

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 1-2008

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, January 17, 2008 commencing at 7:10 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn, Badawey, Baty; Bentley; Burroughs; Bylsma; Casselman; Collins; Cordiner; D'Angela; Forster; Gabriel; Goulbourne; Greenwood; Heit; Henderson; Hodgson; Lepp, Marshall; Martin; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Hutchings, Commissioner, Community Services; Farley, Director, Planning Development; Brothers, Commissioner, Public Works; Nicol, Commissioner, Human Resources; Dr. Sider, Associate Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Regional Clerk.

Staff

(Part-Time): Messrs. Kyne, Director, Legal Services; Pilon, Executive Assistant to the Regional Chair.

CALL TO ORDER

1. Regional Chair Partington called the meeting to order at 7:10 p.m.

Council met in regular session, commencing at 7:10 p.m. with an Invocation by Councillor Marshall followed by the singing of 'O Canada'.

ADOPTION OF THE AGENDA

2. Moved by Councillor Collins
Seconded by Councillor Rigby

That the Council Agenda CL 1-2008 be approved and adopted as presented.

Carried.

3.

CONFLICTS OF INTEREST

Councillor Baty declared an indirect pecuniary interest with respect to Confidential Report HR 1-2008, (January 17, 2008) A Matter of Labour Relations: Benefit Plans Market Review and Rate Renewals, as he is presently insured with the Niagara School Board, and he therefore vacated the Council Chambers during the discussion on this matter.

Councillor Casselman declared an indirect pecuniary interest with respect to Confidential Report HR 1-2008, (January 17, 2008) A Matter of Labour Relations: Benefit Plans Market Review and Rate Renewals, as a family member is employed in the Wellness component of this matter and she therefore vacated the Council Chambers during the discussion on this matter.

Councillor Collins declared an indirect pecuniary interest with respect to any matters that deal with the Niagara Polices Services Board, as a family member is an employee of the Police Services, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Forster declared an indirect pecuniary interest with respect to Confidential Report HR 1-2008, (January 17, 2008) A Matter of Labour Relations: Benefit Plans Market Review and Rate Renewals, as she, as she is employed by the Ontario Nurses Association, and she therefore vacated the Council Chambers during the discussion on this matter.

Councillor Heit declared an indirect pecuniary interest with respect to any matters that deal with 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 Zimmerman declared an indirect pecuniary interest with respect to the Irrigation Study, as she is employed by the Grape Growers Association, and she therefore took no part in the discussion of, or voting on, this matter.

Councillor Zimmerman declared an indirect pecuniary interest with respect to any matters related to the Municipal Property Assessment Commission, as she is Chair of MPAC, and she therefore took no part in the discussion of, or voting on, these matters.

PRESENTATIONS

4. 2007 Niagara Regional Chairman's Charity Golf Tournament Cheque Presentations

The 2007 Niagara Regional Chairman's Charity Golf Tournament was the 10th Anniversary of the Regional Chair's Golf Tournament, and Regional Chair Partington thanked all of the Councillors, outside organization, staff, community partners and other public and private groups whose support over the last decade has allowed the tournament to be as successful as it is. Noting that without all of their efforts and support, this event would not be possible.

The 2007 Niagara Regional Chairman's Charity Golf Tournament raised over \$96,000 for seven community charities, an allotment for bursaries and the Debbie Zimmerman Literacy Award.

Regional Chair Partington awarded the following organizations with cheques: YMCA; Niagara Symphony; Niagara Peninsula Children's Centre; Salvation Army; Niagara Community Foundation; Scouts Canada and Women's Place.

Mr. Thomas from Scouts Canada awarded Regional Chair Partington with a Commemorative Centennial Medal in appreciation of the support Scouts Canada has received from the Niagara Region, commemorating their 100th Anniversary.

5. Federation of Canadian Municipalities – Update

Councillor David Alexander of the City of Welland noted that he has distributed a CD that contains all of the Sustainable Communities Awards from 2000-2007 to all members of Regional Council and encouraged Regional Councillors to share the CD with their Municipal Councils; staff; libraries and agencies.

Councillor Alexander advised Regional Council that the Federation of Canadian Municipalities (FCM) will be awarding the 2013 FCM Annual General Meeting and the 2010 FCM September Board Meeting in March 2008, and that he has been working with Niagara Economic Development Corporation. This is an opportunity for Niagara's efforts and leadership to be showcased and to benefit from the \$14 Million or so in hotel receipts from the individuals booking accommodations in Niagara Region.

Councillor Alexander noted that the Mirza report acknowledges the National Municipal Infrastructure Deficit at \$123 Billion, FCM believes that this would be the best economic development investment to ensure competitiveness, which would advance the cause of healthy and vibrant cities and communities, keeping Canada a desirable place to live and invest.

FCM through its Quality of Life series of reports is leading the call for a National Affordable Housing Strategy and is working to ensure that municipal issues are key themes in the next Federal election.

In closing, the gas tax dollars from the New Deal for Cities and Communities are at work and the amounts to municipal budgets will double next year and last until 2013; the Partners for Climate Protection Program protects communities from rising utility costs and the Green Municipal Funds seed innovation including many of the Award winners.

Regional Council recessed at 7:40 p.m. to reconvene the Budget Review Committee of the Whole meeting.

Regional Council reconvened at 8:48 p.m.

CLOSED SESSION

6. Moved by Councillor Lepp
Seconded by Councillor Trombetta

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

7. A Matter of Labour Relations:
Benefit Plans Market Review and Rate Renewals
HR 01-2008 CONFIDENTIAL

Moved by Councillor Badawey
Seconded by Councillor Collins

That Confidential Report HR 01-2008, (January 17, 2008) respecting A Matter of Labour Relations: Benefit Plans Market Review and Rate Renewals, be received; and

That effective February 1, 2008 Desjardins Financial Security be awarded the contract of providing Employee Group Life, Optional Life and Long Term Disability Insurance coverage for employees of the Region, Niagara Economic Development Corporation (NEDC) and Niagara Regional Housing (NRH) and Regional Council.

That effective April 1, 2008 Green Shield Canada be awarded the contract of providing Employee Health and Dental Benefits for employees of the Region, NEDC and NRH and Regional Council.

That Council approve the amount reported (representing the available surplus for withdrawal) as calculated at August 31, 2007 with Manulife for employee group insurance for deposit to the Reserve Fund for Employee Benefits (0030-0929).

Carried.

CLOSED SESSION, RISE AND REPORT

8. Moved by Councillor Heit
Seconded by Councillor Timms

That this Committee do now rise with report.

Carried.

PUBLIC MEETING

9. 2008 Current and Capital Budget

Regional Chair Partington advised Regional Council that in accordance with the requirements of the Municipal Act, and the Regional Notice Policy, a newspaper ad was published in the daily and weekly newspapers in the Region on Saturday, December 22, 2007, advising of Council approval of the Current and Capital Budget on Thursday, January 17, 2008, and inviting public input.

Interested persons were invited to submit comments in writing or to the website, or to request an appointment to speak.

We have received no written submissions or requests to speak at this meeting.

Regional Chair Partington asked whether there was anyone in attendance who wished to speak to the Current or Capital Budget, there were no responses.

Regional Chair Partington noted that the Budget Review Committee of the Whole approved the 2008 Current Budget and deferred to 2008 Capital Budget to a future meeting of the Budget Review Committee of the Whole, at the call of the Chair and that Regional Council will be ratifying the decisions made at the January 17, 2008 Budget Review Committee of the Whole meeting later in the meeting.

REGIONAL CHAIR'S REMARKS

10. Regional Chair Partington thanked Committee Chair Councillor Martin; Mike Trojan, Chief Administrative Officer; John Bergsma, Commissioner, Corporate Services and staff for their efforts in preparing the tax friendly budget approved at the Budget Review Committee of the Whole meeting earlier this evening. He also thanked the Provincial government for their contribution of \$4.4 Million.

Regional Chair Partington took this opportunity to highlight the recent passing of our Council Business Plan. Noting that this is the first time where we have solicited a large a number of external stakeholders to engage in the process of shaping the goals and objectives of council. The Council Business Plan is a document that has provoked a great deal of discussion among our community partners, and the result provides a blueprint for a plan to tackle the broader social, environmental and economic issues in Niagara.

Our vision statement is that “Niagara Region is a unified community of communities with diverse opportunities and qualities – together we strive for a better tomorrow”. Together, we strive for a better tomorrow. We have a number of challenges and issues that we continue to face in Niagara, however we can optimistically look to the future and face these challenges as a collective, and create the momentum to succeed in 2008 and beyond.

This plan provides strong direction for council in moving forward on a number of fronts, and I look forward to working towards our stated goals as a council in 2008.

Regional Chair Partington highlighted the this weeks exciting news that was provided by our Federal Minister and local member of Parliament Rob Nicholson, that Parks Canada, the National Arts Centre and the Toronto Symphony Orchestra have reached an agreement to explore the possibility of building a world-class amphitheatre on Parks Canada land, known as the Lakeshore property, in Niagara-on-the-Lake. This is a welcomed announcement, and certainly one that is incredibly optimistic for the Region. Our Cultural Committee, Co-Chaired by Councillor Judy Casselman and Rosemary Hale, along with our Public Works Department and the Niagara Economic Development Corporation, have been working closely with the Federal government and partners to explore the feasibility of Niagara as a location.

Regional Chair Partington also highlighted the event taking place on Thursday, January 31st at the Sheraton Fallsview Hotel – “Niagarapalooza – Re-thinking our Cities”. The event will provide an excellent opportunity to hear a number of world-renowned speakers right here in Niagara, and is currently sold out.

APPROVAL OF MINUTES

11. **Report COTW 11-2007**

Moved by Councillor Timms
Seconded by Councillor Cordiner

That Report COTW 11-2007, being the minutes of the Committee of the Whole meeting of Thursday, December 20, 2007, be approved and adopted.

Carried.

12. Report CL 17-2007

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report CL 17-2007, being the minutes of the Proceedings of Council of Thursday, December 20, 2007, be approved and adopted.

Carried.

CORRESPONDENCE

13. Moved by Councillor Cordiner
Seconded by Councillor Baty

That Communications C6989 to C6994, be dealt with as noted in the Council Agenda, which reads as follows:

C6989 A letter from Jack Lightstone, President and Vice-Chancellor (December 10, 2007) to Peter Partington, Regional Chair updating Regional Council on the establishment by Brock of the Niagara Health-Scient and Bio-Science Research Centre (NHBRC).

Received and Mr. Lightstone invited to provide Regional Council with an update at a future Regional Council meeting.

C6990 Card of thanks from Anita Zdrojewski, an employee of the Community Services Department, for the kind donation to the Alzheimer Society of Niagara in memory of her father Howard Lane.

Received.

C6991 A letter from David Forsyth (December 12, 2007) to Regional Council recognizing and thanking the Town of Grimsby community, the Niagara Region and the Hamilton organizations for their prompt response and care during his Cardiac Arrest.

Received.

C6992 A letter from Minister George Smitherman, Ministry of Health and Long-Term Care (December 14, 2007) to Regional Chair Partington respecting Niagara Region's share of the recently announced 2008 planned grant funding for providing land ambulance services.

Received.

C6993 A letter from Minister Dwight Duncan, Ministry of Finance and Minister Jim Watson, Ministry of Municipal Affairs and Housing (December 21, 2007) to Regional Chair Partington respecting the Ontario Municipal Partnership Fund (OMPF) allocations for 2008.

Received and referred to the Departmental Budget Coordinators.

C6994 An e-mail from Greg Levine (January 11, 2008) respecting Niagara Region's Closed Meeting Investigator.

Received.

Carried.

14. Moved by Councillor Hodgson
Seconded by Councillor Badawey

That Communication C6995, A letter from Councillor Collins (January 14, 2008) requesting that he be appointed to the Waste Management Planning Steering Committee and resigning from the Public Health and Social Services Committee, effective immediately, be received and approved.

Carried.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

15. Report 1-2008

Moved by Councillor Rigby
Seconded by Councillor Smeaton

That Report 1-2008, being the minutes of the Planning and Public Works Committee meeting of Wednesday, January 9, 2008, be approved and adopted.

Carried.

(Refer to Councillor Information Requests)

CORPORATE SERVICES COMMITTEE

16. Report 1-2008

Moved by Councillor Collins
Seconded by Councillor Martin

That Report 1-2008, being the minutes of the Corporate Services Committee meeting of Wednesday, January 9, 2008, be approved and adopted ***as amended to specify that the implementation date be April 1, 2008 instead of January 1, 2008, respecting Minute Item 14, A Matter of Labour Relations or Employee Negotiations (Municipal Prosecutions Update), Report JBM 4-2007.***

Carried.

BUDGET REVIEW COMMITTEE OF THE WHOLE

17. Moved by Councillor Goulbourne
Seconded by Councillor Baty

That the decisions made at the Budget Review Committee of the Whole meeting of Thursday, January 17, 2008, be approved and adopted.

Carried.

MOTIONS

18. Recommence the Fluoridation of the Water Supply in the City of Welland

Councillor Marshall deferred the consideration of his motion at this time, and asked that Regional Council consider dividing the question, at the January 24, 2008 Committee of the Whole meeting on Fluoridation in Niagara when considering PWA 03-2008/PHD 02-2008.

19. Appointment of Municipal Investigator

Moved by Councillor Greenwood
Seconded by Councillor D'Angela

WHEREAS Regional Council has approved the reconsideration of the matter approved at the November 21, 2007 Corporate Services Committee meeting, and ratified by Council on November 29, 2007 respecting the Appointment of Local Authority Services Limited (LAS) as an Investigator in accordance with section 239.2 of the Municipal Act effective January 1, 2008 at the December 20, 2007 Regional Council meeting; and

WHEREAS members of Regional Council received presentations from representatives of Local Authority Services Limited (LAS) and the Provincial Ombudsman's office at the Corporate Services Committee meeting on January 9, 2008.

THEREFORE BE IT RESOLVED:

That Regional Council rescind their previous decision to appoint Local Authority Services Limited (LAS) as Investigator in accordance with section 239.2 of the Municipal Act effective January 1, 2008.

Carried.

OTHER BUSINESS

20. **Committee of the Whole Meeting – January 24, 2008**

Councillor Collins noted that there will be a Committee of the Whole meeting on January 24, 2008 at 6:30 p.m. respecting Fluoridation in Niagara.

Copies of the staff report can be obtained from the Clerk's Office or from Niagara Region's website.

21. **Folk Arts Council of St. Catharines**

Councillor Collins displayed the Folk Arts Council of St. Catharines calendar, commemorating their 40th Anniversary.

The calendars are available at 85 Church Street at a cost of \$20.00. The proceeds from the calendars assist newcomers to Niagara establish themselves in business.

22. **Niagara Icewine Festival**

Councillor Zimmerman invited everyone to the Niagara Icewine Festival, taking place January 18 to February 3, 2008.

Councillor Hodgson encouraged everyone to come out to Twenty Valley Icewine Bar in Jordan, January 19th and 20th from Noon to 5:00 p.m. Free Admission.

Councillor Lepp encouraged everyone to come out to the Fallsview Casino Icewine Lounge in Niagara-on-the-Lake, January 26th and 27th from 11:30 a.m. to 7:00 p.m. Free Admission.

For more details please visit <http://www.niagaraicewinefestival.com/>

23. Niagara Falls Sports Wall of Fame

Councillor Greenwood was pleased to be in attendance at the induction ceremony at the Memorial Arena on January 13th, when eight individuals, one team and five sponsors were inducted into the Niagara Falls Sports Wall of Fame. She extended congratulations to all those inducted.

24. 10th Annual "Sweep for Kids" Bonspiel

Councillor Greenwood encouraged everyone to take part in the 10th Annual "Sweep for Kids" Bonspiel, hosted by the Boys and Girls Club of Niagara, being held on February 2, 2008 at the Niagara Falls Curling Club.

25. 6th Annual "Strike Out Violence" Bowling Tournament

Councillor Greenwood encouraged everyone to take part in the 6th Annual "Strike Out Violence" Bowling Tournament that supports Women's Place of South Niagara Inc. always held the Friday before International Women's Week.

26. Support for the Niagara District Airport

Moved by Councillor Salci
Seconded by Councillor Augustyn

That an endorsement from the Regional Chair be forwarded to the members of Federal parliament who are currently reviewing the funding application for the Niagara District Airport.

Carried.

27. Top 10 Issues Facing the Southern Tier

Councillors Goulbourne; Badawey; Augustyn and Henderson will be presenting their list of Top 10 Issues Facing their municipalities, January 24, 2008, at a luncheon sponsored by the Welland-Pelham and the Port Colborne-Wainfleet Chambers of Commerce at the Welland Days Inn.

There is room for up to 200 at the luncheon with 160 tickets already sold. Doors open at 11:30 a.m. and the buffet lunch will start at noon. Tickets are \$25 each, or \$20 for members of either Chamber of Commerce, and can be ordered by calling 905-732-7515 or e-mailing chamber@iaw.on.ca.

BY-LAWS

28. Moved by Councillor Trombetta
Seconded by Councillor Lepp

That the following Bills be now read and do pass:

Bill 1

A By-Law to Authorize a 2008 Interim Levy for the Regional Municipality of Niagara.

Carried.

29. Moved by Councillor Forster
Seconded by Councillor Gabriel

That the following Bills be now read and do pass:

Bill 3

A By-Law to Establish Part of Lot 13, Concession 1, in the Town of Grimsby as Part of Regional Road No. 512 (Livingston Avenue)

Bill 4

A By-Law to Establish Parts of Lots 22 and 23, Plan 64, in the City of Niagara Falls as Part of Regional Road No. 20 (Lundy's Lane)

Carried.

CONFIRMING BY-LAW

30. Moved by Councillor Augustyn
Seconded by Councillor Collins

That the following Bill be now read and do pass:

Bill 2

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting Held on the 17th of January, 2008.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- that staff assess the Leachate Management Project – Additional Information Constructed Wetland Alternative Line 5 Landfill Site, Niagara-on-the-Lake and report on a proposal that would consider a pilot project, respecting Minute Item 6 – PPW Minutes, January 9, 2008. (Refers to Minute Item 15) (Councillor Lepp)

ADJOURNMENT

The Council meeting adjourned at 10:07 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Regional Clerk

Pam Gilroy
Regional Clerk