

**THE REGIONAL MUNICIPALITY OF NIAGARA  
PROCEEDINGS OF COUNCIL  
REPORT CL 4-2005**

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The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 3, 2005 commencing at 6:40 p.m.

**ATTENDANCE**

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

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner of Planning; Cousins, Director, Transportation Services; Lockyer, Treasurer/Director Financial Management & Planning; Nicol, Commissioner Human Resources Department; Dr. Williams, Medical Officer of Health; Mr. Ventresca, Acting Commissioner of Community Services Department; Ms. Gilroy, Regional Clerk/Associate Director of Corporate Strategy; Ms. Reilly, Legislative Assistant.

Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Sidawi, Director, Operational Support Services.

**CLOSED COMMITTEE OF THE WHOLE**

118. Moved by Councillor Harry  
Seconded by Councillor Bentley

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.

119. Recruitment Search for  
Commissioner of Community Services

Moved by Councillor Collins  
Seconded by Councillor Timms

That Report CAO 6-2005, March 3, 2005, be referred to the Human Resources Committee meeting on Tuesday, March 8, 2005.

Defeated.

Moved by Councillor Hildreth  
Seconded by Councillor Brock

That Report CA0 6-2005, March 3, 2005, respecting Recruitment Search for Commissioner of Community Services, be received, and the CAO and Recruitment Committee consider the comments made by Council with respect to the recruitment search for the Commissioner of Community Services and report back to Council with recommendations.

Carried.

120. Addition – Regional Headquarters

Moved by Councillor Rigby  
Seconded by Councillor Redekop

That Report PWA 40-2005, March 3, 2005, respecting Addition – Regional Headquarters, be referred to the Public Works & Utilities Committee.

Carried.

121. Report 1-2005- Accommodation Steering Committee

Moved by Councillor Rigby  
Seconded by Councillor Redekop

That Report 1-2005, Wednesday, February 15, 2005 being the minutes of the Accommodation Steering Committee be referred to the Public Works & Utilities Committee.

Carried.

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

122. Moved by Councillor Smeaton  
Seconded by Councillor Katzman

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:15 p.m. with an Invocation by Councillor Bentley, followed by the singing of O' Canada.

**ADOPTION OF THE AGENDA**

123. Moved by Councillor Eke  
Seconded by Councillor Mastroianni

That the Council Agenda CL 4-2005 be adopted as presented.

Carried.

124.

### **CONFLICTS OF INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to any matters relating to 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 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.

### **PRESENTATIONS**

125. Ontario Heritage Foundation Awards

Regional Chair Partington, together with Mayors Hodgson and Rigby, presented the 2004 Ontario Heritage Foundation Awards. The awards were presented in three categories: Natural Heritage; Built Heritage and Lifetime Heritage Achievement.

The Natural Heritage Award went to the Board of Directors and Friends of Malcolmson Park. The Park is one of the last remaining large natural areas of St. Catharines.

The Built Heritage Award went to John Wakelin and Pat Forster, the owners of Heritage House Bed and Breakfast at 29 Edmund Street in St. Catharines. The house built in 1870 by Theodore Thompson, a captain in the volunteer militia, has been restored to its original 1870s character.

The Lifetime Heritage Achievement Award went to Corlene Dwyer Taylor, a lifelong Niagara resident. She was born in "Mayholme" the family homestead on Ontario Street, St. Catharines and is descended from Loyalist families including the May family, original Grantham Township settlers. Corlene recently obtained a heritage designation for "Mayholme" and donated the property and house to the Mayholme foundation to be used as a repository and library for genealogical and historical research. Corlene received a Life Membership in the Niagara Peninsula branch of the Ontario Genealogical Society in 1996 for her dedicated work. She is also a longstanding member of the Historical Society of St. Catharines. She compiled a booklet on the "Cemeteries of the Town of Lincoln" and co-authored "The Mini Atlas of Early Settlers in the District of Niagara, 1782 – 1786".

126.

**CHAIRMAN'S REMARKS**

The Regional Chair thanked those who attended the February 24<sup>th</sup> Council Business Planning Session, commenting it was very informative and that he looks forward to future sessions. The Chair commented that the new three week schedule will allow Council to commit to holding more regular sessions for the sake of strategic planning and educational sessions that will assist with the Business Plan.

Chair Partington advised that he has secured a meeting with Minister Smitherman to discuss Regional Council's concerns surround Local Health Integration Networks for March 22<sup>nd</sup>. He thanks the local MPPs, especially Minister Jim Bradley, for the assistance they provided in setting up this meeting.

Moved by Councillor Zimmerman  
Seconded by Councillor Timms

That consideration be given to requesting the Ministry to consider management of a Niagara LHIN under the Niagara Region's Public Health Department and that this matter be referred to Public Health staff for a report for presentation to a Committee of the Whole meeting, prior to the next Council meeting of March 17<sup>th</sup>.

Carried.

Niagara will be hosting the 2005 Ontario Central Ontario Municipal Conference sponsored by the Minister of Municipal Affairs and Housing. On the evening of April 28<sup>th</sup>, Minister Gerretsen will be hosting a Gala dinner. A number of Councillors will be receiving long term service awards. Given that this is a Ministry of Municipal Affairs and Housing conference, the Regional Chair commented that a strong showing of Councillors would help boost Niagara's profile.

Chair Partington thanked Trillium Floral of St. Catharines for the chrysanthemums that graced the Council Chambers.

**APPROVAL OF MINUTES**

127. Report 3-2005

Moved by Councillor Zimmerman  
Seconded by Councillor Gabriel

That Report 3-2005, being the minutes of the Proceedings of Council of Thursday, February 17, 2005, be approved and adopted.

Carried.

**CORRESPONDENCE**

128. Communications were received and dealt with as follows:

a) Receive and/or Refer to Staff

C6434 Copy of a letter and resolution from Joanne Savage, Mayor, Municipality of West Nipissing (February 2, 2005) respecting the Hospital Funding inequities that exist and requests the Provincial Government to renew its commitment to provide effective medical care to rural and northern Communities in Northern Ontario.

Received.

C6435 Copy of a letter from Peter Kormos, MPP Niagara Centre to the Honourable George Smitherman, Minister of Health and Long-Term Care (February 22, 2005) regarding a requested meeting between Regional Chairman Partington and Mr. Smitherman regarding the Local Health Integrated Network (LHIN) proposal.

Received.

C6436 Tim Hudak, MPP Erie-Lincoln (February 18, 2005) requesting assistance to help preserve Niagara's voice regarding the Local Health Integration Networks (LHINs) when it comes to addressing our health care priorities.

Received.

C6437 Memorandum to Members of Regional Council from David Eke, Chair, Niagara Regional Housing (March 3, 2005) providing an update on the NRH's participation in the Rent Bank Program.

Received.

C6438 Memorandum to the Regional Chairman and Members of Council from Pam Gilroy, Regional Clerk/Associate Director of Corporate Strategy (February 25, 2005) advising that Councillor Angelone would like to resign from the Community Services Committee and be appointed to the Corporate and Financial Services Committee.

Received and Councillor Angelone appointed to the Corporate and Financial Services Committee.

C6440 2004 Public Health Expenditures.

Received.

C6441 John Werkman, Chairman, Board of John Calvin School , Smithville (February 8, 2005) respecting concerns at the school pertaining to the waste management company adjacent to their property on the east side.

Received.

C6442 Memorandum to the Regional Chairman and Members of Council from Shafee Bacchus, Commissioner of Corporate Services (February 24, 2005) respecting information on the status of proposed new revenue tool related to hotel tax.

Received.

C6444 Memorandum to Regional Council from Dr. Doug Sider, Associate Medical Officer of Health (March 2, 2005) providing an update of the Storm Sewer Air and Water Testing Results – Mitech Plastics Company in Welland.

Received.

Moved by Councillor Almas  
Seconded by Councillor Marshall

That Communications C6434 to C6438 and C6440 to C6442 and C6444 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

129. b) For Consideration

C6439 Memorandum to the Regional Chairman and Members of Council from Pam Gilroy, Regional Clerk/Associate Director of Corporate Strategy (February 25, 2005) requesting a change of Regional Council Meeting Time on April 28, 2005.

Moved by Councillor Angelone  
Seconded by Councillor Trombetta

That Communication C6439 requesting a change in time for the Council meeting scheduled for April 28<sup>th</sup> be approved to begin the Regional Council meeting with the Closed Session at 1:30 p.m. and Open Session at 2:00 p.m.

Carried.

130. C6443 Memorandum to the Regional Chairman and Members of Council from Councillor Bill Smeaton (March 1, 2005) requesting he be relieved as the Council's Liaison person with the Niagara Health System, and that another Council Member be appointed.

Conflict of Interest

Councillor Marshall declared an indirect pecuniary interest with respect to the Niagara Health System as he is employed by the Niagara Health System and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Councillor Brock  
Seconded by Councillor Bailey

That Communication C6443, being a memorandum to the Regional Chairman and Members of Council from Councillor Bill Smeaton (March 1, 2005) requesting he be relieved as the Council's Liaison person with the Niagara Health System, be received.

Carried.

**RESOLUTIONS FROM OTHER MUNICIPALITIES**

131. Long Term Viability of Ontario Farmers

Moved by Councillor Hildreth  
Seconded by Councillor Zimmerman

WHEREAS The Ontario Federation of Agriculture has called on the Provincial and Federal Governments to act in order to solve the problem of farm viability; and

WHEREAS many issues that promote farm financial uncertainty are as a result of arbitrary changes to farm safety net programs by the Provincial and Federal Governments; and

WHEREAS many more as yet unclear regulatory and administrative rules and requirements have the potential to be cost prohibitive and unworkable; and  
WHEREAS programs supporting long standing rural infrastructure have been eliminated or reduced;

THEREFORE be it resolved that the Regional Municipality of Niagara recognize the real threat to the long term viability of Ontario farmers and request that the governments of Ontario and of Canada to;

- a. ensure that the implementation and application of nutrient management rules are done in a way that addresses the concerns the farm community has repeatedly raised.

- b. Recognize that environmental benefits provided by farmers offset any need for administrative charges on water taking permits.
- c. Restore confidence of government/farmer partnership by re-establishing long-term investment in drainage infrastructure.
- d. Immediately implement an action plan to address the farm income crisis.

And further be it resolved that this resolution be circulated to all municipalities in Ontario, all members of Parliament in Ontario, all members of Provincial Parliament and to the Ontario Federation of Agriculture, requesting their support and further that the municipalities that endorse this resolution ask their local Ontario Federation of Agriculture Committees to do the same.

Carried.

### **AGENCIES, BOARDS AND COMMISSIONS**

#### 132. Rent Bank Program

Moved by Councillor Eke  
Seconded by Councillor Timms

That Report 2-2005, January 28, 2005, respecting the Rent Bank Program be received, and

That the Board of Directors authorize the Chair of Niagara Regional Housing to enter into an Agreement with the Ministry of Municipal Affairs and Housing to be the Recipient under the Rent Bank program, and

That the Board of Directors approve Credit Counselling of Regional Niagara to be the Administrator under the program pending favourable reference checks.

Carried.

### **COMMITTEE REPORTS**

#### **CORPORATE AND FINANCIAL SERVICES COMMITTEE**

#### 133. Report 4-2005

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report 4-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, February 23, 2005, be approved and adopted.

Carried.

**COMMUNITY SERVICES COMMITTEE**

134. Report 5-2005

Moved by Councillor Hildreth  
Seconded by Councillor Gabriel

That Report 5-2005 being the minutes of the Community Services Committee meeting of Monday, February 21, 2005, be approved and adopted.

Carried.

135. Supporting Communities Partnership Initiative (SCPI)

Moved by Councillor Casselman  
Seconded by Councillor Collins

WHEREAS the Supporting Communities Partnership Initiative (SCPI) is intended to strengthen the capacity of community organizations to address the needs of people who are homeless; specifically by

- Increasing the Number of Emergency Beds/Transitional Beds
- Matching Adequate Pay/Work Opportunities for Homeless Individuals
- Developing Knowledge Based on Homelessness Issues
- Building Community Capacity/Sustainability of Homelessness Activities
- Increasing Community Awareness of Homelessness, and

WHEREAS SCPI encourages multi-sectoral and multi-organizational collaboration for service delivery and funding; and

WHEREAS funding for numerous organizations' projects is dependant on receiving SCPI funding and delays cause programs serious delivery issues ultimately, in some cases, leading to non-delivery; and

WHEREAS the deadline for the call for proposals for grants was April 30, 2004 at 12:00 p.m.; and

WHEREAS the proposals for grants were received by the Community Advisory Board, a group of volunteers; and

WHEREAS recommendations were forwarded to Human Resources Skills Development Canada (HRSDC) for 3 projects with no conditions, and 5 projects with conditions of clarity in October 2004; and

WHEREAS funding for SCPI is proportional to the time period and delays reduce the funding available; and

WHEREAS no communication or announcements have been received by the Community Advisory Board, the project sponsors, or the community since October 2004;

NOW THEREFORE BE IT RESOLVED that the Regional Municipality of Niagara requests that the announcements and SCPI funding be expedited and approved by March 18, 2005 to save numerous community homelessness projects that could be in jeopardy.

AND to permit the funds to be applied in full, respecting the retroactive expenditures due to delays.

Carried.

### **PLANNING SERVICES COMMITTEE**

136. Report 4-2005

Conflict of Interest

Councillor Heit declared an indirect pecuniary interest with respect to Report DPD10-2005 as it relates to Modern Waste Transfer Station, as Modern is a client of his, and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Councillor Smeaton  
Seconded by Councillor Eke

That Report 4-2005 being the minutes of the Planning Services Committee meeting of Wednesday, February 23, 2005, be approved and adopted.

Carried.

### **PUBLIC HEALTH SERVICES COMMITTEE**

137. Report 4-2005

Moved by Councillor Timms  
Seconded by Councillor Baty

That Report 4-2005 being the minutes of the Public Health Services Committee meeting of Monday, February 21, 2005, be approved and adopted.

Carried.

**PUBLIC WORKS AND UTILITIES COMMITTEE**

138. Report 4-2005

Moved by Councillor Rigby  
Seconded by Councillor Redekop

That Report 4-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, February 22, 2005, be approved and adopted.

Moved by Councillor Martin  
Seconded by Councillor Redekop

That Minute item 101, respecting Report PWP 16-2005, Red Light Cameras, be lifted and dealt with separately by this Council at this time.

Carried.

Moved by Councillor Martin  
Seconded by Councillor Redekop

That Report PWP 16-2005, Red Light Cameras, be deferred pending comments from Chief of Police Wendy Southall and staff, Niagara Regional Police Service.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion, as amended, carried.

**OTHER BUSINESS**

139. Autism Fundraiser

Councillor Collins apprised Council and the public of the CAW 199 fundraiser (Blues against Autism) being held Saturday, March 12<sup>th</sup> at the C.A.W. Hall on Bunting Road. Tickets are \$10 and \$15 at the door and he urged everyone to attend. Tickets can be obtained by contacting him directly or from the First Ontario Credit Union (any branch) and The Autism Office.

140. Violence against Women

Councillors Angelone, Hildreth and Zimmerman apprised Council of the recent seminar by Women's Place and the upcoming Leadership summit regarding family violence, noting that crime against women is not declining and that abuse and sexual abuse is rising. Councillor Angelone, as a member of N.O.W. – National Organization of Women, commented that this week is International Women's Week and urged Councillors and the public to attend the various events being held.

141. New Legislation – Warning Labels on Alcohol Products  
Councillor Hildreth apprised Council of new Food and Drug Act legislation related to putting warning labels on alcohol products similar to what is being done with tobacco products. Public Health staff was asked to prepare a report for the Public Health Services Committee with respect to the new legislation.
142. Greenbelt Legislation  
A thorough discussion was held on the concerns related to the new Greenbelt Legislation and boundary mapping and its impact on the various local municipalities as it relates to their potential for growth and development.
143. Welland Safe Community Partnership  
Councillor Goulbourne advised that Welland was designated a “Safe Community” in February 2005. The Welland Safe Community Partnership got its start in December 2003. A meeting of more than 30 community stakeholders took place to share the value of becoming a Safe Community. Welland is the first city in the Niagara Region to be designated a safe community under the umbrella of the National Safe Communities Foundation.
144. Hockey Tournaments  
A lively discussion took place on the local municipal hockey tournaments, the excuses and reasons for winning and losing. Winners include Lincoln and Wainfleet.

### **BY-LAWS**

145. Moved by Councillor Baty  
Seconded by Councillor Timms

That the following bills be now read and do pass:

#### **Bill 19**

A by-law to authorize Debenture Financing (1-10 years) in the amount of \$2,500,000 for Project ZPO0407, #14 Division Grimsby Facility from the 2005 Capital Budget.

#### **Bill 20**

A by-law to authorize Debenture Financing (1-10 years) in the amount of \$1,767,000 for Project ZRC9718, Rehabilitation of Beckett’s Bridge over the Welland River, from the 2005 Roads Capital Budget.

Bill 21

A by-law to authorize Debenture Financing (1-10 years) in the amount of \$6,410,000 for individual projects in the 2004 Water and Wastewater Capital Programs.

Bill 22

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 17<sup>th</sup> of February, 2005.

Carried.

146. Moved by Councillor Bentley  
Seconded by Councillor Casselman

That the following bill be now read and do pass:

Bill 23

A by-law to establish part of Lot 17, Concession 1, in the Township of West Lincoln as part of Regional Road No. 63 (Canboro Road)

Carried.

**ADJOURNMENT**

The Council meeting adjourned at 9:10 p.m.

Peter Partington  
Regional Chairman

Gail Reilly  
Legislative Assistant

Pam Gilroy  
Regional Clerk/  
Associate Director of Corporate Strategy