

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 14-2003

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Wednesday, October 1, 2003 commencing at 4:05 p.m.

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Cambray, Commissioner of Planning and Development; Neville, Commissioner of Public Works; Nicol, Commissioner Human Resources Department; Ventresca, Director, Senior Services, Community Services; Dr. Klooz, Associate Commissioner of Public Health; Ms. Gilroy, Deputy Regional Clerk; Ms. Pilon, Legislative Assistant.

Other: Ms. Staines, Chair, Corporate Employee Recognition Team, Mr. Robson, Director, Corporate Strategy.

355. **CLOSED SESSION**

Moved by Councillor Collins
Seconded by Councillor Bailey

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

356. Moved by Councillor Burroughs
Seconded by Councillor Hildreth

That this Council do now rise with no report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 4:15 p.m. with an Invocation by Councillor Timms, followed by the singing of O' Canada.

357. **CONFLICTS OF INTEREST**

Councillor Nicholson declared an indirect pecuniary interest with respect to the matter of DPD 111-2003, September 24, 2003, Official Plan Amendment 49, Proposed Tourist Commercial Parking Lot in the City of Niagara Falls, Planning Services Committee Report 16-2003, Minute Item # 214, as Councillor Nicholson has an interest in a property on Dunn Street; therefore he took no part in discussion of or voting on this matter.

358. **ADOPTION OF THE AGENDA**

Moved by Councillor Muir
Seconded by Councillor Eke

That Council Agenda CL 14-2003, be amended by bringing forward Report CAO 18-2003, respecting the Council and Committee Structure – Proposed Changes and the motion brought forward by Councillor Timms respecting the formation of a separate Public Health Department Standing Committee following the scheduled Presentations.

Carried.

359. Moved by Councillor Timms
Seconded by Councillor Beamer

That Council Agenda CL 14-2003, be approved as amended.

Carried.

360. **CHAIR'S REMARKS**

The Regional Chair thanked Cara Nurseries of St. Catharines and Dykstra Landscaping and Greenhouses of St. Catharines for the Chrysanthemums for the Council meeting.

The Regional Chair congratulated the Grape and Wine Festival and Food Festival organizers and participants on two successful events, where an enjoyable time was had by all.

The Regional Chair extended congratulations to those on Council who received acclamations, Mayor Burroughs, Mayor Harry, Councillor Saracino and Councillor Eke.

The Regional Chair noted that she would be providing commentary on the Provincial Election as the results come in on CKTB October 2, 2003.

The Regional Chair extended the best of luck to Mayor Badawey and Councillor Brickell on October 2, 2003.

The Regional Chair updated Council on the distribution of the Agricultural Task Force discussion paper titled "Securing a Legacy for Niagara's Agricultural Land - A Vision from One Voice" to the local municipalities for review and comment. The Regional Chair thanked the Committee for preparing the paper and Councillors Beamer, Hildreth and Konkle for their participation.

The Regional Chair advised Council of the Roundtable discussion held October 1, 2003 with Canadian Ambassador Kergin hosted by Canadian Consul General, Roger Marsham, to discuss Border issues.

APPROVAL OF MINUTES

361. Report 13-2003

Moved by Councillor Harry
Seconded by Councillor Burroughs

That Report 13-2003, being the minutes of the Proceedings of the Council meeting of Thursday, September 18, 2003 be approved and adopted.

Carried.

CORRESPONDENCE

362. Communications were received and dealt with as follows:

C6154 Debbie M. Zimmerman, Regional Chair (September 26, 2003) respecting Resolutions from other Municipalities.

The Corporation of the Township of Wilmot resolution (August 13, 2003) respecting the AMO Member Alert relative to the concern about rising insurance premiums.

Received.

C6155 Card of thanks from Regional Councillor Christel Haeck for the notes of condolence, flowers and kind donation to the Heart and Stroke Foundation of Ontario in memory of her mother Gertrude Frieda Haeck.

Received.

C6156 Card of thanks from Gary Hardy, Tourism Manager, Niagara Economic and Tourism Corporation, and family for the kind donation to Help A Child Smile in memory of his father Henry Hardy.

Received.

C6157 Memorandum from Thomas R. Hollick, Regional Clerk (September 29, 2003) respecting the Transition Timetable for the Regional Council-elect.

Received.

C6158 Duncan Ross, Executive Director, Toronto Economic Development, Culture & Tourism (September 8, 2003) respecting a tourism action plan for the City of Toronto and working more closely key regional tourism partners.

Received.

C6159 Italia M. Gilberti, Barrister & Solicitor, Broderick and Partners (October 1, 2003) advising of their withdrawal to speak at council regarding DPD 111-2003, Niagara 21st Group Inc., Official Plan Amendment #49.

Received.

C6160 Glenn E. Barr, P.Eng., Barr Associates Neighbourhood Development Consultants (September 29, 2003) requesting an opportunity to speak at council if the matter of the Niagara Falls OP Amendment #49 to permit Proposed Parking Lot Ailanthis Avenue and Dunn Street, Niagara Falls is dealt with.

Received.

Moved by Councillor Konkle
Seconded by Councillor Muir

That Communications C6154 to C6160, be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

(Refer to Staff Directions)

PRESENTATIONS

363. Corporate Employee Recognition Team (CERT)
Awards of Excellence

Ms. Staines, Chair of the Corporate Employee Recognition Team (CERT) together with the Regional Chair, Councillor Nicholson and Mr. Trojan presented Sandra Legarde, with Regional Niagara's first Innovation award. Leadership awards were presented to Lynda Zavitz, Public Health; Denise Papaiz, Public Health; Gloria Morris, Public Health; Carol Rudel, Senior Services and Mary Lou Decou, Public Health. Marjorie Rossetto, Legal Services, was awarded the Customer Service award and Art Orlando was recognized for his Team Participation. The SDMT Team was recognized for their outstanding Team Participation.

364. Niagara Entrepreneur of the Year Awards – Tenth Anniversay

Mr. Doug Frazer, Co-Chair, extended an invitation to Regional Council to attend this year's Tenth Anniversary Gala Awards Dinner being held on October 24, 2003 at the Sheraton Fallsview Hotel and Conference Centre in Niagara Falls, tickets are \$75.00 each.

To celebrate the Niagara Entrepreneur of the Year Awards Tenth Anniversary, there will be a special Entrepreneur of the Decade Award presented to one of the following nominees: Laurence and Steven Cohen, Salit Steel a Division of Meyer Salit Ltd.; Keith Cumming, Prime Way Companies Ltd.; John Howard, Vineland Estates Winery; David Howes, Lincoln Fabrics Limited; Al, Bruno, Constantino and Piero Iafrate, Iafrate Machining Works; Dennis Parass, Handling Specialty; Anthony Rodeway, Aero-Safe Technologies Inc. or Norris and John Walker, Walker Holdings Limited.

CHIEF ADMINISTRATIVE OFFICER

365. Council and Committee Structure – Proposed Changes
CAO 18-2003

Mr. Robson provided Regional Council with a presentation respecting Report CAO 18-2003, Council and Committee Structure – Proposed Changes.

The report was prepared following Regional Council's direction during Council's strategy sessions held April 11 and May 8, 2003, for staff to explore alternative decision making structures to the current Council and Standing Committee structure.

Mr. Robson noted that the representative model (status quo) that was adopted in 1970 has only changed in regard to Regional Council's responsibilities and that the current method of making decisions acts as an impediment to Regional Council.

During the analysis, staff reviewed various options including the Status Quo (Option A); Three Standing Committees (Option B); Four Main Standing Committees: Economic Health, Environmental Health, Social Health, and Structure Transition Committee (to oversee change implementation) (Option C) and the Committee of the Whole system.

Mr. Robson noted that following the analysis the preferred model being recommended is Option C: Four Main Standing Committees: Economic Health, Environmental Health, Social Health, and Structure Transition Committee (to oversee change implementation) a sustainable community method, to allow Regional Council to adhere more closely to its role in 'steering' the Region's business, accommodates an increasing workload challenge for Councillors, and, promotes greater collaboration among subject expert-based disciplines.

Regional Council was advised that this was the first step in the process and gives Niagara a good basis to begin looking at an opportunity for making a change in the current Committee structure.

Several Regional Councillors congratulated staff for preparing an excellent report and noted that a change is necessary, however, concerns such as the length of the meetings, the impact on the taxpayers; operationally as well as to the administration or the corporation, will need to be addressed prior to making any changes in the current structure.

Moved by Councillor Rigby
Seconded by Councillor Partington

That the Council/Committee structure identified in Model C be approved in principle with a further report respecting the modeling of the proposed Council/Committee structure, including costs and examples from other municipalities.

Carried.

Moved by Councillor Rigby
Seconded by Councillor Partington

That Report CAO 18-2003, respecting the Council and Committee Structure – Proposed Changes, be received.

That the Council/Committee structure identified in Model C be approved in principle with a further report respecting the modeling of the proposed Council/Committee structure, including costs, examples from other municipalities; and

That Report CAO 18-2003, respecting the Council and Committee Structure – Proposed Changes, be referred to all Standing Committee for further discussion.

Carried.

MOTIONS

366. Public Health Department

Moved by Councillor Timms
Seconded by Councillor Eke

WHEREAS Public Health has been demonstrated as a very significant Public Service including Public Safety, Population Health, Health Protection and Promotion, Clinical Services and Chronic Disease Prevention, and Ambulance Services, and

WHEREAS the Regional Council is the Board of Public Health for Niagara, and

WHEREAS the Local Public Health Agencies and their Board Members have prescribed roles and responsibilities under the Public Health Act of Ontario, and

WHEREAS the Province has significantly increased the scope and mandate of local public health agencies since 1997, and

WHEREAS the Provincial Mandate has significantly increased the gross budget to \$36,541,934.00 and net budget to \$17,919,969.00 of Niagara Regional Public Health through both 50% Provincial funding and 50% requirement of the local taxes, and

WHEREAS the Niagara Regional Public Health now employs 282 People, before considering the Ambulance Service, and

THEREFORE BE IT RESOLVED that the Niagara Regional Public Health Department be supported by a Standing Committee of Council devoted to Public Health Department issues only, as of December 1, 2003.

That the Community Services Department, including Seniors Services, Social Assistance and Employment Opportunities Ontario Works, Children's Services, employing 945 people with a gross budget of \$258,618,117.00, and net budget of \$54,029,545.00 be supported by a Standing Committee devoted to those service areas , and

That no staff or organizational changes are contemplated or mandated or prohibited by this motion in as much as this motion deals with standing committees of Council only.

Carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

367. Report 16-2003

Moved by Councillor Bentley
Seconded by Councillor Burroughs

That Report 16-2003, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, September 24, 2003, be approved and adopted.

Carried.

COMMUNITY AND HEALTH SERVICES COMMITTEE

368. Report 15-2003

Moved by Councillor Hildreth
Seconded by Councillor Davidson

That Report 15-2003, being the minutes of the Community and Health Services Committee meeting of Monday, September 22, 2003, be approved and adopted.

Carried.

PLANNING SERVICES COMMITTEE

369. Report 16-2003

Moved by Councillor Smeaton
Seconded by Councillor Beamer

That Report 16-2003, being the minutes of the Planning Services Committee meeting of Wednesday, September 24, 2003, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

370. Report 19-2003

Moved by Councillor Redekop
Seconded by Councillor Timms

That Report 19-2003, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, September 23, 2003, be approved and adopted.

Carried.

OTHER BUSINESS

371. Rodman Hall

Councillor Rigby announced Brock University's Board of Trustees decision to assume ownership of the Rodman Hall Arts Centre in St. Catharines, including the Walker Botanical Gardens and the Centre's permanent art collection. The acquisition will benefit the University, the Centre and the citizens of St. Catharines both in enhanced programming and in improved utilization of the facility.

Councillor Rigby thanked Councillor Partington for his involvement.

372. Village of Fenwick

Councillor Beamer advised Regional Council of the successful Village of Fenwick's 150th Anniversary Celebrations held in September 2003.

373. Niagara Food Festival

Councillor Muir noted that the Niagara Food Festival, which was held in the City of Welland, September 26 – 28, 2003, was a great success, however, the site on September 27, 2003 was completely demolished due to the high winds and due to the diligence of the volunteers was up and running by 11:30 a.m. Councillor Muir commended the dedication and hard work of the volunteers.

374. Welland Canal Parkway Committee

Councillor Davidson extended an invitation to all to attend the attend the Circle Trek on Saturday, October 4, 2003 beginning at the Tourism Centre, 50 Chappel Street, Thorold for a guided trail walk beginning at 1:15 p.m. and a historical walk beginning at 2:15 p.m. with refreshment and entertainment being supplied free of charge.

375. CIBC Run For the Cure

Councillor Collins as a member of the Regional Team, the Hot Tamales, extended an invitation to all to CIBC Run for the Cure in support of the Canadian Breast Cancer Foundation on Sunday, October 5, 2003.

BY-LAWS

376. Moved by Councillor McMullan
Seconded by Councillor Timms

That the following bill be now read and do pass:

Bill 86

A by-law to provide for the Regulation of traffic on Regional Highways in the City of St. Catharines.

Bill 87

A by-law to appoint an Acting Deputy Clerk for the Regional Municipality of Niagara.

Bill 88

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 1st Day of October, 2003.

Carried.

377. Moved by Councillor Muir
Seconded by Councillor Davidson

That the following bill be now read and do pass:

Bill 89

A by-law to establish part of Blocks B and C, Plan 8, in the City of Niagara Falls as part of Regional Road No. 102 (Stanley Avenue).

Bill 90

A by-law to establish part of Stamford Township Lot 133, in the City of Niagara Falls as part of Regional Road No. 290 (Lundy's Lane).

Carried.

STAFF DIRECTIONS

Staff was asked to

- C6157 - Include a session dedicated to a Budget Overview within the proposed Transition Timetable for Regional Council-elect. (Refers to Minute Item # 362)

ADJOURNMENT

The Council meeting adjourned at 6:54 p.m.

Debbie Zimmerman
Regional Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Deputy Regional Clerk