor Bentley
Seconded by Councillor Katzman

That the Council Agenda CL 12-2009, be approved and adopted as presented.

Carried.

CONFLICTS OF INTEREST

385. Councillor Heit declared a 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

386. Stop Family Violence, It's Everybody's Business
Government Sector–Bill 168, An Act to amend the Occupational Health & Safety Act with respect to violence and harassment in the workplace and other matters

Councillor Baty provided Regional Council with a presentation entitled Stop Family Violence: It's Everybody's Business, providing Regional Council with facts on Family Violence.

It's Everybody's Business....it's not just a "Women's Issue"; for some people the family is the most dangerous place to be; it's a community health and safety issue; it's a crime; it's financial costs are staggering and the costs to our children and society are overwhelming...A Change Can Only Happen if Everyone is Involved, education and prevention are critical. The goal is to educate employers and their employees to recognize and respond to Family Violence as it impacts their workplace.

Councillor Baty advised Regional Council that he will be making a presentation to the Public Health and Social Services Committee on October 13th to review the education resources and that he will also be making a presentation at the Corporate Services Committee meeting on October 14th to review the toolkit and the website resources.

Following the presentations to Niagara Region's Standing Committees, presentations will be scheduled at the local Councils; meetings will be held with the CAO/Clerks to review their current policies and procedures; meetings will be held with staff to plan for employee presentations; and presentations and meetings will be made to Agencies, Boards and Commissions and meetings will be held with their senior staff to review their current policies and procedures to plan for employee presentations.

The members of Regional Council and the public were asked to contact Susan Speck, the Project Coordinator at (905) 356-3933 Ext. 224, if they are interested in assisting with the presentations to be made in the coming months or in volunteering.

REGIONAL CHAIR'S REMARKS

387. Regional Chair Partington took this opportunity to address Regional Council as they enter their final year for this term of office, which began with the establishment of an aggressive agenda with many challenging goals to help Niagara prosper and grow.

The Regional Chair was proud to announce the achievements and the progress Regional Council has made in pursuing these goals, and he believes that it's useful to remind ourselves of some of our successes – even as Regional Council continues to work through and meet the ever-present challenges.

Regional Chair Partington also noted that the work of our CAO, Commissioners and staff has been integral to all that has been accomplished during this term so far. They have demonstrated their dedication and commitment to the Region and to the people of Niagara each and every day.

The Regional Chair was especially pleased with Regional Council's progress in developing an integrated transportation system, which is vital to the growth of our region. He noted the following achievements:

- The expansion and extension of the 406 to Main Street in Welland – is achieved and evident to all with the start of construction of a new bridge being built at Merritt Road, with the full scale construction to start in 2011 and completion by 2013. (Top Priority)
- Improvements to the arterial roads in South Niagara connecting Fort Erie to Welland and Port Colborne will coincide with the 406 expansion. These connections support our Grow South Strategy and the economic development of the southern tier which is integral to the development and prosperity of the entire region.
- Niagara Region gained a major foothold in the GO Transit system with the arrival of GO Train and GO Bus service in Niagara. The summer train service to the region proved a popular option for those travelling both to and from Niagara and Niagara Region hopes to build on GO's initial foray into the region.
- The development of a Growth Management Strategy which was finalized after a lengthy public consultation process.

The Regional Chair is proud of Niagara Region's efforts and success in building relationships at the federal and provincial level and how Niagara has come together with one voice to deliver a strong and effective message to our provincial and federal counterparts about our priorities. Regional Council has teamed up with business leaders and the leaders of Brock University, Niagara College, the Niagara Health System and others to press our case for investment and support – and the results speak for themselves:

- Record investment in Niagara Region's post secondary institutions, enabling Brock University to build a new Centre for the Arts in downtown St. Catharines and a new Health and Bioscience Research Complex, and allowing Niagara College to expand its facilities at both its Welland and Niagara-on-the-Lake campuses.
- Construction of the Niagara Falls Convention Centre, scheduled to open in 2011, located just 500 yards from the Horseshoe Falls, a major boost to tourism, capturing the convention market.
- A major investment in the Niagara Health System to establish a new, much needed Health Complex and Cancer Centre.

- The establishment of the Niagara Regional Campus of McMaster University's Michael G. DeGroot School of Medicine. A facility in the region dedicated to the training of physicians represents a major enhancement of our ability to attract much needed doctors and other health care professionals to the region.
- And more than \$58 million invested in Niagara Region for road construction, water and sewer improvements, and other infrastructure projects that are vital to the region's future.

Last year, Regional Council expedited approval of the 2009 Capital Budget in order to get projects underway as soon as possible and help spur Niagara's economy at a time when a boost was needed.

The Regional Chair noted that there's no question the recession hit Niagara hard. We're seeing higher than average unemployment levels and a big jump in demand for social assistance and other community services, however, Niagara Region's economic strategy - building a strong collective voice, creating a competitive business environment, improving transportation and infrastructure and developing a highly skilled labour force – is working.

Niagara Region has seen major investments from companies such as Canadian Tire, Eurocopter Canada, Stanpac Incorporated, Norgen Biotech, and Industrial Encoder Corporation – just to name a few. We've celebrated milestone anniversaries for some firms, such as Lakeside Steel which marked its 100th anniversary.

Through the Niagara Economic Development Corporation, Niagara Region is now proactively positioned as a competitive business region in the global marketplace. Niagara now has the "NIAGARA ORIGINAL" brand platform that is a base upon which we can work together at a community level to position and promote Niagara across a wide range of businesses.

Niagara Region is currently developing a culture plan for the region – a plan to lever our wealth of cultural and heritage resources, which form an important part of our economic engine. We need to support and build on our arts and cultural assets which provide jobs and numerous other economic and social benefits, and thus increase the very modest budget for that committee.

Niagara Region is also working to meet the needs of some of our most vulnerable residents. Niagara Region has successfully secured provincial funding to establish new programs and services for seniors that give them the supports they need to stay in their homes longer and enjoy a better quality of life.

Niagara Region continues to participate in the affordable housing program to support new construction, and increase the number of affordable housing units through partnership in this program with the provincial and federal governments, local builders, community agencies, investors and contractors.

Niagara Region launched a major initiative to identify neighbourhoods most in need, according to a number of indicators, such as family income and health and education levels, with an investment of \$1.5 million in those neighbourhoods, ensuring residents there have access to food, clothing, shelter, health care and educational opportunities.

The agreement reached between the Region and the Niagara Regional Police Service on funding for the renewal of police facilities was a major achievement – the result of a long and challenging process. The agreement provides for a phased-in and the focused approach to renewing police facilities, which will make the cost significantly more affordable for taxpayers. Niagara Region looks forward to moving ahead on this issue with the Police Services Board in the days and months ahead.

The relocation of our Welland Public Health Office and Sexual Health Centre to the downtown area is another important accomplishment. The new facility not only allows us to better serve residents and it also represents an important contribution to the revitalization of the city's downtown core.

All residents and visitors to our great region enjoy the benefit of our strong public health leadership and staff. Niagara Region is preparing for an unusual influenza season, through H1N1 contingency planning, which we can all take comfort in the knowledge that our first class team will work towards public health and safety based on the evidence of emerging and new science.

The Region is fortunate to have an excellent working relationship with the Niagara Health System. In recognition of the Region's support for its new Health Care Complex Cancer Centre, we were able to successfully agree to the transfer of a number of NHS properties to us that we had previously been leasing. The transfer of ownership has allowed us to secure permanent facilities for a number of our operations in Community Services, Public Health and Niagara EMS, and it improves Niagara's ability to manage and invest in these facilities.

Regional Council has achieved a great deal for the people of Niagara:

Assisting people in need; creating a climate and infrastructure that promises and delivers the foundation for industrial and new business growth; partnering with and supporting institutions that contribute to the economic success and vibrancy of our region; investing in our future by developing transportation links and other infrastructure so vital to economic growth and managing our financial resources with a great deal of prudence, balancing the demands with taxpayer affordability.

Regional Council should be very proud of their record. Over the last three years, the average regional tax increase has been 1.15 per cent, and the uploading of the costs of some social services to the provincial government helped us achieve that result.

As Regional Council enters its final year of this Council's term, and Niagara Region prepares to mark 40 years as a regional government, the Regional Chair identified three areas that he would like to focus on:

- Greater recognition of Niagara as a strategic gateway and border crossing. We are within a few hours' drive of some of the largest markets in North America. Industry can access these markets by air, land or sea, providing us with a huge competitive advantage over other jurisdictions. We're only just starting to get that message out.
- Improving public access to one of our most valuable resources – the shores of Lake Ontario and Lake Erie. We are blessed in Niagara to border not one, but two of the Great Lakes. We need to invest to create more public spaces for residents and visitors to access and enjoy our waterfronts. There are countless examples of cities and communities in North America and around the world that have moved to make their waterfronts a destination – places for people to stay, play, relax and enjoy.
- Development of a plan to move forward on inter-municipal transit for the benefit of both Niagara residents and visitors to the region. We need to build on what we've achieved with Niagara Specialized Transit, which is successfully moving people from municipality to municipality for employment, education or for medical reasons.

The Regional Chair noted that the expansion of transit services will not be easy. It will require cooperation among the various transit authorities and municipalities, and it will require a commitment of resources. However, the Regional Chair believes such an investment will produce big returns, as it will increase the mobility of our workforce and that's vital to our economy – and it's good for our environment. Regional Chair Partington urged Regional Council to work to advance this important issue for Niagara and for our future.

Regional Chair Partington noted that there are challenges ahead of Regional Council, and they won't be met easily. The Council Business Planning session that will take place October 29 provides an important opportunity for discussion and priority-setting as we look to the future.

Regional Chair Partington thanked Regional Council for their efforts and commitment to the many initiatives and projects Niagara Region has completed during their term thus far, and to the many others currently in progress. Governing is all about choices and the Regional Chair believes that Regional Council are making positive choices for the people, the businesses and the institutions of Niagara – choices that form a very solid foundation for our future success and prosperity.

Regional Councillors were reminded of the Council Business Planning Session that will be held a week from today on October 8th. The focus of the session will be on Early Years and will feature a presentation by Dr. Charles Pascal, Special Advisor to the government of Ontario. Dr. Pascal will discuss the findings in his ground-breaking report which recommends sweeping changes to the delivery of child care and education for children 0 to 12 years of age, including a new, major role for municipalities. Regional Chair Partington encouraged all to attend and contribute to the discussion on this important issue for Niagara.

Regional Council was advised that on October 19, as part of Local Government Awareness Week, CKTB will be broadcasting from the Atrium here at Regional headquarters from 6 a.m. to 10 a.m. This is a wonderful opportunity for us to educate residents about the Region's programs and services and discuss our goals and priorities. Councillors are welcome and invited to attend.

On behalf of Regional Council the Regional Chair thanked John Persoon from Ultra Group Ltd of Grimsby for the plants that adorned the Council Chambers. These flowers will be donated to the Grimsby West Adult Day Program.

APPROVAL OF MINUTES

388. COTW 7-2009

Moved by Councillor Salci
Seconded by Councillor Goulbourne

That Report 7-2009, being the minutes of the Committee of the Whole meeting of Thursday, September 10, 2009, be approved and adopted.

Carried.

Councillors McMullan and Zimmerman requested that they be recorded as opposed to the challenge to the Chair's ruling as outlined in Minute Item 88.

389. CL 12-2009

Moved by Councillor Badawey
Seconded by Councillor Augustyn

That Report CL 12-2009, being the minutes of the Proceedings of Council of Thursday and Friday, September 10 and 11, 2009, be approved and adopted.

Carried.

CORRESPONDENCE

390. Moved by Councillor Gabriel
Seconded by Councillor Zimmerman

That Communications C7336; C7339 to C7341 be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7336 A card of thanks from Alison Chitty an employee of the Community Services Department for the kind donation to the St. George's Anglican Church in memory of her father Charles Chitty.

Received.

C7339 A letter from Minister Jim Watson, Ministry of Municipal Affairs and Housing (September 10, 2009) encouraging the Niagara Region to submit qualified proposals for the Social Housing Renovation and Retrofit Program (SHRRP) and Canada-Ontario Affordable Housing Program (AHP) Extension (2009) to the Ministry to access available funding this year and next.

Received and referred to Niagara Regional Housing.

C7340 A letter from Minister David Caplan, Ministry of Health and Long-Term Care (September 18, 2009) advising the Niagara Region of the approval of annualized base funding to assist with the implementation of mobile computers and Global Positioning (GPS)/Automatic Vehicle Locator (AVL) hardware in emergency medical service vehicles.

Received.

C7341 A letter from Deb Morton, Executive Director, Niagara Regional Police Services Board (September 29, 2009) respecting the Niagara Regional Police Service 2008 Niagara Regional Police Service Annual Report. (2008 Annual Report distributed separately)

Received.

Carried.

391. Moved by Councillor Marshall
Seconded by Councillor Rigby

That Communication C7337, A memorandum from Kevin Bain, Regional Clerk (September 24, 2009) requesting that Regional Council consider the appointment of a member of Council to fill the existing vacancy on the Niagara Regional Housing Board of Directors, be received.

Carried.

Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That Councillor Marshall, be appointed as a member of the Niagara Regional Housing Board of Directors for the remainder of the term.

Carried.

392. Moved by Councillor Zimmerman
Seconded by Councillor Gabriel

That Communication C7338, A memorandum from Kevin Bain, Regional Clerk (September 25, 2009) requesting that Regional Council consider the appointment of members of Council to establish the Niagara Region's 40th Anniversary Committee, be received.

Carried.

Moved by Councillor Timms
Seconded by Councillor Katzman

That Councillors Zimmerman, Puttick, Greenwood, Katzman, Trombetta and Timms, be appointed as a members of the 40th Anniversary Committee; and

That the invitation be left open to the remaining Councillors, who if they wished to volunteer would be appointed at the first meeting of the Committee.

Carried.

COMMITTEE REPORTS

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

393. Report 12-2009

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 12-2009, being the minutes of the Integrated Community Planning and Public Works Committee meeting of Wednesday, September 23, 2009, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

394. Report 12-2009

Moved by Councillor Martin
Seconded by Councillor Augustyn

That Report 12-2009, being the minutes of the Corporate Services Committee meeting of Wednesday, September 23, 2009, be approved and adopted as ***amended*** with the addition of the following Councillor Information Requests:

Staff were asked to:

- ***provide Councillors with a list of capital projects from the twelve municipalities and the Region, so Regional Council has the full list of projects before them (Councillor Heit)***
- ***provide Councillors with an analysis of annual surpluses (Councillor Burroughs)***

Carried.

(Refer to Councillor Information Requests)

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

395. Report 12-2009

Moved by Councillor Baty
Seconded by Councillor Cordiner

That Report 12-2009, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, September 23, 2009, be approved and adopted.

Carried.

NOTICES OF MOTION

396. Councillor Puttick advised Regional Council that he would be bringing forward a motion at the October 22, 2009 Regional Council meeting respecting the City of Niagara Falls Council's resolution "That Council ask the Region to withhold \$25 million in funding to the Niagara Health System until a full public hearing occurs outlining what kind of services the lower-tier municipalities require"

OTHER BUSINESS

397. Location of Council Business Planning Sessions

Members of Regional Council noted their concerns regarding the meeting location for Council Business Planning Sessions. It was suggested that the Council Chamber is an ideal location for the sessions due to the presence of the sound system and the screens can be seen better than in the other rooms staff have chosen for past sessions. It was also noted that this is a public process and the meetings should be held in Council Chamber where the public is welcome to sit in the gallery.

398. Annual General Meeting of the
Niagara Regional Housing Board of Directors

Members of Regional Council were invited to attend the Annual General Meeting of the Niagara Regional Housing Board of Directors on October 21, 2009 at 4:00 p.m. to 6:00 p.m. at the Sheraton Four Points.

399. Congratulations on your 50th Anniversary!

The Regional Chair on behalf of Regional Council congratulated Councillor Puttick and his wife Rosemary, who on September 26th, celebrated their 50th Anniversary.

400. Thank you!

Councillor Martin thanked Public Health staff in particular, Dr. Williams and Mr. Cunnane and Ms. Sevenpifer for their diligence to ensure that ambulances continue to come to the Douglas Memorial Hospital, which is now an urgent care centre.

401. Two Year Committee Co-Chair Term

Regional Council was advised that the Council Organization Review Committee will be considering a two year Committee Co-Chair term for the next term of Regional Council.

402. Canadian Institute of Planners and Ontario Professional Planners Institute Conference BUILDING A BETTER WORLD, Niagara Falls, Ontario

Councillor Smeaton advised Regional Council that the 2009 Canadian Institute of Planners and Ontario Professional Planners Institute Conference is being held in Niagara Falls from September 30th to October 3rd.

He congratulated staff of the Niagara Region and the City of Niagara Falls, who have been working together to organize one of the association's best attended conferences.

BY-LAWS

403. Moved by Councillor Henderson
Seconded by Councillor D'Angela

That the following Bills be now read and do pass:

Bill 80

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

Bill 81

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

Bill 82

A By-Law to Authorize Long-Term Financing (15-20 Years) in the Amount of \$29,400,334 for the Infrastructure Stimulus Fund Projects Included in the 2009 Stimulus Capital Budget

Bill 83

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

Carried.

CONFIRMING BY-LAW

404. Moved by Councillor Trombetta
Seconded by Councillor Lepp

That the following Bill be now read and do pass:

Bill 84

A By-law to Adopt, Ratify and Confirm the Actions of Regional Council at its Meeting held on the 1st of October, 2009.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff were requested to:

- confirm whether or not CMHC funding is also available to the lower tier municipalities, and contact the City of Niagara Falls with their findings. (Refers to Report CSD 127-2009) Councillor Salci

ADJOURNMENT

The Council meeting adjourned at 8:35 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Regional Clerk

Kevin Bain
Regional Clerk