THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF SPECIAL COUNCIL
OPEN SESSION

CL 13-2020
Thursday, July 30, 2020
Council Chamber/Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Insinna
Council Members present via Video conference:	Butters, Bylsma, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Junkin, Nicholson, Redekop, Rigby, Ugulini, Villella, Whalen, Zalepa
Absent/Regrets:	Bellows, Campion, Jordan, Sendzik, Steele, Witteveen
Staff Present in the Council Chamber:	D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

---

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 3:30 p.m.

2. ADOPTION OF AGENDA

2.1 Changes in Order of Items

There were no changes in the order of items on the agenda.

Moved by Councillor Rigby
Seconded by Councillor Whalen

That Council Agenda CL 13-2020, **BE ADOPTED**.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. CLOSED SESSION

Moved by Councillor Chiocchio
Seconded by Councillor Greenwood

That this Council **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter of Advice that is Subject to Solicitor-Client Privilege & A Matter of Litigation or Potential Litigation under s. 239(2) of the Municipal Act, 2001 - Legal Advice respecting litigation concerning Former Senior Administration Officials Employment Contracts;

A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001- Whistleblower Policy Complaints; and

A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - 2020-RFP-60 Liquid Biosolids and Residuals Management Program Procurement.

Carried

Council resolved into closed session at 3:35 p.m.

5. BUSINESS ARISING FROM CLOSED SESSION

Council reconvened in open session at 6:15 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Insinna
Council Members present via Video conference:	Butters, Bylsma, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Junkin, Nicholson, Redekop, Rigby, Ugulini, Villella, Whalen, Zalepa
Absent/Regrets:	Bellows, Campion, Jordan, Sendzik, Steele, Witteveen
Staff Present in the Council Chamber:	D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Moved by Councillor Gale
Seconded by Councillor Bylsma

That the Confidential Verbal Update respecting A Matter of Advice that is Subject to Solicitor-Client Privilege & A Matter of Litigation or Potential Litigation under s. 239(2) of the Municipal Act, 2001 - Legal Advice respecting litigation concerning Former Senior Administration Officials Employment Contracts, **BE RECEIVED** and external legal counsel **PROCEED** as directed in closed session;

That Confidential Verbal Update respecting A Matter concerning Personal Matters about identifiable individuals under s. 239(2) of the Municipal Act, 2001- Whistleblower Policy Complaints, **BE RECEIVED** for information;

That Confidential Report CSD 52-2020 respecting A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - 2020-RFP-60 Liquid Biosolids and Residuals Management Program Procurement **BE RECEIVED** for information;

That Staff **BE DIRECTED** to negotiate an extension of the existing agreement with 2386246 ONTARIO INC. cob as THOMAS NUTRIENT SOLUTIONS to provide loading, haulage/transportation, lagoon management and land application of liquid biosolids and residual solids generated from Niagara Region water and wastewater treatment facilities for one (1) additional month, expiring on September 30, 2020;

That the Regional Chair and Clerk **BE AUTHORIZED** to execute an amending agreement with 2386246 ONTARIO INC. cob as THOMAS NUTRIENT SOLUTIONS to effect the one (1) month extension; and

That staff **PROCEED** as directed in closed session.

Carried

6. ITEMS FOR CONSIDERATION

6.1 CLK 9-2020

Amendment to Procedural By-law to Permit Electronic Participation in Meetings pursuant to Bill 197, COVID-19 Economic Recovery Act

Moved by Councillor Junkin
Seconded by Councillor Huson

That Report CLK 9-2020, dated July 30, 2020, respecting Amendment to Procedural By-law to Permit Electronic Participation in Meetings pursuant to Bill 197, COVID-19 Economic Recovery Act, **BE RECEIVED** and the following recommendations **BE APPROVED:**

1. That the amendments to Niagara Region Procedural By-law 120-2010, as amended, as outlined in Appendix 1 to Report CLK 9-2020 to facilitate electronic meeting participation during the COVID-19 pandemic and recovery period **BE APPROVED** for a period of one-year from the termination of the Provincial Declaration of Emergency;
2. That staff **BE DIRECTED** to provide a report considering permitting electronic participation in meetings on a permanent basis before the expiry of the one-year period; and
3. That the necessary by-law **BE PRESENTED** to Council for consideration.

Carried

7. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

There were no Chief Administrative Officer's reports.

8. BY-LAWS

8.1 Bill 2020-51

Moved by Councillor Rigby
Seconded by Councillor Butters

That Bill 2020-51 being a by-law to amend By-law 120-2010, The Procedural By-law to permit electronic meeting participation, **BE NOW READ** and **DO PASS.**

Two-thirds majority having been achieved, the Regional Chair declared the motion,

Carried

8.2 Bill 2020-52

Moved by Councillor Diodati
Seconded by Councillor Easton

That Bill 2020-52 being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on July 30, 2020, **BE NOW READ** and **DO PASS**.

Carried

9. ADJOURNMENT

There being no further business, the meeting adjourned at 6:23 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk