

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 15-2005

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, October 13, 2005 commencing at 7:05 p.m.

ATTENDANCE

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

Staff: Messrs. Nicol, Acting Chief Administrative Officer; Cambray, Commissioner, Planning and Development; Hutchings, Commissioner, Community Services; Kyne Acting Commissioner, Corporate Services Department; Cousins, Acting Commissioner, Public Works; Dr. Sider, Associate Medical Officer of Health; Deputy Chief Moody, Niagara Regional Police Service; Ms. Gilroy, Regional Clerk/Associate Director, Corporate Strategy; Ms. Pilon, Legislative Assistant.

Staff:
(Other): Messrs. Lockyer, Treasurer/Director, Financial Management & Planning; Bowles, Executive Assistant, Regional Chair.

Following Committee of the Whole, Council met in regular session, commencing at 7:05 p.m. with an Invocation by Councillor Harry, followed by the singing of O' Canada.

ADOPTION OF THE AGENDA

497. Moved by Councillor Trombetta
Seconded by Councillor Goulbourne

That the Council Agenda CL 15-2005 be approved and adopted as amended by moving the consideration of the Public Works and Utilities Committee minutes to the beginning of the Committee Reports.

Carried.

498.

CONFLICTS OF INTEREST

Councillor Bodner declared an indirect pecuniary interest with respect to the Minute Item # 239, in the Planning Services Committee Report 15-2005, Report DPD 127-2005, October 5, 2005, the Official Plan Amendment No. 76, Water and Communication Facilities, Sherkston Resorts in the City of Port Colborne as he leases a business at Sherkston Resorts and he therefore took no part in the discussion of or voting on these matters.

PRESENTATIONS

499. Debbie Zimmerman Early Year's Niagara Literary Award

Ms. Susan Reid, Chair of the Debbie Zimmerman Early Year's Niagara Literary Award Committee, advised Regional Council that Debbie Zimmerman championed the importance of the early years of a child's life leading to the establishment of the Early Years Action Group – Niagara Region. The focus of this group is to ensure that all children from infancy to age six are given opportunities to develop to their full potential. The award will continue Debbie Zimmerman's legacy by highlighting the importance of the youngest citizens in Niagara encouraging early reading with children from infancy to age six; helping parents choose the right books for children from infancy to six and celebrate children's authors.

The five short listed children's books were unveiled on May 7, 2005 at the "Touch A Truck" fundraising event along with details on how to vote on-line at libraries, Ontario Early Years Centres and at home. The 2005 "Touch a Truck" event raised \$12,000 for children's literature, which allowed the organizers the opportunity to place the winning book in one hundred and sixty locations throughout Niagara Region. The success of the 2005 event has encouraged the organizers to schedule the 2006 "Touch a Truck" fundraising event has been scheduled for May 13, 2006.

Councillor Zimmerman announced the winner of the Annual Debbie Zimmerman Early Year's Niagara Literary Award: Knuffle Bunny by Mo Willems and encouraged parents and grandparents to continue reading to their children.

500.

CHAIRMAN'S REMARKS

Regional Chair Partington advised Regional Council that he had headed a small delegation to Ottawa. The focus of the meetings with the federal ministers, opposition critics, senior officials and trade and industry associations was to emphasize the importance of Niagara to the national economy and the critical role of the Niagara frontier border crossings in the free flow of goods and people between Canada and the United States.

The meeting with Deputy Minister Anne McLellan was very productive and she was very receptive and interested in the issues the delegation raised surrounding the Western Hemisphere Travel Initiative and the need to apply the 25% improved efficiency challenge to the Niagara frontier border. She in fact, directed officials of the Canada Border Services Agency to accelerate the process of announcing the "25% Challenge" for Niagara and not to wait another eighteen months as was scheduled. The effect of the 25% Challenge would be to increase productivity at our borders by 25%. One of the key actions to achieve this goal would be the additional of new staff for the Niagara border, so that the human resource complement would take advantage of the infrastructure investments that the Federal and Provincial governments are making.

The delegation discussed sustainable community development and specifically the funds flowing through the Federation of Canadian Municipal (FCM) with Minister Godfrey, to establish support for Niagara's FCM applications. Minister Godfrey was very knowledgeable and complimentary of the Smart Growth work being carried out in Niagara Region, noting that in the future there may be an opportunity to adapt an Urban Development Agreement for regional application and that Niagara might be the best area to test such an initiative given our successful track record, how contained we are, and strategically positioned.

Regional Chair Partington thanked MPs John Maloney and Rob Nicholson and their staff member for their assistance they provided in setting up the meetings and Regional staff for their work in making the meetings a success.

Regional Chair Partington advised Regional Council with pleasure that Canadian Business Magazine has ranked the City of St. Catharines, the City of Niagara Falls and the City of Welland in the top ten places to do business in Canada.

Regional Chair Partington advised Regional Council that he will be leaving for Japan and South Korea as part of an initiative of the Niagara Economic Development Corporation and local EDOs, the delegation will be meeting with senior representatives of Honda, Toyota, Nissan, Hyundai and KIA in order to inform them of the opportunities that exist within the automotive and manufacturing industries in Niagara. The delegation will also be meeting with the Canadian Ambassadors to Japan and South Korea, the Executive Vice President of the Japanese External Trade Organization, and the Executive Director of the Canadian Chamber of Commerce in Korea among others.

Regional Chair Partington made note of the new Toyota plant in Woodstock for 2008, and other automotive manufacturers have indicated that they wish to expand their North American operations, therefore, the time is right to pro-actively and aggressively show these companies why they should invest and do more business in Niagara Region.

Regional Chair Partington noted that Niagara Region in maintaining a strong commitment to the principles of Smart Growth as a strategy for the renewal and revitalization of Niagara's communities, has established the Niagara Community Design Awards in conjunction with the Niagara Economic Development Corporation. The awards have been established in order to recognize individuals, projects and programs for the demonstrated vision, leadership, innovation and overall contribution to building a more pedestrian-focused and economically vibrant Niagara.

Nominations for the Niagara Community Design Awards are being sought in the following six categories: Brownfield redevelopment; infill projects; adaptive reuse of an existing building or buildings; Greenfield development; Regional Chairman's Smart Growth Award for Overall Excellence and pioneering leadership.

The winners of the Niagara Community Design Awards will be announced at the Action Niagara Smart Growth forum on December 14, 2005 at the Sheraton Fallsview Hotel.

Regional Council congratulated Mr. Joe Cousins, Director of Transportation Services on his being named the recipient of the 2005 George Burwash Langford Memorial Award by the Ontario Association of Certified Engineering Technicians and Technologists at the annual OACETT awards ceremony on October 7, 2005. The award is granted to an individual who has distinguished himself in his career and thereby brought recognition and credit to the profession of engineering technology.

Regional Chair Partington thanked Jeffery's Greenhouses of St. Catharines for the cyclamen plants in Council Chambers, noting that they will be enjoyed by the residents of Northland Pointe in the City of Port Colborne.

APPROVAL OF MINUTES

501. Committee of the Whole
Report CW 4-2005

Moved by Councillor Bentley
Seconded by Councillor Casselman

That Report 4-2005, being the minutes of the Committee of the Whole of Thursday, September 22, 2005, be approved and adopted.

Carried.

502. Report 14-2005

Moved by Councillor Bodner
Seconded by Councillor Hodgson

That Report 14-2005, being the minutes of the Proceedings of Council of Thursday, September 22, 2005, be approved and adopted.

Carried.

CORRESPONDENCE

503. Moved by Councillor Collins
Seconded by Councillor Burroughs

That Communication Items C6606 and C6608, be lifted and dealt with separately at this time.

Carried.

504. Communication Item C6606

Moved by Councillor Saracino
Seconded by Councillor Bodner

That Communication Item C6606, a letter from the City of Port Colborne seeking Regional Council's approval for its resolution (September 29, 2005) that opposes any proposal that would result in the closure of the Police Station in Port Colborne and will not support any proposal that will reduce the current level of Police service to the City of Port Colborne, be received and referred to the Corporate and Financial Services Committee.

Carried.

505. Communication Item C6608

Councillor Bodner advised Regional Council that the sentence within the correspondence that refers to Highway 58 rather than Highway 140 which it should be, concerns him as well as the City of Port Colborne.

506. Communications were received and dealt with as follows:

C6601 Card of thanks from Sonia Parisi, an employee of the Public Works Department, and family for the kind donation to the Greater Niagara General Hospital in memory of her father, Pietro Bianchin.

-- Received.

- C6602 Peter Partington, Regional Chairman (October 7, 2005) respecting resolutions from other Municipalities:
- Township of Oro-Medonte (September 26, 2005) resolution requesting the Ministry of Natural Resources recognize the threat of predation to livestock by cougars/pumas within Ontario, and that the Ministry of Agriculture and Food initiate a program of compensation to livestock owners for predation by these wild animals within Ontario.
- Received.
- C6603 Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs (September 28, 2005) respecting the issues facing municipalities and concerns regarding the *Greenbelt Act, 2005* on the Niagara Region.
- Received.
- C6604 Card of thanks from Louise Hallett, an employee of the Public Health Department, and family for the kind donation to The Salvation Army in memory of her father, Robert Maton.
- Received.
- C6605 Card of thanks from Barb Rogers, an employee of the Seniors Division (Linhaven), and family for the kind donation to The Hospital for Sick Children in memory of her mother, Lavern Simpson.
- Received.
- C6607 The Niagara Road 12 Citizen's Liaison Committee (October 12, 2005) to Regional Chair Partington expressing their appreciation for the opportunity that was given to bring forward concerns regarding the challenges in the handling, transportation and management of waste within Niagara.
- Received.
- C6608 Harinder S. Takhar, Minister of Transportation (October 4, 2005) respecting the widening of Highway 406 from Beaverdams Road to Port Robinson Road that is expected to begin this November.
- Received.

Moved by Councillor Brock
Seconded by Councillor Bailey

That Communications C6601 to C6605 inclusive and C6607 and C6608, be received and dealt with as noted in the Council Agenda and Addendum.

Carried.

507. Moved by Councillor Burroughs
Seconded by Councillor Harry

That Communication Item C6600, from Kim Craitor, MPP, Niagara Falls, requesting the support of the Regional Municipality of Niagara's Council for the passage of Bill 209 Amendments to the Highway Traffic Act , be received and supported.

Carried.

COMMITTEE REPORTS

PUBLIC WORKS AND UTILITIES COMMITTEE

508. Report 15-2005

Moved by Councillor Rigby
Seconded by Councillor Redekop

That Report 15-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, October 4, 2005, be approved and adopted.

509. Moved by Councillor Casselman
Seconded by Councillor Rigby

That Minute Item # 428, respecting Report PWA 165-2005, the Retention of Consulting Services, 2006 Environmental Monitoring Program, Closed Glenridge Quarry Landfill Site in the City of St. Catharines, be lifted from the Public Works and Utilities Committee Report 15-2005, October 4, 2005 and dealt with separately at this time.

Carried.

510. Retention of Consulting Services
2006 Environmental Monitoring Program
Closed Glenridge Quarry Landfill Site
City of St. Catharines

PWA 165-2005

Councillor Casselman advised Regional Council of Gartner Lee Limited's knowledge and experience with the Glenridge Quarry Landfill Site and requested on behalf of the Glenridge Landfill Citizens' Committee that Regional Council not approve the recommendations within the Public Works and Utilities Committee minutes and approve a two year-contract extension with the current contractor with an option to extend the contract for an additional year, it was therefore:

Moved by Councillor Casselman
Seconded by Councillor Zimmerman

That Report PWA 165-2005, October 4, 2005, respecting the Retention of Consulting Services, 2006 Environmental Monitoring Program, Closed Glenridge Quarry Landfill Site in the City of St. Catharines, be received **as amended**.

That Gartner Lee Limited's **contract be extended for two years (2006 and 2007)** to carry out the 2006 Environmental Monitoring Program at the closed Glenridge Quarry Landfill Site in the City of St. Catharines **with an option for the Niagara Region in consultation with the Glenridge Landfill Citizen's Committee, to extend the contract for an additional year;**

That the Clerk be directed to ensure that the appropriate by-law is prepared for submission to Council on October 13, 2005 authorizing the Chair and Clerk to execute an agreement on behalf of The Regional Municipality of Niagara;

That the 2006 costs associated with the 2006 Environmental Monitoring Program be charged to the 2006 Current Budget Account Number 5947-2014;

That the 2007 costs associated with the 2006 Environmental Monitoring Program be subject to the approval of the 2007 Current Budget.

Carried.

Upon a vote being taken the original motion as amended was carried.

PLANNING SERVICES COMMITTEE

511. Report 15-2005

Moved by Councillor Smeaton
Seconded by Councillor Hodgson

That Report 15-2005 being the minutes of the Planning Services Committee meeting of Wednesday, October 5, 2005, be approved and adopted.

Carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

512. Report 15-2005

Moved by Councillor Martin
Seconded by Councillor Leavens

That Report 15-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, October 5, 2005, be approved and adopted.

Carried.

COMMUNITY SERVICES COMMITTEE

513. Report 15-2005

Moved by Councillor Hildreth
Seconded by Councillor Bailey

That Report 15-2005 being the minutes of the Community Services Committee meeting of Monday, October 3, 2005, be approved and adopted.

Carried.

HUMAN RESOURCES COMMITTEE

514. Report 11-2005

Moved by Councillor Collins
Seconded by Councillor Angelone

That Report 11-2005 being the minutes of the Human Resources Committee meeting of Tuesday, October 4, 2005, be approved and adopted.

Carried.

PUBLIC HEALTH SERVICES COMMITTEE

515. Report 15-2005

Moved by Councillor Timms
Seconded by Councillor Baty

That Report 15-2005 being the minutes of the Public Health Services Committee meeting of Monday, October 3, 2005, be approved and adopted.

Carried.

COUNCIL ORGANIZATIONAL REVIEW COMMITTEE

516. Moved by Councillor Baty
Seconded by Councillor Harry

That, effective January 1, 2006, the current six Standing Committees of Niagara Regional Council be dissolved and that three new Standing Committees be established to deal with: services for citizens, services for communities and services for the corporation of the Region of Niagara.

Upon a recorded vote being requested, Regional Council voted as follows:

Voting for the Motion

Councillor Angelone	Councillor Goulbourne
Councillor Baty	Councillor Harry
Councillor Bentley	Councillor Leavens
Councillor Bodner	Councillor Martin
Councillor Brock	Councillor Mastroianni
Councillor Burroughs	Councillor Rigby
Councillor Casselman	Councillor Redekop
Councillor Gabriel	Councillor Salci (16)

Voting against the Motion

Councillor Almas	Councillor Marshall
Councillor Bailey	Councillor Smeaton
Councillor Collins	Councillor Trombetta
Councillor Hildreth	Councillor Timms
Councillor Hodgson	Councillor Zimmerman (10)

Upon the recorded vote being taken the Regional Chair declared the motion, carried.

517. Moved by Councillor Baty
Seconded by Councillor Smeaton

That each of the three new Standing Committees be Co-Chaired by the Chairs and Vice-Chairs of the original Standing Committees, and the rotation of chairing meetings or portions of meetings be left to their decision; and

That members of Niagara Regional Council be polled with respect to their interest in serving on one or more of the proposed Standing Committees with the base expectation that councillors serve on one Standing Committee; and

That a meeting of each of the proposed Standing Committees be convened before the end of November 2005 to make recommendations with respect to the name of the Committee, the membership of the committee, the day and time of regular meetings, the locations of meetings, limits on the proposed length of meetings and a recommendation for alternate meeting times and dates should the proposed times and dates of regular meetings not meet the needs of stakeholders; and

That agendas be developed in the following order:

- i. Policy items
- ii. Management by exception items.
- iii. Information and correspondence items; and

That the Clerk's office establish agendas and schedules for meetings of all Standing Committees and establish a common template for the naming and numbering of reports; and

That Council ratify the recommendations made at these meetings to enable the establishment of the three Standing Committees by January 1, 2006.

Carried.

518. Moved by Councillor Baty
Seconded by Councillor Casselman

That the schedule of meetings from January 9, 2006 to November 9, 2006 be approved.

Carried.

OTHER BUSINESS

519. Task Force Formed to Review the Planning Process

Councillors Smeaton and Zimmerman advised Regional Council that a Task Force to Review the Planning Process is being formed to address the current planning process with the assistance of stakeholders from the development community; Niagara Peninsula Conservation Authority and legal community.

520. 2005 Canal Bank Shuffle

Councillor Collins advised Regional Council of the kick-off party for the 2005 Canal Bank Shuffle, taking place on Thursday October 20, Friday, October 21 and Saturday, October 22. The Fourth Edition of Canada's fastest growing Blues Festival, boasts the best in Canadian and American Blues artists. The cost for the entire three-day, eleven-venue, twenty-five act festival is \$10.00.

521. Border Mayors - Update

Councillor Redekop advised Regional Council that the Border Mayors representing Buffalo, Niagara Falls, Niagara-on-the-Lake, Fort Erie and Niagara Falls (New York) traveled to Washington to discuss the Western Hemisphere Travel Initiative, they received positive support and will be holding a subsequent meeting in Buffalo on October 24, 2005 with the senior executive for Homeland Security.

BY-LAWS

522. Moved by Councillor Casselman
Seconded by Councillor Bentley

That the following bills be now read and do pass:

Bill 97

A by-law to establish part of Lot 47, Corporation Plan No. 4 in the Town of Grimsby as part of Regional Road No. 81 (Main Street West)

Bill 98

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 13th of October, 2005.

Carried.

523. Moved by Councillor Gabriel
Seconded by Councillor Zimmerman

That the following bill be now read and do pass:

Bill 99

A by-law to establish part of Block C, Plan 717, in the Town of Pelham as part of Regional Road No.20 (Canboro Road)

Carried.

ADJOURNMENT

The Council meeting adjourned at 9:45 p.m.

Peter Partington
Regional Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk