

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

CL 21-2020

Wednesday, November 18, 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), Foster

Council Members Present via Video Conference: Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Foster, Gale, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Zalepa

Absent/Regrets: Bellows, Bylsma, Fertich, Gibson, Insinna, Witteveen

Staff Present in the Council Chamber: D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: A. Apfelbaum, Manager, Business Licensing, D. Giles, Acting Commissioner, Planning & Development Services, T. Harrison, Commissioner/Treasurer, Corporate Services, K. Smith, Chief/Director, Emergency Medical Services, B. Zvaniga, Interim Commissioner, Public Works

Others Present via Video Conference: Chief B. MacCulloch, Niagara Regional Police Service

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 4:35 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 Huson
Seconded by Councillor Zalepa

That Council Agenda CL 21-2020, **BE ADOPTED.**

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

Councillor Darté declared an indirect pecuniary interest with respect to those agenda items dealing with the Section 22 Order as he is an owner of a property in the City of St. Catharines with a commercial tenant impacted by the Order.

4. PRESENTATIONS

Prior to the presentation, Donna Gibbs, Director, Legal & Court Services, provided Council with information respecting the legal context for the Section 22 Order and the authorities provided under the Health Promotion and Protection Act.

4.1 COVID-19 Status Update & Recent Developments

Dr. M.M. Hirji, Acting Medical Officer of Health, provided information respecting COVID-19 Status Update & Recent Developments. Topics of the presentation included:

- COVID-19 Case Data from Other Countries
- Update on COVID-19 in Canada Epidemiology and Modelling
- COVID-19 Hospitalizations
- Contact Tracing
- By the Numbers: Young Adult Outbreak
- Community Outbreak Visualization
- Framework: Adjusting and Tightening Public Health Measures
- Provincial Metrics
- Canadian Survey of Business Conditions: Accommodation and Food Service

5. DELEGATIONS

5.1 COVID-19 Response and Business Continuity in Public Health & Emergency Services (November 2020) (Report CAO 21-2020 (Agenda Item 6.1))

5.1.1 Bruno Carusetta, Resident, City of Welland

Bruno Carusetta, and Bruno Carusetta Jr., appeared before Council in opposition to the Section 22 Order and provided information respecting how the restrictions are affecting their restaurant business in the City of Welland.

5.1.2 Mark Wood, Resident, City of St. Catharines

Mark Wood, food premise owner, appeared before Council speaking in opposition to the Section 22 Order and provided information respecting the affect the Order was having on food premises.

6. CORRESPONDENCE

6.2 For Consideration

6.2.1 CL-C 110-2020

COVID-19 Status Updates

Moved by Councillor Butters

Seconded by Councillor Steele

That Correspondence Item CL-C 110-2020, being a memorandum from R. Tripp, Acting Chief Administrative Officer, and A.-M. Norio, Regional Clerk, dated November 18, 2020, respecting COVID-19 Status Updates, **BE RECEIVED** for information.

Carried

Moved by Councillor Huson

Seconded by Councillor Butters

That staff **BE DIRECTED** to proceed with scheduling regular COVID-19 Status Update workshops.

Carried

Councillor Information Requests(s):

Council members requested that public statements regarding COVID-19 be issued more frequently.

7. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

7.1 CAO 21-2020

COVID-19 Response and Business Continuity in Public Health & Emergency Services (November 2020)

Moved by Councillor Villella
Seconded by Councillor Ugolini

That Item CAO 21-2020, being a memorandum from R. Tripp, Acting Chief Administrative Officer, and Dr. M.M. Hirji, Acting Medical Officer of Health, dated November 18, 2020, respecting COVID-19 Response and Business Continuity in Public Health & Emergency Services (November 2020), **BE RECEIVED** for information.

Carried

8. MOTIONS

The Regional Chair advised that in order to consider the motions put forward by Councillors Huson and Sendzik, the rules of procedure would need to be suspended on the affirmative vote of two-thirds of the members present. Therefore, it was:

Moved by Councillor Steele
Seconded by Councillor Campion

That the notice requirements under Section 18.1 of the Procedural By-law, **BE WAIVED** to permit Council to consider motions respecting Support for Niagara's local businesses through the second wave of the COVID-19 pandemic and Section 22 Order and COVID-19 Enforcement.

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

Carried

8.1 Support for Niagara's local businesses through the second wave of the COVID-19 pandemic

Moved by Councillor Huson
Seconded by Councillor Heit

WHEREAS the COVID-19 pandemic continues to pose a real and imminent threat the health of the residents of the Niagara region;

WHEREAS public health authorities at the provincial and local level have implemented reasonable measures to protect the health of the residents of Niagara and Ontario;

WHEREAS these measures may have the unintended effect of disadvantaging certain businesses in the Niagara region, namely those in the tourism, hospitality and food services sectors;

WHEREAS Regional Council formally recognizes the important part that Niagara's more than 1,200 restaurants play in our economy, employing thousands of residents through the entire year;

WHEREAS Regional Council also recognizes that Niagara's tourism, hospitality and food service sector are connected to a supply chain of numerous sectors that rely on these businesses operating to continue to provide gainful employment to thousands of residents;

WHEREAS the Niagara region has been disproportionately impacted by the COVID-19 pandemic as compared to many other areas of the province;

NOW THEREFORE BE IT RESOLVED:

1. That the Regional Chair **BE DIRECTED** to advocate to the provincial and federal government for financial support for Niagara's struggling hospitality, tourism and food service sectors as they cope with the impacts of public health protection orders on their operations;
2. That staff **BE DIRECTED** to undertake a proactive "buy local" marketing initiative to help support Niagara's local businesses, taking advantage of the upcoming holiday shopping season;
3. That Regional staff **BE DIRECTED** to pursue all opportunities for coordination and partnership with the local area municipalities in the execution of the "buy local" initiative, including but not limited to the municipal economic development offices and corporate communication divisions; and
4. That the Regional Clerk **BE DIRECTED** to circulate a copy of this resolution to Niagara's 12 local area municipalities.

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

4. That the Regional Clerk **BE DIRECTED** to circulate a copy of this resolution to Niagara's 12 local area municipalities **and the local area MPs and MPPs.**

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

1. That the Regional Chair **BE DIRECTED** to advocate to the provincial and federal government for financial support for Niagara's struggling hospitality, tourism and food service sectors as they cope with the impacts of public health protection orders on their operations **and that staff include a program which would provide a property tax reduction on the Business Education Taxes (BET) to local business negatively affected by COVID-19 using the recently announced Provincial program.**

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

WHEREAS the COVID-19 pandemic continues to pose a real and imminent threat the health of the residents of the Niagara region;

WHEREAS public health authorities at the provincial and local level have implemented reasonable measures to protect the health of the residents of Niagara and Ontario;

WHEREAS these measures may have the unintended effect of disadvantaging certain businesses in the Niagara region, namely those in the tourism, hospitality and food services sectors;

WHEREAS Regional Council formally recognizes the important part that Niagara's more than 1,200 restaurants play in our economy, employing thousands of residents through the entire year;

WHEREAS Regional Council also recognizes that Niagara's tourism, hospitality and food service sector are connected to a supply chain of numerous sectors that rely on these businesses operating to continue to provide gainful employment to thousands of residents;

WHEREAS the Niagara region has been disproportionately impacted by the COVID-19 pandemic as compared to many other areas of the province;

NOW THEREFORE BE IT RESOLVED:

1. That the Regional Chair **BE DIRECTED** to advocate to the provincial and federal government for financial support for Niagara's struggling hospitality, tourism and food service sectors as they cope with the impacts of public health protection orders on their operations and that staff include a program which would provide a property tax reduction on the Business Education Taxes (BET) to local business negatively affected by COVID-19 using the recently announced Provincial program;
2. That staff **BE DIRECTED** to undertake a proactive "buy local" marketing initiative to help support Niagara's local businesses, taking advantage of the upcoming holiday shopping season;
3. That Regional staff **BE DIRECTED** to pursue all opportunities for coordination and partnership with the local area municipalities in the execution of the "buy local" initiative, including but not limited to the municipal economic development offices and corporate communication divisions; and
4. That the Regional Clerk **BE DIRECTED** to circulate a copy of this resolution to Niagara's 12 local area municipalities and the local area MPs and MPPs.

Carried

8.2 Section 22 Order and COVID-19 Enforcement

Moved by Councillor Sendzik
Seconded by Councillor Diodati

1. That Regional Council **RECOMMEND** that the Acting Medical Officer of Health amend the directive under Section 22 of the Health Protection and Promotion Act with respect to who can be seated at a table at a restaurant and to remove the requirement limited to household members only;
2. That Section 22 **BE REVIEWED** every two weeks, with notification of proposed changes to be made to the Board of Public Health of Niagara Region, before being released publicly and that compliance with the Provincial framework be made a priority;
3. That the Acting Medical Officer of Health **IMMEDIATELY** enact a plan with the area Chief Administrative Officers and the Niagara Regional Police regarding strict enforcement of COVID-19 related by-laws and public health regulations to flatten the curve;

4. That Public Health **WORK** with area Chief Administrative Officers to immediately target those demographics that are causing the increase of COVID-19 with an aggressive communication campaign; and
5. That any fines issued related to COVID-19 related by-laws and public health regulations by the Niagara Regional Police, Public Health and municipal by-law officials **BE PUBLISHED** publicly.

Recorded Vote:

Yes (21): Butters, Campion, Chiocchio, Diodati, Disero, Easton, Edgar, Foster, Greenwood, Heit, Huson, Jordan, Junkin, Nicholson, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Zalepa.

No (0).

Carried

9. BY-LAWS

9.1 Bill 2020-86

Moved by Councillor Foster
Seconded by Councillor Rigby

That Bill 2020-86 being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on November 18, 2020, **BE NOW READ** and **DO PASS**.

Carried

10. ADJOURNMENT

There being no further business, the meeting adjourned at 9:05 p.m.

Jim Bradley
Regional Chair

Ann-Marie Norio
Regional Clerk