

**THE REGIONAL MUNICIPALITY OF NIAGARA**

**PROCEEDINGS OF COUNCIL**

**REPORT CL 17-2005**

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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, November 24, 2005 commencing at 6:30 p.m.

**ATTENDANCE**

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

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning and Development; Nicol, Commissioner, Human Resources; Neville, Commissioner of Public Works; Lockyer, Acting Commissioner of Corporate Services; Hutchings, Commissioner, Community Services; Superintendent Gary Dagenais, Niagara Regional Police Service; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Hepplewhite, Deputy Clerk.

Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Kyne, Regional Solicitor.

**CLOSED COMMITTEE OF THE WHOLE**

560. Moved by Councillor Collins  
Seconded by Councillor Saracino

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.

**CONFLICTS OF INTEREST**

561. Councillor Katzman declared an indirect pecuniary interest with respect to any matters on the Niagara Parks Commission, and therefore she left the Council Chambers during the discussion on these matters.

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

562. Moved by Councillor Angelone  
Seconded by Councillor Trombetta

That this Council do now rise without report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Leavens, followed by the singing of O Canada.

**ADOPTION OF THE AGENDA**

563. Moved by Councillor Trombetta  
Seconded by Councillor Bentley

That the Council Agenda CL 17-2005 be adopted.

Carried.

564. **CONFLICTS OF INTEREST**

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

Councillor Zimmerman declared an indirect pecuniary interest with respect to any matters regarding irrigation systems, as she is employed by the Grape Growers of Ontario, and therefore she took no part in the discussion of, or voting on, these matters.

**PRESENTATIONS**

565. **2005 Niagara Regional Chairman's Charity Golf Tournament**  
**Cheque Presentations**

Regional Chair Partington presented cheques to the following charities:

Niagara Community Foundation  
West Lincoln Memorial Hospital  
Women's Place of South Niagara – Nova House  
YMCA – Youth Programs  
Salvation Army – Booth Centre  
Niagara Symphony Association  
Scouts Canada

Regional Chair Partington thanked the more than 280 participants, and the corporate sponsors who made the event such a success. We were able to break last year's mark and raised over \$98,000.

Next year's Regional Chairman's Charity Golf Tournament will be held on September 14<sup>th</sup>, again at Legends on the Niagara.

566. Niagara Region Honoured  
**2005 LIVCOM Award**

Councillor Rigby presented Regional Chairman Partington with the LIVCOM Award for the Glenridge Quarry Naturalization Site. He acknowledged the work of Dave Smith, Associate Director, Waste Management Engineering, and Councillor Judy Casselman, former member of the Glenridge Quarry Citizens' Committee, in the transformation of the former dump to the current naturalization site. Paul Carabott from peter j. smith & company inc, the architectural firm who helped to design the site was also acknowledged.

567. **CHAIRMAN'S REMARKS**

Regional Chair Partington welcomed the 40<sup>th</sup> St. Catharines Cub Pack from Mountainview United Church, present at Council to work on their government badge.

Regional Chair Partington thanked Spring Valley Gardens of St. Catharines for their donation of the beautiful poinsettias gracing the Council Chamber; they were taken to Upper Canada Lodge in Niagara-on-the-Lake following the Council meeting.

The MTO has signed a contract worth approximately \$22.6 million with Port Colborne's Hard Rock Paving Company for the expansion of Highway 406. The current planned expansion is scheduled to be completed by July 2007. The environmental assessment process examining the highway's further expansion to four lanes from Port Robinson Road to East Main Street is due to be finished within the next 18 months.

The Regional Chairman advised Council that he hosted the Minister of Public Infrastructure Renewal, the Honourable David Caplan, at Welland City Hall. Joined by many of our local mayors, the discussion revolved around the need to move forward with the Niagara-GTA Corridor and the expansion of highway 406, our Smart Growth initiatives, and the need for the provincial growth plan to take into consideration our Grow South policies and our economic development strategy.

The Regional Chariman met again with Minister Caplan this morning with the Regional Chair of Waterloo and the mayors of St. Catharines, Barrie and Burlington. The Chairman used this opportunity to once again impress upon the Minister that Niagara is a strategic link between the powerful economies of southern Ontario and the eastern United States and that this fact needs to be taken into consideration.

The recent General Motors announcement regarding their facility on the West Side of Ontario Street in St. Catharines is an unfortunate hit to our historic manufacturing sector. The Chairman shared his hope that many of the proposed job cuts can be achieved through attrition and offset by GM's additional \$170 million on its high feature V6 engine line at the Glendale plant which is intended to add extra capacity there.

### **APPROVAL OF MINUTES**

568. Report 16-2005

Moved by Councillor Salci  
Seconded by Councillor Goulbourne

That Report 16-2005, being the minutes of the Proceedings of Council of Thursday, November 3, 2005, be approved and adopted.

Carried.

### **CORRESPONDENCE**

569. Communications were received and dealt with as follows:

C6702 John D. Maloney, M.P. Welland Riding (October 31, 2005) extending a copy of his personal submission to the Bureau of Customs and Border Protection on the Western Hemisphere Travel Initiative (WHTI) and his opposition to this initiative.

Received for information.

C6703 Mrs. Mary Fyfe, St. Catharines (October 28, 2005) on behalf of several neighbours on Masterson Drive, respecting the Intensification of Glenridge Avenue and requesting that Regional Council address the concerns regarding this issue.

Received and referred to the Planning Services Committee.

- C6704 Valerie Thom, Pitch-In Ontario (October, 2005) respecting involvement in Pitch-In Week and Community Programs in which volunteers in the community get involved in clean-up of streets, ravines and parks.
- Received and referred to the Public Works Staff.
- C6705 City of Thorold resolution (November 3, 2005) requesting the Ministry of Municipal Affairs and Housing to discontinue the Municipal Performance Measurement Program (MPMP).
- Received and referred to staff in Administration.
- C6706 Card of thanks from Jean Conway, an employee of the Community Services Department, and family for the kind donation to the First Presbyterian Church Memorial Fund in memory of her mother-in-law, Ruby Conway.
- Received.
- C6707 Debbie Zimmerman, Chair Municipal Property Assessment Corporation (MPAC) Board of Directors (November 4, 2005) respecting the 2005 Assessment Notices to Ontario Property Owners and the availability of local MPAC representatives to answer any questions.
- Received and referred to the Corporate Services Department.
- C6708 Card of thanks from Denise Bourque, Alette Bourque, Maggie Moreau and Amanda Moreau, all employees of the Community Services Department, for the kind donation to the Heart and Stroke Foundation of Ontario in memory of their mother, Yvette Bourque.
- Received.
- C6709 Card of thanks from Dave Stortz, an employee of the Community Services Department, and family for the kind donation to Fond Foyer Richelieu in memory of his mother-in-law, Collette Paille.
- Received.

C6710 The Honourable George Smitherman, Minister of Health and Long Term Care (November 15, 2005) respecting the Province providing the Niagara Regional Area Board of Health with \$12,033,022 for the provision of mandatory public health programs and services in the community.

Received.

C6711 Bill Fisch, Regional Chair and CEO, Chair of Marco (November 21, 2005) respecting a submission to the General Government Committee regarding Bill 206, an Act to revise the Ontario Municipal Employees Retirement System Act.

Received.

C6712 Memorandum from Gord Lockyer, Acting Commissioner of Corporate Services respecting the 2005 Standards and Poor's Credit Rating Review.

Received.

Moved by Councillor Saracino  
Seconded by Councillor Collins

That Communications C6702, to C6712, be received and dealt with as noted in the Council Agenda and Addendum.

Carried.

### **RESOLUTIONS FROM OTHER MUNICIPALITIES**

570. City of Kitchner

Moved by Councillor Eke  
Seconded by Councillor Casselman

That the City of Kitchener resolution respecting the Ministry of Municipal Affairs and Housing, on behalf of Ontario municipalities commission an objective review of the results of amalgamations in Ontario be received and referred to Public Works and Utilities Committee.

Carried.

**DELEGATIONS (Related to Committee Reports)**

571. Elm Street Landfill site

Dan O'Hara and Ed Kaczmarczyk, Co-Chairs, Elm Street Landfill Site, Public Liaison Committee, presented their views on the processes used to evaluate and report on odours from the Elm Street Composting Facility and Landfill Site.

**COMMITTEE REPORTS**

**JOINT REPORTS**

572. Report CSD 169-2005 / PWA 217-2005

Moved by Councillor Rigby  
Seconded by Councillor Salci

That Report CSD 169-2005 / PWA 217-2005 respecting Tender Award for Contract RN 05-12 Construction of Central Pumping Station and Combined Overflow High Rate Treatment Facility in the City of Niagara Falls be approved and adopted.

Carried.

**PUBLIC WORKS AND UTILITIES COMMITTEE**

573. Report 17-2005

Moved by Councillor Rigby  
Seconded by Councillor Redekop

That Report 17-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, November 15, 2005, be approved and adopted.

Carried.

**PLANNING SERVICES COMMITTEE REPORT**

574. Report 17-2005

Moved by Councillor Smeaton  
Seconded by Councillor Eke

That Report 17-2005 being the minutes of the Planning Services Committee meeting of Wednesday, November 16, 2005, be approved and adopted.

Carried.

**CHAIR'S REPORT**

575. Report CHR 3-2005

Moved by Councillor Leavens  
Seconded by Councillor

That Report CHR 3-2005, composition of Regional Council be received for information.

Carried.

After some discussion it was also:

Moved by Councillor Angelone  
Seconded by Councillor Timms

That Regional Council supports the comments expressed in Report CHR 3 and supports a focus on the priorities build through our Council Business Planning process through continued collaboration with our area municipalities.

Carried.

**CORPORATE AND FINANCIAL SERVICES COMMITTEE**

576. Report 17-2005

Moved by Councillor Martin  
Seconded by Councillor Leavens

That Report 17-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, November 16, 2005, be approved and adopted, with an amendment to the second paragraph of the recommendation for Minute Item 258 so that it reads as follows:

That the Regional Chair and Regional Clerk are hereby authorized to execute the Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities between the Association of Municipalities of Ontario and the Regional Municipality of Niagara.

Carried.

**COMMUNITY SERVICES COMMITTEE**

577. Report 17-2005

Moved by Councillor Katzman  
Seconded by Councillor Bentley

That Minute Item 172 be lifted from the Community Services Committee minutes.

Carried.

Moved by Councillor Marshall  
Seconded by Councillor Eke

That the issue of meeting day and time, and Committee name for Public Health and Community Services Committee be referred to a joint meeting of the Public Health and Community Services Committees at 2:00 p.m. on Monday, December 5, 2005, in between their regularly scheduled meetings.

Carried.

Moved by Councillor Hildreth  
Seconded by Councillor Bailey

That Report 17-2005 being the minutes of the Community Services Committee meeting of Monday, November 14, 2005, be approved and adopted.

Carried.

**HUMAN RESOURCES COMMITTEE**

578. Report 13-2005

Moved by Councillor Collins  
Seconded by Councillor

That Report 13-2005 being the minutes of the Human Resources Committee meeting of Tuesday, December 14, 2005, be approved and adopted.

Carried.

579. Supplementary Interest Arbitration Award  
The Participating Hospitals and CUPE Local 1019  
**Report HR 43-2005**

Moved by Councillor Collins  
Seconded by Councillor Mastroianni

That Report HR 43-2005, Thursday, November 24, 2005, respecting Supplementary Interest Arbitration Award - The Participating Hospitals and CUPE Local 1019 (Formerly CUPE Local 7100) be received for information.

Carried.

### **PUBLIC HEALTH SERVICES COMMITTEE**

580. Report 17-2005

Moved by Councillor Timms  
Seconded by Councillor Baty

That Report PHSC 17-2005 being the minutes of the Public Health Services Committee meeting of Monday, November 14, 2005, be approved and adopted.

Carried.

### **ACCOMMODATION STEERING COMMITTEE**

581. Report 7-2005

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Report 7-2005, being the minutes of the Accommodation Steering Committee of Monday, November 7, 2005, be approved and adopted.

Carried.

**COUNCIL ORGANIZATION REVIEW COMMITTEE (CORC)**

582. Draft – Procedural By-Law

Moved by Councillor Baty  
Seconded by Councillor Timms

- a) That the Committees comprised of the Corporate and Financial Services Committee and the Human Resources Committee will be named the Corporate Services Committee and their meetings will be held on Wednesdays at 9:00 a.m., and
- b) That the issue of meeting day and time, and Committee name for Public Works and Planning Services Committees be referred to their respective Committee meetings on December 6 and 7, 2005.

Carried.

Moved by Councillor Baty  
Seconded by Councillor Timms

That Councillor Angelone be appointed to the Planning, Public Works and Utilities Committee, and

That Councillor Casselman be appointed to the Corporate Services Committee.

Carried.

**COMMITTEE OF THE WHOLE**

583. Moved by Councillor Timms  
Seconded by Councillor Redekop

That the decisions made in the Committee of the Whole meeting of Thursday, NOVEMBER 24, 2005, be approved and adopted.

Carried.

**OTHER BUSINESS**

584. Service Road in Grimsby

Councillor Zimmerman advised Council of the EA process unfolding for the South Service road in Grimsby and of the petition from residents of Marlow Avenue with regard to the inclusion of noise mitigation measures being included in the process.

585. New Facility in St. Catharines

Councillor Rigby advised Council of a new manufacturing facility in St. Catharines which constructs diesel locomotives. Councillor Rigby commended the various area Economic Development offices for working together to find an appropriate location for this manufacturing facility, which will employ approximately 25 people.

586. General Motors

Councillor Rigby also commented on the GM announcement that it will be closing down the west side of Ontario Street's components plant. While this is not good news, he expressed his hope that new manufacturing jobs will be created in the Region and that training is a key component to this goal.

587. Santa Clause Parades

Santa Claus Parades will be occurring in the following communities:

- Grimbsy: December 3<sup>rd</sup>, 5:30 pm
- Port Colborne: December 3<sup>rd</sup> – Santa will arrive by boat at 2pm, Parade at 7:30pm
- St. Catharines: December 3<sup>rd</sup> at 2pm

588. Flu Vaccine Clinics

Councilor Timms reminded Council that Flu Vaccine Clinics are still being held into December and urged everyone who hasn't yet, to get their flu shot.

589. Budget Review Committee

Moved by Councillor Collins  
Seconded by Councillor Martin

That Councillor Heit be appointed as an alternate member to the Budget Review Committee.

Carried.

590. Congratulations Councillor Redekop

Councillor Zimmerman congratulated Councillor Redekop on the Mayor's workshop on diversity at the Town of Fort Erie.

591. Skills Training Facility

Councillor Goulbourne advised Council that he had attended a groundbreaking ceremony at Niagara College for a new skills training facility for the manufacturing sector.

592. Best Wishes

Councillor Rigby advised that he had seen Councillor Heit recently; he is doing well and intends to be at the next Council meeting. Best wishes were extended to Councillor Heit for a speedy recovery.

593. Council Business Planning Session

Regional Chairman Partington reminded councilor of the upcoming Council Business Planning Session to be held on December 1, at the Corporate Learning Centre, the topic will be Social Housing.

**BY-LAWS**

594. Moved by Councillor Eke  
Seconded by Councillor Salci

That the following bills be now read and do pass:

109

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 24<sup>th</sup> of November, 2005.

Carried.

595. Moved by Councillor Zimmerman  
Seconded by Councillor Hildreth

That the following bills be now read and do pass:

Bill 110

A by-law to provide for the Preservation, Retention and Destruction of Records of the Regional Corporation.

Bill 111

A by-law to establish part of Lot 1, Plan 446 and part of Lot 23, Plan 486, in the Town of Fort Erie as part of Regional Road No. 1 (Dominion Road).

Bill 112

A by-law to establish part of Township Lots 4, 17 and 24, in the City of Niagara Falls as part of Regional Road No. 102 (Stanley Avenue).

Bill 113

A by-law to authorize execution of the Municipal Funding Agreement between the Association of Municipalities of Ontario and The Regional Municipality of Niagara.

Carried.

**STAFF DIRECTIONS**

Staff was requested to continue to work with the Elm Street Public Liaison Committee to share information about the odour abatement program.

**ADJOURNMENT**

The Council meeting adjourned at 10:00 p.m.

Peter Partington  
Regional Chairman

Anne Hepplewhite  
Corporate Records Manager/Acting  
Deputy Clerk

Pam Gilroy  
Regional Clerk