

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

CL 6-2020

Thursday, April 23, 2020

Council Chamber / Teleconference

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

Council Members Present in the Council Chamber:	Bradley (Regional Chair)
Council Members Present via Teleconference:	Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa
Absent/Regrets:	Bellows
Staff Present in the Council Chamber:	M. Lewis, Client and Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Teleconference:	D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, D. Giles, Director, Community & Long Range Planning, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, P. Lambert, Director, Infrastructure Planning and Development Engineering, F. Meffe, Director, Human Resources, R. Mostacci, Commissioner, Planning & Development Services, M. Robinson, Director, GO Implementation Project, C. Ryall, Director, Transportation Services, M. Trennum, Deputy Regional Clerk, J. Tonellato, Director, Water and Waste Water, B. Zvaniga, Interim Commissioner, Public Works

1. CALL TO ORDER

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

Regional Chair Bradley requested Regional Council observe a moment of silence to grieve with the people of Nova Scotia and to remember those innocent victims who lost their lives as a result of the senseless act of violence which occurred there this weekend passed, April 18 - 19, 2020.

The Regional Chair provided some introductory remarks respecting the important role of Regional Council and staff during the COVID-19 pandemic response. He expressed his sympathy for all those affected by the crisis during these trying times.

2. ADOPTION OF AGENDA

2.1 Addition of Items

There were no items added to the agenda.

2.2 Changes in Order of Items

Regional Chair Bradley requested Council amend the order of the agenda to move Report CSD 30-2020 (Agenda Item 9.1.1) and Report CSD 31-2020 (Agenda Item 9.1.2) to immediately following the Presentations section (Agenda Item 4).

There being no objections, it was,

Moved by Councillor Witteveen

Seconded by Councillor Steele

That Council Agenda CL 6-2020, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. PRESENTATIONS

4.1 COVID-19 Considerations

Ron Tripp, Acting Chief Administrative Officer, Todd Harrison, Commissioner, Corporate Services/Treasurer, and Helen Chamberlain, Director, Financial Management and Planning/Deputy Treasurer, provided information respecting COVID-19 Considerations. Topics of the presentation included:

- Niagara Region Response to COVID-19
- Report CSD 30 - Preliminary Overview of Financial Implication
- Report CSD 31 - Concessions re. Tax, Waste, Water/Wastewater Billings
- Report CAO 10 - COVID-19 Update
- CHR 2 - COVID-19 Governmental Relations Strategy

9. **COMMITTEE REPORTS**

9.1 **For Consideration**

9.1.1 CSD 30-2020

COVID-19 Preliminary Overview of Financial Impacts

Moved by Councillor Rigby

Seconded by Councillor Ip

That Report CSD 30-2020, dated April 23, 2020, respecting COVID-19 Preliminary Overview of Financial Impacts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Chair **BE DIRECTED** to lobby provincial and federal levels of government for financial assistance to support Niagara Region's COVID-19 emergency response;
2. That Niagara Region **BE DIRECTED** to participate in efforts with other municipalities seeking financial support from senior levels of government for the financial impact of the COVID-19 pandemic; and
3. That the Regional Clerk **BE DIRECTED** to forward this report to local Members of Parliament (MPs), local Members of Provincial Parliament (MPPs), the Federation of Canadian Municipalities and the Association of Municipalities Ontario.

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

3. That the Regional Clerk **BE DIRECTED** to forward this report to local Members of Parliament (MPs), local Members of Provincial Parliament (MPPs), the Federation of Canadian Municipalities and the Association of Municipalities Ontario ***and the Local Area Municipalities.***

The Regional Chair called the vote on the motion, as amended, and declared it,

Carried

9.1.2 CSD 31-2020

Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings

Moved by Councillor Foster
Seconded by Councillor Whalen

That Report CSD 31-2020, dated April 23, 2020, respecting Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the May 13, 2020 Region general and special purposes levy amounts **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** until June 30, 2020;
2. That the August 5, 2020 and October 14, 2020 instalments for Region general and special purposes levy **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** for a period of 30 days;
3. That the April through November water and wastewater amounts billed monthly on the 15th of the month and due at the end of the month **BE REMITTED** to the Niagara Region based on actual amounts collected by the Local Area Municipalities;
4. That the difference in the amount billed by the Region and collected by the Local Area Municipalities for the water and wastewater requisitions **BE PAYABLE** before December 31, 2020;
5. That interest charges on the outstanding amount from the Local Area Municipalities for the water and wastewater requisition payments **BE WAIVED** for the year 2020;
6. That By-law 2019-94, By-law 2019-95 and By-law 2020-04 **BE AMENDED** to adjust interest charge provisions in consideration of the COVID-19 pandemic;
7. That any amounts due from the Niagara Region to the Local Area Municipalities **BE DEFERRED** until such time as the amount due to the Local Area Municipality exceed the amount receivable from that municipality; and

8. That any interest and penalty charged by the Local Area Municipalities to the Niagara Region **BE WAIVED** for the year 2020.

Moved by Councillor Campion
Seconded by Councillor Ugulini

That the motion **BE AMENDED** by adding Clause 9 as follows:

9. That the Region **DEFER** the 2020 wholesale water and wastewater increase to October 1, 2020.

Moved by Councillor Rigby
Seconded by Councillor Foster

That the motion respecting the deferral of the 2020 wholesale water and wastewater increase to October 1, 2020 **BE REFERRED** to the Public Works Committee meeting being held on May 12, 2020 to allow staff to provide additional information.

Recorded Vote:

Yes (17): Bylsma, Darte, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Rigby, Witteveen, Zalepa.

No (11): Butters, Campion, Chiocchio, Diodati, Ip, Junkin, Redekop, Sendzik, Steele, Ugulini, Villella.

Carried

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

~~8. That any interest and penalty charged by the Local Area Municipalities to the Niagara Region **BE WAIVED** for the year 2020.~~

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

That Report CSD 31-2020, dated April 23, 2020, respecting Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the May 13, 2020 Region general and special purposes levy amounts **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** until June 30, 2020;
2. That the August 5, 2020 and October 14, 2020 instalments for Region general and special purposes levy **BE REMITTED** by the Local Area Municipalities to the Niagara Region based on actual amounts collected by the Local Area Municipalities and that interest charges on these levy amounts **BE WAIVED** for a period of 30 days;
3. That the April through November water and wastewater amounts billed monthly on the 15th of the month and due at the end of the month **BE REMITTED** to the Niagara Region based on actual amounts collected by the Local Area Municipalities;
4. That the difference in the amount billed by the Region and collected by the Local Area Municipalities for the water and wastewater requisitions **BE PAYABLE** before December 31, 2020;
5. That interest charges on the outstanding amount from the Local Area Municipalities for the water and wastewater requisition payments **BE WAIVED** for the year 2020;
6. That By-law 2019-94, By-law 2019-95 and By-law 2020-04 **BE AMENDED** to adjust interest charge provisions in consideration of the COVID-19 pandemic; and
7. That any amounts due from the Niagara Region to the Local Area Municipalities **BE DEFERRED** until such time as the amount due to the Local Area Municipality exceed the amount receivable from that municipality.

Carried

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

The Chair acknowledged the passing of Pelham Town Councillor Mike Cioffi and provided a brief update on the efforts of Niagara Region with respect to the COVID-19 pandemic.

5.1 **CHR 2-2020**

COVID-19 Government Relations Strategy

Moved by Councillor Greenwood

Seconded by Councillor Disero

That Memorandum CHR 2-2020 from Daryl Barnhart Executive Officer to the Regional Chair, dated April 23, 2020, respecting COVID-19 Government Relations Strategy, **BE RECEIVED** for information.

Moved by Councillor Greenwood

Seconded by Councillor Darte

That the motion **BE AMENDED** to read as follows:

1. That Memorandum CHR 2-2020 from Daryl Barnhart Executive Officer to the Regional Chair, dated April 23, 2020, respecting COVID-19 Government Relations Strategy, **BE RECEIVED**;
2. ***That the Regional Clerk BE DIRECTED to forward a copy of the Regional Chair memo CHR 2-2020, and staff reports CSD 30-2020 and CSD 31-2020 to the Councils of the 12 local area municipalities;***
3. ***That the Regional Chair BE DIRECTED to engage and actively collaborate with the Councils of the 12 local area municipalities to ensure the exchange of critical information in the development of short, medium, and long-term impacts of COVID-19;***
4. ***That the Regional Chair BE DIRECTED to work with the 12 local area municipalities to coordinate the response and required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19; and***
5. ***That the Regional Chair REQUEST that the 12 local area municipalities formally endorse motions that support the collaboration between all of Niagara's communities and the Niagara Region.***

Carried

Moved by Councillor Zalepa
Seconded by Councillor Witteveen

That the motion **BE AMENDED** to add the following clause:

6. That Niagara Region **BE DIRECTED** to coordinate amongst Niagara municipalities and other stakeholders with higher levels of government with respect to how we fund operational and infrastructure expenses.

Moved by Councillor Campion
Seconded by Councillor Rigby

That the motion respecting the funding of operational and infrastructure expenses **BE REFERRED** to the Corporate Services Committee meeting being held on Wednesday, May 13, 2020.

Carried

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

1. That Memorandum CHR 2-2020 from Daryl Barnhart Executive Officer to the Regional Chair, dated April 23, 2020, respecting COVID-19 Government Relations Strategy, **BE RECEIVED**;
2. That the Regional Clerk **BE DIRECTED** to forward a copy of the Regional Chair memo CHR 2-2020, and staff reports CSD 30-2020 and CSD 31-2020 to the Councils of the 12 local area municipalities;
3. That the Regional Chair **BE DIRECTED** to engage and actively collaborate with the Councils of the 12 local area municipalities to ensure the exchange of critical information in the development of short, medium, and long-term impacts of COVID-19;
4. That the Regional Chair **BE DIRECTED** to work with the 12 local area municipalities to coordinate the response and required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19; and
5. That the Regional Chair **REQUEST** that the 12 local area municipalities formally endorse motions that support the collaboration between all of Niagara's communities and the Niagara Region.

Carried

6. **DELEGATIONS**

There were no delegations.

7. **ADOPTION OF MINUTES**

7.1 **Council Minutes CL 5-2020**

Thursday, March 26, 2020

Moved by Councillor Steele
Seconded by Councillor Heit

That Minutes CL 5-2020 being the Open Session minutes of the Regional Council meeting held on Thursday, March 26, 2020, **BE ADOPTED.**

Carried

8. **CORRESPONDENCE**

8.1 **Receive and/or Refer**

Moved by Councillor Redekop
Seconded by Councillor Insinna

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

CL-C 15-2020 respecting COVID-19 Data **BE RECEIVED**;

CL-C 16-2020 respecting COVID-19 Data **BE RECEIVED**; and

CL-C 17-2020 respecting Removal of All-Way Stop Control, Intersection of Regional Road 89 (Glendale Avenue) at Bessey Street, City of St. Catharines, **BE RECEIVED.**

8.1.1 CL-C 15-2020

Correspondence Item CL-C 15-2020 was considered separately as follows:

That Correspondence Item CL-C 15-2020, being a letter from W. Redekop, Mayor, Town of Fort Erie, to Dr. Hirji, Acting Medical Officer of Health, dated April 17, 2020, respecting COVID-19 Data, **BE RECEIVED.**

Moved by Councillor Insinna
Seconded by Councillor Fertich

That the motion **BE AMENDED** to read as follows:

That Correspondence Item CL-C 15-2020, being a letter from W. Redekop, Mayor, Town of Fort Erie, to Dr. Hirji, Acting Medical Officer of Health, dated April 17, 2020, respecting COVID-19 Data, **BE RECEIVED; and**

That Council CONFIRMS its support of the letter from the Mayor of the Town of Fort Erie to the Medical Officer of Health and Acting Commissioner of Health, dated April 17, 2020, urging more information be provided to the residents of the Niagara Region regarding COVID-19.

Carried

The Regional Chair called the vote on the motion, as amended, and declared it,

Carried

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

Carried

8.2 For Consideration

There were no items for consideration.

9. **COMMITTEE REPORTS**

9.1 For Consideration

9.1.3 CSD 23-2020

Moved by Councillor Gibson
Seconded by Councillor Insinna

That Report CSD 23-2020, dated April 23, 2020, respecting 2020 Property Tax Policy, Ratios and Rates, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVE** the following tax ratios and sub-class reductions for the 2020 taxation year:

Residential	1.000000	
New Multi-Residential	1.000000	
Multi-Residential	1.970000	
Commercial	1.734900	
Commercial – Excess Land	1.734900	30%
Commercial – Vacant Land	1.734900	30%
Industrial	2.630000	
Industrial – Excess Land	2.630000	30%
Industrial – Vacant Land	2.630000	30%
Pipeline	1.702100	
Farmland	0.250000	
Managed Forest	0.250000	
Farmland Awaiting Development 1	1.000000	25%
Farmland Awaiting Development 2	Class Ratio	
Landfill Sites	2.940261	

2. That by having no properties subject to capping adjustments in 2019 in the commercial class, Regional Council **OPT OUT** of the capping program for the commercial tax class for the 2020 and subsequent taxation years;
3. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration and **CIRCULATED** to the Councils of the Area Municipalities for information; and
4. That Report CSD 23-2020 **BE APPROVED** and **CIRCULATED** to the Councils of the Area Municipalities for information.

Carried

9.2 For Information

Moved by Councillor Sendzik
Seconded by Councillor Steele

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

CSD 8-2020 respecting Optional Tax on Vacant Residential Units **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities;

CSD 9-2020 respecting Impact of Reduced Industrial Tax Ratio and Subclass Discounts, **BE RECEIVED**;

PDS 13-2020 respecting 2019 Reserve Water and Wastewater Treatment Capacities **BE RECEIVED** and **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks, and the Niagara Area Municipalities; and

PDS 19-2020 respecting 2019 End of Year Growth Report **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities, the Niagara Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, and the local Chambers of Commerce and School Boards.

Carried

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

10.1 CAO 10-2020

COVID-19 Response and Departmental Update

Dr. M. M. Hirji, Acting Medical Officer of Health/Commissioner, Public Health, provided information respecting COVID-19 Response and Departmental Updates. Topics of the presentation included:

- Strategy
- Local Public Health Roles
- Outbreaks in Long-Term Care and Retirement Homes
- Testing

Moved by Councillor Gale
Seconded by Councillor Nicholson

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

Carried

Council members continued discussion on the presentation respecting COVID-19 Response and Departmental Update.

Moved by Councillor Heit
Seconded by Councillor Diodati

That the rules of procedure **BE SUSPENDED** to permit Council to extend this meeting's curfew until business is completed.

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

Carried

Moved by Councillor Ugolini
Seconded by Councillor Greenwood

That Report CAO 10-2020, dated April 23, 2020, respecting COVID-19 Response and Departmental Updates, and the Departmental Business Continuity updates included as appendices 1 through 7 of Report CAO 10-2020, **BE RECEIVED** for information.

Carried

11. **MOTIONS**

11.1 Reconsideration of Removal of All-Way Stop Control, Intersection of Regional Road 89 (Glendale Avenue) at Bessey Street, City of St. Catharines

Moved by Councillor Edgar
Seconded by Councillor Ip

That, in accordance with subsection 2.4 of Niagara Region's Procedural By-law, the rules of procedure, specifically subsection 19.16 "Motion to Reconsider" of the Procedural By-law, **BE SUSPENDED** to permit Council to reconsider its decision to remove All-Way Stop Control at the Intersection of Regional Road 89 (Glendale Avenue) at Bessey Street, City of St. Catharines.

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

Carried

Moved by Councillor Edgar
Seconded by Councillor Ip

That the Removal of All-Way Stop Control, Intersection of Regional Road 89 (Glendale Aveune) at Bessey Street, City of St. Catharines, **BE RECONSIDERED** at this time.

Recorded Vote:

Yes (8): Butters, Darte, Edgar, Gale, Gibson, Greenwood, Ip, Jordan.

No (20): Bylsma, Campion, Chiocchio, Diodati, Disero, Easton, Foster, Heit, Huson, Insinna, Junkin, Nicholson, Redekop, Rigby, Sendzik, Ugulini, Villella, Whalen, Witteveen, Zalepa.

Defeated

12. NOTICES OF MOTION

There were no notices of motion.

13. OTHER BUSINESS

There were no items of other business.

14. CLOSED SESSION

Council did not resolve into closed session.

15. BUSINESS ARISING FROM CLOSED SESSION

15.1 Confidential CSD 19-2020

A Matter Respecting A Proposed Acquisition of Land by the Municipality - Smithville West Roundabout

Moved by Councillor Witteveen
Seconded by Councillor Easton

That Confidential Report CSD 19-2020, dated April 23, 2020, respecting A Matter respecting A Proposed Acquisition of Land by the Municipality – Smithville West Roundabout, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

15.2 Confidential HR 4-2020

A Matter of Labour Relations – CUPE 1263 Interest Arbitration Award

This item was not dealt with and it will be brought forward to a future meeting of Regional Council.

16. **BY-LAWS**

Moved by Councillor Edgar
Seconded by Councillor Heit

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

Bill 2020-18

A by-law to set tax ratios and tax rate reductions for prescribed property subclasses for Regional purposes and area.

Bill 2020-19

A by-law to set and levy the rate of taxation for Regional general and special purposes for the year 2020.

Bill 2020-20

A by-law to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes for the year 2020.

Bill 2020-21

A by-law to amend By-law No. 2019-94, being a by-law to adopt the 2020 water budget and to set the requisitions to be charged for water supplied to lower-tier municipalities for the period January 1, 2020 to December 31, 2020.

Bill 2020-22

A by-law to amend By-law No. 2019-95, being a by-law to adopt the 2020 wastewater budget and to set the requisitions to be charged for wastewater received from the lower-tier municipalities for the period January 1, 2020 to December 31, 2020.

Bill 2020-23

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on April 23, 2020.

Bill 2020-24

A by-law to amend By-law No. 2020-04, being a by-law to authorize a 2020 interim and waste management special upper-tier levy for The Regional Municipality of Niagara.

Carried

17. ADJOURNMENT

There being no further business, the meeting adjourned at 11:23 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk