

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 7-2005

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, April 28, 2005 commencing at 1:30 p.m.

ATTENDANCE

Council: Regional Chairman Partington; Councillors Almas; Angelone; Bailey, Baty; Bentley; Bodner; Burroughs; Casselman; Collins; Eke; Gabriel; Goulbourne; Harry; Heit, Hildreth; Hodgson; Katzman; Leavens; Martin; Redekop; Rigby; Saracino; Smeaton; Timms.

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

Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Robson, Director, Corporate Strategy; Brcic, Director, Water & Wastewater Services; Gedge, C.E.O., Niagara Economic & Tourism Corporation; Hughes, Associate Director, Transportation Engineering; Ms. Hepplewhite, Corporate Records Manager; Williams, Senior Financial Analyst.

CLOSED COMMITTEE OF THE WHOLE

205. Moved by Councillor Burroughs
Seconded by Councillor Bailey

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.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

206. Moved by Councillor Rigby
Seconded by Councillor Bailey

That this Council do now rise without report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 2:00 p.m. with an Invocation by Councillor Burroughs, followed by the singing of O' Canada.

ADOPTION OF THE AGENDA

207. Moved by Councillor Burroughs
Seconded by Councillor Hildreth

That the Council Agenda CL 7-2005 be adopted as presented.

Carried.

208. **CONFLICTS OF INTEREST**

Councillor Almas declared an indirect pecuniary interest with respect to Minute Item 186 of the April 19, 2005, Public Works and Utilities Committee minutes respecting the Property Purchase, Reconstruction of Regional Road 89 (Glendale Avenue) in the City of St. Catharines, as he has a client that is directly impacted and he therefore took no part in the discussion of, or voting on, these matters.

PRESENTATIONS

209. **Update on the Economic Development Strategy**

Councillor Damian Goulbourne, Mr. Patrick Gedge, C.E.O., Niagara Economic & Tourism Corporation and Mr. Kroeker, Board Chair provided Regional Council with an update on Niagara's Economic Growth Strategy.

Regional Council endorsed the strategy entitled Navigating Our Future: Niagara's Economic Growth Strategy 2005-2010, as presented, which will be incorporated into their corporate business plan.

Moved by Councillor Goulbourne
Seconded by Councillor Redekop

WHEREAS Niagara needs to rally around the importance of economic growth and prosperity for our future.

WHEREAS Regional Council has identified sustainable economic development as a long term priority, and the creation of an integrated economic development plan as an objective in its 2004-2006 Business Plan,

WHEREAS the Niagara Economic Growth Strategy documented current and future economic trends for Niagara, economic strengths and weakness, and solicited and incorporated input from a large number of public and private sector stakeholders to develop the strategic directions and action plans that are the foundation of the strategy.

WHEREAS through the power of collaboration, Niagara can navigate into a more prosperous future,

WHEREAS the Economic Growth Strategy Steering Committee, in partnership with Regional Council and with support from the Niagara Economic and Tourism Corporation, has completed the development of the Niagara Economic Growth Strategy,

WHEREAS the cooperation and assistance of the area municipalities is fundamental to the successful implementation of the Niagara Economic Growth Strategy,

NOW THEREFORE BE IT RESOLVED That the Council of the Regional Municipality of Niagara receive and endorse the strategy entitled NAVIGATING OUR FUTURE: NIAGARA'S ECONOMIC GROWTH STRATEGY 2005-2010 as presented by the Economic Growth Strategy Steering Committee and that Council incorporate the growth strategy directions into their corporate business plan.

FURTHER That Council support the integration of the economic growth strategy on an on-going basis into the annual operating plans and activities of the Regional Municipality of Niagara.

FURTHER That Council review the achievements of the Niagara Economic Growth Strategy annually.

FURTHER That a copy of this resolution and the strategy be distributed to local and senior levels of government and other development partners.

Carried.

210.

CHAIRMAN'S REMARKS

Chair Partington congratulated Mr. Patrick Gedge, C.E.O. of Niagara Economic & Tourism Corporation and his staff for the excellent work they did to put together Niagara Week.

Chair Partington thanked the Mayors, Councillors and business representatives who supported and helped us present a compelling case for Niagara, noting that the three days spent in Toronto, meeting with various Ministers, politicians and business leaders.

The Regional Chair announced one of Niagara's immediate successes, which was a commitment from the Minister of Public Infrastructure Renewal, the Honourable David Caplan, to form a working group of senior Ministry and Niagara staff to look at ways to reflect the economic strategies and priorities of Niagara into the Province's "*Places to Grow*" draft growth plan. A critical step in our ability to make Niagara a priority with Queen's Park, especially when it comes to future transportation and infrastructure investments.

Regional Chair Partington noted that a series of follow-up meetings with other Ministers in order to continue to keep Niagara's agenda on their minds and taken into account when provincial decisions are made.

Regional Chair Partington advised Regional Council that Niagara's mission to Toronto and Queen's Park presented a united voice for Niagara, with a clear and concise message "help Niagara – help Ontario", a message that was carried forward in all of our meetings with Cabinet Ministers, Caucuses, MPPs and senior civil servants. Niagara pushed for the expansion of the 406 Highway from Beaverdams Road in the City of Thorold to East Main Street in the City of Welland, a 10.8 km expansion that would go a long way to facilitate the development in the southern tier of Niagara; expedition of the Niagara-GTA Corridor environmental assessment process.

Niagara held a reception for MPPs that was one of the best attended events at Queen's Park in recent years, with fifty-one MPPs in attendance including Premier McGuinty. Nineteen Niagara partners volunteered to assist us with the event including a number of wineries and greenhouses, the Niagara Symphony, who provided the event with a wonderful string ensemble, the Niagara Parks Commission.

A contingency of eight tourism partners from across the Niagara Region worked together at Union Station, where over the course of one day they distributed over 30,000 tourism brochures to GO commuters. Niagara's regional vacation guide "Discover Niagara Seasons" was also enclosed with the Toronto Globe and Mail.

Regional Chair Partington thanked everyone who participated, assisted Niagara for their generosity.

Regional Chair Partington advised Regional Council that a June Council Business Planning Session during Communication Week is being planned and that the Clerk's Department will be polling Councillors to determine whether it should be held on Tuesday, June 14 or Friday, June 17.

Regional Chair Partington thanked Balfour and Sunrise Greenhouses of Fenwick and Vineland Station respectively, for the flowers that are on display in Council Chambers.

APPROVAL OF MINUTES

211. **Report 6-2005**

Moved by Councillor Saracino
Seconded by Councillor Katzman

That Report 6-2005, being the minutes of the Proceedings of Council of Thursday, April 7, 2005, be approved and adopted.

Carried.

CORRESPONDENCE

212. Communications were received and dealt with as follows:

a) Receive and/or Refer to Staff

C6477 Roger Anderson, President, Association of Municipalities of Ontario, (April 4, 2005) respecting important information on federal gas tax revenue sharing for municipalities.

Received.

C6478 Copy of a letter to Costa Koutroulakis, from Mayor Wayne Redekop of Fort Erie (March 30, 2005) respecting Shared Border Management and considerations for a full Environmental Impact Study that will facilitate the safe, efficient, and effective movement of people and goods across the border.

Received.

C6479 Card of thanks from Ron Matiesh, an employee of the Public Works Department, and family for the kind donation to the St. John's Ukranian Catholic Church Building Fund in memory of his mother, Katherine Matiesh.

Received.

C6480 City of Niagara Falls resolution (April 12, 2005) respecting the Smoke-Free Ontario Act and that the Province look at a fair compromise regarding the smoking issue.

Received and referred to the Public Health Services Committee.

C6482 Members' Advisory from the Federation of Canadian Municipalities (FCM) (April 13, 2005) respecting the Climate Change Plan and support of the plan by the Government of Canada to reduce greenhouse gas emissions.

Received.

C6483 Honourable John Godfrey, Minister of State, Infrastructure and Communities, (April 5, 2005) respecting the Government of Canada's commitment to a New Deal for Cities and Communities as well as a share of the federal gas tax revenue.

Received.

C6484 Card of thanks from Barb Dupont, an employee of the Corporate Services Department, and family for the kind donation to the Heart and Stroke Foundation of Ontario in memory of her father, Cyril Edwin (Cy) Kroetsch.

Received.

C6485 Peter Kormos, MPP Niagara Centre (April 4, 2005) respecting Council's resolution and position on the long-term viability of Ontario farmers and the need for the government to address the problems.

Received.

C6486 Memorandum to the Regional Chair and Members of Council from Pam Gilroy, Regional Clerk / Associate Director of Corporate Strategy (April 21, 2005) advising that Councillor Gabriel has resigned from the Accommodation Steering Committee.

Received.

C6487 R. T. (Ted) Salci, Mayor of Niagara Falls (April 12, 2005) in support of the private sector's request to bring the Region's tax ratio in line with the Provincial Average.

Received.

C6490 Memorandum to Regional Chairman Partington and Members of Council from Pam Gilroy, Regional Clerk / Associate Director of Corporate Strategy (April 27, 2005) respecting the T. Roy Adams Humanitarian of the Year Award for 2005.

Received.

Moved by Councillor Smeaton
Seconded by Councillor Harry

That Communications C6477 to C6480 and C6482 to C6487, and C6490 be received and dealt with as noted in the Council Agenda and Addendum.

Carried.

213. b) For Consideration

C6481 Town of Fort Erie resolution (April 14, 2005) requesting Regional Support – Overview and Significant Comments on the Draft Provincial Growth Plan for the Greater Golden Horseshoe as well as New Provincial Policy Statements.

Moved by Councillor Almas
Seconded by Councillor Rigby

That Communications C6481 respecting the Town of Fort Erie resolution requesting Regional Support – Overview and Significant Comments on the Draft Provincial Growth Plan for the Greater Golden Horseshoe as well as New Provincial Policy Statements, be received and supported.

Carried.

214. C6488 City of Welland resolution (April 22, 2005) to work with municipalities and key stakeholders with the goal to eliminate intra-Regional long distance fees within Niagara no later than January, 2006.

Moved by Councillor Goulbourne
Seconded by Councillor Angelone

That Communications C6488 respecting the City of Welland resolution to work with municipalities and key stakeholders with the goal to eliminate intra-Regional long distance fees within Niagara no later than January, 2006 be received and supported.

Carried.

215. C6489 E-mail from Michael Mitterhuber, Vice President, Design/ Build, Gottardo Construction Limited (April 22, 2005) respecting Welland Patrol Yard Design Build Competition award of Contract.

Moved by Councillor Bentley
Seconded by Councillor Burroughs

That Communications C6489 respecting and E-Mail from Michael Mitterhuber, Vice President, Design/Build, Gottardo Construction Limited regarding the Welland Patrol Yard Design Build Competition Award of Contract be received and Mr. Mitterhuber be permitted to speak prior to the consideration of the Public Works and Utilities Committee minutes.

Carried.

DELEGATIONS (Related to Committee Reports)

216. Industrial Tax Base

Mr. Robert Hunt, Community Awareness Emergency Response (C.A.E.R.) advised Regional Council that Niagara's industrial tax rate is one of the highest tax rates in Ontario and if Niagara is to attract and encourage more industry they recommend that the industrial tax rate be lowered to support a viable industrial base in Niagara.

Mr. Jeff Wallis and Mr. Allan of the Niagara Falls Industrial Tax Task Force advised Regional Council that if Niagara is to support and attract industry in Niagara, they should be recommending the approval of the threshold scenario.

COMMITTEE REPORTS

CORPORATE AND FINANCIAL SERVICES COMMITTEE

217. Report 7-2005

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 7-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, April 20, 2005, be approved and adopted.

Moved by Councillor Angelone
Seconded by Councillor Redekop

That Minute Item 98 of the April 20, 2005 Corporate and Financial Services Committee minutes, respecting the April 20, 2005 minutes of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform, Minute Item 39, respecting the 2005 Tax Policy and Tax Rates, be lifted and dealt with separately at this time.

Carried.

218. 2005 Tax Policy and Tax Rates

Moved by Councillor Martin
Seconded by Councillor Rigby

That Report CSD 49-2005, March 30, 2005, respecting 2005 Tax Policy and Tax Rates, be received and approved as **amended**.

That the **Merged** Scenario of this report be adopted for the year 2005.

That the Area Councils be informed of Regional Council's decision to utilize the recommended tax ratios and be directed to apply the same tax ratios in determining their 2005 tax rates for their purposes.

That the Area Municipal Treasurers be requested to include in the standardized tax bill a separate tax rate as calculated for Police services in addition to the tax rates for general Regional services and education purposes.

That staff consult with the Area Treasurers to select an appropriate method, for funding the mandatory 5% capping program pursuant to section 330 of the "New" Municipal Act.

That the Minister of Finance be requested to lower Niagara's Education Tax Rate for the industrial class equivalent to the reduction of the tax ratio burden adopted by Regional Council.

That the Regional Clerk be requested to prepare the necessary by-law(s) for consideration and adoption by Regional Council.

That this report be received and circulated to the Councils of the Area Municipalities for information.

Carried.

(Refer to Staff Directions)

219. Moved by Councillor Redekop
Seconded by Councillor Bentley

That staff be directed to utilize the additional funds from the Ontario Municipal Partnership Fund (OMFP) to offset any reduction in the industrial tax levy.

Defeated.

220. Moved by Councillor Rigby
Seconded by Councillor Burroughs

That staff be directed to set aside the additional funds from the Ontario Municipal Partnership Fund (OMFP) in a Reserve to be utilized in 2006; and

That staff prepare a report detailing the process that will followed to set aside the additional funds from the Ontario Municipal Partnership Fund (OMFP) in a Reserve for Regional Council's information.

Carried.

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

DELEGATIONS (Related to Committee Reports) Continued

221. Welland Patrol Yard Design Build
Competition Award of Contract

Mr. Mitterhuber, Vice President Design/Build, Gottardo Construction Ltd., advised Regional Council that Gottardo Construction Ltd., is very well versed in the design/build project delivery method and that they feel that their proposal represents the 'best value' solution respecting technical design and price for the Welland Patrol Yard Design Build, Competition Award of Contract.

Mr. Mitterhuber requested that Regional Council consider hiring an outside consultant to review the proposals to ensure that the Public Works Department's recommendation respecting the firm to be awarded is the 'best value' solution.

PUBLIC WORKS AND UTILITIES COMMITTEE

222. Report 7-2005

Moved by Councillor Rigby
Seconded by Councillor Harry

That Report 7-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, April 19, 2005, be approved and adopted.

Carried.

JOINT REPORTS

223. Status Report on the Niagara-Greater Toronto Area Corridor
PWA 88-2005 / DPD 76-2005

Moved by Councillor Rigby
Seconded by Councillor Harry

That Report PWA 88-2005 / DPD 76-2005, April 28, 2005, respecting Status Report on the Niagara-Greater Toronto Area Corridor be received for information; and

That Regional Niagara contact the Premier of Ontario and the Ministers of Transportation, Public Infrastructure Renewal, and Municipal Affairs and Housing to emphasize the importance of the Niagara-GTA Corridor to Niagara and the wish to proceed with an Environmental Assessment of it as soon as possible.

Carried.

PLANNING SERVICES COMMITTEE

224. Report 7-2005

Moved by Councillor Smeaton
Seconded by Councillor Bodner

That Report 7-2005 being the minutes of the Planning Services Committee meeting of Wednesday, April 20, 2005, be approved and adopted.

Carried.

COMMUNITY SERVICES COMMITTEE

225. Report 7-2005

Moved by Councillor Hildreth
Seconded by Councillor Bailey

That Report 8-2005 being the minutes of the Community Services Committee meeting of Monday, April 18, 2005, be approved and adopted.

Carried.

HUMAN RESOURCES COMMITTEE

226. Report 5-2005

Moved by Councillor Collins
Seconded by Councillor Leavens

That Report 5-2005 being the minutes of the Human Resources Committee meeting of Tuesday, April 19, 2005, be approved and adopted.

Carried.

PUBLIC HEALTH SERVICES COMMITTEE

227. Report 7-2005

Moved by Councillor Baty
Seconded by Councillor Angelone

That Report PHSC 7-2005 being the minutes of the Public Health Services Committee meeting of Monday, April 18, 2005, be approved and adopted.

Carried.

NOTICE OF MOTION

228. Councillor Leavens advised Regional Council that he will be bringing forward a motion for Council's consideration and the May 19, 2005 Regional Council meeting to reconsider the decision made at the August 19, 2004 Council meeting with respect to the Integrated Common Services Project Report.

Regional Council agreed to meet at 4:30 p.m. in Committee of the Whole on May 19, 2005 to receive information from the CAO on the progress of the implementation of Option B.

(Refer to Staff Directions)

OTHER BUSINESS

229. Municipal Partnership Fund

Regional Council was advised that a special session at the 2005 Central Ontario Municipal Conference will be addressing the Municipal Partnership Fund.

230. Congratulations! Thorold Blackhawks!

Regional Council extended their congratulations to the Thorold Blackhawks, Sutherland Cup Champions for their outstanding effort.

BY-LAWS

231. Moved by Councillor Trombetta
Seconded by Councillor Casselman

That the following bills be now read and do pass:

Bill 39

A by-law to authorize long term financing (1-10 Years) in the amount of \$1,618,863 for Individual Projects in the 2005 Niagara Regional Housing Capital Program.

Bill 40

A by-law to authorize long-term financing in the form of Debentures (1-5 Years) in the amount of \$822,500 for Project ZGC0105, Employment Information System/Systems Development.

Bill 41

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 28th of April, 2005.

Carried.

232. Moved by Councillor Angelone
Seconded by Councillor Trombetta

That the following bills be now read and do pass:

Bill 42

A by-law to provide for the adoption of Amendment 197 to the Official Plan for the Niagara Planning Area to permit a Wind Turbine Development in the Township of Wainfleet.

Bill 43

A by-law to establish part of Lot 16, Concession 2, in the Town of Lincoln as part of Regional Road No. 26 (Jordan Road).

Bill 44

A by-law to set and levy the rates of Taxation for Regional General and Special Purposes for the Year 2005 – Merged Scenario.

Bill 45

A by-law to set Tax Ratios and Tax Rate reductions for prescribed Property Subclasses for Regional Purposes and Area Municipal Purposes – Merged Scenario.

Carried.

STAFF DIRECTIONS

Staff was directed to:

- prepare a by-law respecting the Niagara Region's decision to opt out of the two classes and merged the Industrial classes, as per the legislative requirements. (Refers to Minute Item 218)
- provide Regional Council with revised copies of Bill 44 and 45, respecting the Merged Scenarios. (Refers to Minute Item 218)
- to reissue to all members of Regional Council the August 19, 2004 report respecting the Integrated Common Services. (Refers to Minute Item 228)

ADJOURNMENT

The Council meeting adjourned at 4:16 p.m.

Peter Partington
Regional Chairman

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk/
Associate Director of Corporate Strategy