

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
OPEN SESSION**

**CL 20-2018
Thursday, December 13, 2018
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Bellows, Butters, Bylsma, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Insinna, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Campion

Staff: C. Carter, General Manager, D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, A. Jugley, Commissioner, Community Services, K. Lotimer, Legislative Coordinator, T. McKinnon, Deputy Regional Clerk, F. Meffe, Associate Director, Employee Relations, R. Mostacci, Acting Chief Administrative Officer, A.-M. Norio, Regional Clerk, J. Tamming, Director, Strategic Communications & Public Affairs, M. Trennum, Deputy Regional Clerk, R. Tripp, Commissioner, Public Works, P. Wadsworth, Director, Human Resources

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:32 p.m.

2. LAND ACKNOWLEDGEMENT STATEMENT

Councillor Easton read the Land Acknowledgment Statement.

3. MOMENT OF SILENCE

Regional Chair Bradley asked all in attendance to rise for a moment of silence.

4. SINGING OF 'O CANADA'

Regional Chair Bradley asked all in attendance to stand for the singing of 'O Canada'.

5. **ADOPTION OF AGENDA**

5.1 **Addition of Items**

Moved by Councillor Greenwood
Seconded by Councillor Heit

That a discussion respecting the Material Recycling Facility **BE INCLUDED** on the agenda under Other Business.

Carried

Moved by Councillor Heit
Seconded by Councillor Bylsma

That a Motion respecting Niagara Peninsula Conservation Authority **BE INCLUDED** on the agenda under Notices of Motion.

Carried

Moved by Councillor Rigby
Seconded by Councillor Ip

That the Council Agenda CL 19-2018, **BE ADOPTED** as amended.

Carried

6. **DISCLOSURES OF PECUNIARY INTEREST**

Councillor Nicholson declared in indirect pecuniary interest with respect to Confidential CL-C 79-2018 (Agenda Item 23.1.4) respecting A Matter of Advice that is Subject to Solicitor-Client Privilege - Legal Advice Respecting Appointment Process to NPCA Board, as it deals with the Niagara Peninsula Conservation Authority (NPCA) and the NPCA Chair is related to an individual who is employed by a family member of Councillor Nicholson.

7. **PRESENTATIONS**

7.1 **Consumption and treatment service site for Niagara - A request for a Board of Health resolution in support**

Glen Walker, Executive Director, Positive Living Niagara appeared before Council to provide information respecting consumption and treatment services in St. Catharines and the overdose crisis in Niagara and spoke in favour of the establishment of a permanent consumption and treatment site in St. Catharines.

Moved by Councillor Sendzik
Seconded by Councillor Bellows

Whereas, a temporary Overdose Prevention Site opened in St. Catharines on December 3, 2018;

Whereas Niagara Region EMS paramedics and community agencies are partnering with Positive Living to provide services at the temporary Overdose Prevention Site;

Whereas the Consumption and Treatment Services model will provide wraparound services to connect people with housing, social services and treatment, while reducing harm to the public;

Whereas the City of St. Catharines has provided support for the overdose prevention site and is working collaboratively with Positive Living and OPENN on the location for a future site.

NOW THEREFORE BE IT RESOLVED:

That Niagara Regional Council **SUPPORTS** the application to the province for a Consumption and Treatment Services Site by Positive Living Niagara;

That the Regional Chair **BE DIRECTED** to provide a letter of support on behalf of the Niagara Region Board of Health in support of the application; and,

That the presentation by Glen Walker, Executive Director, Positive Living Niagara, **BE RECEIVED**.

Carried

8. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

Nominations for 2019 T. Roy Adams Award

Regional Chair Bradley announced that the 17th annual T. Roy Adams Humanitarian of the Year Award will be accepting nominations from January 1 to March 31. The award is presented annually to a current resident of Niagara who best exemplifies Roy's values and dedication to community service. Nomination forms are available online on the Niagara Region website.

Innov8 Showcase Competition

The Chair announced that on December 11, 2018, Niagara Region staff held the second annual Innov8 Showcase Competition. This competition encourages staff to adopt an innovative idea or project that will improve the lives of the residents in our communities. The Chair congratulated this year's winner for their submission on improving how Niagara Region analyzes infectious disease in Niagara and thanked all the staff who took part in this initiative.

Leadership Summit

Chair Bradley announced that on Wednesday, December 12, 2018, he joined the Niagara Region leadership team at Brock University for their annual Leadership Summit. He noted that the success of the Niagara Region is built on the efforts of its leaders and he offered his support for any initiatives that will help move our organization forward.

9. DELEGATIONS

There were no delegations.

10. ADOPTION OF MINUTES

Moved by Councillor Heit
Seconded by Councillor Redekop

That the following Open Session minutes of Regional Council **BE ADOPTED**:

Minutes CL 17-2018, Thursday, November 1, 2018

Minutes CL 18-2018, Thursday, December 6, 2018 (Morning Session)

Minutes CL 18-2018, Thursday, December 6, 2018 (Afternoon Session)

Carried

11. CORRESPONDENCE

11.1 Receive and/or Refer

Moved by Councillor Jordan
Seconded by Councillor Chiocchio

That the following items **BE DEALT WITH** as follows:

CL-C 73-2018 respecting Dedication By-laws for Road Widening
Purposes, **BE RECEIVED**;

CL-C 75-2018 respecting Municipal Appointment for Recommendation to the Minister of Tourism, Culture and Sport for the Niagara Parks Commission Board, **BE RECEIVED**;

CL-C 76-2018 respecting Appointment of Deputy Regional Clerk, **BE RECEIVED**;

CL-C 77-2018 respecting Positive Living Niagara's application for a permanent overdose prevention site, **BE RECEIVED**; and

CWCD 418-2018 respecting Bill 66, Restoring Ontario's Competitiveness Act, 2018, **BE RECEIVED**.

11.1.5 CWCD 413-2018

Correspondence Item CWCD 413-2018 was considered separately as follows:

That Correspondence Item CWCD 418-2018, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated December 7, 2018, respecting Bill 66, Restoring Ontario's Competitiveness Act, 2018, **BE RECEIVED**.

Moved by Councillor Ip
Seconded by Councillor Zalepa

That the motion **BE AMENDED** as follows:

That Correspondence Item CWCD 418-2018, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated December 7, 2018, respecting Bill 66, *Restoring Ontario's Competitiveness Act, 2018*, **BE RECEIVED and BE REFERRED to staff to report to Council respecting any potential impact to the Region.**

Carried

11.1.6 Balance of the Correspondence Items

The Regional Chair called the vote on the balance of the correspondence items and declared it,

Carried

11.2 For Consideration

11.2.1 GM 16-2018

Moved by Councillor Butters
Seconded by Councillor Junkin

That Report GM 16-2018, dated December 13, 2018, respecting
2019 Legislative Schedule of Regular Meetings, **BE RECEIVED.**

Moved by Councillor Heit
Seconded by Councillor Ip

That the motion **BE AMENDED** as follows:

That Report GM 16-2018, dated December 13, 2018, respecting
2019 Legislative Schedule of Regular Meetings, **BE RECEIVED;**
and

That Option 2 of the 2019 Legislative Schedule of Regular
Meetings (attached as Appendix 2) **BE APPROVED.**

Recorded Vote:

Yes (26): Bellows, Butters, Chiocchio, Darte, Diodati, Easton,
Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip,
Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele,
Ugolini, Whalen, Witteveen, Zalepa.

No (3): Bylsma, Disero, Villella.

Carried

The Regional Chair called the vote on the motion, as amended, and
declared it,

Carried

11.2.2 CL-C 70-2018

Moved by Councillor Rigby
Seconded by Councillor Gale

That Correspondence Item CL-C 70-2018, being a memorandum
from Henry D'Angela, Chair, Niagara Regional Housing Board of
Directors, dated November 16, 2018, respecting Report NRH 16-
2018, the reappointment of Directors/Members 2019, **BE
RECEIVED** and the following recommendation **BE APPROVED:**

1. That Regional Council **APPROVE** the **RE-APPOINTMENT** of James Hyatt, Betty Ann Baker and Karen Blackley to the Niagara Regional Housing Board of Directors for another year until March 30, 2020.

Carried

11.2.3 CL-C 74-2018

Moved by Councillor Sendzik
Seconded by Councillor Gibson

That Correspondence Item CL-C 74-2018 being a memorandum from A.-M. Norio, Regional Clerk, dated December 13, 2018, respecting Filling of Vacant Seat on Regional Council, **BE RECEIVED**; and

WHEREAS Regional Council had requested and has received the recommendation from the Council of City of St. Catharines with respect to the filling of the vacant seat on Regional Council with the appointment of Kelly Edgar;

WHEREAS Kelly Edgar has consented to accept the office of Regional Councillor if appointed.

NOW THEREFORE BE IT RESOLVED:

That Kelly Edgar **BE APPOINTED** as Regional Councillor for the City of St. Catharines to fill the vacant seat for the remainder of the existing Council term (2018-2022); and

That the Regional Clerk **ADMINISTER** the Declaration of Office to Kelly Edgar at this time in order that Mr. Edgar can assume his seat immediately after taking the Declaration of Office.

Carried

At this time, Ann-Marie Norio, Regional Clerk, administered the Declaration of Office to Councillor Edgar and declared him a Regional Councillor for the 2018 to 2022 term of Council.

11.2.4 GM 21-2018

Moved by Councillor Insinna
Seconded by Councillor Gale

That Report GM 21-2018, dated December 13, 2018, respecting Appointment Process for Regional Representatives to Committees, Agencies, Boards and Commissions and Acting Chairs of Standing Committees, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That in accordance with subsection 2.4 of Niagara Region's Procedural By-law, the rules of procedure, specifically subsection 24.6 (c), respecting the Appointment of Acting Chairs and Co-Chairs for the Standing Committees, **BE SUSPENDED** temporarily to dispense with the appointment of Acting Chair(s) and Co-Chairs for the Standing Committees until the appointment of Standing Committee Chairs and Co-Chairs;
2. That the Regional Chair **BE AUTHORIZED** to act as a Standing Committee Chair until such time as the Standing Committee Chairs are appointed; and
3. That Regional Council **APPROVE** and **COMMENCE** the appointment process for Regional representatives to committees, agencies, boards and commissions for the 2018-2022 Term of Council in accordance with the process outlined in Appendix I of Report GM 21-2018.

Carried

12. **COMMITTEE REPORTS - OPEN SESSION**

There were no Committee Reports.

13. **CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

There were no Chief Administrative Officer Reports.

14. APPOINTMENT OF THE SCRUTINEER

Moved by Councillor Fertich
Seconded by Councillor Witteveen

That Chris Carter, General Manager, and Matthew Trennum, Deputy Regional Clerk, **BE APPOINTED** as Scrutineers for the counting of any ballots for the appointment of Regional representatives to committees, agencies, boards and commissions.

Carried

15. AGENCIES, BOARDS AND COMMISSIONS - APPOINTMENTS

Ann-Marie Norio, Regional Clerk, outlined the process for appointments to the Agencies, Boards and Commissions.

15.1 Niagara Parks Commission

The Niagara Parks Commission Board requires representation from one (1) Regional Councillor.

Voting was conducted by open ballot in accordance with the Region's Procedural By-law and the *Municipal Act, 2001*. Voting by ballots resulted in the following:

Ballot One (1)

Voting for Councillor Diodati (18): Bellows, Bylsma, Chiocchio, Darte, Diodati, Gale, Gibson, Huson, Insinna, Junkin, Nicholson, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen.

Voting for Councillor Champion (0).

Voting for Councillor Greenwood (7): Butters, Disero, Fertich, Foster, Ip, Greenwood, Rigby.

Voting for Councillor Heit (4): Edgar, Jordan, Heit, Zalepa.

Spoiled Ballot(s) (1).

Based on the results of the votes cast, it was:

Moved by Councillor Steele
Seconded by Councillor Darte

That Niagara Regional Council **RECOMMENDS** the appointment of Councillor Diodati to the Niagara Parks Commission Board for this term of Regional Council (2018-2020).

Carried

15.2 Niagara Regional Housing (NRH) Board

The Niagara Regional Housing Board requires representation from five (5) Regional Councillors.

Voting was conducted by open ballot in accordance with the Region's Procedural By-law and the *Municipal Act, 2001*. Voting by ballots resulted in the following:

Ballot One (1)

Voting for Councillor Butters (19): Bellows; Butters, Chiocchio, Darte, Disero, Edgar, Foster, Gibson, Heit, Huson, Insinna, Ip, Junkin, Redekop, Sendzik, Steele, Ugulini, Villella, Witteveen.

Voting for Councillor Chiocchio (12): Bellows, Butters, Bylsma, Chiocchio, Darte, Diodati, Foster, Huson, Ip, Jordan, Nicholson, Villella.

Voting for Councillor Greenwood (10): Butters, Edgar, Fertich, Foster, Nicholson, Rigby, Sendzik, Ugulini, Witteveen, Zalepa.

Voting for Councillor Insinna (17): Butters, Bylsma, Darte, Diodati, Disero, Fertich, Foster, Gale, Gibson, Insinna, Jordan, Redekop, Sendzik, Steele, Whalen, Villella, Zalepa.

Voting for Councillor Ip (11): Chiocchio, Edgar, Gibson, Heit, Ip, Jordan, Junkin, Redekop, Rigby, Whalen, Witteveen.

Voting for Councillor Rigby (10): Bellows, Bylsma, Edgar, Gibson, Heit, Insinna, Nicholson, Rigby, Steele, Zalepa.

Voting for Councillor Sendzik (21): Bellows, Chiocchio, Darte, Diodati, Disero, Edgar, Fertich, Gale, Gibson, Heit, Huson, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Whalen, Ugulini, Villella, Zalepa.

Voting for Councillor Villella (18): Bellows, Butters, Chiocchio, Diodati, Gale, Fertich, Huson, Insinna, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Villella, Ugulini, Witteveen.

Voting for Councillor Whalen (8): Bylsma, Darte, Diodati, Disero, Gale, Heit, Ugulini, Whalen.

Voting for Councillor Zalepa (13): Bylsma, Disero, Fertich, Foster, Gale, Huson, Insinna, Ip, Junkin, Steele, Whalen, Witteveen, Zalepa.

Based on the result of the votes cast, it was:

Moved by Councillor Huson
Seconded by Councillor Gibson

That Councillors Butters, Insinna, Sendzik, Villella and Zalepa, **BE APPOINTED** to the Niagara Regional Housing Board for this term of Council (2018-2022).

Carried

15.3 Niagara Regional Police Services (NRPS) Board

The Niagara Regional Police Services Board requires representation from three (3) Regional Councillors.

Voting was conducted by open ballot in accordance with the Region's Procedural by-law and the *Municipal Act, 2001*. Voting by ballots resulted in the following:

Voting for Councillor Bellows (8): Bellows, Chiocchio, Diodati, Disero, Huson, Sendzik, Villella, Whalen.

Voting for Councillor Chiocchio (4): Chiocchio, Fertich, Nicholson, Redekop.

Voting for Councillor Edgar (5): Edgar, Ip, Greenwood, Rigby, Witteveen.

Voting for Councillor Fertich (5): Gibson, Heit, Jordan, Sendzik, Witteveen.

Voting for Councillor Foster (8): Bylsma, Fertich, Foster, Greenwood, Ip, Jordan, Junkin, Ugulini.

Voting for Councillor Gale (14): Bellows, Darte, Diodati, Disero, Gale, Gibson, Insinna, Junkin, Nicholson, Steele, Rigby, Villella, Whalen, Zalepa.

Voting for Councillor Gibson (18): Bellows, Butters, Bylsma, Darte, Fertich, Foster, Gale, Gibson, Insinna, Jordan, Junkin, Huson, Redekop, Sendzik, Steele, Villella, Ugulini, Witteveen.

Voting for Councillor Ip (8): Chiocchio, Butters, Edgar, Heit, Huson, Ip, Rigby, Zalepa.

Steele (9): Butters, Bylsma, Darte, Edgar, Diodati, Greenwood, Nicholson, Redekop, Steele.

Voting for Councillor Zalepa (8): Disero, Foster, Gale, Heit, Insinna, Ugulini, Whalen, Zalepa.

Spoiled Ballot(s) (1).

Based on the result of votes cast, it was:

Moved by Councillor Sendzik

Seconded by Councillor Bellows

That Councillors Gale, Gibson and Steele, **BE APPOINTED** to the Niagara Regional Police Services Board for this term of Council (2018-2022).

Carried

15.4 NRPS Citizen Representative Selection Committee

Two (2) Regional Councillors are required for the Niagara Regional Police Services (NRPS) Citizen Representative Selection Committee.

Moved by Councillor Heit

Seconded by Councillor Redekop

That Councillors Greenwood and Rigby **BE APPOINTED** to the Niagara Regional Police Services Citizen Representative Selection Committee for this term of Council (2018-2022).

Carried

16. STANDING COMMITTEE - APPOINTMENTS

Ann-Marie Norio, Regional Clerk, stated that there was no limit to the number of Regional Councillors that could be appointed to the four Standing Committees.

16.1 Corporate Services Committee

Moved by Councillor Bylsma
Seconded by Councillor Edgar

That Councillors Butters, Campion, Diodati, Easton, Edgar, Fertich, Foster, Gale, Heit, Huson, Ip, Redekop, Rigby and Whalen **BE APPOINTED** to the Corporate Services Committee.

Carried

16.2 Planning and Economic Development Committee

Moved by Councillor Steele
Seconded by Councillor Bellows

That Councillors Bellows, Butters, Bylsma, Campion, Darte, Diodati, Easton, Foster, Gale, Greenwood, Heit, Huson, Junkin, Redekop, Rigby, Sendzik, Ugulini and Zalepa **BE APPOINTED** to the Planning & Economic Development Committee.

Carried

16.3 Public Health and Social Services Committee

Moved by Councillor Rigby
Seconded by Councillor Nicholson

That Councillors Bellows, Butters, Chiocchio, Darte, Diodati, Gale, Gibson, Greenwood, Heit, Insinna, Ip, Jordan, Nicholson, Rigby, Sendzik, Villella and Whalen **BE APPOINTED** to the Public Health & Social Services Committee.

Carried

16.4 Public Works Committee

Moved by Councillor Witteveen
Seconded by Councillor Easton

That Councillors Chiocchio, Diodati, Disero, Edgar, Fertich, Foster, Gale, Heit, Insinna, Junkin, Nicholson, Rigby, Sendzik, Steele, Ugulini, Witteveen and Zalepa **BE APPOINTED** to the Public Works Committee.

17. ADVISORY COMMITTEE - APPOINTMENTS

Ann-Marie Norio, Regional Clerk, outlined the process for appointments to the Advisory Committees.

17.1 Accessibility Advisory Committee

The Terms of Reference for the Accessibility Advisory Committee state representation is required from one (1) member of Regional Council.

Moved by Councillor Greenwood
Seconded by Councillor Foster

That Councillor Ip **BE APPOINTED** to the Accessibility Advisory Committee for this term of Council (2018-2022).

Carried

17.2 Agricultural Policy & Action Committee

The Terms of Reference for the Agricultural Policy & Action Committee state representation is required from six (6) members of Regional Council.

Moved by Councillor Ugulini
Seconded by Councillor Junkin

That Councillors Butters, Disero, Easton, Jordan, Steele and Witteveen **BE APPOINTED** to the Agricultural Policy & Action Committee for this term of Council (2018-2022).

Carried

17.3 Audit Committee

The Terms of Reference from the Audit Committee state representation is required from at least three (3) members of Regional Council, the Regional Chair and the Chair of the Corporate Services Committee.

Moved by Councillor Bellows
Seconded by Councillor Diodati

That Councillors Foster, Gale, Redekop, Rigby, Sendzik and Whalen **BE APPOINTED** to the Audit Committee for this term of Council (2018-2022).

Carried

17.4 Culture Committee

The Terms of Reference for the Culture Committee state representation is required from up to six (6) members of Regional Council.

Moved by Councillor Sendzik
Seconded by Councillor Jordan

That Councillors Edgar, Gale, Greenwood, Huson and Rigby **BE APPOINTED** to the Culture Committee for this term of Council (2018-2022).

Carried

17.5 Linking Niagara Transit Committee

The Terms of Reference for the Linking Niagara Transit Committee state representation is required from four (4) members of Regional Council.

Moved by Councillor Whalen
Seconded by Councillor Bylsma

That Councillors Fertich, Ip, Redekop and Villella **BE APPOINTED** to the Culture Committee for this term of Council (2018-2022).

Carried

17.6 Niagara Investment in Culture (NIC) Adjudication Panel

The Terms of Reference for the Niagara Investment in Culture (NIC) Adjudication Panel state representation is required from three (3) members of Regional Council.

Moved by Councillor Bellows
Seconded by Councillor Huson

That Councillors Edgar, Rigby and Villella **BE APPOINTED** to the Niagara Investment in Culture Adjudication Panel for this term of Council (2018-2022).

Carried

17.7 Procedural By-law Review Committee

The Terms of Reference for the Procedural By-law Review Committee state representation is required from five (5) members of Regional Council.

Moved by Councillor Bylsma
Seconded by Councillor Huson

That Councillors Edgar, Foster, Heit, Ip and Rigby **BE APPOINTED** to the Procedural By-law Review Committee for this term of Council (2018-2022).

Carried

17.8 Procurement Advisory Committee

The Terms of Reference for the Procurement Advisory Committee state representation is required from at least three (3) Regional Councillors.

Moved by Councillor Steele
Seconded by Councillor Darte

That Councillors Edgar, Gale, Heit, Insinna, Rigby, Whalen and Zalepa **BE APPOINTED** to the Procurement Advisory Committee for this term of Council (2018-2022).

Carried

17.9 Regional Development Charges Policy Task Force

The Terms of Reference for the Regional Development Charges Policy Task Force state representation is required from at least sixteen (16) members of Regional Council.

Moved by Councillor Sendzik
Seconded by Councillor Disero

That Councillors Bellows, Butters, Bylsma, Chiocchio, Disero, Foster, Greenwood, Huson, Insinna, Ip, Jordan, Junkin, Redekop, Rigby, Steele and Zalepa **BE APPOINTED** to the Regional Development Charges Policy Task Force for this term of Council (2018-2022).

Carried

17.10 Regional Niagara Active Transportation Sub-Committee

The Terms of Reference for the Regional Niagara Active Transportation Sub-Committee state representation is required from at least two (2) members of Regional Council.

Moved by Councillor Heit
Seconded by Councillor Ugulini

That Councillors Greenwood and Nicholson **BE APPOINTED** to the Regional Niagara Active Transportation Sub Committee for this term of Council (2018-2022).

Carried

17.11 Smarter Niagara Steering Committee

The Terms of Reference for the Smarter Niagara Steering Committee state representation is required from six (6) members of Regional Council.

Moved by Councillor Easton
Seconded by Councillor Zalepa

That Councillors Chiocchio, Edgar, Foster, Huson, Redekop and Ugulini **BE APPOINTED** to the Smarter Niagara Steering Committee for this term of Council (2018-2022).

Carried

17.12 T. Roy Adams Humanitarian Award Committee

The Terms of Reference for the T. Roy Adams Humanitarian Award Committee state representation is required from up to five (5) members of Regional Council.

Moved by Councillor Ip
Seconded by Councillor Bellows

That Councillors Butters, Darte, Greenwood, Nicholson and Rigby **BE APPOINTED** to the T. Roy Adams Humanitarian Award Committee for this term of Council (2018-2022).

Carried

17.13 Transportation Steering Committee

The Terms of Reference for the Transportation Steering Committee state representation of required from up to ten (10) members of Regional Council.

Moved by Councillor Fertich
Seconded by Councillor Edgar

That Councillors Butters, Chiocchio, Fertich, Greenwood, Ip, Redekop and Villella **BE APPOINTED** to the Transportation Steering Committee for this term of Council (2018-2022).

Carried

17.14 Waste Management Planning Steering Committee

The Terms of Reference for the Waste Management Planning Steering Committee state representation is required from seven (7) members of Regional Council.

Moved by Councillor Whalen
Seconded by Councillor Edgar

That Councillors Bellows, Butters, Diodati, Gale, Rigby, Ugulini and Witteveen **BE APPOINTED** to the Waste Management Planning Steering Committee for this term of Council (2018-2022); and

That the Waste Management Planning Steering Committee Terms of Reference **BE AMENDED** to provide for representation from eight (8) members of Regional Council.

Carried

18. **OTHER - APPOINTMENTS**

18.1 Golden Horseshoe Food and Farming Alliance

The Golden Horseshoe Food and Farming Alliance requires one (1) member of Regional Council, with a preference that the appointment be a member of the Agricultural Policy & Action Committee.

Moved by Councillor Steele
Seconded by Councillor Greenwood

That Councillor Witteveen **BE APPOINTED** to the Golden Horseshoe Food and Farming Alliance for this term of Council (2018-2022).

Carried

18.2 Niagara Peninsula Source Protection Committee

The Niagara Peninsula Source Protection Committee requires One (1) member of Regional Council.

Moved by Councillor Bellows
Seconded by Councillor Gibson

That Councillor Rigby **BE APPOINTED** to the Niagara Peninsula Source Protection Committee for this term of Council (2018-2022).

Carried

19. **MOTIONS**

There were no motions for consideration.

20. **NOTICES OF MOTION**

Councillor Heit did not put forward a motion respecting the Niagara Peninsula Conservation Authority at this time as the matter was to be discussed in closed session.

20.1 Moment of Reflection

Councillor Greenwood advised that she would be bringing forward a motion to the next Council meeting respecting an amendment to the Procedural By-law to change the "moment of silence" on the Council agenda to a "moment of reflection".

21. **OTHER BUSINESS**

21.1 Material Recycling Facility

Moved by Councillor Greenwood
Seconded by Councillor Witteveen

That staff **PROVIDE** an update on the Material Recycling Facility at an upcoming Public Works Committee Meeting.

Carried

21.2 Association of Municipalities of Ontario (AMO) Board

Councillor Foster announced that the AMO Board is seeking additional members and advised that he had put his name forward for consideration by the Board.

21.3 Socks for the Homeless

Councillor Greenwood announced that there is a collection box in the Office of the Regional Clerk for donations of socks for the homeless in Niagara. She challenged all members to donate socks to assist those individuals in Niagara who do not have a warm place to sleep at night.

21.4 Community Care Food Drive

Councillor Heit announced that Community Care St. Catharines/Thorold will be holding a food drive on Friday December 14, 2018.

21.5 Niagara-on-the-Lake Junior Nationals Hockey Food Drive

Councillor Bellows announced that the Junior Nationals Hockey Tournament will be hosted in Niagara-on-the-Lake on Friday, December 14, 2018 and tickets are only \$3 if you bring a food donation with all food donations going to the Community Care food drive.

22. MOTION FOR CLOSED SESSION

Moved by Councillor Butters

Seconded by Councillor Ugolini

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

A Matter of position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by the Municipality - NRH 18-2018 – Social Infrastructure Fund (SIF) Yr-3 Acquisition of Apartment Building and Land;

A Matter of Advice that is Subject to Solicitor-Client Privilege - legal advice respecting Employment Matters – Chief Administrative Officer;

A Matter respecting an ongoing investigation respecting the municipality by the Ombudsman appointed under the Ombudsman Act and Legal Advice that is subject to Solicitor Client Privilege;

A Matter of Advice that is Subject to Solicitor-Client Privilege - legal advice respecting Appointment Process to NPCA Board; and

A Matter of Labour Relations: CUPE Local 1757, Public Health – Tentative Agreement.

Carried

23. CLOSED SESSION

Council resolved into closed session at 9:13 p.m.

24. REPORT FROM CLOSED SESSION

Council reconvened in open session at 11:45 p.m. with the following individuals in attendance:

Council: Bradley (Regional Chair), Bellows, Butters, Bylsma, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Insinna, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Campion, Gale

Staff: C. Carter, General Manager, D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, T. McKinnon, Deputy Regional Clerk, R. Mostacci, Acting, Chief Administrative Officer, A.-M. Norio, Regional Clerk, J. Tamming, Director, Strategic Communications & Public Affairs, M. Trennum, Deputy Regional Clerk,

Regional Chair Bradley advised that Council had approved a recommendation in closed session to extend curfew until the business of the meeting was completed.

24.1 Confidential CL-C 71-2019

A Matter of position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by the Municipality - NRH 18-2018 – Social Infrastructure Fund (SIF) Yr-3 Acquisition of Apartment Building and Land.

Moved by Councillor Sendzik
Seconded by Councillor Steele

That Confidential Memorandum CL-C 71-2018 respecting A Matter of position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by the municipality – NRH 18-2018 – Social Infrastructure Fund (SIF) Yr-3 Acquisition of Apartment Building and Land, **BE RECEIVED** and Council **CONFIRMS** the approval of the recommendations contained therein.

Carried

24.2 Confidential GM 22-2018

A Matter of Labour Relations: CUPE Local 1757, Public Health – Tentative Agreement

Moved by Councillor Rigby
Seconded by Councillor Diodati

That Confidential Report GM 22-2018, dated December 13, 2018, respecting A Matter of Labour Relations: CUPE Local 1757, Public Health – Tentative Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the tentative agreement, as outlined in Appendix A of Report GM 22-2018, for the renewal of the collective agreement with the Canadian Union of Public Employees (CUPE) and its Local 1757, Public Health **BE APPROVED**; and
2. That the Regional Chair and Regional Clerk **BE DIRECTED** to execute the collective agreement on behalf of the Regional Municipality of Niagara.

Carried

24.3 Confidential CL-C 78-2018

A Matter respecting an ongoing investigation respecting the municipality by the Ombudsman appointed under the Ombudsman Act and Legal Advice that is subject to Solicitor Client Privilege

Moved by Councillor Ugolini
Seconded by Councillor Jordan

That Confidential Memorandum CL-C 78-2018, respecting A Matter respecting an ongoing investigation respecting the municipality by the Ombudsman appointed under the Ombudsman Act and Legal Advice that is subject to Solicitor Client Privilege **BE RECEIVED** for information.

Carried

24.4 Confidential CL-C 79-2018

A Matter of Advice that is Subject to Solicitor-Client Privilege - legal advice respecting Appointment Process to NPCA Board

Moved by Councillor Sendzik
Seconded by Councillor Darté

That Confidential Item CL-C 79-2018, respecting A Matter of Advice that is Subject to Solicitor-Client Privilege - legal advice respecting Appointment Process to NPCA Board, **BE RECEIVED** and the following recommendations **BE APPROVED**;

1. That the twelve (12) Niagara Region Niagara Peninsula Conservation Authority Board Members request the Board Vice Chair **CALL** a special meeting of the Board by Thursday, December 20, 2018;
2. That the Regional Chair **CONTACT** the Mayors of Hamilton and Haldimand to provide an update on the current situation;
3. That the Minister of Environment, Conservation and Parks **BE REQUESTED** to mediate this matter; and
4. That the Regional Clerk **SEND** a letter to the twelve (12) outgoing members to advise that their term on the board is complete.

Carried

24.5 A Matter of Advice that is subject to Solicitor-Client Privilege

A Matter of Advice that is subject to Solicitor-Client Privilege - Legal Advice Respecting Employment Matters - Chief Administrative Officer

Moved by Councillor Gibson
Seconded by Councillor Fertich

That the advice provided in closed session, being A Matter of Advice that is subject to Solicitor-Client Privilege – legal advice respecting Employment Matters – Chief Administrative Officer, **BE RECEIVED** and the following recommendations **BE APPROVED**;

1. That staff **PROCEED** as directed in closed session; and
2. That Ron Tripp **BE APPOINTED** as Acting Chief Administrative Officer effective immediately.

Carried

25. BY-LAWS

Moved by Councillor Whalen
Seconded by Councillor Steele

That the following Bills **BE NOW READ** and **DO PASS**:

Bill 2018-84 – A by-law to accept, assume and dedicate part of lots 95 and 96, Plan 549-550, in the City of Welland as part of Regional Road No. 50 (Niagara Street).

Bill 2018-85 – A by-law to accept, assume and dedicate part of lot 49, Plan 5, in the City of Niagara Falls as part of Regional Road No. 57 (Thorold Stone Road).

Bill 2018-86 – A by-law to accept, assume and dedicate part of lot 11, Plan 118, in the City of Niagara Falls as part of Regional Road No. 98 (Montrose Road).

Bill 2018-87 – A by-law to accept, assume and dedicate Part Lot 23, Concession 4 in the City of St. Catharines as part of Regional Road No. 38 (204 Martindale Road).

Bill 2018-88 – A by-law to accept, assume and dedicate part of Lot 36 and 58, TP Plan 116, Part Lot 23, Concession 3, and Part Lot 23, Concession 4 part of road allowance between Concession 3 and 4 in the City of St. Catharines as part of Regional Road No. 38 (Martindale Road).

Bill 2018-89 – A by-law to accept, assume and dedicate part of Lot 34, Corporation Plan 5 in the City of St. Catharines as part of Regional Road No. 87 (Lakeshore Road).

Bill 2018-90 – A by-law to accept, assume and dedicate part of Lots 475, 476, 477, 478, 479, 480, 481, 496 and 497, Plan 948, and part of Vienna Street, Plan 948 in the City of Welland as part of Regional Road No. 54 (Prince Charles Drive).

Bill 2018-91 – A by-law to accept, assume and dedicate Part of Township Lot 172, in the City of Niagara Falls as part of Regional Road No. 49 (McLeod Road).

Bill 2018-92 – A by-law to appoint a Deputy Regional Clerk for The Regional Municipality of Niagara.

Bill 2018-93 – A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on December 13, 2018.

Bill 2018-94 - A by-law to appoint an Acting Chief Administrative Officer for The Regional Municipality of Niagara (the by-law is attached to these minutes)

Carried

26. ADJOURNMENT

There being no further business, the meeting adjourned at 11:49 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2018-94

A BY-LAW TO APPOINT
AN ACTING CHIEF ADMINISTRATIVE OFFICER
FOR THE REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS section 229 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides the authority for Regional Council to appoint a Chief Administrative Officer for The Regional Municipality of Niagara; and

WHEREAS Regional Council deems it expedient to appoint an Acting Chief Administrative Officer for The Regional Municipality of Niagara until otherwise determined by Council;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That Ron Tripp is hereby appointed Acting Chief Administrative Officer for The Regional Municipality of Niagara with all the powers and duties assigned thereto under the *Municipal Act, 2001* and as assigned to the Chief Administrative Officer by Council under all current and future delegated authorities; and
2. That this by-law shall come into force and effect on which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: December 13, 2018