

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

CL 10-2020

Wednesday, July 8, 2020

Council Chamber / Teleconference

**Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, Ontario**

Council Members Present in the Council Chamber: Bradley (Regional Chair)

Council Members Present via Teleconference: Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Staff Present in the Council Chamber: D. Gibbs, Director, Legal and Court Services, T. Harrison, Acting, Chief Administrative Officer / Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, M. Lewis, Technology Support Analyst, A.-M. Norio, Regional Clerk

Staff Present via Teleconference: D. Barnhart, Executive Officer to the Regional Chair, A. Jugley, Commissioner, Community Services, R. Mostacci, Commissioner, Planning & Development Services, K. Smith, Chief/Director, Emergency Medical Services, M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 4:32 p.m.

2. ADOPTION OF AGENDA

Moved by Councillor Redekop
Seconded by Councillor Foster

That Geoffrey Aldridge **BE PERMITTED** to appear before Council as a delegate respecting Report CAO 15-2020, concerning Options to Consider for Mandating Face Coverings (Agenda Item 6.1).

Carried

Moved by Councillor Greenwood
Seconded by Councillor Ugolini

That Council Agenda CL 10-2020, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. DELEGATIONS

4.1 Options to Consider for Mandating Face Coverings (Agenda Item 6.1)

4.1.1 C. Rowe, Resident, City of Welland

Cheryl Rowe, resident, City of Welland, appeared before Council in opposition to a by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic.

4.1.2 G. Aldridge, Resident, Town of Fort Erie

Geoffrey Aldridge, resident, Town of Fort Erie, appeared before Council in support of a by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic.

5. CORRESPONDENCE

5.1 Receive and/or Refer

Moved by Councillor Fertich
Seconded by Councillor Jordan

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

CL-C 39-2020 respecting face coverings, **BE RECEIVED**;

CL-C 40-2020 respecting face coverings, **BE RECEIVED**;

CL-C 41-2020 respecting face coverings, **BE RECEIVED**;

CL-C 43-2020 respecting face coverings, **BE RECEIVED**;

CL-C 45-2020 respecting mandatory masks and impact on people with disabilities, **BE RECEIVED**; and

CL-C 46-2020 respecting face coverings, **BE RECEIVED**;

Carried

5.2 For Consideration

5.2.1 CL-C 42-2020

Joint Statement from Ontario Municipalities

Moved by Councillor Steele

Seconded by Councillor Sendzik

That Correspondence Item CL-C 42-2020, being a memorandum from D. Barnhart, Executive Officer to the Regional Chair, dated July 8, 2020, respecting Joint Statement from Ontario Municipalities, **BE RECEIVED** for information.

Carried

6. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

6.1 CAO 15-2020

Options to Consider for Mandating Face Coverings

Moved by Councillor Whalen

Seconded by Councillor Huson

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and
2. That staff **PROCEED** with the option approved by Regional Council.

Moved by Councillor Gale

Seconded by Councillor Zalepa

That Report CAO 15-2020, respecting Options to Consider for Mandatory Face Coverings, **BE REFERRED** to the Public Health and Social Services Committee meeting being held on July 14, 2020.

Recorded Vote:

Yes (10): Bellows, Campion, Chiocchio, Diodati, Gale, Insinna, Junkin, Nicholson, Rigby, Zalepa.

No (21): Butters, Bylsma, Darte, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen.

Defeated

Moved by Councillor Steele
Seconded by Councillor Diodati

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

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020;
2. *That staff **BE DIRECTED** to proceed with a comprehensive education campaign regarding face coverings when physical distancing is not possible; and*
3. *That Regional Council **APPROVE** the temporary by-law, to require mandatory face coverings in enclosed public places during the COVID-19 pandemic attached as Appendix 3 to Report CAO 15-2020.*

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

That subsection 10 of the draft by-law (Appendix 3 to Report CAO 15-2020, **BE AMENDED** to include the following:

Every person who is the owner or operator of an enclosed public space **shall provide hand sanitizer at all public entrances and exits for the use of members of the public attending the enclosed public space** and shall post clearly visible ...

Moved by Councillor Foster
Seconded by Councillor Bylsma

That clause 3 of the motion **BE DEFERRED** to the Regional Council meeting being held on July 23, 2020.

Recorded Vote:

Yes (15): Bylsma, Campion, Chiocchio, Darte, Diodati, Easton, Edgar, Fertich, Foster, Gale, Gibson, Junkin, Nicholson, Witteveen, Zalepa.

No (15): Butters, Disero, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen.

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

Carried

The Regional Chair called the vote on the amended motion as follows:

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and
2. That staff **BE DIRECTED** to proceed with a comprehensive education campaign regarding face coverings when physical distancing is not possible.

Carried

7. BY-LAWS

7.1 Bill 2020-37

Bill 2020-37 was not considered.

7.2 Bill 2020-38

Moved by Councillor Rigby
Seconded by Councillor Steele

That Bill 2020-38, being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on July 8, 2020, **BE NOW READ** and **DO PASS**.

Carried

8. ADJOURNMENT

There being no further business, the meeting adjourned at 9:03 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk