

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 2-2001

The Municipal Council of the Regional Municipality of Niagara met in Regular Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, February 1, 2001, commencing at 6:42 p.m.

ATTENDANCE

Council: Councillors Zimmerman, Regional Chair; Adams, Andreychuk, Badawey, Bailey, Beamer, Bentley, Brickell, Burroughs, Collins, Eke, Forster, Gabriel, Harry, Hildreth, Konkle, Martin, McMullan, Muir, Nicholson, Partington, Redekop, Saracino, Smeaton, Thomson, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Director of Corporate Services; Cambray, Director of Planning; Hollick, Regional Clerk; Brcic, Assistant Director, Water & Wastewater Division Public Works; Nicol, Director of Human Resources; Ms. Reid, Director, Community Services Department; Dr. Klooz, Assistant Department Director Public Health; Niagara Regional Police Chief Nicholls; Ms. Gilroy, Assistant Clerk.

Other: Payne, Assistant Director, Solid Waste Management Division, Public Works; Cousins, Assistant Director, Transportation Division, Public Works; Banting, Assistant Director, Legal Services.

24. **CLOSED SESSION**

Moved by Councillor Konkle
Seconded by Councillor Adams

That this Council do now meet in Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to personnel and legal matters.

Carried.

25. **CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT**

Moved by Councillor Partington
Seconded by Councillor Nicholson

That the oral report of the Solicitor provided on February 1, 2001, be received,
and

That the Solicitor's recommendations be approved, and

That staff provide the necessary directions to Council to implement the
recommendation, and

That staff contact the Association of Municipality of Ontario (AMO) and the
Ontario Good Roads Association (OGRA) for support.

Carried.

(Please refer to Staff Directions.)

Moved by Councillor Badawey
Seconded by Councillor Harry

That this Council do now rise with report.

Carried.

Following the closed session Council met in regular session, commencing at 7:30
p.m. with an Invocation by Councillor Bailey and the singing of 'O Canada'.

26.

CONFLICTS OF INTEREST

Councillor Badawey declared an indirect pecuniary interest with respect to
Report CSD 08-2001/PWA24-2001, 2001 Solid Waste Division Budget, as he
owns a business involved in waste disposal, and he therefore took no part in the
discussion of, or voting, on these matters.

Councillor McMullan declared an indirect pecuniary interest with respect to
Reports DPD 10-2001 and DPD 145-2000, on Agri-Tourism Policies, as he owns
a farm in West St. Catharines, and he therefore took no part in the discussion of,
or voting, on these matters.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters related to Homes for Seniors as he is employed in a Seniors Home and he therefore took no part in the discussion of or voting on these matters.

27. **ADOPTION OF THE AGENDA**

Moved by Councillor Collins
Seconded by Councillor Eke

That Council Agenda CL 2-2001, February 1, 2001 be adopted.

Carried.

28. **CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS**

Regional Chair Zimmerman extended thanks to Councillor Burroughs for arranging the visit to American Refuel Limited, which proved to be very interesting and informative. David Payne of the Public Works Department will follow-up with further information on alternative methods of waste management in the near future.

Regional Chair Zimmerman reminded Councillors about the First Intergovernmental Forum planned for Wednesday, March 7th. The Mayors and members of Council from the area municipalities have been invited to attend. The focus of the forum will be on Transportation, Tourism, and Trade.

Regional Chair Zimmerman recalled that one of the goals of the Council Business Plan was to improve the effectiveness of our website. The launch of this website is planned for February 15, with a preview at Council that evening.

29. **MOTIONS**

Greater Niagara Circle Route Trails System
Application to the Provincial Superbuild Program

Moved by Councillor Konkle
Seconded by Councillor Badawey

That Council waive the procedural requirements for notice and allow consideration of a motion on the Greater Niagara Circle Route Trails System Application to the Provincial Superbuild Program, at this time.

Carried by 2/3 of the Councillors present.

Moved by Councillor Timms
Seconded by Councillor Gabriel

WHEREAS the Regional Municipality of Niagara and the local municipalities along the route have contributed approximately \$4 million to the creation of the Greater Niagara Circle Route, and

WHEREAS the Regional Municipality of Niagara has recognized the importance of the Greater Niagara Circle Route through Policy Plan Amendment 148, and

WHEREAS the Regional Municipality of Niagara has adopted the Greater Niagara Circle Route as a key part of its Economic Development Strategy, and

WHEREAS the Planning Services Committee, at its meeting of January 24, 2001, recommended that Regional staff prepare and submit a "Letter of Intent" for an application to the Provincial Superbuild Program through the Waterfront Trust, and

WHEREAS it is a requirement of the Superbuild Program that an application indicate by resolution that the municipality supports the project as its highest sport, culture and tourism infrastructure priority, and that it indicate that it is in compliance with the new Drinking Water Protection Regulation.

THEREFORE BE IT RESOLVED that the Regional Municipality of Niagara endorse the application to the Provincial Superbuild Program for contributing to construction of the Greater Niagara Circle Route Trails System as its highest sports, culture and tourism infrastructure priority, and

THAT the Regional Municipality of Niagara confirms that it is in compliance with the Provincial Drinking Water Protection Regulation.

THAT the Clerk be directed to submit a letter of intent to the Ontario Superbuild Corporation respecting the qualification of the Project for funding under Round 1 of the SCTP initiative.

Carried.

30. **ADOPTION OF MINUTES**

Council Report 1-2001

Moved by Councillor Konkle
Seconded by Councillor Badawey

That Report 1-2001, being the minutes of the Proceedings of Council of Thursday, January 18, 2001, be approved and adopted, with an amendment to the title on Minute Item 2, to replace the acronym O.P.P. with R.C.M.P.

Carried.

31. **CORRESPONDENCE**

Communications were received and dealt with as follows:

C4700 Card of thanks from Myrna Smart and family for the kind donation to the Great Lakes Christian College in memory of her husband Norman Smart a retired employee of the Public Works Department.

Received.

C4701 City of Niagara Falls resolution (January 15, 2001) calling for the Region of Niagara to conduct a study to look at better utilizing air links available in Niagara and the feasibility of increased services at area airports.

Received and referred to the Transportation Steering Committee together with an updated version of the 1996 report respecting the viability of a Regional Airport.

C4702 Copy of a letter to the Honourable David Turnbull, Minister of Transportation (January 16, 2001) from David Leonhardt, Director, Public and Government Relations, CAA Ontario, supporting the extension of Highway 406 to the City of Port Colborne.

Received.

C4703 The Honourable David M. Collenette (January 14, 2001) Minister of Transport, to Regional Chair Zimmerman advising Transport Canada has agreed to co-fund the Niagara Frontier 2000 Traffic Survey to provide data on user characteristics of the four international bridges crossing the Niagara River and the support of

Transport Canada for bi-national information exchange with the New York Department of Transportation.

Received.

- C4704 The Honourable Helen Johns, (December, 2000) Minister of Citizenship, Culture and Recreation regarding information to acknowledge important community contribution by nominating a young person for The Lincoln M. Alexander Award. Deadline for the nominations is Friday, March 2, 2001. (Nomination Forms available in the Clerk's Office)

Received.

- C4705 Memorandum to Regional Chair and Members of Council (January 30, 2001) from Regional Clerk, regarding Action by Regional Council with respect to the Sales and/or Export of Great Lakes Water.

Received for Information.

- C4706 Memorandum to Members of Regional Council (January 22, 2001) from Councillor Peter Partington respecting the Diversion/Consumption Use of Great Lakes Water.

Moved by Councillor Partington
Seconded by Councillor Redekop

That the Council of Great Lakes Governors be advised that the Council of the Regional Municipality of Niagara supports the principle that there be no net loss of water from the Great Lakes Basin and further

That this Council supports strengthening the protection of the Great Lakes waters through the development of Annex 2001 to the Great Lakes Charter.

Carried.

- C4707 Copy of a letter to the Honourable Michael D. Harris (February 1, 2001) from Regional Chair Zimmerman respecting support for the continuation of public ownership as the preferred alternative for water and wastewater systems in Niagara.

Received.

C4708 Memorandum from Shirley Cordiner, Chairperson, Regional Niagara Police Services Board (January 26, 2001) requesting approval of By-Law 251-2001, Special Duty Rates, Constables/Sergeants 2001-2002 passed at their meeting January 25, 2001.

Received.

Moved by Councillor McMullan
Seconded by Councillor Timms

That Communications C4700 to C4708, be received and dealt with as noted in these minutes.

Carried.

PRESENTATION

32. Physician Recruitment Task Force

Councillor Saracino provided an update on the work of the Physician Recruitment Task Force. He outlined the new Terms of Reference for the Task Force and the collective efforts of the area municipalities to recruit and retain physicians. He advised that Mr. John Carter has been appointed Chair of the Task Force, and thanked Dr. Jeff Remington, outgoing Chair, for his yeoman's efforts and dedicated hard work.

Regional Chair Zimmerman thanked Councillor Saracino for his presentation and extended appreciation to the members of the Task Force, including Councillor Saracino, for their excellent service to the residents of Niagara.

CORPORATE AND FINANCIAL SERVICES COMMITTEE AND PUBLIC WORKS AND
UTILITIES COMMITTEE

33. Report CFS 2 & PW 3-2001

Moved by Councillor Martin
Seconded by Councillor Badawey

That Report CFS 2 & PW 3-2001, being the minutes of the Joint Corporate and Financial Services Committee and Public Works and Utilities Committee meeting of January 24, 2001 be approved and adopted with an amendment to the recommendations for Minute Items 1 and 2, to read "approved" rather than "received", so that the first clause of each of the recommendations now reads as follows:

Minute Item 1

"That Report CSD 07-2001/PWA 23-2001, January 24, 2001 respecting 2001 Water and Wastewater Uniform Wholesale Rates be approved."

Minute Item 2

"That Report CSD 08-2001/PWA 24-2001, January 24, 2001 respecting 2001 Solid Waste Division Budget, be approved."

Carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

34. Report 3-2001

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 3-2001, being the minutes of the Corporate and Financial Services Committee meeting of January 24, 2001 be approved and adopted with an amendment to Minute Item 12, to delete the last clause of the recommendation, so that the motion now reads as follows:

"That Report 1-2001, being the minutes of the Conducting Council Business in the Electronic Age Task Force, of Wednesday, January 10, 2001, be received; and

That the actions recommended in Report 1-2001 be deferred; and

That the Director of Corporate Services be instructed to investigate the system used by the City of Port Colborne, the acquisition of an

appropriate server for Niagara, and a computer lease vs purchase scenario.”

Carried.

COMMUNITY AND HEALTH SERVICES COMMITTEE

35. Report 2-2001

Moved by Councillor Adams
Seconded by Councillor Hildreth

That Report 2-2001, being the minutes of the Community and Health Services Committee meeting of January 22, 2001 be approved and adopted.

Carried.

The Regional Chair was requested to correspond with the federal and provincial Ministries of Health in support of the Veterans' Affairs Priority Access Long Term Care Beds, and encourage others to continue with the provision of long term care beds for Veterans.

PLANNING SERVICES COMMITTEE

36. Report 2-2001

Moved by Councillor Smeaton
Seconded by Councillor Beamer

That Report 2-2001, being the minutes of the Planning Services Committee meeting of Wednesday, January 24, 2001 be received and adopted.

Carried.

PUBLIC WORKS COMMITTEE

37. **Report 2-2001**

Moved by Councillor Badawey
Seconded by Councillor Redekop

That Report 2-2001, being the minutes of the Public Works and Utilities Committee meeting of January 23, 2001 be approved and adopted with the following amendments:

Minute Item 49 – By-law No. 00-01 should read 00-101
Minute Item 52 – Plan 59R-112334 should read 59R-11234

Carried.

OTHER BUSINESS

38. **POA Update**

Mr. Trojan, Chief Administrative Officer, provided an update on the Provincial Offences Act (POA) transfer, and advised that the offices officially opened for operation on Monday, January 29, 2001 under the guidance of Patrick Robson and Bill Bernard.

Following discussion, Council requested that the Regional Chair and the Mayors of the area municipalities, correspond with the Ministry of the Attorney General, to request a definitive response on the expected date for receipt of funds from Provincial Offences Administration.

39. **Mobility Niagara**

Mr. Trojan, Chief Administrative Officer, provided an overview of a business planning meeting in January, which was facilitated by the Region with representatives of the stakeholder groups, to discuss the continued service of Mobility Niagara.

40. **Joint Committee on Governance**

The Regional Chair, with reference to a memorandum from the Regional Clerk, dated January 31, 2001, advised that several municipalities have appointed representatives to the Joint Committee on Governance. She asked Regional Councillors to advise the Clerk if they wished to participate on this Committee.

41. **BY-LAWS**

Moved by Councillor Muir
Seconded by Councillor Konkle

That the following bills be now read and do pass:

Bill 07

A by-law to establish part of Township Lot 194, in the City of Thorold as part of Regional Road No. 20 (former Highway 20) (Legal Services File L.04.2000.0400)

Bill 08

A by-law to establish part of Township Lot 25, in the City of Niagara Falls as part of Regional Road No. 101 (Mountain Road) (Legal Services File L.04.2000.0418)

Bill 09

A by-law to establish part of Township Lot 73, in the City of Niagara Falls as part of Regional Road No. 57 (Thorold Stone Road) (Legal Services File L.04.2000.0452)

Bill 10

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 1st day of February, 2001

Carried.

Moved by Councillor Partington
Seconded by Councillor Nicholson

That the following bill be now read and do pass:

Bill 11

A By-Law to establish certain lands in the Town of Niagara-on-the-Lake as part of Regional Road No. 90 (Airport Road)

Carried.

STAFF DIRECTIONS

Staff was asked to prepare a report:

- addressing the issue of appointing the OMB as the Regional Corporation's Arbitrator in legal matters.

ADJOURNMENT

The Council adjourned at 9:40 p.m.

Debbie M. Zimmerman
Regional Chair

Pam Gilroy
Assistant Clerk

Thomas R. Hollick
Regional Clerk