

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 19-2003

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, December 18, 2003 commencing at 6:30 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Almas, Bailey, Baty, Bentley, Bodner, Burroughs, Casselman, Collins, Davidson, Eke, Gabriel, Goulbourne, Harry, Heit, Hildreth, Hodgson, Katzman, Leavens, Marshall, Mastroianni, Nicholson, Redekop, Rigby, Salci, Saracino, Smeaton, Timms, Trombetta, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Cambray, Director of Planning Services, Planning Department; Hollick, Regional Clerk; Neville, Commissioner of Public Works; Nicol, Commissioner Human Resources Department; Hutchings, Director, Social Assistance and Employment Opportunities, Community Services Department; Dr. Williams, Medical Officer of Health, Commissioner of Public Health; Gary Nicholls, Chief of Police; Ms. Gilroy, Deputy Regional Clerk.

467. CLOSED SESSION

Moved by Councillor Harry
Seconded by Councillor Almas

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.

468. Request for Endorsement For Appointment to the NEC

Moved by Councillor Collins
Seconded by Councillor Harry

That the request from a citizen of Lincoln for Council's endorsement of their appointment to the Niagara Escarpment Commission be received and the requester be advised that Regional Council does not involve itself with citizen appointments to the Niagara Escarpment Commission.

Carried.

469. Proposed EMS Station Acquisition from
Hotel Dieu Health Sciences Hospital

Moved by Councillor Zimmerman
Seconded by Councillor Eke

That Report PHD 74-2003 (PWA 190-2003/CSD 162-2003), regarding the Proposed EMS Station Acquisition from Hotel Dieu Health Sciences Hospital, be received, and the recommendations contained therein, be approved.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

470. Moved by Councillor Smeaton
Seconded by Councillor Hildreth

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:20 p.m. with an Invocation by Councillor Bailey, followed by the singing of O' Canada.

471. **CONFLICTS OF INTEREST**

Councillor Baty declared an indirect pecuniary interest with respect to Minute Item 258, DPD 130-2003, Resolution for the Delegation of Subdivision Approval Authority to the Town of Pelham for Cherry Ridge Extension, Town of Pelham, in Report PS 19-2003, as he owns property adjacent to the subject property, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Bodner declared an indirect pecuniary interest with respect to Minute Item 278, CSD 166-2003, Cancellation, Reduction or Refund of New Tax for Omitted Assessment for 2003, Trailer Campgrounds, in Report CFS 19-2003, as he has business interests in one of the subject campgrounds, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Goulbourne declared an indirect pecuniary interest with respect to Minute Item 280, CSD 160-2003, Appointment to the Public Advisory Committee on Development Charges, in Report CFS 19-2003, as one of the applicants is employed by Niagara College, and he is also employed by Niagara College, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Goulbourne declared an indirect pecuniary interest with respect to Minute Item 491, Regional Wastewater Billing Error, City of Welland, in Report PW 22-2003, as he is Mayor of the City of Welland, 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 Minute Item 260, Regional Comments on Development Proposals, particularly the Hydro Corridor Land Use Applications in the City of Niagara Falls, in Report PS 19-2003, as he owns property in the area, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters related to the Homes for the Aged, as he is an employee of a Seniors Home, and to any matters related to Roberts Street, as a family member resides there, and he therefore took no part in the discussion of, or voting, on these matters.

472. **ADOPTION OF THE AGENDA**

Moved by Councillor Collins
Seconded by Councillor Harry

That the Council Agenda CL 19-2003 be adopted as presented.

Carried.

473. **CHAIR'S REMARKS**

Regional Chair Partington expressed thanks to Bayview Flowers for the beautiful floral arrangement in the Council Chamber.

The Regional Chair expressed appreciation to staff for the well-planned Inaugural on December 11. A special thank you was extended to Roxanne Zanatta and Cheryl Parkinson for their co-ordination of the Inaugural Dinner.

The Regional Chair congratulated new members of Council on getting through the first week of committee meetings.

The Regional Chair extended congratulations to Thomas R. (Rod) Hollick, the Regional Clerk, who was attending his last Council meeting as he retires December 31, 2003. He noted Rod's 10 years of exemplary service at the Region, stating his knowledge, expertise and dedication are greatly appreciated. Mr. Hollick thanked Council for their support, and reminisced about his 31 years as a public servant, noting the considerable time he spent in meetings.

The Chair expressed best wishes to everyone in Niagara during this holiday season.

APPROVAL OF MINUTES

474. Report 17-2003

Moved by Councillor Saracino
Seconded by Councillor Katzman

That Report 17-2003, being the minutes of the Proceedings of Council of November 20, 2003, be approved and adopted.

Carried.

475 Report 18-2003

Moved by Councillor Davidson
Seconded by Councillor Bailey

That Report 18-2003, being the minutes of the Proceedings of Council of December 11, 2003 be approved and adopted.

Carried.

CORRESPONDENCE

476 Communications were received and dealt with as follows:

C6180 Robert Piper, Chairman, Welland River Keepers (November 26, 2003) respecting an introduction to their organization, their mandate being "Education the community to preserve and restore the ecological integrity of the Welland River."

Received.

C6181 A notice from the Federation of Canadian Municipalities respecting a vacancy position of a FCM third Vice-President and one vacancy on the FCM National Board of Directors.

Received.

C6182 News Release from the Association of Municipalities of Ontario respecting New Planning Legislation – A Positive Step for Municipal Governments.

Received.

C6183 E-Mail from Tony Carosi, Carosi Construction Limited (December 8, 2003) respecting a request to make a presentation to Regional Council.

Received.

C6184 Memorandum from Thomas R. Hollick, Regional Clerk, (December 18, 2003) respecting a request by Councillor Casselman to change her Standing Committee membership to relinquish her seat on Public Works and Utilities Committee and add her name to the Community Services Committee.

Approved.

C6185 Memorandum from Thomas R. Hollick, Regional Clerk (December 18, 2003) respecting an appointment by a member of council to the Accessibility Advisory Committee, Ontarians with Disabilities Act.

Received and Councillor Collins appointed to the Accessibility Advisory Committee with Councillor Marshall as an Alternate.

Moved by Councillor Bentley
Seconded by Councillor Casselman

That Communications C6180 C6185, be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

PRESENTATIONS

477 Future Challenges Facing Brock University

David Atkinson, President, Brock University, provided Council with an update on the activities at Brock University, citing statistics as to the demographics and number of students, the fiscal impact on Niagara, and the future challenges and opportunities facing the university. He expressed appreciation to Council and Regional Police Chief Gary Nicholls for their continuing support

478 Niagara Regional Police – Current Policing Issues and The 2004-2006 Business Plan

Mr. Gary Nicholls, Chief of Police, gave a brief overview of the 2004 to 2006 Business Plan for the Niagara Regional Police, referencing the full document, which was distributed to Council. He offered to return to Council at a later date in the new year to provide details and answer questions.

479. Citizens Committee on Council Remuneration

Dr. David Whorley, Citizens' Committee on Council Remuneration, provided an overview of the Final Report of the Citizens' Committee on Council Remuneration, and introduced the members of the Committee in attendance. The report sets out two options for the base adjustment to remuneration; and makes recommendations with respect to an annual escalation formula; the continuation of the one-third tax-free component of the remuneration; and an assessment of recommendations made in the final year of Council's term.

Moved by Councillor Zimmerman
Seconded by Councillor Nicholson

That the Final Report of the Citizens Committee on Council Remuneration, be received, and referred to the Human Resources Committee for further discussion.

Carried.

(Refer to Staff Directions.)

CORPORATE AND FINANCIAL SERVICES COMMITTEE

480. Report 19-2003

Moved by Councillor Zimmerman
Seconded by Councillor Hildreth

That Report 19-2003, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, December 17, 2003, be approved and adopted, with an amendment to Minute Item 293, Report CSD 162-2003 (PHD 74-2003/PWA 190-2003), regarding the Proposed EMS Station Acquisition from Hotel Dieu Health Sciences Hospital, which was received, and the recommendations contained therein, approved.

Carried.

(Refer to Staff Directions.)

COMMUNITY SERVICES COMMITTEE

481. Report 1-2003

Moved by Councillor Hildreth
Seconded by Councillor Bailey

That Report CSC 1-2003, being the minutes of the Community Services Committee meeting of Monday, December 15, 2003, be approved and adopted.

Carried.

HUMAN RESOURCES COMMITTEE

482. Report 9-2003

Moved by Councillor Nicholson
Seconded by Councillor Collins

That Report HR 9-2003, being the minutes of the Human Resources Committee meeting of Tuesday, December 16, 2003, be approved and adopted.

Carried.

PUBLIC HEALTH COMMITTEE

483. Report 1-2003

Moved by Councillor Timms
Seconded by Councillor Baty

That Report PHSC 1-2003, being the minutes of the Public Health Committee meeting of Monday, December 15, 2003, be approved and adopted, with an amendment to with an amendment to Minutes Item 12, Report PHD 74-2003 (PWA 190-2003/CSD 162-2003), regarding the Proposed EMS Station Acquisition from Hotel Dieu Health Sciences Hospital, which was received, and the recommendations contained therein, approved.

Carried.

PLANNING SERVICES COMMITTEE

484. Report 19-2003

Moved by Councillor Smeaton
Seconded by Councillor Eke

That Report PS 19-2003, being the minutes of the Planning Services Committee of Wednesday, December 17, 2003, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

485. Report 22-2003

Moved by Councillor Rigby
Seconded by Councillor Burroughs

That Report PW 22-2003, being the minutes of the Public Works and Utilities Committee of Tuesday, December 16, 2003, be approved and adopted, with an amendment to Minutes Item 487, Report PWA 190-2003 (PHD 74-2003/CSD 162-2003), regarding the Proposed EMS Station Acquisition from Hotel Dieu Health Sciences Hospital, which was received, and the recommendations contained therein, approved.

Carried.

Councillor Redekop asked to be recorded as opposed to Minute Item 457, Report CAO 23-2003, Round Two SuperBuild Millennium Partnerships Initiatives Program.

OTHER BUSINESS

486. Physician Recruitment

Councillor Saracino provided an update on the activities of the Physician Recruitment and Retention Task Force.

487. Niagara Peninsula Conservation Authority Appointments

At its Inaugural meeting, Council appointed a number of its members to the Niagara Peninsula Conservation Authority to represent nine of the area municipalities. Council had for consideration, citizen applications for the remaining three appointments, as well as an appointment for the Township of West Lincoln, as Councillor Trombetta had requested that her name be withdrawn.

Moved by Councillor Hodgson
Seconded by Councillor Bodner

That the following citizens be appointed to the Niagara Peninsula Conservation Authority for the 2003 to 2006 term.:

Town of Lincoln – Doug Ransom
City of Port Colborne – Mark Bagu
City of Thorold – Dominic Difruscio
Township of West Lincoln – Allard Colyn, and

That the request of Councillor Trombetta to withdraw her name as a representative of the Township of West Lincoln, be accepted.

Carried.

488. Direct Election of Regional Chair

Councillor Casselman requested information be provided to the “new” Councillors on the Direct Election of the Regional Chair (discussion resulted from Tim Hudak’s announcement of his private member’s bill that the Regional Chair of Niagara be directly elected).

(Refer to Staff Directions)

489. **COMMITTEE OF THE WHOLE**

Moved by Councillor Timms
Seconded by Councillor Collins

That this Council do now move into Committee of the Whole.

Carried.

490. **CLOSED SESSION**

Moved by Councillor Rigby
Seconded by Councillor Trombetta

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.

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

Moved by Councillor Bentley
Seconded by Councillor Mastroianni

That this Council do now rise without report.

Carried.

OTHER BUSINESS (continued)

492. Niagara Economic and Tourism Corporation Appointments

Committee voted by ballot to select its representatives on the Niagara Economic and Tourism Corporation Board of Directors. Mr. Shafee Bacchus, Commissioner, Corporate Services Department, and Ms. Pam Gilroy, Deputy Clerk, counted the ballots. Committee of the Whole recessed momentarily while the votes were being tallied. At the conclusion of the voting, it was:

Moved by Councillor Marshall
Seconded by Councillor Trombetta

That the appointments of Councillors Bailey and Rigby to the Niagara Economic and Tourism Corporation Board of Directors be confirmed.

Carried.

Moved by Councillor Eke
Seconded by Councillor Trombetta

That this Committee do now rise with report.

Carried.

Council reconvened at 9:45 p.m.

BY-LAWS

493. Moved by Councillor Trombetta
Seconded by Councillor Eke

That the following bills be now read and do pass:

Bill 107

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 18th day of December, 2003.

Carried.

494. Moved by Councillor Bailey
Seconded by Councillor Hodgson

Bill 108

A by-law to establish part of Lot 40, Corporation Plan No. 5, in the City of St. Catharines as part of Regional Road No. 48 (Niagara Street)

Bill 109

A by-law to provide for the regulation of traffic on Regional Highways in the Town of Pelham

Bill 110

A by-law to provide for the regulation of traffic on Regional Highways in the Town of Niagara-on-the-Lake

Bill 111

A by-law to provide for the regulation of traffic on Regional Highways in the Town of Grimsby

Bill 112

A by-law to provide for the regulation of traffic on Regional Highways in the Township of West Lincoln

Bill 113

A by-law to establish Blocks 89, 90 and 91, Plan 30M-321, in the Town of Grimsby, as part of Regional Road No. 81 (Main Street East)

Bill 114

A by-law to close and convey part of Regional Road No. 101 (Mountain Road) in the City of Niagara Falls

Bill 115

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

Bill 116

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

Bill 117

A by-law to authorize the cancellation, reduction and refund of taxes levied for Local Municipal and School Purposes of 2003 Omitted Assessment for Campgrounds.

Bill 118

A by-law to authorize the cancellation, reduction and refund of taxes levied for Local Municipal and School Purposes for 2003 Omitted Assessment for Campgrounds.

Carried.

STAFF DIRECTION

Staff was directed to:

- raise the issue of the provincial government considering/implementing the Beaubien report, with respect to Minute Item 278, Cancellation, Reduction of Refund of New Tax for Omitted Assessment for 2003 – Trailer Campgrounds, (Councillor Zimmerman) (Minute Item 480)
- post the Final Report from the Citizens Committee on the Regional Website or make copies available for the public (Councillor Collins) (Minute Item 479)
- provide background information on Direct Election of the Regional Chair Councillor Casselman) (Minute Item 488)

ADJOURNMENT

The Council meeting adjourned at 9:50 p.m.

Debbie Zimmerman
Regional Chair

Pam Gilroy
Deputy Clerk

Thomas R. Hollick
Regional Clerk