

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
MINUTES**

CSC 9-2023

Wednesday, September 13, 2023

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bateman, Bradley (Regional Chair)*, Campion*, Davies*,
Diodati*, Foster (Committee Chair), Gale, Ganann, Grant, Heit,
Ip, Redekop, Secord, Siscoe, Whalen (Committee Vice-Chair)

Other Councillors: Easton*, Rigby

Absent/Regrets: Sorrento, Zalepa

Staff: A. Basic, Legislative Assistant, D. Barnhart, Chief of Staff,
Governance*, D. D'Amboise, Acting Associate Director,
Reporting & Analysis, H. Furtado, Director, Financial
Management & Planning/Deputy Treasurer, D. Gibbs, Director,
Legal & Court Services, T. Harrison, Commissioner/Treasurer,
Corporate Services, K. Lotimer, Legislative Coordinator, F.
Meffe, Director, Human Resources, B. Menage, Director,
Procurement & Strategic Acquisitions, A.-M. Norio, Regional
Clerk, C. Ogunniyi, Manager, Diversity, Equity, Inclusion and
Indigenous Relations, A. Rotundo, Senior Tax & Revenue
Analyst, M. Sergi, Commissioner, Growth Strategy & Economic
Development, R. Tripp, Chief Administrative Officer, H. Vemuri,
Manager, Internal Audit*

* indicates members who participated electronically, all other
members participated in person

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:30 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

Moved by Councillor Bateman
Seconded by Councillor Ganann

That Ann-Marie Zammit, resident, City of St. Catharines, and Melanie Holm, resident, City of Niagara Falls, **BE PERMITTED** to appear before Committee as individual delegates respecting Motion - Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance (CSC-C 18-2023 (Agenda Item 5.3)).

Carried

4.1 Motion - Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance (CSC-C 18-2023 (Agenda Item 5.3))

4.1.1 Sandor Ligetfalvy, Resident, City of Niagara Falls

Sandor Ligetfalvy, resident, City of Niagara Falls, appeared before Committee in opposition of the motion respecting Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance and to request that Committee table the motion pending the completion of an independent investigation.

Councillor Bateman asked a question of the delegate that was deemed inappropriate by the Committee Chair, as it did not relate to the delegate's presentation.

Councillor Bateman challenged the ruling of the Chair and the following motion was considered:

Moved by Councillor Bateman
Seconded by Councillor Ip

That the ruling of the Chair respecting Councillor Bateman's question to the delegate **BE SUSTAINED**.

Carried

The Committee Chair declared the ruling was sustained and the question was not posed to the delegate.

Councillor Bateman asked a further question of the delegate that was deemed inappropriate by the Committee Chair, as it did not relate to the delegate's presentation.

Councillor Bateman challenged the ruling of the Chair and the following motion was considered:

Moved by Councillor Bateman
Seconded by Councillor Ip

That the ruling of the Chair respecting Councillor Bateman's question to the delegate **BE SUSTAINED**.

Carried

The Committee Chair declared the ruling was sustained and the question was not posed to the delegate.

4.1.2 Late Delegation Requests

4.1.2.1 Ann-Marie Zammit, Resident, City of St. Catharines

Ann-Marie Zammit, resident, City of St. Catharines, appeared before Committee in support of the motion respecting Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance and urged Committee Members to support the motion in its entirety.

4.1.2.2 Melanie Holm, Resident, City of Niagara Falls

Melanie Holm, resident, City of Niagara Falls, appeared before Committee in support of the motion respecting Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance.

There being no objection, Correspondence Item CSC-C 18-2023 (Agenda Item 5.3), respecting Motion - Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance was considered at this time.

5. ITEMS FOR CONSIDERATION

5.3 CSC-C 18-2023

Motion – Equity, Diversity and Inclusion and the Damaging Impacts of Hate and Intolerance

Moved by Councillor Redekop
Seconded by Councillor Heit

WHEREAS respect for the views and opinions of others is a hallmark of civil discourse in our society;

WHEREAS freedom of expression is a fundamental value of a free and democratic society;

WHEREAS speech that threatens violence, intimidates, abuses or bullies is not and should not be protected as free expression;

WHEREAS there have been many recent instances of violence, threats of violence, intimidation, abuse, and bullying by some individuals in the Niagara region against others for a variety of reasons other than legitimate differences of political views or opinions;

WHEREAS some elected officials in Niagara have been the subject of violent attacks, online harassment, and physical intimidation over the past several months;

WHEREAS Regional Council approved on February 17, 2022, a Resolution at the Corporate Services Committee that condemned those acts of violence, harassment, and intimidation against members of Regional Council and local area municipal councils, all public servants, and all health care providers;

WHEREAS elected officials are obligated to adhere to the provisions of codes of conduct that regulate their behaviour when serving the public; and

WHEREAS there is no excuse for bad behaviour by any individual against another.

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **AFFIRMS** that equity, diversity, and inclusion are core values that it supports and will continue to promote;
2. That the Niagara Regional Police Service **BE REQUESTED** to take a more assertive approach to responding to complaints of threats of violence, intimidation, and bullying of elected officials in Niagara;

3. That staff **BE DIRECTED** to investigate the following and provide a report to the Corporate Services Committee as soon as reasonably practical:
 - a) Creation of a program to educate the public on the benefits of equity, diversity and inclusion and conversely the damaging impacts of hate and intolerance;
 - b) Whether Council should consider the creation of a residents or citizens code of conduct to guide individuals engaging elected officials or attending meetings of Regional Council and its Committees and various advisory committees;
 - c) Any further information, data or recommendations that Council should consider to alleviate incidents of hate and intolerance in Niagara;
4. That the Provincial Government **BE REQUESTED** to develop legislation and/or policies to protect elected officials from violence, threats of violence, intimidation, abuse, and bullying by other individuals; and
5. That a copy of this Resolution **BE SENT** to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, all municipalities in Niagara, all Niagara MPPs and MPs, and the Chief of the Niagara Regional Police Service for consideration and support.

The following friendly **amendments** to Clauses 2 and 4 of the motion were accepted by the Committee Chair, and the mover and seconder of the motion:

2. That the Niagara Regional Police Service **BE REQUESTED** to take a more assertive approach to responding to complaints of threats of violence, intimidation, and bullying of elected officials **and members of local appointed committees** in Niagara;
4. That the Provincial Government **BE REQUESTED** to develop legislation and/or policies to protect elected officials **and members of local appointed committees** from violence, threats of violence, intimidation, abuse, and bullying by other individuals;

Moved by Councillor Gale
Seconded by Councillor Grant

That Correspondence Item CSC-C 18-2023 **BE REFERRED** to staff to provide a report at a future Corporate Services Committee meeting.

Defeated

Committee requested that Clause 2 of the motion be voted on separately. The Committee Chair called the vote on Clause 2 of the motion, as amended.

Recorded Vote:

Yes (11): Bateman, Bradley, Davies, Foster, Ganann, Heit, Ip, Redekop, Secord, Siscoe, Whalen.

No (3): Diodati, Gale, Grant.

Carried

The Committee Chair called the vote on the remainder of the motion, as amended.

Recorded Vote:

Yes (12): Bateman, Bradley, Davies, Diodati, Foster, Ganann, Heit, Ip, Redekop, Secord, Siscoe, Whalen.

No (2): Gale, Grant.

Carried

5.1 CLK 8-2023
2024 Legislative Schedule of Regular Meetings

Moved by Councillor Gale
Seconded by Councillor Whalen

That Report CLK 8-2023, dated September 13, 2023, respecting 2024 Legislative Schedule of Regular Meetings, **BE RECEIVED** and the following recommendation, **BE APPROVED**:

1. That the 2024 Legislative Schedule of Regular Meetings (attached as Appendix 1 to Report CLK 8-2023) **BE APPROVED**.

Carried

5.2 CLK 9-2023

Appointments to Licensing Appeals Committee and Diversity, Equity and Inclusion Advisory Committee

Moved by Councillor Ganann
Seconded by Councillor Siscoe

That Report CLK 9-2023, dated September 13, 2023, respecting Public Member Appointments to Diversity, Equity and Inclusion Advisory Committee and Business Licensing Appeals Committee, **BE RECEIVED** and the following recommendation, **BE APPROVED**:

1. That the recommendations contained in Confidential Appendix I to Report CLK 9-2023, **BE APPROVED**, confirming the public member appointments for the remainder of this term of Council to the Diversity, Equity and Inclusion Advisory Committee and Business Licensing Appeals Committee.

Carried

6. CONSENT ITEMS FOR INFORMATION

6.1 CSD 39-2023

Q2 2023 Financial Update

Donovan D'Amboise, Acting Associate Director, Reporting & Analysis, provided information respecting Q2 2023 Financial Update. Topics of the presentation included:

- Background
- Deliverables
- Q2 Operating Results - Levy, Rate & Special Levy
- 2023 COVID-19 Financial Impact
- Q2 Capital Results

Moved by Councillor Secord
Seconded by Councillor Grant

That Report CSD 39-2023, dated September 13, 2023, respecting Q2 2023 Financial Update, **BE RECEIVED** for information.

Carried

6.2 CSD 42-2023

Additional Information Regarding Development Charges at 4389
Beechwood Road, Niagara Falls

Moved by Councillor Bateman
Seconded by Councillor Heit

That Report CSD 42-2023, dated September 13, 2023, respecting
Additional Information Regarding Development Charges at 4389
Beechwood Road, Niagara Falls, **BE RECEIVED** for information.

Carried

7. **OTHER BUSINESS**

There were no items of other business.

8. **CLOSED SESSION**

Moved by Councillor Gale
Seconded by Councillor Whalen

That this Committee **DO NOW MOVE** into closed session for the purpose of
receiving information of a confidential nature respecting:

A Matter of Litigation Pursuant to s. 239(2)(e) of the Municipal Act, 2001 –
Councillor Information Requests Regarding Active Litigation Matters

Carried

Committee resolved into closed session at 11:31 a.m.

9. **BUSINESS ARISING FROM CLOSED SESSION ITEMS**

Committee reconvened in open session at 11:34 a.m. with the following
individuals in attendance:

Committee: Bateman, Davies*, Diodati*, Foster (Committee Chair), Gale,
Grant, Heit, Ip, Secord, Whalen (Committee Vice-Chair)

Other Councillors: Rigby

Absent/Regrets: Bradley (Regional Chair), Campion, Ganann, Redekop, Siscoe,
Sorrento, Zalepa

Staff: A. Basic, Legislative Assistant, H. Furtado, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, K. Lotimer, Legislative Coordinator, F. Meffe, Director, Human Resources, A.-M. Norio, Regional Clerk, R. Tripp, Chief Administrative Officer

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9.1 Confidential CSD 41-2023

A Matter of Litigation pursuant to s. 239(2)(e) of the Municipal Act, 2001 - Councillor Information Requests regarding Active Litigation Matters

Moved by Councillor Heit

Seconded by Councillor Whalen

That Confidential Memorandum CSD 41-2023, dated September 13, 2023, respecting A Matter of Litigation Pursuant to s. 239(2)(e) of the Municipal Act, 2001 - Councillor Information Requests Regarding Active Litigation Matters, **BE RECEIVED** for information.

Carried

10. **NEXT MEETING**

The next meeting will be held on Wednesday, October 11, 2023, at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:36 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk