

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

**CL 17-2018
Thursday, November 1, 2018
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Caslin (Regional Chair), Annunziata, Augustyn, Barrick, Baty, Bentley, Burroughs, D'Angela, Darte, Easton, Edgar, Gale, Grenier, Heit, Hodgson, Jeffs, Joyner, Luciani, MacGregor, Marshall, Maves, Quirk, Redekop, Rigby, Sendzik, Timms, Volpatti

Absent/Regrets: Campion, Diodati, Maloney, Petrowski

Staff: C. Carter, General Manager, C. D'Angelo, Chief Administrative Officer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, Dr. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, M. Jurczyk, Director, Internal Controls & Organizational Performance, K. Lotimer, Legislative Coordinator, T. McKinnon, Deputy Regional Clerk, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, J. Tamming, Director, Strategic Communications & Public Affairs, R. Tripp, Commissioner, Public Works, D. Ursini, Director, Economic Development

1. CALL TO ORDER

Regional Chair Caslin called the meeting to order at 6:30 p.m.

2. MOMENT OF SILENCE

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

3. SINGING OF 'O CANADA'

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

4. **ADOPTION OF AGENDA**

4.1 **Addition of Items**

Moved by Councillor Quirk
Seconded by Councillor Joyner

That, in accordance with subsection 2.4 of Niagara Region's Procedural By-law, the rules of procedure, specifically Section 13 of the Procedural By-law, **BE SUSPENDED** to permit James Kaspersetz, Vice-Chair of the Niagara Peninsula Conservation Authority Board to appear before Council as a delegate respecting the motion regarding Selection of Members to the Niagara Peninsula Conservation Authority Board of Directors.

Carried

Moved by Councillor Sendzik
Seconded by Councillor Heit

That an update respecting the delegation to China **BE INCLUDED** on the agenda under Other Business.

Carried

4.2 **Changes in Order of Items**

Moved by Councillor Sendzik
Seconded by Councillor Grenier

That the order of the agenda **BE AMENDED** to move Opportunity for Remarks by Outgoing Councillors (Agenda Item 7.2) to immediately before Closed Session (Agenda Item 16).

Carried

Moved by Councillor Burroughs
Seconded by Councillor Joyner

That the Council Agenda CL 17-2018, **BE ADOPTED**, as amended.

Carried

5. DISCLOSURES OF PECUNIARY INTEREST

Councillor Barrick declared a pecuniary interest with respect to the delegation of James Kaspersetz, Vice Chair, Niagara Peninsula Conservation Authority Board, and the motion respecting selection of members to the Niagara Peninsula Conservation Authority Board of Directors (Agenda Item 13.1), as it deals with the Niagara Peninsula Conservation Authority (NPCA) and he is an employee of the NPCA.

6. PRESENTATIONS

There were no presentations.

8. DELEGATIONS

James Kaspersetz, Vice Chair, Niagara Peninsula Conservation Authority Board was not in attendance.

9. ADOPTION OF MINUTES

9.1 Council Minutes CL 16-2018

Thursday, October 4, 2018

Moved by Councillor Rigby

Seconded by Councillor Marshall

That Minutes CL 16-2018 being the Open and Closed Session minutes of the Regional Council meeting held on Thursday, October 4, 2018, **BE ADOPTED.**

Carried

10. CORRESPONDENCE

10.1 Receive and/or Refer

There were no items of correspondence to receive and/or refer.

10.2 For Consideration

10.2.1 CL-C 69-2018

Report on Code of Conduct Complaint - IC-30-0718 - Councillor Tony Quirk

Moved by Councillor Easton
Seconded by Councillor Bentley

That Correspondence CL-C 69-2018, being a Report on Code of Conduct Complaint - IC-30-0718 - Councillor Tony Quirk, **BE RECEIVED.**

Carried

Councillor Quirk officially apologized to Council and Mr. Mouradian.

Moved by Councillor Easton
Seconded by Councillor Rigby

That Councillor Tony Quirk, **IS NOW** issued a formal public rebuke as recommended by The Regional Municipality of Niagara Integrity Commissioner, Michael Maynard (ADR Chambers), involving Ted Mouradian (Private Citizen and Complainant) and Councillor Tony Quirk, specifically as this reprimand refers to those comments made by Councillor Quirk and identified by Integrity Commissioner Maynard as discourteous, inappropriate and abusive in this conclusions on page 33 of Complaint Report IC-30-0718, October 18, 2018; and

That the reasons for this rebuke so recommended by Integrity Commissioner Michael Maynard **SERVE** in part as the future standard for all Regional Councillor's conduct in the initiation of their service and duty to the citizens of the Regional Municipality of Niagara.

Carried

11. **COMMITTEE REPORTS - OPEN SESSION**

There were no committee reports.

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

There were no Chief Administrative Officer's reports.

13. MOTIONS

13.1 Selection of Members to the Niagara Peninsula Conservation Authority (NPCA) Board of Directors

Moved by Councillor Edgar
Seconded by Councillor Marshall

WHEREAS the Niagara Peninsula Conservation Authority (NPCA) is a Provincially mandated agency operating in the Region of Niagara, Haldimand County and the City of Hamilton, funded largely by the Region of Niagara;

WHEREAS the each of Niagara's 12 Cities, Towns and Township are collectors and contributors of public funds to the Region of Niagara, and, therefore, a contributor to the NPCA's funding;

WHEREAS the people of all municipalities represented on the NPCA Board deserve openness and accountability relating to how their tax dollars are being spent, how effectively our natural environment is being protected, and how representatives to the NPCA Board are appointed;

WHEREAS currently, 11 of the 12 Niagara members of the NPCA Board are municipal politicians who may not have the necessary conservation and environmental expertise suited to effectively serve on this important Board;

WHEREAS for the City of Hamilton, it has been the practice of their city council to appoint citizen representatives to the NPCA Board, thus highlighting the importance of the ability to provide appropriate knowledge, experience and expertise to the Board and establishing a precedent to support citizen appointment to the NPCA;

WHEREAS the Auditor General, in her September 27, 2018 report to the Ontario Legislative Assembly, recommended that "members of the Niagara Peninsula Conservation Authority (NPCA) Board of Directors should collectively have the skills, experience and training necessary to oversee the NPCA's activities effectively" and that the "NPCA's funding municipalities [should] ensure that their Board appointment processes consider skills and experience requirements";

WHEREAS the informal, past practice of the Niagara Regional Council has been to offer a single appointment from each of the twelve local municipalities by: first, offering appointment to the Regional Councillor(s) or Mayor of the local municipality; and, second by a process that defaults to the local municipal Councillors; and then, finally, to citizen representation; (please see attached description from NPCA website); and

WHEREAS the majority of Council's across the Niagara Peninsula recently supported a formal appointment protocol that allows the local municipalities to seek applications for appointment to the NPCA Board and that a recommendation for appointment then be subsequently provided to the Region by the local municipalities.

NOW THEREFORE BE IT RESOLVED:

That Regional Council **ESTABLISH** a formal process for appointments to the Niagara Peninsula Conservation Authority Board to request and permit each of Niagara's local municipalities to publicly advertise and make recommendations for appointment of a qualified and independent citizen with appropriate skills and expertise to represent their respective municipalities, to take effect following the 2018 municipal election, or immediately should a vacancy on the NPCA Board of Directors occur; and

That a copy of this resolution **BE FORWARDED** to the Auditor General of Ontario; Minister of Natural Resources and Forestry; the current NPCA Board of Directors; Niagara MPPs; the City of Hamilton; Haldimand County; and Niagara Local Area Municipalities for information.

Moved by Councillor Rigby
Seconded by Councillor Quirk

That the motion respecting Selection of Members to the Niagara Peninsula Conservation Authority (NPCA) Board of Directors, **BE REFERRED** to the incoming Regional Council for their consideration.

Recorded Vote:

Yes (13): Annunziata, Baty, Bentley, D'Angela, Dart, Gale, Grenier, Jeffs, Joyner, Maves, Quirk, Rigby, Volpatti,

No (10): Burroughs, Easton, Edgar, Heit, Hodgson, MacGregor, Marshall, Redekop, Sendzik, Timms.

Carried

13.2 Proposed Amendment to the Procedural By-law respecting the Calling of Special Meetings by Petition

Moved by Councillor Baty
Seconded by Councillor Quirk

That the Procedural By-law **BE AMENDED** to include the following clause in section 6 "Special Meetings":

That every effort should be made to circulate a petition for a call for a special meeting to all members of council.

Recorded Vote:

Yes (20): Annunziata, Barrick, Baty, Bentley, Burroughs, D'Angela, Dart, Gale, Grenier, Hodgson, Jeffs, Joyner, Marshall, Maves, Quirk, Redekop, Rigby, Sendzik, Timms, Volpatti.

No (4): Easton, Edgar, Heit, MacGregor.

Carried

13.3 Cancellation of the Economic Development Master Plan

Councillor Heit withdrew his motion respecting Cancellation of the Economic Development Master Plan.

14. **NOTICES OF MOTION**

There were no notices of motion.

15. **OTHER BUSINESS**

15.1 Delegation to China

Carmen D'Angelo, Chief Administrative Officer, provided an update on the trade mission to China. He noted that Niagara Region is the only municipality that applied to attend and received an invitation for the first ever international trade show in China. Domenic Ursini, Director, Economic Development, advised that the trade mission is a collaboration between Niagara Region and the private sector.

Moved by Councillor Quirk
Seconded by Councillor Gale

That Regional Council **DIRECT** the Chief Administrative Officer to attend the trade mission to China on behalf of Niagara Region pending unanimous approval of the sixteen corporations also attending the trade mission.

Recorded Vote:

Yes (12): Annunziata, Barrick, Baty, Burroughs, Darte, Gale, Jeffs, Joyner, Maves, Quirk, Timms, Volpatti.

No (12): Bentley, D'Angela, Easton, Edgar, Heit, Hodgson, Luciani, MacGregor, Marshall, Redekop, Rigby, Sendzik.

The vote resulted in a tie. The Regional Chair voted in favour of the motion and declared the vote,

Carried

7. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

7.2 Opportunity for Remarks by Outgoing Councillors

Some of the outgoing members of Regional Council expressed their gratitude for serving on Regional Council. Their comments focused on the support of the other members of Council, their families, the professionalism of Niagara Region staff and the many accomplishments of the Region.

7.3 Chair's Remarks

Regional Chair Caslin offered the following remarks:

I am honoured to have had the opportunity to serve Niagara here for eight years, four as Councillor and four as Regional Chair. It is easy to look at our discussions and debates as an end in itself. I see these debates as the ingredients that has led to the many substantive accomplishments this term. We have worked diligently to move forward our Strategic Plan. I am proud of our shared accomplishments.

We have:

- Established a permanent inter municipal transit service
- Secured a Daily GO Train Announcement from Province for 2021 to Grimsby and 2023 to Niagara Falls
- Fostered an environment that helped create 12,700 new jobs
- Secured Niagara as the Host Region for the 2021 Canada Summer Games

- Created a matrix to measure Council progress on strategic priorities. The results are clear:
- We are rated as one of Ontario's most competitive centres
- We were the first Foreign Trade Zone Point in Ontario
- There was an unprecedented \$1.52 Billion industrial and commercial construction over the term and \$1.4 Billion in 2017 construction.
- Listed as the top upper tier municipality on the 2017 Open Cities Index, based on the openness and transparency of municipal data to the public
- Created many new affordable housing units + invested millions in new social housing.
- Kept taxes at a low 1.47% average, below inflation over the term, with a tax freeze in 2016

I'm grateful for this opportunity to have worked with each of you to move Niagara forward. We have laid some important groundwork that will enable the next term of Council to build on these projects and enhance life for the people and businesses of Niagara.

To all outgoing Councillors, I express my thanks to you for your willingness to serve your communities and our Region as whole. Your time here on Council has made a difference and has improved the Niagara Region as a whole.

On behalf of our Council, I wish you well in your future endeavors.

To all incoming Councillors, I extend the very best wishes of our current council. As you make new decisions and wrestle with the opportunities and challenges of elected office and serving on this council, we know that you do so in the service of all Niagara residents. Serving our communities is about making them better than we left them, and I encourage you all to make that a hallmark of your time here.

Finally, to staff across our organization, from the Corporate Leadership Team, to everyone delivering frontline services in our many divisions, I offer the wholehearted thanks of our Council. You work diligently to deliver on Council's Strategic Plan, and implement the decisions of council, within Council's budget... and that's no easy task. Thank you for your commitment to our organization and to our customers, the people of Niagara.

16. MOTION FOR CLOSED SESSION

Council did not resolve into closed session.

17. CLOSED SESSION

Council did not resolve into closed session.

18. REPORT FROM CLOSED SESSION

Council did not resolve into closed session.

19. BY-LAWS

19.1 Bill 2018-80

Moved by Councillor Timms
Seconded by Councillor Bentley

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

Bill 2018-80

A by-law to amend section 11 "Council Agenda" of By-law 120-2010, the Procedural By-law.

Carried

19.2 Bill 2018-81

Moved by Councillor Timms
Seconded by Councillor Joyner

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

Bill 2018-81

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on November 1, 2018.

Carried

20. ADJOURNMENT

There being no further business, the meeting adjourned at 8:36 p.m.

Alan Caslin
Regional Chair

Ann-Marie Norio
Regional Clerk