

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

**CL 16-2018
Thursday, October 4, 2018
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

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

Absent/Regrets: Annunziata, Burroughs, Darte, Diodati, Jeffs, Maloney, Maves, Petrowski

Staff: C. Carter, General Manager, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, C. D'Angelo, Chief Administrative Officer, D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, 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, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, J. Tamming, Director, Strategic Communications & Public Affairs, M. Trennum, Legislative Coordinator, R. Tripp, Commissioner, Public Works, D. Ursini, Director, Economic Development, P. Wadsworth, Director, Human Resources, S. Wood, Legal Counsel

1. CALL TO ORDER

Regional Chair Caslin called the meeting to order at 6:39 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

There were no items added to the agenda.

4.2 Changes in Order of Items

Moved by Councillor Sendzik
Seconded by Councillor Rigby

That the order of the agenda **BE AMENDED** to move the consideration of the Confidential Item respecting A Matter of Advice that is Subject to Solicitor-Client Privilege - Legal Advice Respecting Employment Matters - Chief Administrative Officer Contract (Agenda Item 17.2.1) to immediately following the delegation respecting Follow-up Joint Staff Report on the Proposed Hybrid Model Within the Alternative Service Delivery Review of Social Housing (Agenda Item 8.1).

Carried

Moved by Councillor Volpatti
Seconded by Councillor Easton

That the order of the agenda **BE AMENDED** to move the consideration of Report COM 26-2018 respecting Follow-up Joint Staff Report on the Proposed Hybrid Model Within the Alternative Service Delivery Review of Social Housing (Agenda Item 10.2.1) and Committee Report COTW 2-2018, being the Committee of the Whole Open Session Minutes from Thursday July 19, 2018 (Agenda Item 11.1), to immediately following the delegation respecting on this matter.

Carried

Moved by Councillor Bentley
Seconded by Councillor Rigby

That the Council Agenda CL-16-2018, as amended, **BE ADOPTED**.

Carried

5. DISCLOSURES OF PECUNIARY INTEREST

Councillor Barrick declared a pecuniary interest with respect to the motion respecting selection of members to the Niagara Peninsula Conservation Authority Board of Directors (Agenda Item 13.3), as it deals with the Niagara Peninsula Conservation Authority (NPCA) and he is an employee of the NPCA.

6. PRESENTATIONS

There were no presentations.

7. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

Cops for Cancer Results

Regional Chair Caslin announced that he participated in the Cops for Cancer Tour de Horseshoe ride with Niagara Regional Police. The event included 28 riders from across the region who rode 400km over four days to raise more than \$175,000 for pediatric cancer research. Chair Caslin thanked everyone who contributed to this great cause.

Donation for DSBN Education Foundation

Chair Caslin announced that he presented the Education Foundation of Niagara with a \$5,000 donation from the contributions from the 2018 Niagara Regional Chair's Charity Golf Tournament. This donation will help ensure every student has access to all of the enriching opportunities school life has to offer. Chair Caslin thanked all of the participants and sponsors of this year's tournament.

8. DELEGATIONS

8.1 Follow-up Joint Staff Report on the Proposed Hybrid Model within the Alternative Service Delivery Review of Social Housing (COM 26-2018) (Agenda Item 10.2.1)

James Hyatt, Vice-Chair, Niagara Regional Housing Board of Directors, appeared before Council in support of the Joint Staff Report on the Proposed Hybrid Model within the Alternative Service Delivery Review of Social Housing.

10. **CORRESPONDENCE**

10.2 **For Consideration**

10.2.1 COM 26-2018

Follow-up Joint Staff Report on the Proposed Hybrid Model within the Alternative Service Delivery Review of Social Housing

Moved by Councillor Volpatti

Seconded by Councillor D'Angela

That COM 26-2018, dated October 4, 2018, respecting Follow-up Joint Staff Report on the Proposed Hybrid Model within the Alternative Service Delivery Review of Social Housing, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That upon approval of the implementation of the Hybrid Model for Social Housing as outlined in Report COM 22-2018, staff **BE DIRECTED** to include all considerations and strategies outlined in Report COM 26-2018 as part of the implementation plan.

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

1. That ~~upon approval of the implementation of the Hybrid Model for Social Housing as outlined in Report COM 22-2018~~ **BE APPROVED in principle; and**
2. ***That*** staff **BE DIRECTED** to include all considerations and strategies outlined in Report COM 26-2018 as part of the implementation plan ***to be presented to Council for approval prior to embarking on any organizational change.***

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

That COM 26-2018, dated October 4, 2018, respecting Follow-up Joint Staff Report on the Proposed Hybrid Model within the Alternative Service Delivery Review of Social Housing, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the hybrid model for social housing as outlined in Report COM 22-2018 **BE APPROVED** in principle; and

2. That staff **BE DIRECTED** to include all considerations and strategies outlined in Report COM 26-2018 as part of the implementation plan to be presented to Council for approval prior to embarking on any organizational change.

Recorded Vote:

Yes (21): Augustyn, Barrick, Baty, Bentley, Campion, D'Angela, Easton, Edgar, Gale, Grenier, Heit, Hodgson, Joyner, Luciani, MacGregor, Marshall, Quirk, Redekop, Rigby, Sendzik, Volpatti.

No (1): Timms.

Carried

11. COMMITTEE REPORTS - OPEN SESSION

11.1 Committee of the Whole

Minutes COTW 02-2018, Thursday, July 19, 2018

Moved by Councillor Easton
Seconded by Councillor Heit

That Report COTW 2-2018, being the Open Session minutes of the Committee of the Whole meeting held on Thursday, July 19, 2018, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

16. MOTION FOR CLOSED SESSION

Moved by Councillor Heit
Seconded by Councillor Edgar

That this Council **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter of Advice that is Subject to Solicitor-Client Privilege - Legal Advice
Respecting Employment Matters - Chief Administrative Officer Contract

Carried

17. CLOSED SESSION

Council resolved into closed session at 7:49 p.m.

18. REPORT FROM CLOSED SESSION

Council reconvened in open session at 9:43 p.m. with the following individuals in attendance:

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

Absent/Regrets: Annunziata, Burroughs, Darte, Diodati, Hodgson, Jeffs, Maloney, Maves, Petrowski

Staff: C. Carter, General Manager, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, C. D'Angelo, Chief Administrative Officer, D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, 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, A.-M. Norio, Acting Regional Clerk, J. Tamming, Director, Strategic Communications & Public Affairs, M. Trennum, Legislative Coordinator, R. Tripp, Commissioner, Public Works, D. Ursini, Director, Economic Development, P. Wadsworth, Director, Human Resources, S. Wood, Legal Counsel

18.1 Legal Advice Respecting Employment Matters - Chief Administrative Officer Contract

A Matter of Advice that is Subject to Solicitor-Client Privilege - legal advice respecting Employment Matters - Chief Administrative Officer Contract

Moved by Councillor Bentley
Seconded by Councillor Redekop

That staff **PROCEED** as directed in closed session.

Recorded Vote:

Yes (15): Augustyn, Baty, Bentley, Campion, D'Angela, Edgar, Gale, Grenier, Joyner, MacGregor, Marshall, Quirk, Redekop, Timms, Volpatti.

No (4): Easton, Heit, Rigby, Sendzik.

Carried

9. ADOPTION OF MINUTES

9.1 Council Minutes CL 15-2018

Thursday, September 13, 2018

Moved by Councillor Heit
Seconded by Councillor Edgar

That Minutes CL 15-2018, being the Open Session minutes of the Regional Council meeting held on Thursday, September 13, 2018, **BE ADOPTED.**

Carried

10. CORRESPONDENCE

10.1 Receive and/or Refer

Moved by Councillor Timms
Seconded by Councillor Bentley

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

CWCD 311-2018 respecting Correspondence by email dated September 19, 2018 from the Association of Local Public Health Agencies (alPHA) seeking input from Ontario board of health members on alPHA's Board of Health Orientation Manual, **BE RECEIVED** and **REFERRED** to the Regional Clerk for inclusion in the Council Orientation package;

CWCD 307-2018 respecting a Memorandum dated September 21, 2018 from Carolyn Ryall, Director, Transportation Services regarding the Phragmites Pilot Project, **BE RECEIVED**;

CL-C 64-2018 respecting "Fact Book" Niagara Region Independent External Governance Auditor, Andrew Sancton Consulting, **BE RECEIVED**; and,

CL-C 67-2018 respecting a memorandum from Ann-Marie Norio regarding Notice of Procedural By-Law Amendment, **BE RECEIVED.**

Carried

10. CORRESPONDENCE

10.2 For Consideration

10.2.2 GM 15-2018

2019 Council Member Remuneration – Impacts due to elimination of the non-taxable ‘Municipal Officers Expense Allowance’ under the Income Tax Act

Moved by Councillor Bentley
Seconded by Councillor Timms

That Report GM 15-2018, dated October 4, 2018, respecting 2019 Council Member Remuneration – Impacts due to elimination of the non-taxable ‘Municipal Officers’ Expense Allowance’ under the *Income Tax Act*, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That this report respecting ‘2019 Municipal Officers Expense Allowance’ taxation changes, effective January 1, 2019, and its impact on Council Member Remuneration **BE RECEIVED**;
2. That a one-time increase in the 2019 base remuneration for council members, including the Chair as indicated under Option 2 of Report GM 15, 2018 **BE REFERRED** for consideration to Council’s current Independent External Governance Auditor’s review and to the Budget Review Committee of the Whole for consideration as part of the 2019 budget deliberations; and,
3. That any increase to Council remuneration rates which result from the current Council approved methodology **BE DEFERRED** pending the analysis and review of the Independent External Auditor as part of their review of Councillor and Chair remuneration.

Carried

10.2 For Consideration

10.2.3 PDS 34-2018

Glendale Niagara District Plan – Completion of Phase 1 and
Request for Endorsement of Vision and Concept Plan

Moved by Councillor Joyner
Seconded by Councillor Timms

That Report PDS 34-2018, dated September 5, 2018, respecting
Glendale Niagara District Plan - Completion of Phase 1 and
Request for Endorsement of Vision and Concept Plan, **BE
RECEIVED** and the following recommendations **BE APPROVED**:

1. That the consultant report by The Planning Partnership,
respecting Phase 1 of the Glendale Niagara District Plan (Vision
and Conceptual Development Plan), attached as Appendix 2 to
Report PDS 34-2018, **BE RECEIVED**;
2. That the Vision and Conceptual Development Plan for the
Glendale Niagara District, as described in the report attached as
Appendix 2 to Report PDS 34-2018 **BE ENDORSED** and form
the basis for the development of a detailed District Plan under
Phase 2 of this project; and,
3. That a copy of Report PDS 34-2018 **BE FORWARDED** to the
Town of Niagara-on-the-Lake and the City of St. Catharines for
their information.

Carried

10.2.4 CL-C 61-2018

Recommendations for Consideration from the Waste Management
Planning Steering Committee meeting held on September 17, 2018

Moved by Councillor Rigby
Seconded by Councillor Marshall

That Correspondence Item CL-C 61-2018 respecting
recommendations from the Waste Management Planning Steering
Committee, **BE RECEIVED** and the recommendations contained
therein **BE APPROVED**.

Carried

10.2.5 CL-C 63-2018

Recommendations for Consideration from the Linking Niagara Transit Committee meeting held on September 12, 2018

Moved by Councillor Quirk
Seconded by Councillor Volpatti

That Correspondence Item CL-C 63-2018 respecting recommendations from the Linking Niagara Transit Committee, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Moved by Councillor Augustyn
Seconded by Councillor Baty

That clause 9 of Minute Item 5.2 **BE AMENDED** as follows:

9. That Niagara Region **CONSIDER** funding the cost of the ***Pelham***, Port Colborne and Fort Erie feeder routes effective January 1, 2019.

Carried

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

That Correspondence Item CL-C 63-2018 respecting recommendations from the Linking Niagara Transit Committee, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**, as amended.

Carried

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

There were no Chief Administrative Officer reports.

Moved by Councillor Rigby
Seconded by Councillor Timms

That Regional Council **EXTEND** this meeting's curfew to 11:00 p.m.

Recorded Vote:

Yes (8): Augustyn, D'Angela, Easton, Heit, Joyner, MacGregor, Rigby, Timms.

No (12): Barrick, Baty, Bentley, Campion, Edgar, Gale, Grenier, Luciani, Marshall, Quirk, Redekop, Volpatti.

Defeated

13. **MOTIONS**

13.1 Phragmites Project

Moved by Councillor Timms
Seconded by Councillor Bentley

WHEREAS Phragmites (European Common Reed) is an aggressive, invasive alien plant species, that out competes most native vegetation and forms dense colonies; choking out other plants and wetland and beach ecosystems that support wildlife;

WHEREAS this plant species reduces Ontario's biodiversity and the amount of open water; negatively impacting wetland species, including approximately 20 per cent of Ontario's species at risk;

WHEREAS Invasive Phragmites is a perennial grass that has been damaging ecosystems in Ontario for decades;

WHEREAS the Municipality of Niagara-on-the-Lake has already begun pilot projects seeking knowledge and experience of the Ministry of Transportation (MTO), the Ministry of Environment (MOE) and other municipalities outside Niagara Region to assist with the control and eradication of this invasive species within their large bodies of water, drainage and irrigation ditches within their Town limits; and,

WHEREAS Niagara Region has encountered Phragmites throughout the Regional Network; whereby the root mass is interfering with roadside drainage.

NOW THEREFORE BE IT RESOLVED:

That Niagara Region Transportation Services Division **SUPPORT** the Town of Niagara-on-the-Lake and the City of St. Catharines, if requested, with a pilot project along a Regional Road within those municipalities forthwith.

Carried

18. REPORT FROM CLOSED SESSION

18.2 Public Works Committee - Closed Session Minutes from September 4, 2018

Moved by Councillor Quirk
Seconded by Councillor Rigby

That Report PWC 11-2018 being the Closed Session minutes of the Public Works Committee meeting held on Tuesday, September 4, 2018, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

18.3 Confidential CL-C 62-2018

Moved by Councillor Quirk
Seconded by Councillor Rigby

That Confidential Report CL-C 68-2018, dated October 4, 2018, respecting A Matter of Labour Relations - CUPE 1019 Collective Agreement, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

Due to time constraints, Council did not deal with Confidential Report CSD 57-2018 (Agenda 17.2.2), being A Matter of Advice that is Subject to Solicitor-Client Privilege under s. 239(2) of the Municipal Act, 2001 - Follow Up to Council Direction of July 26, 2018 Special Council Meeting regarding Ombudsman Report, and Confidential Report CL-C 62-2018 (Agenda Item 17.2.3), being A Matter Respecting an Ongoing Investigation Respecting the Municipality by the Ombudsman appointed under the Ombudsman Act and Legal Advice that is Subject to Solicitor-Client Privilege.

13. MOTIONS

13.2 Leadership of the Public Health and Social Services Committee

Moved by Councillor Baty
Seconded by Councillor Luciani

That the Public Health and Social Services Committee **BE REORGANIZED** to be chaired by a Chair and Vice-Chair rather than Co-chairs effective with the commencement of the next term of council; and,

That the Procedural By-law **BE AMENDED** as necessary.

Moved by Councillor Augustyn
Seconded by Councillor Barrick

That the motion respecting the leadership of the Public Health and Social Services Committee **BE REFERRED** to the external governance auditor for consideration as part of the on-going governance review.

Carried

14. NOTICES OF MOTION

There were no notices of motion.

19. BY-LAWS

Moved by D'Angela
Seconded by Heit

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

Bill 2018-78 - A by-law to accept, assume and dedicate part of township lot 158, in the City of Thorold, as part of Regional Road no. 20 (Highway 20).

Bill 2018-79 - A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on October 4, 2018.

Carried

15. OTHER BUSINESS

15.1 Murdered and Missing Indigenous Women and Children

Councillor Grenier announced that October 4, 2018 was the national day of observance for murdered and missing indigenous women and children and asked that everyone keep these families in their thoughts.

20. ADJOURNMENT

There being no further business, the meeting adjourned at 10:26 p.m.

Alan Caslin
Regional Chair

Matthew Trennum
Legislative Coordinator

Ann-Marie Norio
Regional Clerk