

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 6-2008

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 20, 2008 commencing at 7:00 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; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Brothers, Commissioner, Public Works; Farley, Director, Planning Development; Hutchings, Commissioner, Community Services; Bergsma, Commissioner, Corporate Services; Nicol, Commissioner, Human Resources; Dr. Williams, Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

(Part-Time): Messrs. Pilon, Executive Officer to the Regional Chair; Kyne, Director, Legal Services; Ms. Papaiz, Coordinator, Communications.

CALL TO ORDER

106. Regional Chair Partington called the meeting to order at 7:00 p.m.

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

ADOPTION OF THE AGENDA

107. Moved by Councillor Collins
Seconded by Councillor D'Angela

That the Council Agenda CL 6-2008 be approved and adopted as amended by moving the Closed Session of Council following Other Business.

Carried.

CONFLICTS OF INTEREST

108. Councillor Bylsma declared an indirect pecuniary interest with respect to Report CSD 16-2008 regarding Wind Energy Niagara Project Update, as he has a family member involved in a Wind Energy Project Development in the Niagara Region and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Collins declared an indirect pecuniary interest with respect to any matters relating to the Police as he has a family member employed by the Niagara Regional Police Services and he therefore vacated the Committee Room and 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 06-2008 A Matter of Labour Relations: Status on CUPE Local 1019 Contract Negotiations as she is a staff member to ONA and she therefore took no part in the discussion of, or voting on, this matter.

PRESENTATIONS

109. Excellence Awards

Barb Dupont, Co-Chair, Recognition of Excellence Sub-Committee, Corporate Employee Recognition Team (CERT) was pleased to announce the following winners of Excellence Awards:

A Team Participation Award was presented to the Niagara EMS e-PCR Team (Neal Roberts, Darren Williamson, Jaclyn Bentley, Sean Brown, Dean Casement, David Matthews, Mark Thomas, Colleen Robinson, Hal Klassen, Joanne Graveline, Stacy Fiander, Randy Hague, David Hebert, Timothy Kares, Michael Neumann, Thomas Skelton, Chris Coker, Matt Legarde and Steve Van Valkenburg) for working closely to develop an electronic charting system to improve inefficiencies, streamline data and allow the quality assurance department to collect, store, access and generate real-time data, provide more timely reports and explore patient outcome research opportunities.

A Leadership Award was presented to Trevor Ward for his outstanding contribution to Joint Occupational Health and Safety Committee, in demonstrating extraordinary efforts to ensure that all concerns were handled immediately and even providing on-the-spot training when required.

A Team Participation Award was presented to the Linhaven Staff Team for their dedication to improved care for their residents. During 2007, Linhaven has dealt with some significant issues and have worked together to cover staff shortages, deal with compliance issues, eradicated scabies, achieved a CMI of 104.13 and completed the accreditation survey.

Innovation Awards were presented to James Whitaker and Jackie Foley for their collaborative efforts in designing, developing and implementing a database system known as the Court Administration Management System (CAMS) to manage the 27,000 cases in the Region's delinquent POA fines portfolio.

Regional Stars are presented to employees to recognize individual "deeds" or accomplishments that do not fall within the criteria for the Recognition of Excellence Awards. "Regional Stars" recognize specific individual acts by Regional employees that go "above and beyond" their responsibilities with the Region. A Regional Star will be presented at an appropriate occasion in the workplace to the following employee:

Debbie Smith is honoured with a Regional Star for her assistance to the Lift & Transfer Steering Committee in the development of the education plan to teach the front line staff on how to transfer residents safely and for stepping in and educating the committee for the roll out to the Seniors' Homes when the facilitator was unable to do so.

110. Niagara 1812 Bicentennial Project

Dr. Rosemary Hale, Co-Chair, Culture Committee and Chair, Bi-Centennial Committee, together with Patrick Robson, Director, Community Integration, provided Regional Council with an overview of the Niagara 1812 Bicentennial Project. Background information was provided on the planning and scoping sessions that were held in June and November of 2006 facilitated by the Region and Niagara Parks Commission. The Legacy Council was formed to oversee the planning process with a working group consisting of Canadian and U.S. representatives providing ongoing support for the planning and coordination of 1,000 days of celebration.

The first main "win" was the logo contest which was won by a Graphic Artist from Niagara Falls who won \$1,812.00 for his entry. The Region has been the lead on legal registrations, logo trade marking and facilitating strategic action planning by the Legacy Council. Dr. Rosemary Hale was recently elected Chair of the Bi-Centennial Committee and Regional Chair Partington is also a member. Council was apprised of the 1812 Bicentennial members consisting of a mix of Canadian and U.S. representatives from public and private organizations.

In October 2007 the Legacy Council was organized into Communications, Education, Marketing and Promotion, Funding and Logistics Committees, each with near term, mid-term and long term action plans. The first official meeting of the Legacy Committee as a duly constituted corporation was January 28, 2008 with the launch of the Legacy Council and a public information session at Shaw Festival on February 19, 2008.

The Legacy Council's objectives are:

- To establish and operate an organization to coordinate and facilitate the numerous events that will be undertaken by a broad range of community stakeholders in this bi-national region and
- To coordinate between sites and activities to maximize opportunities associated with the commemoration of the bicentennial of the War of 1812

Currently, initial resources from the Region, as well as anticipated Trillium funding, is being applied to staffing needs. A Search Committee for the hiring of a project manager (contingent upon Regional Council approval) has been identified to include Regional Councillor Casselman and Patrick Robson. The manager will pursue ongoing funding support, manage budget and stakeholder relations, local groups, bi-national interests, government and private sector matters.

In closing the presenters thanked Regional Council for their support as the Planning and coordinating of 1,000 Days of Celebration is a significant undertaking and the leadership being shown by Regional Council is a clear recognition of Niagara's role in nation-building (being the key theatre for War of 1812) and the geographic interface for ensuing 200 Years of Peace.

REGIONAL CHAIR'S REMARKS

111. Regional Chair Partington welcomed Councillors, guests and staff and made the following announcements:
- I would like to take this opportunity to thank the Public Works crews from the Region and the various municipalities for what, by all accounts, was excellent work in clearing our roads in the aftermath of the large snowstorm from two weeks ago. Your diligence, on behalf of all of our residents, is noticed and appreciated.
 - I would be remiss if I did not recognize the efforts and accomplishments of the Brock Badgers Men's Basketball team. Many of you likely saw that, for the second time in their history, they are the Canadian University national champions, winning the title in Ottawa over the weekend. Congratulations to the school, the athletic department, and the men's program for a historic win. This victory is in addition to the national championships won by the men's wrestling and lacrosse programs – and the men's hockey team is currently competing in the national championship as we speak. Congratulations to all involved.
 - Congratulations are also in order as the Federation of Canadian Municipalities has selected the City of Niagara Falls to host their Annual Conference and Municipal Expo in 2014. Many thanks to Mayor Ted Salci, Patrick Gedge of the NEDC, Joyce Morocco of Niagara Falls Tourism, and our local member of the board of FCM, Welland Councillor David Alexander for the work done to make this bid successful. This conference alone will see over 3,000 delegates coming to the new convention centre over a four-day period.

- We have a number of upcoming events that I would like to highlight. The first is a meeting of Regional Councillors, chambers of commerce, and municipal representatives to discuss our upcoming Niagara Week delegation. It will take place a week from today, March 27th, at the Americana Conference Resort in Niagara Falls. I look forward to seeing Councillors there. Additionally, on April 4th we have our planned Economic Forum to discuss economic issues across the region. The Forum will take place at the Four Points Sheraton in Thorold, and we have some interesting speakers and plans to stimulate discussion at the event to bring some great ideas to the forefront.
- The Ontario Ministry of Health Promotion recently convened an information meeting of Ontario sport leaders, municipalities and regions, Canadian Olympic Committee officials, other Ontario government ministries, and sport associations to discuss the possibility of a 'golden horseshoe' bid for the 2015 Pan American Games. There is a further meeting taking place this coming Friday, March 28th in Toronto, and I will provide information to council on the content of the meetings shortly thereafter.
- As well, yesterday afternoon in Port Colborne, and this morning in St. Catharines the annual Top Hat event took place, celebrating the opening of the Welland Canal for the 2008 shipping season.
- I also had the opportunity to recently meet with Minister Caplan and Minister Bradley to discuss the four-lane expansion of the 406 from Port Robinson Road onward. Our presentation was favourably received, and we look forward to continued movement on this important issue.
- Lastly, we have all been saddened by the sudden and unexpected loss of one of our regional employees, Mrs. Mairi Birr, who worked in various departments for 21 years, establishing lasting friendships with colleagues across the corporation, especially Human Resources, Public Works, Public Health and Niagara EMS. Mairi is remembered by all for her commitment to a job well done, her sense of humour, and dedication to family. Our thoughts and prayers are extended to her husband, children and family.

APPROVAL OF MINUTES

112. Report COTW 3-2008

Moved by Councillor Lepp

Seconded by Councillor Trombetta

That Report COTW 3-2008, being the minutes of the Committee of the Whole meeting of Thursday, February 28, 2008, be approved and adopted.

Carried.

113. Report CL 5-2008

Moved by Councillor Bentley
Seconded by Councillor Casselman

That Report CL 5-2008, being the minutes of the Proceedings of Council of Thursday, February 28, 2008, be approved and adopted.

Carried.

CORRESPONDENCE

114. Moved by Councillor Cordiner
Seconded by Councillor Baty

That Communications C7016 to C7024 and C7026 to C7030 be dealt with as noted in the Council Agenda and Addendum, **as amended**, which reads as follows:

C7016 A letter from Ravinder Kumar, D.D.S., President, Niagara Peninsula Dental Association, respecting the January 24th Committee of the Whole meeting.

Received and referred to the Clerk's Office for a response and to CORC if appropriate.

C7017 Card of thanks from Glen Hudgin, an employee of the Public Health Department, for the kind donation to the Heart and Stroke Foundation of Ontario in memory of his father Vernon Hudgin.

Received.

C7018 Card of thanks from Garry Ettinger, an employee of Community Services Department, for the kind donation to the Tender Wishes Foundation in memory of his mother Lottie Ettinger.

Received.

C7019 Card of thanks from Kathryn O'Hagan-Todd, an employee of the Community Services Department, for the kind donation to the Hamilton Health Sciences Foundation in memory of her father-in-law Norman Todd.

Received.

- C7020 A letter from M. Bredeson, Executive Correspondence Officer, Office of the Prime Minister (February 22, 2008) acknowledging receipt of Niagara Regional Council's resolution respecting Bill C-22, *An Act to amend the Constitution Act, 1867 (Democratic representation)*.
- Received.*
- C7021 A letter from John D. Maloney, M.P., Welland Riding (March 6, 2008) in response to Niagara Regional Council's resolution concerning the proposed federal bill on representation by population.
- Received and request M.P.P.s' position on Niagara's resolution.***
- C7022 A letter from Minister Jim Watson, Ministry of Municipal Affairs and Housing (February 21, 2008) respecting Growing the Greenbelt – Consultation 2008.
- Received.*
- C7023 A letter from Minister Jim Bradley, Ministry of Transportation (February 29, 2008) advising Niagara Region of funding in the amount of \$206,695 to address the Region's immediate state of good repair needs, delivering on the Ontario government's commitment to support public transit in Ontario.
- Received.*
- C7024 Card of thanks from Paul Taylor, an employee of the Public Health Department, for the kind donation to the Royal Victoria Hospital Foundation in memory of his father Murray Andrew McLean.
- Received.*
- C7026 A letter from Kenneth Todd, Director of Corporate Support Services, City of St. Catharines (March 7, 2008) respecting the resolution adopted by St. Catharines City Council supporting the City of Niagara Falls City Council's resolution regarding funding of the Niagara District Airport.
- Received and referred to Transportation Steering Committee and Planning & Public Works Committees (currently on Transportation Steering Committee agenda for Mar. 25th meeting).***

- C7027 A Letter from Minister Jim Watson, Ministry of Municipal Affairs and Housing (March 12, 2008) respecting the Government's intention to introduce legislation that would, if passed, designate a portion of the provincial surplus to municipalities for their infrastructure needs.

Received.

- C7028 A letter from Minister George Smitherman, Deputy Premier, Ministry of Health and Long-Term Care (March 4, 2008) respecting the upcoming transfer of the Small Drinking Water Systems (SDWS) program from Ministry of the Environment (MOE) to the Ministry of Health and Long-Term Care (MOHLTC) and advising Niagara Regional Board of Health of the Province's contribution of \$62,400.00, in order for Niagara Region to prepare for and deliver the SDWS program in its first year of start-up.

Received.

- C7029 A letter from Minister Michael Chan, Ministry of Citizenship and Immigration (March 2008) respecting the Lincoln M. Alexander Award 2008 and the call for nominations.

Received.

- C7030 A letter from the Honorable Steve Peters, Speaker of the Legislative Assembly of Ontario (March 14, 2008) respecting the ringing of the Legislative bells on Thursday, July 3, 2008 at 11:00 a.m.

Received.

Carried.

115. Moved by Councillor Saracino
Seconded by Councillor Collins

That Communication C7025, a letter from Bob Sweet, Mayor, Town of Petawawa (March 4, 2008) respecting support for Canadian Troops, be supported.

Carried.

116. Moved by Councillor Collins
Seconded by Councillor Casselman

That Communication C7030, a letter from the Honourable Steve Peters, Speaker of the Legislative Assembly of Ontario (March 14, 2008) respecting the ringing of the Legislative bells on Thursday, July 3, 2008 at 11:00 a.m. be received and advise the Speaker of the Legislative Assembly of Ontario of Niagara Region's participation.

Carried.

117. Moved by Councillor Smeaton
Seconded by Councillor Henderson

That Communication C7031, a memorandum from Patrick Robson, Director, Community Integration (March 20, 2008) respecting a Resolution to Authorize the Region to Enter Into an Agreement with the Province of Ontario for the Development of the Action Plan For the Gateway Economic Zone and Centre, be received; and

That Regional Council authorizes the Regional Chairman and the Regional Clerk, on the Region's behalf, to enter into an agreement with the Province of Ontario, said agreement allowing the release of \$100,000 to the Region for the development of an Action Plan for the Gateway Economic Zone and Centre as a component of the current Growth Management Strategy exercise.

Carried.

COMMITTEE REPORTS

PLANNING AND PUBLIC WORKS COMMITTEE

118. Report 4-2008

Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That Report 4-2008, being the minutes of the Planning and Public Works Committee meeting of Wednesday, March 12, 2008, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

119. Report 4-2008

Moved by Councillor Collins
Seconded by Councillor Saracino

That Report 4-2008, being the minutes of the Corporate Services Committee meeting of Wednesday, March 12, 2008, be approved and adopted.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

120. Report 3-2008

Moved by Councillor Baty
Seconded by Councillor Cordiner

That Report 3-2008, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, March 11, 2008, be approved and adopted.

Carried.

COUNCIL ORGANIZATION REVIEW COMMITTEE

121. Report 3-2008

Moved by Councillor Marshall
Seconded by Councillor McMullan

That Report 3-2008, being the minutes of the Council Organization Review Committee meeting of Tuesday, March 4, 2008, be received and the recommendations contained therein, be approved, save and except the recommendation respecting the Per Diem rate, which is to be referred to staff for a report.

Carried.

OTHER BUSINESS

122. FCM Conference 2014

Councillor Salci advised that the Federation of Canadian Municipalities (FCM) has given approval for the FCM Annual Conference to be held at the new Niagara Falls Civic Convention Centre in 2014. He thanked Patrick Gedge, Joyce Morocco, Councillor Collins, Councillor Alexander (Welland) and members of Council for their assistance in successfully bidding for this event.

123. Attracting Other Conventions to Niagara

Councillor Puttick suggested that other large conventions such as Ontario Good Roads (OGRA) and Association of Municipalities of Ontario (AMO) also be encouraged to hold their conventions in Niagara and suggested that consultation take place with Anna at Canadian Niagara Hotels for this purpose.

124. Meeting at Americana Hotel, Niagara Falls

Councillor Zimmerman asked if the meeting scheduled for Thursday, March 27th at the Americana Hotel in Niagara Falls to discuss Niagara Week is a public meeting and if notification of a meeting of Regional Councillors for this purpose was required under the Municipal Act. Mr. Kyne, Director, Legal Services, advised that, while the meeting also included other public and private organizations, notice should be given to the public. The appropriate web site information will be available to the public.

Regional Chair Partington advised that a more formal notice of the Niagara Week event will be circulated to Councillors once the agenda items and activities have been set.

125. Accessibility Issues

Councillor Forster requested a report from staff on how the Region will address concerns related to how those with hearing and seeing disabilities will be able to access Standing Committee and Council agendas and reports on the web.

Moved by Councillor Forster
Seconded by Councillor Puttick

That staff prepare a report on how persons with seeing and hearing disabilities will be able to access Council and Standing Committee agendas and reports on the web.

Carried.

126. Congratulations

Councillor Goulbourne expressed congratulations on behalf of Regional Council, to Councillor Bylsma on the birth of his daughter, Clare Abigail on March 8th, 2008.

CLOSED SESSION

127. Moved by Councillor Casselman
Seconded by Councillor Bentley

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.

128. A Matter of Labour Relations
Organizational Restructuring
CAO 2-2008 Confidential

Moved by Councillor Casselman
Seconded by Councillor Cordiner

That staff be authorized to proceed as directed.

Carried.

129. A Matter Concerning the Security of the
Property of the Municipality
CSD 35-2008 Confidential

Mr. Trojan advised Regional Council that if the report is to be released publicly, it would have to be amended to correct an error prior to its release.

Moved by Councillor Heit
Seconded by Councillor McMullan

That Confidential Report CSD 35-2008 (March 20, 2008), respecting A Matter Concerning the Security of the Property of the Municipality, be released publicly as amended.

Defeated.

Moved by Councillor McMullan
Seconded by Councillor Burroughs

That Confidential Report CSD 35-2008 (March 20, 2008) respecting A Matter Concerning the Security of the Property of the Municipal, be received for information; and

That staff be directed to report back with a final detailed report no later than May 1, 2008, with additional input.

Carried.

130. Anonymous Correspondence

Mr. Trojan provided Regional Council with a brief update on the anonymous correspondence that has been received.

131. A Matter of Labour Relations
Corporate Organizational Design Review
CAO 1-2008 Confidential

Moved by Councillor Marshall
Seconded by Councillor McMullan

That the discussion on Confidential Report CAO 1-2008, continue at the April 10, 2008 Committee of the Whole meeting.

Carried.

CLOSED SESSION, RISE AND REPORT

132. Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That this Committee do now rise with report.

Carried.

COMMITTEE REPORTS (Continued)

COMMITTEE OF THE WHOLE

133. Moved by Councillor Timms
Seconded by Councillor Baty

That the decisions made at the Committee of the Whole meeting of Thursday, March 20, 2008, be approved and adopted.

Carried.

BY-LAWS

134. Moved by Councillor Goulbourne
Seconded by Councillor Bylsma

That the following Bills be now read and do pass:

Bill 20

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$2,685,000 for Various Projects in the 2008 Waste Management Capital Program

Bill 21

A By-Law to Authorize Long-Term Financing (1-20 Years) in the Amount of \$1,500,000 for Various Projects in the 2008 Water Capital Program

Bill 22

A By-Law to Authorize Long-Term Financing (1-20 Years) in the Amount of \$2,000,000 for Various Projects in the 2008 Wastewater Capital Program

Bill 23

A By-Law to Authorize Long-Term Financing (1-20 Years) in the Amount of \$14,080,000 for Various Projects in the 2008 Roads Capital Program

Bill 24

A By-Law to Authorize Long-Term Financing (1-20 Years) in the Amount of \$2,840,000 for Project ZGD0704, Campbell West HVAC & Security; Project ZDG0805, Campbell West Building Improvements; Project ZDG0806, Campbell West Parking Lot Paving (West Lot) And Project ZDG0807, Campbell West Roof Replacement

Bill 25

A By-Law to Authorize Long-Term Financing (1-5 Years) in the Amount of \$455,000 for Public Health Capital Project ZGR0802, Ambulance and Related Equipment

Bill 26

A By-Law to Establish Parts of Lots 46, 47, 48, And 49, Plan 2, in the City of Niagara Falls as Part of Regional Road No. 20 (Lundy's Lane)

Bill 27

A By-Law to Establish Part of Lots 1 and 14, Plan 762, in the City of Port Colborne as Part of Regional Road No. 3 (Main Street)

Carried.

135. Moved by Councillor Gabriel
Seconded by Councillor Forster

That the following Bills be now read and do pass:

Bill 29

A By-Law to Authorize Niagara Region's Participation in the Province of Ontario's One-Time Capital Funding for Public Transit Systems

Carried.

CONFIRMING BY-LAW

136. Moved by Councillor Heit
Seconded by Councillor McMullan

That the following Bill be now read and do pass:

Bill 28

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 20th of March, 2008.

Carried.

ADJOURNMENT

The Council meeting adjourned at 9:55 p.m.

Peter Partington
Regional Chair

Gail Reilly
Legislative Assistant

Janet Pilon
Acting Regional Clerk