

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 10-2003

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, June 19, 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, Konkle, Marshall, Martin, McMullan, Nicholson, Partington, Redekop, Rigby, Saracino, Thomson, Timms, Trombetta.

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

233.

CLOSED SESSION

Moved by Councillor Burroughs
Seconded by Councillor Harry

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.

234.

CONFLICT OF INTEREST

Councillor Brickell declared an indirect pecuniary interest with respect to the ambulance RFP as he is running as a candidate for the Provincial election, representing the party currently in power, and he therefore vacated the Council Chamber, and took no part in the discussion of, or voting, on this matter.

Councillor Badawey declared an indirect pecuniary interest with respect to the Port Colborne contaminated soil matter, as he is Mayor of the City of Port Colborne, another party named in the litigation, and he therefore vacated the Council Chamber, and took no part in the discussion of, or voting, on this matter.

235. Proposed Lease of Space
Casino Patrol Unit
City of Niagara Falls

Moved by Councillor Badawey
Seconded by Councillor Konkle

That Report PWA 100-2003, respecting Proposed Lease of Space, Casino Patrol Unit, City of Niagara Falls, be received and the recommendations contained therein be approved.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

236. Moved by Councillor Burroughs
Seconded by Councillor Rigby

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:05 p.m. with an Invocation by Councillor Saracino, followed by the singing of O' Canada.

237. **CONFLICTS OF INTEREST**

Councillor Saracino declared an indirect pecuniary interest with respect to Report CSD 84-2003/HR 24-2003 respecting Proposed 2004 OMERS Contribution Rates and Budget Impact, as he is a long term member of the OMERS Plan and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Timms declared an indirect pecuniary interest with respect to any matters related to Development Charges, as his family has an interest in a development company, and he therefore took no part in the discussion of, or voting, on these matters.

Councillor Gabriel declared an indirect pecuniary interest with respect to any matters related to the Casino as his spouse is an employee of the Casino and he therefore took no part in the discussion of, or voting, on these matters.

Councillor Partington declared an indirect pecuniary interest with respect to Community and Health Services Committee report respecting the Youth Connection School Team, as his spouse is a Director in the Public Health Department administrating that program, 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 the Public Works & Utilities Committee report respecting Project to Develop Sustainable Infrastructure to Generate Green Energy and Report PWA 92-2003 respecting Port Weller Digester Gas Co-Generation Pilot Project, as he is a Director of St. Catharines Hydro and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Nicholson declared an indirect pecuniary interest with respect to Report DPD 82-2003, Consent Summary, as one of the applicants is a client, 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 relating to Social Housing, as a family member is a Director of a Housing Corporation and any matters related to hydro generation as he is a Director of Pt. Colborne Hydro 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 any matters related to the Ontario Nurses Association (ONA) as she is an employee of ONA, and she therefore took no part in the discussion of, or voting, on these matters.

ADOPTION OF THE AGENDA

238. Moved by Councillor McMullan
Seconded by Councillor Trombetta

That Margaret Walton's presentation on the Agriculture Economic Impact Study be allowed to exceed the 10 minute restriction for presentations.

Carried.

239. Moved by Councillor Rigby
Seconded by Councillor Trombetta

That Council Agenda CL 10-2003, be adopted as amended.

Carried.

240.

CHAIR'S REMARKS

The Chair thanked the many growers throughout the Region for the bountiful donation of vegetables and plants displayed in the Council Chamber. She also thanked the Niagara Economic and Tourism Corporation for coordinating the delivery of the array of agricultural products and the Clerk's Department staff for setting up the display.

The Chair congratulated Councillor Bob Saracino who celebrated a milestone birthday yesterday – his 65th.

The Chair announced that Ashley Brown, a student at Ridgeway-Crystal Beach Secondary School has been chosen to participate in a trade mission to Mexico with Junior Team Canada. Her goal is to sell Niagara's wines and to secure contracts to export our wines to Mexico.

The Chair thanked Mayor Rigby and the City of St. Catharines for hosting the International Great Lakes Mayors Association Conference this week. The Chair participated as a panel member with Mayors Rigby, Badawey and Burroughs to speak about Waterfront Restoration in the Region. David Suzuki was the keynote speaker and stressed the importance of Nature Challenge and the Chair will be bringing an initiative forth to Council in the near future.

Mayor Redekop and the Chair challenged each other last Saturday to a 5 km race in Fort Erie. All in good fun, since she crossed the finish line after Mayor Redekop, she made a \$100 donation in the Mayor's name to the Fort Erie "Y".

Congratulations to Mayor Harry who held his first annual charity golf tournament Wednesday. Fun was had by all, and \$8,000 was raised for Easter Seals Children's Campground.

APPROVAL OF MINUTES

241. Report 9-2003

Moved by Councillor Harry
Seconded by Councillor Burroughs

That Report 9-2003, being the minutes of the Proceedings of the Council meeting of Thursday, June 5, 2003, be approved and adopted.

Carried.

242.

CORRESPONDENCE

Moved by Councillor Nicholson
Seconded by Councillor Saracino

That Communication C6112 from Scott Wilson, Secretary-Treasurer, (AMO) Association of Municipalities of Ontario (June, 2003) requesting nominations to the 2003-2004 AMO Board of Directors, be received; and

That Councillor Michael Collins be nominated and the formal nomination form be filed to declare his candidacy.

Carried.

Communications were received and dealt with as follows:

C6108 Copy of a letter to the Honourable David Young, Minister of Municipal Affairs and Housing (June 6, 2003) from Regional Chair Zimmerman respecting a "made in Niagara" solution to ensure the future viability of agriculture in Niagara.

--Received.

C6109 Anthony Tirabassi, M. P. Niagara Centre, (June 9, 2003) expressing appreciation to the Regional Chair, Members of Council and staff for kindness and thoughtfulness during the recent period of sorrow with the passing of his father, Cesidio (Chester) Tirabassi.

--Received.

C6110 Debbie M. Zimmerman, Regional Chair (June 13, 2003) respecting Resolutions from other Municipalities.

The Corporation of the County of Grey encouraging the senior levels of Government to take immediate action to show financial support to mitigate the negative impact on the live stock industry and related industries.

--Received.

The Corporation of the Municipality of Central Elgin requesting the federal and provincial governments to avoid election calls when a municipal election is being held.

--Received.

The Corporation of the Town of Techumseh petition Emergency Measures Ontario to amend the requirement for each municipality to perform a community hazard identification and risk assessment; achieve the Essential Program standards as defined in the Framework of Community Emergency Management Programs and adopt an Emergency Management Program By-law from April, 2004 to December 31, 2004.

--Received.

C6111 Card of thanks from Ruth Kramer, an employee of the Community Services Department, and family for the kind donation to the Heart and Stroke Foundation of Ontario in memory of her mother, Geraldine Noyes.

--Received.

C6113 Card of thanks from Brian Hodgkins, an employee of the Public Works Department, and family for the kind donation to the Dreams to Memories Foundation in memory of his brother Steven Hodgkins.

--Received.

C6114 Kim Phillips, City Clerk, City of Burlington (June 2, 2003) advising that the City of Burlington is going to launch legal action concerning the Mid Peninsula Transportation Corridor Environmental Assessment Process.

--Received.

243. Moved by Councillor Konkle
Seconded by Councillor Davidson

That Communications C6108 to C6111 and C6113 and C6114, be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

PRESENTATIONS

244. 2003 Friendship Festival

Councillor Martin invited members of Council and the Public to attend the Loch Sloy Highland Games to be held at the race track in Fort Erie on Saturday, June 21st, 2003. There will be over 45 pipe bands including games and Highland and Irish dancers for everyone to enjoy. He commented that this event is the kick-off to the Friendship Festival and introduced Mr. Sevcik and Ms. LeBlanc, representatives of the Festival.

Mr. Dave Sevcik, Board President and Tracy LeBlanc, General Manager of the Friendship Festival, attended to outline the events that are taking place at the Friendship Festival July 1 - 6, 2003 which is a celebration of the peaceful relationship between Southern Ontario and Western New York. Mr. Sevcik outlined some of the financial challenges facing the festival, in particular, a \$240,000 decrease in bingo revenues. Mr. Sevcik advised that approximately 150,000 persons have attended the festival which brought \$8.5 million to the Region. He urged everyone to attend and presented the Friendship Flag to the Region to display at its Headquarters during the week of the Festival.

245. Niagara Children's Water Festival Posters

Mr. Neville, Commissioner of Public Works, provided a presentation apprising Council of the Niagara Children's Water Festival Poster Contest held during Public Works Week. Awards were presented in three age categories, a winner and runner up in each and there were two grand prize winners – one for the Water Quality Strategy and one for the Niagara Children's Water Festival. The contest was intended to increase children's awareness of water-related issues, the Niagara Water Quality Protection Strategy and the Children's Festival. The Niagara Children's Water Festival will be held at Balls Falls Sept. 15 – 18 for grades 3 and 4 and 3,500 children have registered to date.

246. Agricultural Economic Impact Study

Margaret Walton, LANDSCAPE, attended to provide an overview of the Agricultural Economic Impact Study. The purpose of the study was to assess the nature of agriculture in Niagara. A steering committee, comprised of representatives from the agricultural community and the Region of Niagara, was established to oversee the study. The study confirms that agriculture is of tremendous importance to the Niagara economy both directly and indirectly with a total impact across all sectors of the Niagara economy of \$1.8 billion. The new study emphasizes agriculture's contribution to the Region:

- Diversity of agriculture by farm receipts: Greenhouse – 43%, grape and tender fruit - 19%, poultry and egg – 18%, nursery – 5%, dairy – 5%, other 10%.
- Annual economic impact: \$400 million direct sales, \$562 million indirect sales, \$832 million induced sales.
- Niagara farms are the most productive in the province with average gross farm receipts at \$2,200/acre.
- Niagara has a competitive advantage in attracting growth in the food and beverage manufacturing sector.
- A market of 120 million people accessible within a day's drive of Niagara is a vital factor of the agricultural and related industries.

The face of agriculture is changing. Innovative practices are leading to new products and improvements in traditional sectors. Increasing interest in innovative food and natural products, particularly in urban areas, is opening new markets and opportunities. Niagara is already positioned as a leader in the agricultural sector and the unique products of Niagara are known and valued.

Moved by Councillor Beamer
Seconded by Councillor Hildreth

That the presentation from Margaret Walton, PLANSCAPE, and the report on the Agricultural Economic Impact Study, be received and forwarded to the Region's Long-Term Agricultural Stability Task Force Committee, the Smarter Niagara Committee, and to the Planning Services Committee for consideration.

Carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

247. Report 11-2003

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 11-2003, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, June 11, 2003, be approved and adopted.

Carried.

248. Moved by Councillor Thomson
Seconded by Councillor Trombetta

That the Planning Services Committee Report be moved forward on the agenda to be dealt with by the Council at this time.

Carried.

PLANNING SERVICES COMMITTEE

249. Report 12-2003

Moved by Councillor Beamer
Seconded by Councillor Haeck

That Report 12-2003, being the minutes of the Planning Services Committee meeting of Wednesday, June 11, 2003, be approved and adopted.

Carried.

COMMUNITY AND HEALTH SERVICES COMMITTEE

250. Report 11-2003

Moved by Councillor Hildreth
Seconded by Councillor Davidson

That Report 11-2003, being the minutes of the Community and Health Services Committee meeting of Monday, June 9, 2003, be approved and adopted.

Moved by Councillor Timms
Seconded by Councillor Eke

That Report PHD 41-2003, respecting Youth Connection School Team – Program Update in Relation to: Recommendations of Regional Council’s Ad Hoc Committee for the Review of the Mandatory and Non-Mandatory Program Delivery to Schools, be referred to members of that Committee for information.

Carried.

Upon a vote being taken, the original motion, as amended, was carried.

HUMAN RESOURCES COMMITTEE

251. Report 5-2003

Moved by Councillor Nicholson
Seconded by Councillor Andrychuk

That Report 5-2003, being the minutes of the Human Resources Committee meeting of Tuesday, June 10, 2003, be approved and adopted.

Carried.

(Refer to staff direction on page CL 122.)

PUBLIC WORKS AND UTILITIES COMMITTEE

252. Report 12-2003

Moved by Councillor Badawey
Seconded by Councillor Redekop

That Report 12-2003, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, June 10, 2003, be approved and adopted.

Carried.

(Refer to staff directions on page CL 122.)

RESHAPING THE COUNCIL OF REGIONAL NIAGARA COMMITTEE

253. RCRN 1-2003

Moved by Councillor McMullan
Seconded by Councillor Saracino

That Report RCRN 1-2003, June 19, 2003, respecting Report of the Committee on Reshaping the Council of Regional Niagara, be received.

That the Mayors of each municipality continue to serve as members of Council:
and

That the composition and election of the remaining members of Council be as currently exists; and

That this report be forwarded to the new Council in the early months of the next term; and

That the Committee on Reshaping the Council of Regional Niagara be dissolved.

Carried.

254. Reports 3-2003 and 4-2003

Moved by Councillor McMullan
Seconded by Councillor Saracino

That Report 3-2003 being the minutes of the Reshaping the Council of Regional Niagara Committee meeting of Tuesday, May 27, 2003, and Report 4-2003, being the minutes of the Reshaping the Council of Regional Niagara Committee of Tuesday, June 10, 2003, be approved and adopted.

Carried.

255. **CHIEF ADMINISTRATIVE OFFICER**

Mike Trojan, C.A.O., invited members of Council to attend the Region's Leadership Roundtable, to be held at Hernder Estate Wines, to observe the Region's 30 graduates of the Leadership Program, who will be presenting their work projects and business cases.

MOTIONS

256. Employment Insurance Eligibility

Moved by Councillor Thomson
Seconded by Councillor Burroughs

WHEREAS there have been a number of external factors that have affected this year's tourism season in Ontario, SARS being the major example; and

WHEREAS the Niagara Region is very dependent on tourism for our local economy; and

WHEREAS we are one of the major gateways for foreign visitors to Canada; and

WHEREAS this season, many tourism operators have had to cut back on anticipated staff or not call back their seasonal workers; and

WHEREAS many local residents in the tourism sector depend on Employment Insurance to bridge the gap between the tourism seasons; and

WHEREAS local residents will no be able to attain the requisite number of insured hours required to qualify for Employment Insurance benefits;

THEREFORE IT BE RESOLVED that a letter be forwarded to the Federal Government indicating that due to the events that have affected the local Tourism Industry and the impact on the industry's workers, that the Federal Government be requested to reduce the number of weeks required for Employment Insurance eligibility.

Carried.

OTHER BUSINESS

257. Poultry Fest
Councillor Trombetta invited Council and the public to attend the 4th Annual Poultry Fest to be held in Smithville on June 28, 2003. Pamphlets were distributed outlining the many activities.
258. "Go" Buses in Niagara
Councillor Hildreth expressed her concerns on the proposal that "GO" Buses will be coming to Niagara. She commented that Greyhound and Treadway run buses daily from Niagara to Toronto return and that these buses are not filled to capacity. Councillor Hildreth asked if the taxpayer will be burdened with these costs and that consideration should be given to subsidizing the private companies. Staff was asked to provide further information on this matter.
259. Strawberry Festival
Councillor Hildreth invited everyone to attend the Strawberry Festival this weekend held in Lincoln.
260. Mayors Great Lakes Conference
Councillor Rigby commended and thanked the Standard for their comprehensive coverage of the recent Mayors Great Lakes Conference.

BY-LAWS

- 261 Moved by Councillor Marshall
Seconded by Councillor Partington

That the following bills be now read and do pass:

Bill 55

A by-law to establish blocks 61, 62 and 63, Plan 30M-319, in the Town of Grimsby as part of Regional Road No. 81 (Main Street West)

Bill 56

A by-law to provide for the adoption of Amendment 171 to the Official Plan for the Niagara Planning Area to permit a church and rectory east of Boyle Road and North of Canboro Road in the Township of West Lincoln

Bill 57

A by-law to provide for the adoption of Amendment 176 to the Official Plan for the Niagara Planning area to permit a Church in an Agricultural Area near Grassie in the Town of Grimsby

Bill 58

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 19th day of June, 2003

Carried.

262. Moved by Councillor Rigby
Seconded by Councillor Brickell

That Bill 59 be now read and do pass.

Carried.

STAFF DIRECTION

That staff be directed to:

- (i) Prepare a report on OMERS' past and current investment activities and policies. (HR Minute item 41.)
- (ii) Prepare a report on budget reductions, strategy, capital project priority ranking and criteria to assess projects. Prepare a report on essential services versus non-essential services. (From discussion regarding PWC 31-2003 re: road projects.)
- (ii) Post the mid-term study on solid waste disposal on the website.
- (iv) Refer the matter of the City of Burlington's concerns regarding the Mid Peninsula Corridor with the recommendation that the Chair write a letter to the Federal Government requesting a parallel environmental assessment to the province's environmental assessment to the Transportation Steering Committee. (Communication C6114.)

ADJOURNMENT

The Council meeting adjourned at 10:00 p.m.

Debbie Zimmerman
Regional Chair

Gail Reilly
Legislative Assistant

Thomas R. Hollick
Regional Clerk