

## REGIONAL MUNICIPALITY OF NIAGARA

### PROCEEDINGS OF COUNCIL

#### REPORT CL 19-2004

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The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, November 18, 2004 commencing at 6:45 p.m.

#### ATTENDANCE

Council: Regional Chair Partington; Councillors Almas, Angelone, Baty, Bentley, Bodner, Brock, Burroughs, Casselman, Collins, Eke, Gabriel, Goulbourne, Harry, Heit, Hildreth, Hodgson, Katzman, Leavens, Martin, Marshall, Mastroianni, Redekop, Rigby, Salci, Saracino, Smeaton, Timms, Trombetta, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Cambray, Commissioner, Planning and Development; Nicol, Commissioner, Human Resources; Neville, Commissioner, Public Works; Ventresca, Acting Commissioner, Social Services; Ms. Gilroy, Regional Clerk/Associate Director of Corporate Strategy; Dr. Williams, Medical Officer of Health; Ms. Pilon, Legislative Assistant.

#### Other Staff

(Part-time): Messrs. Bowles, Executive Assistant to the Regional Chair; Robson, Director, Office of Corporate Strategy.

#### CLOSED COMMITTEE OF THE WHOLE

467. Moved by Councillor Martin  
Seconded by Councillor Leavens

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

Carried.

468. Oral Report  
Personnel Matter

Moved by Councillor Martin  
Seconded by Councillor Leavens

That the oral report regarding the personnel matter, be received; and

That staff be authorized to proceed as directed by the Human Resources Committee.

Carried.

469. Niagara EMS – Facilities and Lease of Office Space  
**PWA 198-2004 (PHD 72-2004)**

Moved by Councillor Harry  
Seconded by Councillor Goulbourne

That Report PWA 198-2004 (PHD 72-2004), November 9, 2004, respecting the Niagara EMS – Facilities and Lease of Office Space, be received and the recommendation contained therein be approved.

Carried.

470. Oral Report  
Property for Children's Services Department

Moved by Councillor Rigby  
Seconded By Councillor Marshall

That Joint Confidential Oral Report respecting the Property for Children's Services Department, be received, and

That staff be authorized to proceed as reported and report back to the Corporate and Financial Services Committee on November 24, 2003, Community Services Committee on November 22, 2004 and Public Works and Utilities Committee on November 23, 2004.

Carried.

Conflict of Interest

Councillor Katzman declared an indirect pecuniary interest with respect to the oral report on the property matter in the City of Niagara Falls, as a family member is a legal representative for the subject property, and she therefore vacated Council Chambers and took no part in the discussion or voting on this matter.

471. Oral Report  
Property Matter  
City of Niagara Falls

Regional Chair Partington provided Regional Council with an oral report on a property matter in the City of Niagara Falls.

**COMMITTEE OF THE WHOLE, RISE AND REPORT**

472. Moved by Councillor Smeaton  
Seconded by Councillor Angelone

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:20 p.m. with an Invocation by Councillor Trombetta followed by the singing of O' Canada.

473. **CONFLICTS OF INTEREST**

Councillor Heit declared an indirect 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.

Councillor Eke declared an indirect pecuniary interest with respect to the motion respecting the General Motors of Canada Limited, Project Beacon, as he is a retired employee of General Motors.

Councillor Leavens declared an indirect pecuniary interest with respect to the matters relating to the Niagara Regional Hospital/Cancer Centre, as his wife is employed by the Hotel Dieu, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Marshall declared an indirect pecuniary interest with respect to any matters relating to the Niagara Health System, as he is an employee of the Niagara Health System, and he therefore took no part in the discussion of, or voting on, these matters.

Regional Chair Partington declared an indirect pecuniary interest with respect to the matters relating to the Niagara Regional Hospital/Cancer Centre, as he is the former lawyer and agent for the new hospital complex, 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 relating to Seniors Homes as he is employed by a Seniors Home, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Zimmerman declared an indirect pecuniary interest with respect to the matter of Minute Item 290 of the Planning Services Committee, Report DPD 136-2004, November 10, 2004, respecting the Provision of Raw Water for Agricultural Purposes, Feasibility Study, Recommended Consultants as the company Councillor Zimmerman is employed by may be partnering with the company being retained and she therefore took no part in the discussion of or voting on these matters.

### **ADOPTION OF THE AGENDA**

474. Moved by Councillor Angelone  
Seconded by Councillor Baty

That Council Agenda CL 19-2004 be approved and adopted.

Carried.

### **2005 CAPITAL BUDGET**

475. 2005 Capital Budget

Regional Chair Partington, advised Regional Council that in accordance with the requirements of the Municipal Act, a newspaper advertisement was published in the daily and weekly newspapers in the Region inviting public input on the 2005 Capital Budget. Interested persons were invited to submit their comments in writing or to the website, or to request an appointment to speak.

Regional Council was advised that to date, the Clerk's Department has not received any submissions or requests to speak.

Regional Chair Partington, asked whether there was anyone in the audience who wished to speak to the 2005 Capital Budget, there were no responses.

Therefore, as a result of the November 18, 2004 Committee of the Whole meeting, consideration of the 2005 Capital Budget is deferred until December 2, 2004 at 4:00 p.m. in Committee of the Whole and at 7:00 p.m. during the Regional Council meeting.

## **PRESENTATIONS**

### 476. 2004 Bicycle Friendly Awards

The goal of the Bicycle Friendly Awards for Businesses, sponsored by Regional Niagara Bicycling Committee is to recognize workplaces, businesses, government institutions and educational institutions for supporting bicycling friendly environments, policies and events.

Regional Council congratulated the following Bicycle Friendly Award winners who have demonstrated leadership in supporting and encouraging cycling by students, employers, employees and customers.

Government Institutions: Gold was awarded to the City of Niagara Falls, Trails and Bikeways Committee; Silver was awarded to the Province of Ontario, Ministry of Transportation, St. Catharines; Bronze was awarded to the City of Thorold, Welland Canals Parkway, Thorold Task Group.

Workplaces: Gold was awarded to the Canadian Tire Financial Services; Silver was awarded to the Regional Municipality of Niagara.

Educational Institutions: Gold was awarded to the St. Christopher Catholic School; Silver was awarded to Niagara College; there was a tie for Bronze therefore both Brock University and Woodland Public School were awarded the Bronze awards.

Liberty! Bicycles received the award for Small Business.

### 477. Campaign Goals and Recent Happenings – United Way

Mr. George Darte, Campaign Chair, United Way noted that the United Way, an umbrella organization that raises money through its annual fundraising drive, is focused on meeting changing needs in the community, in the most effective and efficient way possible and that the employee contributions they receive represent two-thirds of our annual campaign and without leadership from local workplaces, many programs simply would not be available to local people in need, therefore, any workplace interested in initiating a United Way Workplace Campaign should call the United Way office for details.

Mr. Darte thanked Ms. McPetrie and Ms. Rhodes for spearheading the Region's campaign and the Regional Municipality of Niagara for its support, both in terms of its own campaign as well as in helping the United Way in spreading the word about the United Way through public meetings, such as tonight's meeting.

Ms. Tyler, Executive Director, Distress Centre provided Regional Council with examples of the different calls they receive noting that if it were not for the funding received from the United Way, there would be no one qualified to take these calls seven (7) days a week/three hundred and sixty five (365) days a year at the Distress Centre.

Mr. Darte thanked Regional Council for their continued support.

478. Niagara College Update: Progress and Plans

Mr. Dan Patterson, President, Board of Governors Niagara College provided Regional Council with a snapshot of Niagara College today and discussed some of the College's recent achievements; future plans; the role the College plays and the impact the College has in fostering the growth and success of the Niagara Region.

Mr. Patterson noted that Niagara College's role in economic development is achieved primarily by pursuing areas of specialization that are aligned with regional concentrations and priorities.

Mr. Patterson noted that the lack of a Regional transportation system is a key concern and is one that disadvantages Niagara College's students, as the vast majority of students have no access to public transit to get to and from our campuses; restricts their ability of securing part time jobs, which they rely upon to fund their education.

Mr. Patterson mentioned the unprecedented opportunity residents of Niagara have in influencing the funding and design of the college system through the current Review on Post Secondary Education, by visiting [www.raereview.on.ca](http://www.raereview.on.ca)

479.

**CHAIRMAN'S REMARKS**

The Regional Chair provided the following remarks:

Regional Chair Partington extended condolences on behalf of Regional Council to Mr. Marc Woerlen for his unimaginable loss.

Regional Chair Partington attended the opening of the Port Weller Co-Generation Facility that was developed in partnership between the Region and St. Catharines Hydro, noting that this facility along with the recovery system being designed for the Glenridge Quarry Landfill site in St. Catharines, illustrates Niagara Region's ongoing commitment to finding environmental, social and economic solutions for our community.

Regional Chair Partington attended the swearing-in of Wendy Southall as the new Chief of Police for Niagara Region, noting that Police Chief Southall will do an admirable job and will meet many new challenges that face her with determination and enthusiasm.

Regional Chair Partington mentioned that on November 30<sup>th</sup> Niagara will commemorate the 175<sup>th</sup> anniversary of the Welland Canal.

Regional Chair Partington thanked Peninsula Flowers of Jordan Station for the chrysanthemums that graced Council Chambers.

### **APPROVAL OF MINUTES**

480. Report 7-2004

Moved by Councillor Burroughs  
Seconded by Councillor Harry

That Report 7-2004, being the minutes of the Committee of the Whole meeting of Thursday, November 4, 2004, be approved and adopted.

Carried.

481. Report 18-2004

Moved by Councillor Casselman  
Seconded by Councillor Trombetta

That Report 18-2004, being the minutes of the Proceedings of Council of Thursday, November 4, 2004, be approved and adopted.

Carried.

### **CORRESPONDENCE**

482. The following Communications were received and dealt with as follows:

C6357 Peter Partington, Regional Chairman (November 12, 2004) respecting Resolutions from other Municipalities.

Resolution from the Corporation of the Township of Wellesley (October 19, 2004) requesting that the Provincial Government turn a percentage of the fuel tax, gas tax, and license and registration taxes collected over the lower tier government and that rural Ontario and Canada demand their fair share of the gas tax revenue as promised by Mr. Paul Martin, Mr. John Godfrey and others.

Received.

- C6358 Andrea Kriluck, President, Niagara Community Foundation (November 3, 2004) expressing gratitude and excitement in receiving a cheque for \$58,000. to the benefit of many people across Niagara.
- Received.
- C6359 Copy of a letter to Gord Harry, Chair, Niagara Peninsula Conservation Authority, from Regional Councillor Debbie Zimmerman (November 5, 2004) expressing regret as she tenders her resignation as a member of the Niagara Peninsula Conservation Authority.
- Received.
- C6360 City of Welland Resolution (November 2, 2004) respecting a general anti-idling by-law including a policy adopted to restrict unnecessary idling of vehicles and equipment and challenge other public institutions, individuals and groups to voluntarily observe as well anti-idling behaviours and policies.
- Received and referred to the Public Health Services Committee.
- C6361 Copy of a letter to the Honourable Dalton McGuinty, Premier of Ontario (October 4, 2004) from Norm Mino, Chairperson, Board of Health, and Dr. Pat Logan, Acting Medical Officer of Health, Timiskaming, Ontario respecting government support and collaboration for the *Call to Action: Creating a Healthy School Nutrition Environment*.
- Received and referred to the Public Health Services Committee.
- C6362 Card of thanks from Mike Trojan, Chief Administrative Officer, Region of Niagara, and family for the kind donation to the West Lincoln Memorial Hospital Palliative Care in memory of his brother-in-law, Todd Simpson.
- Received.
- C6363 The Honourable John D. Maloney, M.P. Welland Riding (November 5, 2004) respecting the federal government funding of another infrastructure program specially for rural communities and recommendations that Council and municipal officials begin preparations in anticipation of the announcement.
- Received.

C6364 Schedule of Regular Meetings of Regional Council and Standing Committees from December 6, 2004 to May 26, 2005.

Received.

C6365 Kent A Schachowskoj, P. Eng. Manager, Welland Office, Wiebe Engineering Group (November 18, 2004) respecting Provision of Raw Water for Agricultural Purposes Feasibility Study for the Region of Niagara Recommended Consultant and Selection Process with Respect to Recommendation on DPD 136-2004.

Received.

Moved by Councillor Eke  
Seconded by Councillor Trombetta

That Communications C6357 to C6365 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

## **COMMITTEE REPORTS**

### **JOINT REPORTS**

481. Final Report on Niagara's Partnership with Environment Canada –  
To Assess Niagara's Overall Approach to Sustainability  
Using The Melbourne Principles  

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**CAO 24-2004**

Regional Council viewed an announcement from the Honourable John Godfrey MP, Minister of State (Infrastructure and Communities), commending Niagara Region for their progress and encouraging Niagara Region to continue through the partnership with Environment Canada, to assess Niagara's overall approach to sustainability using the Melbourne Principles.

Moved by Councillor Smeaton  
Seconded by Councillor Harry

That Report CAO 24-2004, November 18, 2004, respecting the Final Report on Niagara's Partnership with Environment Canada – To Assess Niagara's Overall Approach to Sustainability using The Melbourne Principles and the recommendations contained therein be approved and adopted.

Carried.

482. Waste Management Financing Options  
2005 Cost Apportionment  
**CSD 153-2004/PWA 196-2004**

Moved by Councillor Rigby  
Seconded by Councillor Eke

That Report CSD 153-2004/PWA 196-2004, November 9, 2004, respecting the Wastewater Management Financing Options 2005 Cost Apportionment with the cost details included be deferred to the November 23, 2004 Joint Public Works and Utilities Committee and Corporate Services Committee meeting; and

That the report with the cost details included, be circulated to the Area Municipalities for comment.

Carried.

483. Shared Service Agreements -  
The Regional Municipality of Niagara and  
Niagara Peninsula Conservation Authority and the  
Niagara Economic and Tourism Corporation  
**CAO 23-2004**

Moved by Councillor Collins  
Seconded by Councillor Harry

That Report CAO 23-2004, November 9, 2004, respecting the Shared Service Agreements - The Regional Municipality of Niagara and Niagara Peninsula Conservation Authority and the Niagara Economic and Tourism Corporation and the recommendations contained therein be approved and adopted.

Carried.

Councillor Saracino requested that he be noted as opposed to the aforementioned motion.

**BUDGET REVIEW COMMITTEE**

484. Report 5-2005 (Budget)

Moved by Councillor Martin  
Seconded by Councillor Collins

That Report 5-2005 (Budget), being the minutes of the Budget Review Committee meeting of Thursday, November 4, 2004, be approved and adopted.

Carried.

**COMMITTEE OF THE WHOLE**

485. November 18, 2004

Moved by Councillor Martin  
Seconded by Councillor Saracino

That the decisions made in the Committee of the Whole meeting of Thursday, November 18, 2004, be approved and adopted.

Carried.

**CORPORATE AND FINANCIAL SERVICES COMMITTEE**

486. Report 23-2004

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report CFS 23-2004, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, November 10, 2004, be approved and adopted.

Carried.

Councillor Saracino requested that he be noted as opposed to Minute Item # 249, in Report CFS 23-2004.

**COMMUNITY SERVICES COMMITTEE**

487. Report 16-2004

Moved by Councillor Hildreth  
Seconded by Councillor Mastroianni

That Report CSC 16-2004, being the minutes of the Community Services Committee meeting of Monday, November 8, 2004, be approved and adopted.

Carried.

**HUMAN RESOURCES COMMITTEE**

488. Report 10-2004

Moved by Councillor Collins  
Seconded by Councillor Mastroianni

That Report HR 10-2004, being the minutes of the Human Resources Committee meeting of Tuesday, November 9, 2004, be approved and adopted.

Carried.

Councillor Saracino requested that he be noted as opposed to Minute Item # 90, in Report HR 10-2004.

**PLANNING SERVICES COMMITTEE**

489. Report 18-2004

Moved by Councillor Smeaton  
Seconded by Councillor Eke

That Report PSC 18-2004, being the minutes of the Planning Services Committee meeting of Wednesday, November 10, 2004, be approved and adopted.

Moved by Councillor Marshall  
Seconded by Councillor Collins

That Report DPD 132-2004, November 10, 2004, respecting the Appeal of Consent Application B32/04 Lincoln, Paul and Nicki Bryson, Horton Avenue and Fifteenth Street in the Town of Lincoln, be lifted from the November 10, 2004, Planning Services Committee minutes, and dealt with separately at this time.

Carried.

Upon a vote being taken the original motion respecting Report DPD 132-2004, was carried.

Councillor Marshall requested that he be recorded as opposed to Minute Item 286, in Report PSC 18-2004.

Moved by Councillor Rigby  
Seconded by Councillor Burroughs

That Report DPD 135-2004, November 10, 2004, respecting the A Heritage Program for Niagara, be lifted from the November 10, 2004, Planning Services Committee minutes, and dealt with separately at this time.

Carried.

Upon a vote being taken the original motion respecting Report DPD 135-2004, was defeated.

Moved by Councillor Rigby  
Seconded by Councillor Burroughs

That Report DPD 135-2004, November 10, 2004, respecting the A Heritage Program for Niagara, be referred back to staff, in order for staff to contact the local municipalities and review the existing programs, with a report being brought back to Committee, as soon as possible.

Carried.

Upon a vote being taken the balance of the November 10, 2004, Planning Services Committee minutes were carried.

### **PUBLIC HEALTH SERVICES COMMITTEE**

#### 490. Report 19-2004

The Public Health Services Committee were amended to include Councillor Casselman's declaration of an indirect pecuniary interest with respect to the matter of Minute Item 199 of the Public Health Services Committee, correspondence items PHSC 27-2004 and PHSC 28-2004 respecting the Niagara Regional Hospital/Cancer Centre as her husband is Chief of Urology at Hotel Dieu.

Councillor Smeaton assumed the chair in Regional Chair Partington's absence during the discussion on matters respecting the Niagara Regional Hospital/Cancer Centre.

Moved by Councillor Timms  
Seconded by Councillor Baty

That Report PHSC 19-2004, being the minutes of the Public Health Services Committee meeting of Monday, November 8, 2004, be approved and adopted as amended.

Carried.

### **NOTICE OF MOTION**

491. Councillor Timms gave notice that at the next Council meeting scheduled for December 2, 2004, he will move or cause to be moved a motion regarding the New Healthcare Complex.

Regional Chair Partington assumed the Chair for the remainder of the meeting.

### **PUBLIC WORKS AND UTILITIES COMMITTEE**

492. Report 23-2004

Moved by Councillor Rigby  
Seconded by Councillor Redekop

That Report PW 23-2004, being the minutes of the Public Works and Utilities Committee of Tuesday, November 9, 2004, be approved and adopted.

Carried.

### **MOTIONS**

493. General Motors of Canada Limited  
Project Beacon

Moved by Councillor Rigby  
Seconded by Councillor Heit

That whereas General Motors of Canada Limited (GMCL) has proposed a bold new initiative, Project Beacon, to accelerate Canadian-based automotive innovation and competitiveness in conjunction with Canadian education institutions and automotive suppliers (including auto parts, steel, aluminum, research and development.

Whereas Niagara is important to St. Catharines and the Niagara Region's economic prosperity and,

Whereas GMCL will increase their competitive advantage in the automobile/transportation markets by modifying their manufacturing technology and processes to enhance flexibility and,

Whereas this increase in competition will have a positive impact on employment in the City of St. Catharines and the Region of Niagara; and,

Whereas Project Beacon will enhance and increase the design and engineering capacity of GMCL and through the new proposed Automotive Innovation Network, GMCL will direct more than 130 million dollars in new support towards the training of the next generation of Canadian automotive engineers and designers; and,

Whereas accelerating the commercialization of automotive/transportation related research and development in Canada – a key element of much broader return on investment would be achieved by government support of Project Beacon; and

Whereas GMCL is in discussions with the Ontario and Federal governments concerning their participation in Project Beacon's investments and initiatives for Canada and Ontario;

Therefore be it resolved that Regional Council encourage the Ontario and Federal Governments to partner and financially support General Motors of Canada Limited's Project Beacon;

And further copies of this resolution be forwarded to the Honourable Prime Minister Paul Martin and the area municipalities.

Carried.

### **OTHER BUSINESS**

494. 175<sup>th</sup> Anniversary of the Welland Canal

Councillor Bodner advised Regional Council of the events that will be taking place in the City of Port Colborne to commemorate the 175<sup>th</sup> Anniversary of the Welland Canal, beginning at 10:30 a.m. at Lock 3 Welland Canal Centre Complex on November 30, 2004, featuring the Niagara Flotilla Sea Cadets, marine officers and the film "Conquering Niagara", followed by a luncheon at Club Roma (tickets are \$15.00 per person) with keynote speaker, Dr. Vivian Nelles, a leading Canadian Historian.

Councillor Bodner also noted that a celebration will be taking place at City Hall on November 30<sup>th</sup> at 1:45 p.m. to commemorate the anniversary.

495. Niagara Peninsula Conservation Authority Appointment

Regional Council approved the appointment of Alderman Andreychuk as Councillor Zimmerman's replacement.

496. Notes of Appreciation

Councillor Trombetta thanked Pelham Fire Chief McLeod, the Pelham volunteer fire fighters and the West Lincoln Fire Department for the great job they did at the scene of the Woerlen's fire.

Councillor Trombetta also thanked the public for all of the cards and e-mails of condolences the Township of West Lincoln has received.

Regional Council was advised that the Ontario Fire Marshall remains at the scene and that it will be one to two week before the results are known.

There are two memorial trust funds that have been established for the family and that the details of the trust funds were included in the November 17, 2004 press releases.

497. Santa Arrives in Niagara!!

Regional Council was advised that Santa will be arriving in the Town of Fort Erie and the City of Niagara Falls on November 20, 2004 at their Santa Claus Parades.

498. Winter Festival of Lights!

Councillor Salci noted that November 20, 2004 will mark the opening of the City of Niagara Falls' Winter Festival of Lights.

**BY-LAWS**

499. Moved by Councillor Gabriel  
Seconded by Councillor Mastroianni

That the following bills be now read and do pass:

Bill 134

A by-law to close a portion of Nidel's Crescent in the City of Welland.

Bill 135

A by-law to provide for the regulation of traffic on Regional Highways in the City of Welland.

Bill 136

A by-law to provide for the regulation of traffic on Regional Highways in the Township of West Lincoln.

Bill 137

A by-law to provide for the regulation of traffic on Regional Highways in the City of Welland.

Bill 138

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 18<sup>th</sup> day of November, 2004.

Carried.

500. Moved by Councillor Heit  
Seconded by Councillor Burroughs

That the following bill be now read and do pass:

Bill 139

A by-law to authorize Debenture Financing (1-5 years) in the amount of \$235,000 for the initiation of Capital Project ZPO0413, Filenet.

Carried.

**ADJOURNMENT**

The Council meeting adjourned at 10:30 p.m.

Peter Partington  
Regional Chairman

Janet Pilon  
Legislative Assistant

Pam Gilroy  
Regional Clerk/Associate Director  
of Corporate Strategy