

## REGIONAL MUNICIPALITY OF NIAGARA

### PROCEEDINGS OF COUNCIL

#### REPORT CL 2-2006

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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, February 9, 2006 commencing at 6:45 p.m.

#### ATTENDANCE

Council: Regional Chairman Partington; Councillors Almas; Angelone; Bailey, Baty; Bentley; Bodner; Brock; Burroughs; Casselman; Collins; Eke; Gabriel; Goulbourne; Harry; Hodgson; Katzman; Leavens; Marshall; Martin; Redekop; Rigby; 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; Dr. Sider, Associate Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Acting Deputy Clerk.

Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Flora, Acting Associate Director, Transportation Systems; Kyne, Acting Director, Legal Services; Brcic, Director, Water & Wastewater Services; Ms. Staines, Legislative Assistant.

#### CLOSED COMMITTEE OF THE WHOLE

41. Moved by Councillor Collins  
Seconded by Councillor Burroughs

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.

42. Process to Request Alternative Service Provider  
**CSD 24-2006 Confidential**

Moved by Councillor Brock  
Seconded by Councillor Rigby

That Confidential Report CSD 24-2006, February 9, 2006, respecting the Process to Request Alternative Service Provider, be received.

Carried.

Conflict of Interest

Councillor Almas declared an indirect pecuniary interest with respect to Confidential Report CSD 26-2006, TVN Niagara Inc.'s Broadcasting Licence Application, as his firm represents TVN Niagara Inc., and he therefore vacated the Chamber and took no part in the discussion of, or voting, on this matter.

43. TVN Niagara Inc.'s Broadcasting Licence Application  
**CSD 26-2006 Confidential**

Moved by Councillor Angelone  
Seconded by Councillor Harry

That Confidential Report CSD 26-2006, February 9, 2006, respecting TVN Niagara Inc.'s Broadcasting Licence Application, be received.

That Council of the Regional Municipality of Niagara supports TVN Niagara Inc.'s application to operate a television station to serve the Niagara Region and in this regard, supports, in principle, TVN's challenge of CRTC decision 2005-544 to deny TVN's application.

Carried.

Conflict of Interest

Councillor Katzman declared an indirect pecuniary interest with respect to an update on Bill 206, as she is a member of CUPE, and she therefore vacated the Chamber and took no part in the discussion of, or voting, on this matter.

44. Bill 206 - Update

Mr. Nicol provided Regional Council with an update on Bill 206 and the impact the passing of the Bill has in its present form to the Niagara Region.

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

45. Moved by Councillor Smeaton  
Seconded by Councillor Eke

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:40 p.m. with an Invocation by Councillor Redekop, followed by the singing of 'O Canada'.

**ADOPTION OF THE AGENDA**

46. Moved by Councillor Collins  
Seconded by Councillor Angelone

That the Council Agenda CL 2-2006 be adopted as presented.

Carried.

**CONFLICTS OF INTEREST**

Councillor Almas declared an indirect pecuniary interest with respect to any matters relating to TVN Niagara Inc., as his firm represents TVN Niagara Inc., he therefore took no part in the discussion of, or voting on, this matter.

Councillor Katzman declared an indirect pecuniary interest with respect to any matters relating to Bill 206, as she is a member of CUPE, she 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 employed by the Niagara Health System and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Saracino declared an indirect pecuniary interest with respect to Corporate Services Committee Minute Item 45 respecting Report HR 45-2006, OMERS Bill 206 – Standing Committee on General Government Presentation, as he is a member of OMERS pension plan, and he therefore took no part in the discussion of, or voting on, this matter.

## **PRESENTATIONS**

### 47. Hospice Niagara Palliative Care Centre

Hospice Niagara provided Regional Council with a presentation on Hospice Niagara Palliative Care Centre, which has been designed to meet the needs of an individual and his or her loved ones when the curative approach is no longer appropriate. The goal of care is to optimize quality of life through symptom management, while optimally meeting the emotional, social and spiritual needs of the individual and his or her loved ones. Hospice Niagara's belief is that the family unit, if available, is the primary care giver and that trained, compassionate hospice volunteers can augment care, enabling the family to maintain as much direct involvement with the care of their loved one as desired.

Hospice Niagara's Residential Hospice portion of their service, with a planned fourteen-thousand square foot, ten private hospice bedrooms, that provides for a home feel rather than an institutional facility feel will also house enough space for their other programs on the Linhaven Home for the Aged site.

The building of the Residential Hospice has been budgeted for \$2.7 Million, which includes all costs associated with the building, from fees for the architect to furniture for the rooms and the special equipment that will be required. Hospice Niagara has commenced their fundraising initiatives, through the training of forty campaign volunteers, who have to date raised \$1,312,950.00.

Hospice Niagara with their expertise in fundraising, hospice experience, staff competences and solidity of the Ministry of Health Long-Term Care relationship ensure success!

Hospice Niagara thanked Regional Council for their generosity through the donation of the site and leadership.

### 48. CRTC Decision – Regional Niagara TV Station

Mr. Wendell G. Wilks, President, Television Niagara provided Regional Council with a presentation respecting the CRTC's decision on a Regional Niagara TV Station, which was denied due to Niagara being declared a part of Toronto and that the proponents did not have sufficient funding available.

Mr. Wilks noted that Niagara is a distinct area that should not be considered a part of Toronto and that they have raised \$50 Million and will be reapplying.

Mr. Wilks apprised Regional Council of a new venture for Niagara, which will bring an \$8 Million truck with twenty cameras to Niagara with HDTV technology, with programming that would turn Niagara into a place that will be recognized on the world's stage.

The CRTC in turning down TVN Niagara Inc.'s proposal, turned down ninety-five employees, television access from thirteen mobile units, twenty-five new staff members for the station, one major unit with four cameras. TVN Niagara Inc. had planned to televise many different programs through agreements with various venues throughout Niagara. TVN Niagara Inc. was also provided access to one hundred and thirty cameras by the Niagara Bridge Commission.

Mr. Wilks noted that TVN Niagara Inc. also took exception to the CRTC's comment that referred Niagara's programming needs to CHTV, which as far as televising Niagara's news has been scarce.

Councillor Rigby noted that Cogeco does a good job, but there broadcasting area is limited and Niagara needs to get the word out on events taking place in Niagara.

Moved by Councillor Marshall  
Seconded by Councillor Rigby

That Council of the Regional Municipality of Niagara supports TVN Niagara Inc.'s application to operate a television station to serve the Niagara Region and in this regard, supports, in principle, TVN's challenge of CRTC decision 2005-544 to deny TVN's application;

That a copy of this resolution be forwarded to all Niagara MPs and local area municipalities.

Carried.

49.

#### **CHAIRMAN'S REMARKS**

Regional Chair Partington on behalf of Regional Council welcomed Councillor Burroughs back.

Regional Chair Partington along with the Commissioner of Human Resources went to Queen's Park to testify before the Provincial Standing Committee on General Governance, where they joined representatives from other Ontario Municipalities in stating our concerns with Bill 206.

Regional Chair Partington has also met with and will be holding additional meetings with our local MPPs in order to ensure that Niagara's concerns are heard.

Regional Chair Partington also had the opportunity to testify before the Provincial Standing Committee on Finance and Economic Affairs to voice Niagara's concerns respecting provincial funding for social services and public health programming and its impact on our budget and the property tax base, indicating Niagara's strong support for AMO's position on this issue, which is:

That the province provide a reduction in the cost to municipalities to subsidize provincial social service and health programs, with a view to their eventual removal from the property tax base;

Commit to ensuring that predictable and sustainable revenue options are accessible for all municipalities; and

Commit to providing a plan to eliminate the municipal infrastructure deficit over time.

The Regional Chair Partington noted that he will continue to raise these issues with Niagara's provincial partners.

Regional Chair Partington reminded Councillors of the Council Information Session that is to take place the evening of February 16, 2006 at Four Points Sheraton, requesting that Councillors make every effort to attend and RSVP, if they have not already done so.

Regional Chair Partington thanked Rosa Flora Growers for the lovely roses.

### **APPROVAL OF MINUTES**

50. **Report 1-2006**

Moved by Councillor Angelone  
Seconded by Councillor Goulbourne

That Report 1-2006, being the minutes of the Proceedings of Council of Thursday, January 19, 2006, be approved and adopted.

Carried.

**CORRESPONDENCE**

51. Communications were received and dealt with as follows:

Moved by Councillor Saracino  
Seconded by Councillor Martin

That Communications C6740, C6741, C6744 to C6747 be received and dealt with as noted in the Council Agenda and Addendum.

C6740 Sharon Cook, Councillor Town of Pelham (January 12, 2006) respecting the Physician Recruitment Program and maintaining the funding resources for a period of five years to keep this program alive.

Received and referred to the Budget Review Committee.

C6741 Card of thanks from Debbie and David LaFontaine, employees of the Community Services Department and the Corporate Services Department, and family for the kind donation to the Port Colborne Hospital Foundation in memory of their mother and mother-in-law, Jessie Kovach.

Received.

C6744 Roger Anderson, President, Association of Municipalities of Ontario (AMO), (January 31, 2006) expressing gratitude to the Regional Chairman and members of the municipal team for appearing before the Standing Committee concerning Bill 206 – OMERS devolution.

Received.

C6745 Town of Fort Erie resolution (February 1, 2006) in support of the Town of Pelham's resolution to petition the Region to continue its commitment to Physician Recruitment.

Received and referred to the Budget Review Committee.

C6746 Card of thanks from, Bill and Lorraine Knezic and family, for the kind donation to the Niagara Health System Foundation in memory of their mother Gloria Knezic, an employee of the Community Services Department who worked at Upper Canada Lodge.

Received.

C6747 Card of thanks from Carol Nicholls, an employee of the Community Services Department, and family for the kind donation to the Kidney Foundation of Canada, in memory of her father-in-law, Ron Nicholls.

Received.

Carried.

52. Moved by Councillor Burroughs  
Seconded by Councillor Harry

That the resolution from the Town of Niagara-on-the-Lake (Communication Item C6742 regarding the Renaming of a Provincial Highway 405 in Niagara-on-the-Lake be received and supported.

Carried.

53. Moved by Councillor Angelone  
Seconded by Councillor Goulbourne

That the resolution from the City of Niagara Falls (communication Item C6743) supporting the request from the Lincoln and Welland Regiment, Renaming of Highway 405 as General Brock Parkway be received and supported.

Carried.

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

54. Niagara Regional Housing Quarterly Report  
October 1, 2005 – December 31, 2005

Moved by Councillor Eke  
Seconded by Councillor Trombetta

That Report NRH 01-2006, February 9, 2006, respecting Niagara Regional Housing Quarterly Report, October 1, 2005 – December 31, 2005, be received for information.

Carried.

**COMMITTEE REPORTS**

**PLANNING AND PUBLIC WORKS COMMITTEE**

55. Report 2-2006

Moved by Councillor Smeaton  
Seconded by Councillor Rigby

That Report 2-2006 being the minutes of the Planning and Public Works Committee meeting of Wednesday, February 1, 2006 be approved and adopted.

Carried.

56. Water and Wastewater Strategy Organizational Sustainability Review

Moved by Councillor Rigby  
Seconded by Councillor Harry

That Regional Council approves the initiation of the Water and Wastewater Strategy Organizational Sustainability Review, which will;

- focus on customer service and encompass all service delivery components;
- be carried out in the context of current ownership and service delivery structure; and
- be confined solely to reviewing the efficiency and effectiveness of all local and Regional Water and Wastewater systems, including, but not limited to, infrastructure sustainability, operational practices, asset management, water losses, excess wet weather flow impacts, cost recovery mechanism.

Carried.

**CORPORATE SERVICES COMMITTEE**

57. Report 2-2006

Moved by Councillor Collins  
Seconded by Councillor Martin

That Report 2-2006 being the minutes of the Corporate Services Committee meeting of Wednesday, February 1, 2006, be approved and adopted, **as amended** by adding "**and supported**", following, be received, to Minute Item 44, respecting Correspondence CS 13-2006.

Carried.

58. Appointments to the Audit Committee

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Councillors Harry and Mastroianni be appointed as members of the Audit Committee.

Carried.

59. Process to Request Alternative Service Provider

Moved by Councillor Leavens  
Seconded by Councillor Saracino

That Correspondence Item C6748, respecting a memorandum from Mr. Kyne, Director, Legal Services (February 9, 2006) to the Chair and Members of Regional Council, respecting the Process to Request Alternative Service Provider, be received.

That, having reviewed the process for requesting delivery of police services by the Ontario Provincial Police as outlined in the Director of Legal Services' February 9, 2006 memorandum, this Council hereby resolves:

That it will not pursue its present inquiry into the process for requesting delivery of police services by the Ontario Provincial Police further; and

That it is confident that the Niagara Regional Police Service will continue to provide adequate and effective police services within the Regional Municipality of Niagara; and

That a copy of this resolution be forwarded to the Niagara Regional Police Services Board, the Chief of Police of the Niagara Regional Police Service, the Police Associations for the Niagara Regional Police Service, the Commissioner of the Ontario Provincial Police and the Ontario Minister of Community, Safety and Correctional Services.

Carried.

**PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE**

60. Report 2-2006

Moved by Councillor Timms  
Seconded by Councillor Marshall

That Report 2-2006 being the minutes of the Public Health and Social Services Committee meeting of Tuesday, January 31, 2006, be approved and adopted as amended by representing COM 05-2006 and COM 08-2006 as Reports (Minute Items 28 and 29).

Carried.

**ACCOMMODATION STEERING COMMITTEE**

61. Report 1-2006

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Report 1-2006, being the minutes of the Accommodation Steering Committee meeting of Friday, January 13, 2006, be approved and adopted.

Carried.

62. Appointment to the Accommodation Steering Committee

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Councillor Eke be appointed as a member of the Accommodation Steering Committee.

Carried.

**COMMITTEE OF THE WHOLE**

63. Report 1-2006

Moved by Councillor Martin  
Seconded by Councillor Collins

That the decisions made in the Committee of the Whole meeting of Thursday, February 9, 2006, be approved and adopted.

Carried.

**OTHER BUSINESS**

64. Congratulations, Councillor Harry!

Regional Council congratulated Councillor Harry on being appointed the Chair of the Niagara Peninsula Conservation Authority for the 5<sup>th</sup> consecutive year.

65. McMaster School of Medicine Establishes a Satellite Campus in Niagara

McMaster's Michael G. DeGroot School of Medicine will launch satellite campuses in two neighbouring areas as part of a provincial government plan announced today to create 104 new medical school places across the province.

A satellite campus will be established in Niagara in the next two and a half years, accommodating 15 first-year medical students.

Medical students attending the satellite campus will perform the clinical portion of the three-year undergraduate program in the Niagara community.

66. Port Colborne – 7<sup>th</sup> Annual Sports Fest

Councillor Bodner noted that the 7<sup>th</sup> Annual Sport Fest in Port Colborne would begin with a Sports Celebrity Evening and Auction on February 16, 2006 with keynote speaker Bill Watters, former Assistant General Manager of the Toronto Maple Leafs.

Sports Fest also hosts the Mayor's Cup Hockey Tournament being held on February 17, 18 and 19, 2006 at West Side Road Arena and Teeder Kennedy Youth Arena.

67. Congratulations!

Moved by Councillor Collins  
Seconded by Councillor Martin

That Regional Council extend their congratulations to the MP's elected in the federal election.

Carried.

**BY-LAWS**

68. Moved by Councillor Trombetta  
Seconded by Councillor Eke

That the following bills be now read and do pass:

Bill 06

A by-law to fix the rates to be charged for water supplied to Lower-Tier Municipalities during the period March 1, 2006 to February 28, 2007.

Bill 07

A by-law to fix the rates to be charged for Wastewater received from Lower-Tier Municipalities for the period March 1, 2006 to February 28, 2007.

Bill 08

A by-law to authorize long-term financing (1-5 Years) in the amount of \$420,000 for Project ZGR0602, Ambulance and Related Equipment.

Bill 09

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 9<sup>th</sup> of February 2006.

Carried.

69. Moved by Councillor Rigby  
Seconded by Councillor Marshall

That the following bills be now read and do pass:

Bill 10

A by-law to authorize a 2006 Interim Levy for the Regional Municipality of Niagara.

Carried.

**ADJOURNMENT**

The Council meeting adjourned at 9:00 p.m.

Peter Partington  
Regional Chairman

Janet Pilon  
Acting Deputy Clerk

Pam Gilroy  
Regional Clerk