

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 1-2003

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, January 23, 2003 commencing at 6:30 p.m.

ATTENDANCE

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

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

Staff

(Part-time): Messrs. Banting, Director, Legal Services; Brcic, Director, Water & Wastewater Services; Ms. Hepplewhite, Manager, Records Management; Mr. Robson, Director, Corporate Strategy; Ms. Staines, Chair, CERT; Mr. Ventresca, Director, Seniors Services.

CLOSED SESSION

1. Moved by Councillor Muir
Seconded by Councillor Eke

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

2. Moved by Councillor Martin
Seconded by Councillor Harry

That this Council do now rise without report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:15 p.m. with an Invocation by Councillor Badawey followed by the singing of O' Canada.

ADOPTION OF THE AGENDA

3. Moved by Councillor Collins
Seconded by Councillor McMullan

That the time allowed for the presentation on the "Nations in Bloom 2002" be extended to approximately 20 minutes.

Carried.

Moved by Councillor Burroughs
Seconded by Councillor Davidson

That Council Agenda CL 1-2003 January 23, 2003, be adopted as amended, with an extension to the time allowed for the presentation on "Nations in Bloom 2002".

Carried.

4. **CONFLICTS OF INTEREST**

Councillor Partington declared an indirect pecuniary interest with respect to item 11, contained in Community and Health Services Committee Report CHS 1-2003 and item 4, contained in Human Resources Committee Report HR 1-2003, regarding Staffing Enhancement – Population Health Division, as his spouse is employed by the Public Health Department, and he therefore took no part in the discussion of or voting on these matters.

Councillor Nicholson declared an indirect pecuniary interest with respect to item 6, contained in Planning Services Committee Report PS 1-2003, regarding Withdrawal of Appeal of Three Condominium Conversions, City of Niagara Falls, and item 10 in Public Works and Utilities Committee Report PW 1-2003 and item 10 in Corporate and Financial Services Committee Report CFS 1-2003 regarding Tender Award for Contract RN. 02-59 (Stanley Ave.), as they are clients and item 9, contained in Planning Services Committee Report PS 1-2003 regarding Development Proposals, as he has an interest in an application and he therefore took no part in the discussion of or voting on these matters.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters related to Seniors Homes as he is employed by a Seniors Home and item 24 contained in Public Works and Utilities Committee Report PW 1-2003, as a member of his family is employed by Port Cares 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 item 11 contained in the Community and Health Services Committee Report CHS 1-2003, as she is employed by the Ontario Nurses Association and she therefore took no part in the discussion of or voting on this matter.

Chair Zimmerman declared an indirect pecuniary interest with respect to any matters relating to Deer Park Villa as a member of her family is a resident there and she therefore took no part in the discussion of or voting on this matter.

5. **CHAIR'S REMARKS**

The Chair thanked Jeffrey Greenhouses of St. Catharines for the donation of the beautiful Cyclamen Plants displayed in the Chamber.

Councillors were invited to attend the Bi-National Economic Roundtable Partnership event where discussions will be held regarding the recommendations from a report, which focuses on knowledge, infrastructure, borders and economic development. It will be held at the Adams Mark Hotel in Buffalo on Tuesday, January 28th from 10:00 a.m. to 12:00 p.m.

6. **REGIONAL CHAIR – STATE OF THE REGION ADDRESS**

Debbie Zimmerman, Regional Chair, presented a "Blueprint for Niagara" highlighting the Region's accomplishments in the past year and the future challenges and opportunities that are forthcoming. The Chair provided an overview of the five goals established by Council within its Business Plan for 2001 to 2003. Those goals are: Optimal Access to the Niagara Region through Sustainable Physical/Technical Infrastructure; Balanced Planned Land Use; Sustainable Healthy, Living Environment through Environmental Stewardship; Affordable Service Excellence and Satisfying Work; and Healthy, Safe and Productive Communities. Chair Zimmerman highlighted the many activities and work completed to date towards achieving those goals. The Regional Chair expressed her appreciation to staff for their dedication and hard work to provide quality services to the public and to Regional Councillors for their support, work and contribution over the past year.

APPROVAL OF MINUTES

7. Report 3-2002

Moved by Councillor Marshall
Seconded by Councillor Partington

That Report 3-2002, being the minutes of the Committee of the Whole meeting of Thursday, December 19, 2002, be approved and adopted.

Carried.

8. Report 20-2002

Moved by Councillor McMullan
Seconded by Councillor Timms

That Report 20-2002, being the minutes of the Proceedings of the Council meeting of Thursday, December 19, 2002, be approved and adopted.

Carried.

9. Report 1-2003

Moved by Councillor Muir
Seconded by Councillor Davidson

That Report 1-2003, being the minutes of the Committee of the Whole meeting of Thursday, January 16, 2003, be approved and adopted.

Carried.

10. **CORRESPONDENCE**

Communications were received and dealt with as follows:

C6040 Debbie M. Zimmerman, Regional Chair (January 7, 2003)
respecting Resolutions from other Municipalities:

City of Kingston resolution (December 4, 2002) respecting the Ontario Government to restore and renew public power and privatization and deregulation of the electricity market.

Received.

Municipality of West Elgin resolution (January 7, 2003) that all rural school closings be stopped and that the province recommit to adequate funding of education and a process be established where broader social costs are considered and quantified before decisions are made to close rural schools.

Received.

- C6041 City of Welland resolution (December 19, 2002) urging the Minister of Health and Long Term Care to suspend further review of physicians by the Medical Review Committee pending a negotiated agreement with representatives of all physicians.

Received and Supported.

- C6042 E-Mail of thanks from Mervyn, David and Mark Cripps (January 10, 2003) for the kind donation to the Canadian Cancer Society in memory of Jacqueline (Jacquie) Cripps, a retired employee of Linhaven.

Received.

- C6043 Card of thanks from Regional Councillor Jill Hildreth, husband Martin Hildreth and family for the floral tribute and donation to the West Lincoln Memorial Hospital in memory of her father-in-law Murray Hildreth.

Received.

- C6044 Letter from Robert S. MacIsaac, Mayor, City of Burlington (December 20, 2002) respecting the Town of Niagara-on-the-Lake's Resolution (Increasing LCBO's Shelf Space for VQA Wines) and a meeting with the Ontario Tender Fruit and Grape Marketing Board.

Received.

- C6045 Ross Snetsinger, Chair, Rail Ways to the Future Committee (January 11, 2003) respecting the Town of Fort Erie resolution and the railway/transportation situation in general in Ontario and the Canada Southern Railway crisis.

--Received.

Moved by Councillor Partington
Seconded by Councillor Marshall

That Communications C6040 to C6045 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

PRESENTATIONS

11. CERT Awards

The Regional Chair, together with Councillor Nicholson, Chair, Human Resources Committee, presented the "Recognition of Excellence" Award to Terri Fedorchuk of Linhaven and to Shelley Biro of Gilmore Lodge. Betty Staines, Chair, CERT, was in attendance to provide background information on the accomplishments of the recipients. Regional Star Awards were also awarded to Dave Bell, Guy Chimenti, Ken Noble and Curtis Terryberry from Public Works Transportation Services Division. Doug Cosby, a Supervisor of Road Operation, Welland Patrol Yard, also received a Regional Star. The Excellence Awards Program was approved by Council and launched in January 2001 in keeping with Council's Business Plan of "Affordable Service Excellence and Satisfying Work". It was noted that during 2002, Council formally recognized seventeen employees and two teams.

12. Canadian Red Cross Update on Programs and Changes within the Region of Niagara

Ms. Denise Stone, Manager, The Canadian Red Cross Society, attended to provide an update on the programs of the Red Cross within the Region of Niagara, and the changes being made to streamline their operations. Programs provided by the Red Cross include: Training courses for emergency and standard first aid; CPR and basic life support; Babysitters; ChildSafe; PeopleSavers; Preventing Disease Transmission and Marine Basic and Advance First Aid Training. A new and important initiative of the Red Cross is "Be Prepared Not Scared", an emergency preparedness program which will assist those faced with natural disasters that could include floods or tornadoes; technological or environmental accidents, such as chemical spills; or service disruptions, such as power failures during the winter. The Canadian Red Cross, while closing satellite offices to streamline their operations, will continue to provide these valuable services through their branch at 99 Merritt Street in St. Catharines.

13. Nations in Bloom 2002

Councillor Mark Brickell, Patrick Robson and Don Hetherington attended to provide the presentation on Nations in Bloom 2002, which was presented in Stuttgart, Germany at the International Awards for Liveable Communities. The presentation highlighted Niagara's management of its Heritage and preservation of Natural Resources, History and Culture; Recreationally based celebrations; Enhanced Landscaping; Environmentally Sensitive Planning; and the Smarter Niagara Initiatives and Planning for the Future. The Region of Niagara was the recipient of the Nations In Bloom 2002 Silver Award and further honoured by being asked to host the event in 2004.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

14. Report 1-2003

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 1-2003, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, January 15, 2003, be approved and adopted.

Carried.

COMMUNITY AND HEALTH SERVICES COMMITTEE

15. Report 1-2003

Moved by Councillor Hildreth
Seconded by Councillor Davidson

That Report 1-2003, being the minutes of the Community and Health Services Committee meeting of Monday, January 13, 2003, be approved and adopted.

Moved by Councillor Timms
Seconded by Councillor Eke

That Report PHD 02-2003, January 13, 2003, regarding Artificial Tanning Campaign Launched, be lifted and referred to staff for further information.

Moved by Councillor Forster
Seconded by Councillor Collins

That the question be put.

Carried.

Upon a vote being taken, the Regional Chair declared the motion to refer Report PHD 02-2003, Artificial Tanning Campaign Launch, to staff, was defeated.

Upon a vote being taken, the Regional Chair declared the original motion on Report 1-2003, being the minutes of the Community and Health Services Committee meeting of Monday, January 13, 2003, was carried.

(Refer to staff direction.)

HUMAN RESOURCES COMMITTEE

16. Report 1-2003

Moved by Councillor Nicholson
Seconded by Councillor Andrychuk

That Report 1-2003, being the minutes of the Human Resources Committee meeting of Tuesday, January 14, 2003, be approved and adopted.

Carried.

PLANNING SERVICES COMMITTEE

17. Report 1-2003

Moved by Councillor Smeaton
Seconded by Councillor Beamer

That Report 1-2003, being the minutes of the Planning Services Committee meeting of Wednesday, January 15, 2002, be approved and adopted.

Carried

(Refer to staff directions.)

PUBLIC WORKS AND UTILITIES COMMITTEE

18. **Report 1-2003**

Moved by Councillor Badawey
Seconded by Councillor Harry

That Report 1-2003, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, January 14, be approved and adopted.

Carried.

(Refer to staff direction.)

OTHER BUSINESS

19. **Media Release – Non-Smoking Week**

Councillor Eke highlighted the media release with respect to non-smoking week and recommended that this information be brought forward when dealing with the Smoking By-law in May of this year so that friends and families can use this information to support those that may need help to quit smoking.

20. **Council Business Plan**

Chair Zimmerman advised that a number of dates will be presented to Councillors to consider a meeting(s) some time in March to discuss Business Strategies/Budget Issues and other pertinent issues.

BY-LAWS

21. Moved by Councillor Redekop
Seconded by Councillor Timms

That the following bill be now read and do pass:

Bill 01

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 23rd day of January, 2003

Carried.

22. Moved by Councillor Saracino
Seconded by Councillor Martin

That the following bills be now read and do pass:

Bill 02

A by-law to establish part of Lot 73, Plan 329, in the City of Niagara Falls as part Regional Road No. 102 (Stanley Avenue)

Bill 03

A by-law to close and convey part of Regional Road No. 70 (Mountain Road) in the City of Niagara Fall

Bill 04

A by-law to add a portion of a lower-tier highway top the Region's highway system and to establish part of the road allowance between Township Lots 31 and 32, 48 and 49 and 50 and 51 and part of Township Lot 51 in the City of Niagara Falls as part of Regional Road No. 70

Bill 05

A by-law to establish part of Block F, Plan 717 in the Town of Pelham as part of Regional Road No. 36 (South Pelham Street)

Bill 06

A by-law to authorize debenture financing (not exceeding 10 years) in the amount of \$975,000 for Parent Project ZRC9922, rehabilitation of Regional Road 102 (Stanley Avenue), Murray Hill to McLeod Road, City of Niagara Falls

Carried.

STAFF DIRECTIONS

That staff be directed to:

- (i) Review the reporting protocol for all Standing Committee Reports, including information related to "fiscal implications and "mandatory/non-mandatory" reporting. (CHS minute item 9.)
- (ii) Review the levels of service for waste pickup as they relate to the various classes of property (such as multi-residential rental, condominiums, etc.) to develop a level of fairness – that this issue be referred to Public Works and the Smarter Niagara Steering Committee (PS minute item 3 (Smart Growth Initiatives.)
- (iii) Circulate a copy of the presentation regarding "Swamp Project for Sewage Treatment" to all members of Council. (PW minute item 3.)

ADJOURNMENT

The Council adjourned at 9:35 p.m.

Debbie Zimmerman
Regional Chair

Gail Reilly
Legislative Assistant

Pamela Gilroy
Regional Deputy Clerk