

**THE REGIONAL MUNICIPALITY OF NIAGARA**

**PROCEEDINGS OF COUNCIL**

**REPORT CL 19-2002**

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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, December 5, 2002, commencing at 6:30 p.m.

**ATTENDANCE**

Council: Regional Chair Zimmerman; Councillors Andreychuk, Badawey, Beamer, Bentley, Brickell, Burroughs, Collins, Davidson, Eke, Forster, Gabriel, Harry, Hildreth, Konkle, Marshall, Martin, McMullan, Muir, Nicholson, Partington, Redekop, Rigby, Saracino, Thomson, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Hollick, Regional Clerk; Cambray, Commissioner of Planning Services; Neville, Commissioner of Public Works; Nicol, Commissioner of Human Resources; Ms. Reid, Commissioner, Community Services Department; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Deputy Regional Clerk.

**CLOSED SESSION**

444. Moved by Councillor Harry  
Seconded by Councillor Konkle

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.

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

445. Moved by Councillor Harry  
Seconded by Councillor Muir

That this Council do now rise with no report.

Carried.

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

446.

### **CONFLICTS OF INTEREST**

Councillor Andreychuk declared an indirect pecuniary interest with respect to any matters related to High Speed Telecommunication Infrastructure for Niagara, as he is a shareholder of Bell Canada, and is a member of a hydro board, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Badawey declared an indirect pecuniary interest with respect to any matters related to Niagara Regional Housing, as a member of his family is Chair of the Board, and he therefore took no part in the discussion of, or voting, on these matters.

Councillor Brickell declared an indirect pecuniary interest with respect to Minute Item 303, Youth Connection School Team – Program Update, in Report CHS 20-2002, as his wife is employed by the Niagara District School Board, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Eke declared an indirect pecuniary interest with respect to any matters related to High Speed Telecommunication Infrastructure for Niagara, as he is a shareholder of Bell Canada, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Forster declared an indirect pecuniary interest with respect to Minute Item 303, Youth Connection School Team – Program Update, in Report CHS 20-2002, as she is employed by the Ontario Nurses Association, and she therefore took no part in the discussion of, or voting, on this matter.

Councillor Gabriel declared an indirect pecuniary interest with respect to Minute Item 303, Youth Connection School Team – Program Update, in Report CHS 20-2002, as he is employed by the Niagara Catholic District School Board, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Partington declared an indirect pecuniary interest with respect to Minute Item 306, Non-Union Salary Structure for 2003 Budget, in Report CHS 20-2002, as his wife is employed by the Public Health Department, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Rigby declared an indirect pecuniary interest with respect to any matters related to High Speed Telecommunication Infrastructure for Niagara, as he is a shareholder of Bell Canada, and he therefore took no part in the discussion of, or voting, on this matter.

**ADOPTION OF THE AGENDA**

447. Moved by Councillor Collins  
Seconded by Councillor Burroughs

That Council Agenda CL 19-2002, December 5, 2002, be adopted as presented.

Carried.

448.

**CHAIR'S REMARKS**

The Regional Chair thanked Westbrook Gardens of Grimsby for the beautiful Christmas basket in the Council Chamber.

The Regional Chair offered congratulations to Dr. Joe Paolasini and Robert Slessor Pontiac Buick Inc. for being awarded the "Outstanding Business Achievement Award" by the Grimsby and District Chamber of Commerce. These awards are given in recognition of those in private enterprise who demonstrate excellence in the areas of community relations, product innovation, employee relations, and sales and/or employee growth.

The Regional Chair provided updates on events she has attended since the last Council meeting:

- the Grand Opening of the new Stokes Seeds Facility on Collier Road
- the ribbon cutting ceremony which opened the first new Regional road constructed in 20 years: Regional Road 70 between Townline Road and Beechwood Road. This construction resulted from an innovative design/build public-private partnership between the Region and Walker Industries.
- Mayor Wayne Redekop's Roast last Friday evening

**APPROVAL OF MINUTES**

449. Report 18-2002

Moved by Councillor Burroughs  
Seconded by Councillor Harry

That Report 18-2002, being the minutes of the Proceedings of the Council meeting of Thursday, November 21, 2002, be approved and adopted.

Carried.

450.

**CORRESPONDENCE**

Communications were received and dealt with as follows:

C6019 Card of thanks from the Huntington Society of Canada and national network of volunteers (November 26, 2002) expressing gratitude to the Regional Chair for participating in their Annual Conference.

Received.

C6020 Card of thanks from Regional Councillor Bob Muir for the floral arrangement and donation to the Women's Place of South Niagara – Nova House Building Fund in memory of his mother Molly Muir.

Received.

C6021 Mike Colle, MPP, Eglinton-Lawrence (November 22, 2002) respecting Council's consideration and support for a deposit and return system for LCBO containers. (Wine and Liquor Container Recovery in Ontario – The 2002 Perspective Report found at [ <http://www.productstewardship.org> ]

Moved by Councillor Hildreth  
Seconded by Councillor Burroughs

That Communication C6021 be referred to the Public Works Department.

Carried.

C6022 City of Welland resolution (November 22, 2002) respecting a Draft Report – Identification of Preferred Alternative Environmental Assessment Level Review of Regional Niagara Mid-Term Waste Disposal Alternatives.

Received. (Referred to the Public Works Department.)

C6023 Memorandum to the Regional Chair Zimmerman and Members of Council respecting the Final Schedule of Regular Meetings of Regional Council and Standing Committees for December 9, 2002 – November 20, 2003.

Approved with an amendment to the date of the CHS meeting on June 2, being changed to May 26.

C6024 City of Port Colborne resolution (November 25, 2002) respecting support for Ship Building in Niagara OSTAR application.

Moved by Councillor Rigby  
Seconded by Councillor Brickell

That Communication C6024 be supported.

Carried.

C6025 Michael J. Sabia, Chief Executive Officer, Bell Canada (November 28, 2002) respecting a proposal to bring broadband services to the Region of Niagara.

Referred for consideration with the CFS minutes.

C6026 Joe Murphy, Regional Sales Manager, and Mike McGrath, Vice-President, Enterprises Markets, Bell Canada (November 29, 2002) respecting two articles that outlines Bell's proposal for broadband services to the Region of Niagara.

Referred for consideration with the CFS minutes.

C6027 City of Welland resolution to petition the Minister of Municipal Affairs and Housing, to amend the Municipal Act and that the Minister of Public Safety introduce new legislation dealing with fortification of lands.

Moved by Councillor Forster  
Seconded by Councillor Harry

That Communication C6027 be supported.

Carried.

C6028 City of St. Catharines resolution respecting the doctor shortage crisis and that the Provincial Government begin working aggressively to alleviate the present medical professional shortage.

Moved by Councillor Thomson  
Seconded by Councillor Eke

That Communication C6028 be supported.

Carried.

Councillor Davidson asked to be recorded as opposed to the foregoing motion.

C6029 Debbie M. Zimmerman, Regional Chair (December 4, 2002) respecting Resolutions from other Municipalities:

City of Windsor resolution (October 7, 2002) respecting the Ontario Energy Board to withdraw the approval granted to Union Gas Limited for a retroactive increase against all its customers.

Received.

C6030 Betty-Lou Souter, CEO, Community Care of West Niagara (November 22, 2002) expressing gratitude to the staff and Region of Niagara for being part of the media launch for the THINK FOOD project.

Received.

C6031 Copy of a letter to Mr. Doug Stones, Vice President, Finance, Canadian Shipbuilding and Engineering Ltd., (December 4, 2002) respecting their application for OSTAR funding and a request for a Regional partnership.

Received.

C6032 Association of Municipalities of Ontario Fax Memo (December 4, 2002) respecting the Provincial government proposing changes to Ontario's Hydro System through the introduction of Bill 210, the *Electricity Pricing, Conservation and Supply Act, 2002*. An information session will take place on Tuesday December 17, 2002.

Received.

Moved by Councillor Davidson  
Seconded by Councillor Muir

That Communications C6019 to C6032 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

### **PRESENTATIONS**

451. Niagara Regional Police Officers

Regional Chair Zimmerman and Councillor Muir, Chair, Niagara Regional Police Services Board, presented Certificates of Recognition to Officers from the Niagara Regional Police Force who, earlier this year, were awarded the Divisional Officer of the Year Award for their respective units. The awards, presented for exemplary efforts in the line of duty, were presented to Detective Sergeant Gregory Sartor, 11th Division; Constable Bradley Swan, 23 Division; Constable Todd McKinnon, Planning, Audit and Accreditation; Acting Staff Sergeant Joe Matthews, 23 Division; Constable Neal Orlando, 14 Division; Sergeant Joe Picton, 32 Division; Constable Michael Ticknovich, 22 Division; Constable David Brown, 32 Division; Constable James Robinson, 33 Division; Constable Michelle McEachern, Field Support Division. Chief Nicholls thanked Council for their support and recognition. Congratulations to all!

### **CORPORATE AND FINANCIAL SERVICES COMMITTEE**

452. Report 24-2002

Council Martin provided an update on the work of the Budget Review Committee.

A request to speak from Mr. John Carter with respect to the Niagara District Health Council, was referred to the Corporate and Financial Services Committee meeting next week on December 11

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report 24-2002, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, November 27, 2002, be approved and adopted.

Carried.

Moved by Councillor Collins  
Seconded by Councillor Martin

That Communications C6025 and C6026 with respect to Bell Canada's proposal to bring broadband services to the Region of Niagara, be received

Carried.

453.

**CONFLICTS OF INTEREST**

Councillor Andreychuk declared an indirect pecuniary interest with respect to Minute Item 302, Progress Report – Long-Term Care Redevelopment Projects, in Report CHS 20-2002, as his mother is a resident in Deer Park Villa, and he therefore took no part in the discussion of, or voting, on this matter.

Regional Chair Zimmerman declared an indirect pecuniary interest with respect to Minute Item 302, Progress Report – Long-Term Care Redevelopment Projects, in Report CHS 20-2002, as a relative is a resident in Deer Park Villa, and she therefore took no part in the discussion of, or voting, on this matter.

**COMMUNITY AND HEALTH SERVICES COMMITTEE**

454. Report 20-2002

Moved by Councillor Hildreth  
Seconded by Councillor Bentley

That Report 20-2002, being the minutes of the Community and Health Services Committee meeting of Monday, November 25, 2002, be approved and adopted.

Carried.

**PLANNING SERVICES COMMITTEE**

455. Report 19-2002

Moved by Councillor Beamer  
Seconded by Councillor Burroughs

That Report 19-2002, being the minutes of the Planning Services Committee meeting of Wednesday, November 27, 2002, be approved and adopted.

Carried

PUBLIC WORKS AND UTILITIES COMMITTEE

456. Report 24-2002

Moved by Councillor Badawey  
Seconded by Councillor Redekop

That Report 24-2002, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, November 26, 2002, be approved and adopted.

Carried.

457. Report 25-2002

Moved by Councillor Badawey  
Seconded by Councillor Redekop

That Report 25-2002, being the minutes of a special meeting of the Public Works and Utilities Committee of Thursday, December 5, 2002, be approved and adopted.

Carried.

458. Tender Award for Contract RN 02-58

Moved by Councillor Badawey  
Seconded by Councillor Redekop

That Report PWA 217-2002, respecting Tender Award for Contract RN 02-58, DeCew Water Treatment Plant 22,7 ML Reservoir Rehabilitation, in the City of St. Catharines, and the recommendations contained therein, be approved and adopted.

Carried.

459.

MOTION

Councillor Brickell, with leave of Council, presented the following motion for consideration.

Moved by Councillor Brickell  
Seconded by Councillor Muir

WHEREAS in 2001, 66,994 missing child reports were made to Canadian police agencies; and

WHEREAS 387 of these reports were classified as parental abductions; and

WHEREAS 48 of these reports were classified as stranger abductions; and

WHEREAS, when abducted, a child's greatest enemy is time; and

WHEREAS the Amber Alert System, created in 1996 as a powerful legacy to 9-year old Amber Hagerman, who was kidnapped while riding her bicycle and later brutally murdered in Arlington, Texas, has proven to be successful and cost effective; and

WHEREAS the Province of Alberta has recently announced the launch of this system in Alberta.

NOW THEREFORE BE IT RESOLVED that the Regional Municipality of Niagara call upon the Province of Ontario to implement a province-wide Amber Alert System; and

THAT this resolution be forwarded to AMO, FCM and Police Services Boards across Ontario for their support.

Unanimously Carried.

### **OTHER BUSINESS**

460. Renaming of Committee

Councillor Timms highlighted the renaming of the Welland Canals Parkway and Trails Committee to the Greater Niagara Circle Route Committee, and thanked Council and Committee for their continuing support. He expressed special appreciation to Councillors Gabriel and Marshall.

### **BY-LAWS**

461. Moved by Councillor Collins  
Seconded by Councillor Beamer

That the following bill be now read and do pass:

Bill 134

A by-law to establish Lots 43 and 44, City Plan 117, in the City of St. Catharines as part of Regional Road No. 83 (Carlton Street)

Bill 135

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 5<sup>th</sup> day of December 2002 .

Carried.

### **ADJOURNMENT**

The Council adjourned at 8:55 p.m.

Debbie Zimmerman  
Regional Chair

Pam Gilroy  
Deputy Clerk

Thomas R. Hollick  
Regional Clerk