

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

**CL 14-2021  
Thursday, July 22, 2021  
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, Insinna

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

Absent/Regrets: Junkin, Steele, Villella

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/ Deputy Treasurer, T. Harrison, Treasurer/ Commissioner, Corporate Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, M. Sergi, Commissioner, Planning and Development Services, R. Tripp, Acting Chief Administrative Officer

Staff Present via Video Conference: D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, D. Giles, Director, Community & Long Range Planning, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, R. Salewytch, Transit Services Program Manager, B. Menage, Director, Procurement & Strategic Acquisitions, K. Smith, Chief/ Director, Emergency Medical Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Director, Niagara Housing/Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works

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

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**1. CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:33 p.m.

**2. ADOPTION OF AGENDA**

**2.1 Addition of Items**

There were no items added to the agenda.

**2.2 Changes in Order of Items**

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

Moved by Councillor Bellows

Seconded by Councillor Nicholson

That Council Agenda CL 14-2021, **BE ADOPTED.**

**Carried**

**3. DISCLOSURES OF PECUNIARY INTEREST**

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Corporate Services Committee Minutes CSC 7-2021 (Agenda Item 9.4) concerning Report CSD 45-2021, respecting 2018-RFP-33 - Architectural Services for Two Long Term Care Homes in St. Catharines and Fort Erie (Minute Item 7.2) as his daughter-in-law works in long-term care.

**4. PRESENTATIONS**

**4.1 T. Roy Adams Humanitarian of the Year Award**

Regional Chair Bradley stated that T. Roy Adams was an eminent Niagaran, well known throughout the region, Canada and abroad for his service to the community. In 2003, Niagara Region initiated a memorial award in his name to honour a resident of Niagara who best exemplifies Roy's values and dedication to community service.

Chair Bradley announced Susan Venditti as this year's recipient of the award.

Councillor Greenwood highlighted Mrs. Venditti's contributions to the community. Councillor Sendzik thanked Mrs. Venditti for her volunteerism, her generosity and her drive to give back to the community.

Mrs. Venditti thanked Regional Council for the recognition and award.

**5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS**

The Regional Chair provided an update respecting activities within the Region and the efforts of Niagara Region with respect to the COVID-19 pandemic.

**6. DELEGATIONS**

There were no delegations.

7. **ADOPTION OF MINUTES**

7.1 **Council Minutes CL 13-2021**

Thursday, June 24, 2021

Moved by Councillor Butters

Seconded by Councillor Darte

That Minutes CL 13-2021 being the Open Session minutes of the Regional Council meeting held on Thursday, June 24, 2021, **BE ADOPTED.**

**Carried**

8. **CORRESPONDENCE**

8.1 **Receive and/or Refer**

Correspondence Item CL-C 56-2021 and Report CHR 3-2021 were considered separately.

Moved by Councillor Disero

Seconded by Councillor Whalen

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

CL-C 57-2021 respecting Reject request for Home Depot Niagara Falls to remain open on Statutory Holidays, **BE RECEIVED**; and

CAO 14-2021 respecting Pandemic Relief Taskforce, **BE RECEIVED.**

**Carried**

8.1.1 CL-C 56-2021

Amendment to Procedural By-law for Continued Electronic Meeting Participation

Moved by Councillor Huson

Seconded by Councillor Darte

1. That Correspondence Item CL-C 56-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated July 22, 2021, respecting Amendment to Procedural By-law for Continued Electronic Meeting Participation, **BE RECEIVED**; and

2. That Regional Council **DIRECTS** the Clerk to initiate the planning and implementation of a gradual transition of Committee/Council meetings (as well as public access) to a hybrid model of Committee/Council that accommodates both in-person as well as continued virtual options and report back on a plan at the September Corporate Services Standing Committee meeting with a projected transition/implementation goal of Q4 2021, consistent with applicable health guidelines.

Moved by Councillor Foster  
Seconded by Councillor Insinna

That clause two of the motion **BE REFERRED** to the Procedural By-law Review Committee.

**Carried**

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

**Carried**

#### 8.1.3 CHR 3-2021

COVID-19 Economic Recovery Forum Summary

Moved by Councillor Zalepa  
Seconded by Councillor Greenwood

That Report CHR 3-2021, dated July 22, 2021, respecting COVID-19 Economic Recovery Forum Summary, **BE RECEIVED** for information.

**Carried**

#### 8.2 For Consideration

##### 8.2.1 PW 42-2021

Niagara Falls Water Treatment Plant Dechlorination and Waste System Upgrade – Gross Budget Increase

Moved by Councillor Rigby  
Seconded by Councillor Fertich

That Report PW 42-2021, dated July 22, 2021, respecting Niagara Falls Water Treatment Plant Dechlorination and Waste System Upgrade – Gross Budget Increase, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the gross budget for the Niagara Falls Water Treatment Plant Dechlorination Waste Upgrade project **BE INCREASED** by \$1,371,559 for a total project budget of \$4,866,559 and that the increase **BE FUNDED** from the Capital Variance Project – Water; and
2. That the current contract amount of \$232,117.07 (including 13% HST) awarded to Associated Engineering (Ont.) Ltd. **BE INCREASED** by \$403,309.43 (including 13% HST), for a total revised contract amount of \$635,426.50 (including 13% HST) to include administration and inspection services and that Staff **BE AUTHORIZED** to proceed with the necessary amending agreement with Associated Engineering (Ont.) Ltd. in a form satisfactory to the Director of Legal and Court Services.

**Carried**

**9. COMMITTEE REPORTS - OPEN SESSION**

**9.1 Committee of the Whole**

Minutes COTW 2-2021, Thursday, July 8, 2021

Moved by Councillor Edgar

Seconded by Councillor Fertich

That Minutes COTW 2-2021 being the Open Session minutes of the Committee of the Whole meeting held on Thursday, July 8, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

**9.2 Public Works Committee**

Minutes PWC 7-2021, Tuesday, July 13, 2021

Moved by Councillor Rigby

Seconded by Councillor Fertich

That Minutes PWC 7-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, July 13, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.2.1 Minute Item 5.1 respecting Niagara Regional Transit (NRT)  
OnDemand - Port Colborne Inclusion

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report PW 38-2021, dated July 13, 2021, respecting Niagara Regional Transit (NRT) OnDemand – Port Colborne Inclusion, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the report from the City of Port Colborne titled, “Transit Enhancement Opportunity” (Appendix 1 to Report PW 38-2021) **BE RECEIVED** for information;
2. That the Chief Administrative Officer **BE AUTHORIZED** to execute any amendments to the Agreement and/or Service Order between the Regional Municipality of Niagara and River North Transit, LLC (a.k.a. Via Mobility, LLC) in the amount of \$898,840 (excluding HST) to enable the inclusion of a turnkey, on-demand transit service pilot in Port Colborne to be branded and administered as part of the Niagara Regional Transit (NRT) OnDemand pilot;
3. That the Chief Administrative Officer **BE AUTHORIZED** to execute a Memorandum of Understanding (MOU) between Niagara Region and the City of Port Colborne to allow for Niagara Region to facilitate and administer the deployment of on-demand transit services within the City of Port Colborne as approved in the terms and value outlined in City of Port Colborne report 2021-15 (Appendix 1 to Report PW 38-2021); and
4. That the Chief Administrative Officer **BE AUTHORIZED** to execute amendments and/or extensions to both the MOU and the Agreement/Service Order such that it facilitates the continuity of services as a result of the Niagara Transit Governance Study.

Moved by Councillor Chiocchio  
Seconded by Councillor Campion

That Report PW 38-2021 **BE REFERRED** to the Public Works Committee meeting being held on August 10, 2021, to allow the City of Welland to consult with the City of Port Colborne on this matter.

**Carried**

9.2.2 Balance of the Recommendations from Public Works Committee

The Regional Chair called the vote on the balance of the recommendations from the Public Works Committee and declared it,

**Carried**

9.3 Public Health and Social Services Committee

Minutes PHSSC 7-2021, Tuesday, July 13, 2021

Moved by Councillor Greenwood  
Seconded by Councillor Chiocchio

That Minutes PHSSC 7-2021 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, July 13, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

9.4 Corporate Services Committee

Minutes CSC 7-2021, Wednesday, July 14, 2021

Moved by Councillor Foster  
Seconded by Councillor Whalen

That Minutes CSC 7-2021 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, July 14, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.4.1 Minute Item 7.4 respecting Deferred Motion Respecting Hospice Niagara Request for Funding

The motion contained in Minute Item 7.4 was considered separately as follows:

That Correspondence Item CSC-C 19-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated July 14, 2021, respecting Deferred Motion - Hospice Niagara Request for Funding (Report CSD 24-2021), **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Hospice Niagara Funding request of \$4 million **BE RECEIVED** for information;
2. That Council **SUPPORTS** the request for funding by Hospice Niagara in the amount of \$4 million;

3. That funding for the project **BE INCLUDED** in the 2022 Niagara Region operating budget, to be paid in 4 equal annual instalments with timing to be determined and a report to come forward to the Budget Review Committee of the Whole; and
4. That staff **BE DIRECTED** to develop a program for dealing with this type of health care related request for funding, possible criteria to include how the proposed project integrates with other health care services in Niagara, the extent of service to all residents of Niagara, the impact of proposed new services or extension of existing services and how the project will be funded through private fundraising and other sources of revenue.

Recorded Vote:

Yes (24): Butters, Bylsma, Campion, Chiocchio, Dart, Disero, Easton, Edgar, Fertich, Foster, Gale, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Ugulini, Whalen, Witteveen.

No (2): Gibson, Zalepa.

**Carried**

9.4.2 Balance of the Recommendations from Corporate Services Committee

The Regional Chair called the vote on the balance of the recommendations from the Public Works Committee and declared it,

**Carried**

9.5 Planning and Economic Development Committee

Minutes PEDC 7-2021, Wednesday, July 14, 2021

Moved by Councillor Huson

Seconded by Councillor Witteveen

That Minutes PEDC 7-2021 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, July 14, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**



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

**10.1 CAO 13-2021**

Third Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report "Inside Job"

Moved by Councillor Heit  
Seconded by Councillor Butters

That Report CAO 13-2021, dated July 22, 2021, respecting Third Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report "Inside Job", **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ENDORSE** the Terms of Reference for a Municipal Ombudsman attached as Appendix 1 to Report CAO 13-2021; and
2. That Report CAO 13-2021 **BE CIRCULATED** to the Ontario Ombudsman for information.

**Carried**

**11. MOTIONS**

There were no motions for consideration.

**12. NOTICES OF MOTION**

Councillor Gibson advised that he would be bringing forward a motion to the next Council meeting respecting a human resources matter.

**13. OTHER BUSINESS**

**13.1 Niagara Regional Transit Update**

Councillor Foster requested staff provide a presentation respecting the progress of Niagara Regional Transit at the Public Works Committee meeting being held on August 10, 2021.

**13.2 Conduct of Citizen Members of Regional Committees**

Councillor Bylsma raised concerns over the social media posts of a citizen member of a Regional committee. Ron Tripp, Acting Chief Administrative Officer, advised staff would follow up with the Councillor.

**Councillor Information Request(s):**

Provide information to the Procedural By-law Review Committee concerning a code of conduct policy for citizen members appointed to Regional Committees. Councillor Redekop.

13.3 Whistleblower Report Recommendations

Councillor Gale requested an update respecting the status of the recommendations from the independent investigator related to the whistleblower investigation conducted in early 2021. Ron Tripp, Acting Chief Administrative Officer, advised he would follow up on the matter. .

13.4 Regional Staff Return to Work

Councillor Huson requested information respecting when Regional Staff would be returning to Regional facilities. Ron Tripp, Acting Chief Administrative Officer, advised a plan is being developed and that no changes are anticipated prior to September 2021.

14. **CLOSED SESSION**

Council did not resolve into Closed Session.

15. **BUSINESS ARISING FROM CLOSED SESSION**

15.1 Confidential CSD 47-2021

A Confidential Matter Respecting Litigation before Administrative Tribunal under s. 239 (2) of the Municipal Act, 2001 - Appeal of Council Decision for Development Charges Complaint - Grimsby

Moved by Councillor Whalen  
Seconded by Councillor Zalepa

That Confidential Report CSD 47-2021, dated July 22, 2021, respecting A Confidential Matter Respecting Litigation before Administrative Tribunal under s. 239 (2) of the Municipal Act, 2001 - Appeal of Council Decision for Development Charges Complaint – Grimsby, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

16. **BY-LAWS**

Moved by Councillor Ip  
Seconded by Councillor Gibson

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

Bill 2021-42

A by-law to stop up and close a portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie.

Bill 2021-43

A bylaw to approve the Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act – Home Depot Store, City of Niagara Falls.

Bill 2021-44

A by-law to amend By-law 120-2010, The Procedural By-law to permit electronic meeting participation.

Bill 2021-45

A by-law to authorize the borrowing upon 10 year instalment debentures in the aggregate principal amount of \$30,125,519.07 for capital works of the Town of Niagara-on-the-Lake and of the Cities of St. Catharines and Welland.

Bill 2021-46

A by-law to authorize the borrowing upon 10 year instalment debentures in the aggregate principal amount of \$15,958,480.93 for capital works of The Regional Municipality of Niagara.

Bill 2021-47

A by-law to provide for the borrowing upon 10 year instalment debentures in the aggregate of the principal amounts authorized by By-law No. 2021-45 and By-law No. 2021-46 in the aggregate principal amount of \$46,084,000.00 and for the issuing of one series of instalment debentures therefor.

Bill 2021-48

A by-law to amend By-Law 89-2000 to provide for the regulation of traffic on Regional highways (speed limit reduction Regional Road 81 in The Town of Niagara-on-the-Lake).

Bill 2021-49

A by-law to amend By-Law 89-2000 to provide for the regulation of traffic on Regional highways (speed limit reduction Regional Road 55 in The Town of Niagara-on-the-Lake).

Bill 2021-50

A by-law to amend By-Law 89-2000 to provide for the regulation of traffic on Regional highways (speed limit reduction Regional Road 24 and Regional Road 29 in The Town of West Lincoln).

Bill 2021-51

A by-law to amend By-Law 89-2000 provide for the regulation of traffic on Regional highways (speed limit reduction Regional Road 3 in The Township of Wainfleet).

Bill 2021-52

A by-law to amend By-Law 89-2000 to provide for the regulation of traffic on Regional highways (stopping prohibition Regional Road 101 in The City of Niagara Falls).

Bill 2021-53

A by-law to amend By-Law 89-2000 to provide for the regulation of traffic on Regional highways (prohibiting turns on Regional Road 24 in The Town Lincoln and on Regional Road 89 in The City of St. Catharines).

Bill 2021-54

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on July 22, 2021.

**Carried**

**17. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:46 p.m.

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Jim Bradley  
Regional Chair

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Matthew Trennum  
Deputy Regional Clerk

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Ann-Marie Norio  
Regional Clerk