

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

**CL 13-2019
Thursday, July 18, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Easton, Insinna

Staff: E. Acs, Manager, Community Planning, D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, M. Evely, Legislative Coordinator, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, Dr. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, V. Kuhns, Acting Director, Economic Development, K. Lotimer, Legislative Coordinator, A.-M. Norio, Regional Clerk, K. Smith, Chief/Director, Emergency Medical Services, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer

1. **CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:34 p.m.

2. **LAND ACKNOWLEDGMENT STATEMENT**

Councillor Whalen read the Land Acknowledgment Statement.

3. **MOMENT OF REFLECTION**

Councillor Bylsma read the statement of reflection.

4. **SINGING OF 'O CANADA'**

Regional Chair Bradley asked all in attendance to stand for the singing of 'O Canada'.

5. ADOPTION OF AGENDA

5.1 Addition of Items

There were no items added to the agenda.

5.2 Changes in Order of Items

Councillor Sendzik requested that the order of the agenda be changed to move the consideration of Correspondence Item RC 1-2019, respecting Niagara Region's Representation on the Niagara Peninsula Conservation Authority (NPCA) Board of Directors (Agenda Item 8.1) to immediately following the Motion respecting Agribusiness Strategic Planning Workgroup (Agenda Item 14.1).

Moved by Councillor Sendzik
Seconded by Councillor Bellows

That the Council Agenda CL 13-2019, **BE ADOPTED**, as amended.

Carried

6. DISCLOSURES OF PECUNIARY INTEREST

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Budget Review Committee of the Whole minutes BRCOTW 6-2019 (Agenda Item 12.2) as there is a line item that concerns long-term care homes; and the portion of the Committee of the Whole minutes COTW 5-2019 (Agenda Item 12.4) concerning Report COM 32-2019 and associated presentations concerning Long-Term Care Home Redevelopment Project Update: Preliminary Master Plans (Minute Item 5.1) as his daughter-in-law is employed at a long-term care home.

Councillor Edgar declared a direct pecuniary interest with respect to the portion of the Public Health and Social Services Committee minutes PHSSC 7-2019 (Agenda Item 12.6) concerning Report COM 31-2019 respecting Budget Adjustment – Children's Services (Minutes Item 5.6) as his wife is the Director of Children's Services.

See Minute Item 12.2

7. PRESENTATIONS

7.1 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.

Councillor Greenwood, Chair of the T. Roy Adams Humanitarian Award Committee, along with Councillor Diodati, Mayor of the City of Niagara Falls, announced Dan Bouwman as this year's recipient of the award.

Councillor Greenwood highlighted Mr. Bouwman's contributions to the community as the founder of Heartland Forest Nature Experience and his tireless efforts as an advocate for accessibility. Councillor Diodati emphasized Mr. Bouwman's volunteerism, generosity and drive to give back to the community.

Mr. Bouwman thanks Council for the recognition and award.

8. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair made various announcements related to activities and events he attended throughout the Region.

9. DELEGATIONS

There were no delegations.

10. ADOPTION OF MINUTES

10.1 Council Minutes CL 12-2019

Thursday, June 20, 2019

Moved by Councillor Disero

Seconded by Councillor Whalen

That Minutes CL 12-2019 being the Open Session minutes of the Regional Council meeting held on Thursday, June 20, 2019, **BE ADOPTED.**

Carried

11. CORRESPONDENCE

11.1 Receive and/or Refer

Moved by Councillor Witteveen
Seconded by Councillor Greenwood

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

CL-C 50-2019 respecting Supplemental Information - Report CLK 9-2019 50th Anniversary Committee, **BE RECEIVED**; and

CL-C 51-2019 respecting Award of Tender 2019-T-157 Reconstruction of Regional Road 38 (Martindale Road) from Fourth Avenue to Barton Street, in the City of St. Catharines, **BE RECEIVED**.

Carried

11.2 For Consideration

11.2.1 CLK 11-2019

Second Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report "Press Pause"

Moved by Councillor Campion
Seconded by Councillor Ip

That Report CLK 11-2019, dated July 18, 2019, respecting Second Progress Report respecting Implementation of Recommendations from the Ontario Ombudsman Report "Press Pause", **BE RECEIVED** and **CIRCULATED** to the Ontario Ombudsman.

Carried

12. COMMITTEE REPORTS - OPEN SESSION

12.1 Procedural By-law Review Committee

Minutes PBLRC 2-2019, Monday, June 17, 2019

Moved by Councillor Edgar
Seconded by Councillor Butters

That Report PBLRC 2-2019 being the Open Session minutes of the Procedural By-law Review Committee meeting held on Monday, June 17, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

12.1.1 Minute Item 5.2 respecting Amendments to Regional Council Expense Policy

The recommendation contained in Minute Item 5.2 was considered separately as follows:

That Correspondence Item PBLRC-C 6-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated June 17, 2019, respecting Amendments to Regional Council Expense Policy, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the draft Regional Council Expense Policy (Appendix 2 to Correspondence Item PBLRC-C 6-2019), as amended, **BE SENT** to Council for approval.

Moved by Councillor Ip
Seconded by Councillor Butters

That Correspondence Item PBLRC-C 6-2019 **BE REFERRED** to the Corporate Services Committee meeting being held on Wednesday August 7, 2019.

Recorded Vote:

Yes (13): Bellows, Butters, Chiocchio, Darte, Foster, Gale, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Ugulini.

No (16): Bylsma, Campion, Diodati, Disero, Edgar, Fertich, Gibson, Greenwood, Junkin, Nicholson, Rigby, Steele, Villella, Whalen, Witteveen, Zalepa.

Defeated

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

That Correspondence Item PBLRC-C 6-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated June 17, 2019, respecting Amendments to Regional Council Expense Policy, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the draft Regional Council Expense Policy (Appendix 2 to Correspondence Item PBLRC-C 6-2019), as amended, **BE SENT** to Council for approval.

Carried

12.1.2 Balance of the recommendations from Procedural By-law Review Committee

The Regional Chair called the vote on the balance of the recommendations from the Procedural By-law Review Committee and declared it,

Carried

12.2 Budget Review Committee of the Whole

Minutes BRCOTW 6-2019, Thursday, June 20, 2019

Moved by Councillor Zalepa
Seconded by Councillor Butters

That Report BRCOTW 6-2019 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on June 20, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

12.2.1 Minute Item 5.1 respecting 2020 Budget Planning

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

That Report CSD 40-2019, dated June 20, 2019, respecting 2020 Budget Planning, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2020 base budget for existing services **BE PREPARED** with consideration of the Municipal Price Index as calculated in Appendix 1 of Report CSD 40-2019 in accordance with recommendations in Report CSD 41-2019 Budget Planning Policy Review as follows:
 - a. 2.7% for Regional Departments
 - b. 3.0% for Agencies, Boards, and Commissions
 - c. 2.1% for Waste Management
2. That consideration of a separate levy increase for capital **BE REFERRED** to the Capital Budget - Budget Review Committee of the Whole;
3. That the estimated assessment growth of 1.65% **BE APPORTIONED** to:
 - i. tax increment grants estimated at 0.35%; and

- ii. that the remaining net assessment growth of 1.30% support growth related operating and capital costs requested by Regional Departments and ABCs through business cases;
4. That consideration of a separate levy increase for enhancements to or new programs **BE REFERRED** to the Operating Budget - Budget Review Committee of the Whole;
5. That the 2020 budget for Water and Wastewater **BE PREPARED** with an increase of 5.15% in accordance with recommendations in Report PW 4-2019 Water and Wastewater Financial Plan for O.Reg. 453/07;
6. That the 2020 budget schedule per Appendix 2 of Report CSD 40-2019 **BE APPROVED**; and
7. That this report **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with the Budget Control By-law.

Councillor Huson declared a direct pecuniary interest with respect to Report CSD 40-2019 respecting 2020 Budget Planning (Minute Item 5.1) as there is a line item that concerns Brock University and she has an employment relationship with Brock University.

Moved by Councillor Sendzik
Seconded by Councillor Champion

That clauses 1 and 5 **BE AMENDED** as follows:

1. That the 2020 base budget for existing services **BE PREPARED** with consideration of the ~~Municipal Price Index as calculated in Appendix 1 of Report CSD 40-2019 in accordance with recommendations in Report CSD 41-2019 Budget Planning Policy Review~~ **Core Consumer Price Index** as follows:
 - a. ~~2.7%~~ **2.0%** for Regional Departments
 - b. ~~3.0%~~ **2.0%** for Agencies, Boards, and Commissions
 - c. ~~2.1%~~ **2.0%** for Waste Management
5. That the 2020 budget for Water and Wastewater **BE PREPARED** with an increase of ~~5.15%~~ **2.0%** in accordance with recommendations in Report PW 4-2019 Water and Wastewater Financial Plan for O.Reg. 453/07 **the Core Consumer Price Index**.

Recorded Vote

Yes (18): Bellows, Butters, Campion, Chiocchio, Darte, Diodati, Fertich, Gale, Gibson, Greenwood, Heit, Jordan, Nicholson, Redekop, Sendzik, Steele, Whalen, Witteveen.

No (11): Bylsma, Disero, Edgar, Foster, Huson, Ip, Junkin, Rigby, Ugulini, Villella, Zalepa.

Carried

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

That Report CSD 40-2019, dated June 20, 2019, respecting 2020 Budget Planning, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2020 base budget for existing services **BE PREPARED** with consideration of the Core Consumer Price Index as follows:
 - i. 2.0% for Regional Departments
 - ii. 2.0% for Agencies, Boards, and Commissions
 - iii. 2.0% for Waste Management
2. That consideration of a separate levy increase for capital **BE REFERRED** to the Capital Budget - Budget Review Committee of the Whole;
3. That the estimated assessment growth of 1.65% **BE APPORTIONED** to:
 - i. tax increment grants estimated at 0.35%; and
 - ii. that the remaining net assessment growth of 1.30% support growth related operating and capital costs requested by Regional Departments and ABCs through business cases;
4. That consideration of a separate levy increase for enhancements to or new programs **BE REFERRED** to the Operating Budget - Budget Review Committee of the Whole;
5. That the 2020 budget for Water and Wastewater **BE PREPARED** with an increase of 2.0% in accordance with the Core Consumer Price Index;

6. That the 2020 budget schedule per Appendix 2 of Report CSD 40-2019 **BE APPROVED**; and
7. That this report **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with the Budget Control By-law.

Carried

12.2.2 Balance of the recommendations from Budget Review Committee of the Whole

The Regional Chair called the vote on the balance of the recommendations from the Budget Review Committee of the Whole and declared it,

Carried

12.3 Audit Committee

Minutes AC 4-2019, Monday, June 24, 2019

Moved by Councillor Whalen
Seconded by Councillor Bylsma

That Report AC 4-2019 being the Open and Closed Session minutes of the Audit Committee meeting held on Monday, June 24, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

12.3.1 Minute Item 5.1 respecting Consideration of Reimbursement for Expense

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

That Correspondence Item AC-C 22-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated June 24, 2019, respecting Consideration of Reimbursement for Expense, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That legal costs in the total amount of \$6,823.45 requested for reimbursement, as outlined in Item AC-C 39-2018, including accumulated interest, **BE APPROVED** pursuant to section 4.9(d) of the Regional Council Expense Policy; and
2. That staff **BE DIRECTED** to issue payment of \$6,823.45 plus accumulated interest to Aird Berlis LLP.

Recorded Vote:

Yes (16): Bellows, Bylsma, Campion, Darte, Diodati, Fertich, Foster, Gale, Gibson, Junkin, Nicholson, Rigby, Sendzik, Steele, Ugulini, Villella.

No (13): Butters, Chiocchio, Disero, Edgar, Greenwood, Heit, Huson, Ip, Jordan, Redekop, Whalen, Witteveen, Zalepa.

Carried

12.3.2 Balance of the recommendations from Audit Committee

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

Carried

12.4 Committee of the Whole

Minutes COTW 5-2019, Thursday, July 4, 2019

Moved by Councillor Darte
Seconded by Councillor Gibson

That Report COTW 5-2019 being the Open Session minutes of the Committee of the Whole meeting held on Thursday, July 4, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.5 Public Works Committee

Minutes PWC 7-2019, Tuesday, July 9, 2019

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report PWC 7-2019 being the Open and Closed Session minutes of the Public Works Committee meeting held on Tuesday, July 9, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.6 Public Health and Social Services Committee

Minutes PHSSC 7-2019, Tuesday, July 9, 2019

Moved by Councillor Greenwood
Seconded by Councillor Nicholson

That Report PHSSC 7-2019 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, July 9, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.7 Corporate Services Committee

Minutes CSC 7-2019, Wednesday, July 10, 2019

Moved by Councillor Foster
Seconded by Councillor Edgar

That Report CSC 7-2019 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, July 10, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

12.7.1 Appointments to the 50th Anniversary Committee (Minute Item 5.1 - CSC 7-2019)

Moved by Councillor Champion
Seconded by Councillor Disero

That Councillors Bellows, Butters, Foster, Greenwood and Vilella **BE APPOINTED** to the 50th Anniversary Committee.

Carried

12.8 Planning and Economic Development Committee

Minutes PEDC 7-2019, Wednesday, July 10, 2019

Moved by Councillor Huson
Seconded by Councillor Nicholson

That Report PEDC 7-2019 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, July 10, 2019, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

13. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

13.1 CAO 8-2019

Community Safety and Well-Being Plan

Moved by Councillor Junkin
Seconded by Councillor Butters

That Report CAO 8-2019, dated July 18, 2019, respecting Community Safety and Well-Being Plan, **BE RECEIVED** for information.

Carried

14. MOTIONS

14.1 Agribusiness Strategic Planning Workgroup

Moved by Councillor Huson
Seconded by Councillor Witteveen

WHEREAS Niagara's Agribusiness sector was the focus of a recent policy brief conducted by the Niagara Community Observatory;

WHEREAS Agribusiness is one of Niagara's top economic sectors contributing \$1.41 billion towards GDP, 215,000 acres of farmland, and almost 20,000 jobs in Niagara;

WHEREAS gaps have been identified in the sector's production, processing, distribution chains, and value-added opportunities;

WHEREAS economic trends indicate that the agribusiness sector in Niagara is growing;

WHEREAS Niagara's agribusiness sector would benefit from an established network for strategic visioning and planning that incorporates and aligns with a variety of stakeholders from across the Region including farmers, entrepreneurs, workers, industry associations, political representatives and relevant educational representatives;

NOW THEREFORE BE IT RESOLVED:

That Regional Council **DIRECT** Planning and Economic Development staff to initiate a meeting with relevant stakeholders to determine the potential for establishing an "Agribusiness Strategic Planning Workgroup".

Carried

Councillor Information Request(s):

Circulate the motion respecting Agribusiness Strategic Planning Workgroup to the Agricultural Policy and Action Committee for comment. Councillor Steele.

8. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

8.1 RC 01-2019

Niagara Region's Representation on the NPCA Board of Directors

Moved by Councillor Heit

Seconded by Councillor Chiocchio

That Memorandum RC 01-2019, being a memorandum from Regional Chair Bradley, dated July 18, 2019, respecting Niagara Region's Representation on the NPCA Board of Directors, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Chair **BE DIRECTED** to inform the Mayors of Hamilton and Haldimand that Niagara Region will be increasing their NPCA Board of Directors membership from 12 to 15 in order to ensure an appropriate mix of elected representatives on the Board; and
2. That Niagara Regional Council **APPOINT** three Regional Councillors to the NPCA Board of Directors effective immediately.

Clause 1 was considered separately as follows:

That Memorandum RC 01-2019, being a memorandum from Regional Chair Bradley, dated July 18, 2019, respecting Niagara Region's Representation on the NPCA Board of Directors, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Chair **BE DIRECTED** to inform the Mayors of Hamilton and Haldimand that Niagara Region will be increasing their NPCA Board of Directors membership from 12 to 15 in order to ensure an appropriate mix of elected representatives on the Board.

Recorded Vote:

Yes (21): Bellows, Bylsma, Chiocchio, Disero, Edgar, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Steele, Ugulini, Villella, Witteveen, Zalepa.

No (6): Butters, Darte, Diodati, Fertich, Rigby, Sendzik.

Carried

Clause 2 was considered separately as follows:

2. That Niagara Regional Council **APPOINT** three Regional Councillors to the NPCA Board of Directors effective immediately.

Recorded Vote:

Yes (21): Bellows, Bylsma, Chiocchio, Disero, Edgar, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Steele, Ugulini, Villella, Witteveen, Zalepa.

No (6): Butters, Darte, Diodati, Fertich, Rigby, Sendzik.

Carried

The following members put their names forward for consideration for the three (3) Regional Councillor positions on the Niagara Peninsula Conservation Authority Board of Directors:

Councillors Bylsma, Foster, Gibson, Greenwood, Heit, Ip and Steele.

A vote was conducted via open ballot in accordance with the Region's Procedural By-law and the *Municipal Act, 2001*. Voting by ballot resulted in the following:

Voting for Councillor Bylsma (13): Bylsma, Diodati, Disero, Fertich, Foster, Gale, Gibson, Huson, Nicholson, Rigby, Ugulini, Witteveen, Zalepa.

Voting for Councillor Foster (13): Bellows, Bylsma, Darte, Disero, Edgar, Fertich, Foster, Gale, Huson, Ip, Ugulini, Villella, Zalepa.

Voting for Councillor Gibson (11): Darte, Diodati, Fertich, Gale, Gibson, Greenwood, Jordan, Rigby, Sendzik, Steele, Witteveen.

Voting for Councillor Greenwood (9): Butters, Chiocchio, Greenwood, Heit, Ip, Jordan, Junkin, Nicholson, Steele.

Voting for Councillor Heit (7): Bellows, Chiocchio, Edgar, Greenwood, Heit, Rigby, Witteveen.

Voting for Councillor Ip (4): Bellows, Butters, Ip, Villella.

Voting for Councillor Steele (18): Butters, Bylsma, Chiocchio, Darte, Diodati, Disero, Edgar, Foster, Gibson, Heit, Huson, Jordan, Junkin, Nicholson, Steele, Ugulini, Villella, Zalepa.

Based on the result of the votes cast, it was:

Moved by Councillor Ugulini
Seconded by Councillor Diodati

That Councillors Bylsma, Foster and Steele **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board of Directors effective immediately.

Carried

15. NOTICES OF MOTION

There were no notices of motion.

16. OTHER BUSINESS

Members made various announcements related to activities and events within the Region and area municipalities.

17. CLOSED SESSION

Council did not resolve into closed session.

18. REPORT FROM CLOSED SESSION

Council did not resolve into closed session.

19. BY-LAWS

Moved by Councillor Villella
Seconded by Councillor Chiocchio

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

Bill 2019-57 - A by-law to authorize the borrowing upon 10 year instalment debentures in the aggregate principal amount of \$32,446,569.00 for capital works of The Regional Municipality of Niagara.

Bill 2019-58 - A by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of \$30,945,431.00 (\$200,000.00 principal amount of 5 year instalment debentures and \$30,745,431.00 principal amount of 10 year instalment debentures) for capital works of the Cities of Niagara Falls, St. Catharines and Welland, and of the Town of Pelham and of the Township of Wainfleet.

Bill 2019-59 - A by-law to provide for the borrowing upon instalment debentures in the aggregate of the principal amounts authorized by By-law No. 2019-57 and By-law No. 2019-58 in the aggregate principal amount of \$63,392,000.00 (\$200,000.00 principal amount of 5 year instalment debentures and \$63,192,000.00 principal amount of 10 year instalment debentures) and for the issuing of one series of instalment debentures therefor.

Bill 2019-60 - A by-law to accept, assume and dedicate Part of Lot 13 Concession 3, in the City of St. Catharines as part of Regional Road No. 48 (Niagara Street).

Bill 2019-61 - A by-law to provide for the regulation of traffic on Regional Highways.

Bill 2019-62 - A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on July 18, 2019.

Carried

Councillor Information Request(s):

Provide information respecting the Region's total debt, including information respecting the debentures approved in 2018 and 2019. Councillor Gale.

20. ADJOURNMENT

There being no further business, the meeting adjourned at 10:02 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk