



**General Issues Committee  
MINUTES  
9:30 a.m.  
Wednesday, March 21, 2012  
Council Chambers  
Hamilton City Hall  
71 Main Street West**

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**Present:** Deputy Mayor B. Clark (Chair)  
Mayor R. Bratina  
Councillors C. Collins, S. Duvall, J. Farr, B. McHattie,  
S. Merulla, B. Morelli, T. Jackson, B. Johnson,  
J. Partridge, R. Pasuta, M. Pearson, R. Powers,  
T. Whitehead

**Absent with Regrets:** Councillor L. Ferguson – Vacation

**Also Present:** C. Murray, City Manager  
R. Rossini, General Manager, Finance and Corporate  
Services  
G. Davis, General Manager, Public Works  
T. McCabe, General Manager, Planning and Economic  
Development  
N. Everson, Director, Economic Development and Real  
Estate  
P. Barkwell, City Solicitor  
C. Biggs, Legislative Co-ordinator

**THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR  
CONSIDERATION:**

**1. Hamilton Police Services Board Monthly Reports (PSB 12-024) (Item 5.2)**

**(Farr/Morelli)**

That Hamilton Police Services Board Monthly Report PSB 12-006 be received.

**CARRIED**

2. **Barton Village Business Improvement Area (B.I.A.) Revised Board of Management (PED10248(b)) (Wards 2 and 3) (Item 5.3)**

**(Farr/Morelli)**

That the following individual be appointed to the Barton Village B.I.A. Board of Management:

- Mark DiMillo

**CARRIED**

3. **License Agreement with Bell Mobility Inc. (Licensee) – Waterdown Water Tower, 115 Cole Street, Waterdown (PED12024) (Ward 15) (Item 5.4)**

**(Farr/Morelli)**

(a) That a new license agreement with Bell Mobility Inc. over land described as Block 169, Plan 62M-1125, Town of Flamborough, identified as PIN 17511-0343, (Waterdown Water Tower) as shown on Appendix “A” attached to Report PED12024, for a term of five (5) years be approved with the following conditions:

(i) **Rental Rate:** From the date of commencement, being April 1, 2012, Bell Mobility Inc. shall pay rent annually in advance based on \$25,000 per year net, plus H.S.T. Subsequently, annual rent will increase by 2.5% each year throughout the term, plus H.S.T.

(ii) **Operating Costs:** Tenant will be responsible for paying all operating costs, utilities and property taxes.

(iii) **Options:** Tenant will have the option to renew another three (3) five (5) year terms.

(b) That all rent proceeds from the license described in Recommendation (a) be credited to the Flamborough Capital Reserve Account 108032.

(c) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the license agreement in a form satisfactory to the City Solicitor. **CARRIED**

4. **Hamilton Downtown Multi-Residential Property Investment Program – 50 Murray Street West – HDMRPIP 01/12 (PED12027) (Ward 2) (Item 5.5)**

**(Farr/Morelli)**

(a) That a conditional loan commitment totalling \$1,058,543 for Core Urban Inc., the registered owner of the property at 50 Murray Street West, be authorized and approved in accordance with the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program;

- (b) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect recommendation (a), above, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program, as approved by City Council, are maintained. **CARRIED**

**5. Hamilton Downtown Property Improvement Grant Program – 50 Murray Street West – HDPIGP 01/12 (PED12031) (Ward 2) (Item 5.6)**

**(Farr/Morelli)**

- (a) That a grant in the estimated amount of \$322,273.45 under the Hamilton Downtown Property Improvement Grant Program (HDPIGP) for Core Urban Inc., owner of the property at 50 Murray Street West, be authorized and approved in accordance with the terms and conditions of the Program; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement attached as Appendix “A” to Report PED12031, in a form satisfactory to the City Solicitor. **CARRIED**

**6. Hamilton LEEDing the Way, LEED Grant Program Application LGP-12-01 – Maple Leaf Foods Inc. 440 Glover Road, Hamilton (PED12038) (Ward 11) (Item 5.7)**

**(Powers/McHattie)**

- (a) That Hamilton LEEDing the Way, LEED Grant Program Application LGP-12-01, submitted by Maple Leaf Foods Inc., for the property forming part of 440 Glover Road, Hamilton, for a LEED Grant not to exceed \$2,598,250.00 payable to Canada Bread Company, Limited over a maximum of five (5) years, be authorized and approved in accordance with the terms and conditions of the LEED Grant Program Agreement; and,
- (b) That the Mayor and Clerk be authorized and directed to execute, on behalf of the City, the LEED Grant Agreement with Maple Leaf Foods Inc., referred to in subsection (a) with respect to the development of 440 Glover Road, and all necessary associated documents, all in a form satisfactory to the City Solicitor.

- (c) That staff be requested to report to the appropriate General Issues Committee meeting with regard to participation by new and existing businesses in either LEEDS or LEEDS standards programs in the City of Hamilton and obtain/provide similar information from other municipalities to assist in the development of the report, and that the report include information with respect to the incremental cost of LEED certification (silver, gold, platinum) as it applies to the use of the City program by local stakeholders. **CARRIED as amended**

**7. Declaration of Surplus, Sale of Easement and Lease Agreement with Bell Mobility Inc. – 70 Olympic Drive – Dundas Olympic Arena, Dundas (PED12040) (Ward 13) (Item 5.8)**

**(Farr/Morelli)**

- (a) That the subject lands, being Part of Lot 20, Concession 1, West Flamborough, described as Parts 1 to 4 on Survey W4053, forming part of 70 Olympic Drive in Dundas (Dundas Olympic Sports Park), with an area of approximately 789.5 square metres (8,498 square feet) as shown on Appendix "A" attached to Report PED12040, be declared surplus to the requirements of the City of Hamilton in accordance with Procedural By-law 04-299;
- (b) That an Offer to Purchase (Easement) by Bell Mobility Inc. scheduled to close on or before April 1, 2012 for the land described in Recommendation (a) be approved and completed at the sale price of \$2.00;
- (c) That the sale price of \$2.00 does not include the Harmonized Sales Tax (HST); should HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828 000100 (HST Payable);
- (d) That the sale proceeds be credited to the Dundas Reserve Fund Account 108031;
- (e) That the City enters into a lease with Bell Mobility Inc. over the land described in Recommendation (a) upon the following conditions:
  - (i) **Term:** Five (5) Years commencing April 1, 2012 to March 31, 2017 followed by three (3), five (5) year renewal options;
  - (ii) **Rental Rate:** From the date of commencement, being April 1, 2012, Bell Mobility Inc. shall pay rent based on \$25,000.00 per year net, plus H.S.T. throughout the first year of the term and increase by 2.5% per year thereafter;
  - (iii) **Operating Costs:** The tenant will be responsible for paying all operating costs and property taxes, in addition to the rent;

- (f) That all rent proceeds from the lease described in Recommendation (e) be credited to the Dundas Reserve Fund Account 108031;
- (g) That any disbursements, legal fees and expenditures incurred by Legal Services be charged to the Dundas Reserve Fund Account 108031;
- (h) That the Mayor and Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following:
  - (i) That as required by Section 3 (a) of By-Law 04-299, the subject lands be declared surplus by inclusion in Report PED12040 to City Council;
  - (ii) That, in accordance with the approved method of providing notice in the City of Hamilton By-Law No. 04-299 "Procedural By-Law for the Sale of Land", Section 12 (a) (6), notice to the public of the proposed sale of land is given by inclusion of this recommendation to City Council, and;
- (i) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the easement and lease agreements in a form satisfactory to City Solicitor. **CARRIED**

**8. Infrastructure Ontario Surplus Land – Project 8663 – Located at 425 Winona Road, described as Part 1 of Plan 62R-15589, Former Township of Saltfleet, now in the City of Hamilton (PED12041) (Ward 11) (Item 5.9)**

**(Farr/Morelli)**

- (a) That the Real Estate Section of the Economic Development of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario that the City of Hamilton has no interest in acquiring their land located at 425 Winona Road, described as Part 1, Plan 62R-15589, in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix "A" attached to Report PED12041.
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario of the City of Hamilton requirements to the development of the site as contained in the "Relevant Consultation" Section of Report PED12041.1 **CARRIED**

**9. Business Appreciation Program (PED12042) (City Wide) (Item 5.10)**

**(Whitehead/Pearson)**

- (a) That Report PED12042, respecting the Business Appreciation Program, be received;
- (b) That the Proposed Business Appreciation Program, as presented in the "Analysis/Rationale for Recommendation" section of Report PED12042, be approved; and,
- (c) That the Economic Development Division be authorized and directed to commence implementation of the Business Appreciation Program.
- (d) That the issue of developing a strategy that seeks to address when and how companies can be recognized be referred to the Governance Review Sub-Committee to determine the appropriate placement of such recognition.

**CARRIED as amended**

**10. Lease – Lister Block, 28 James Street North, Units 155 and 156, Hamilton, to Hamilton, Halton, Brant Regional Tourism Association (HHBRTA) (PW12019/PED12046) (Ward 2) (Item 5.11)**

**(Farr/Morelli)**

- (a) That a new lease with Hamilton, Halton, Brant Regional Tourist Association (HHBRTA) be approved with the following terms and conditions:
  - (i) **Term:** Five (5) years commencing April 1, 2012 and terminating on March 31 2017. Either party can terminate the lease early with six (6) months written notice;
  - (ii) **Property:** Lister Block, 28 James Street North, Units 155 and 156, Hamilton, comprising a net usable area of 1,115 sf, as shown on Appendix "A" to Report PW12019 / PED12046. The space will be leased on an "as is" basis with finishing subject to heritage restraints/permits where applicable. The gross rentable area has not yet been defined; however, it is expected to range from 1,300 sf to 1,350 sf. Once defined the lease will be amended to reflect a gross lease rate of \$20.00 per sf. The space comprises a 595 sf and a 520 sf unit located on the inner arcade. Neither unit has street frontage;
  - (iii) **Rental Rate:** From the date of commencement, being April 1, 2012, the tenant shall pay fixed gross rent of \$20.00 per sf plus HST based upon the gross rentable area, still to be determined. The rent will be approximate \$27,000.00 per year plus HST;

- (iv) **Parking:** Lease provides 1 surface parking space at a cost of \$120.00 per month; and,
    - (v) **Operating Costs:** Operating costs will be included in the gross rent save and except cleaning, garbage, waste collection and disposal, security system, and interior décor and finishing. The tenant agrees to pay any escalations in expenses after the base year of 2012 (pro-rated for time);
  - (b) That all rent be credited to Account No. 791550-46000; and,
  - (c) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor. **CARRIED**
- 11. Restructured Master Asset Vehicle (MAV) Notes and Asset-Backed Commercial Paper (ABCP) update (FCS11006(a)) (City Wide) (Item 5.12)**
- (Farr/Morelli)**  
That Report FCS11006(a) respecting Restructured Master Asset Vehicle (MAV) Notes and Asset-Backed Commercial Paper (ABCP) update, be received. **CARRIED**
- 12. Granting of the “Freedom of the City” to the 31 Signal Regiment of the City of Hamilton (CL12003) (City Wide) (Item 6.1/8.2)**
- (Bratina/Jackson)**  
That the “Freedom of the City” be granted to the 31 Signal Regiment City of Hamilton. **CARRIED**
- 13. 2011 Economic Development Division Report and Highlights (PED12044) (City Wide) (Item 7.1)**
- (Partridge/Pasuta)**
- (a) That Report PED12044 respecting the 2011 Economic Development Division Report and Highlights, be received.
  - (b) That staff be directed to report back on assessment values on properties associated with industrial parks in the City and areas associated with the Red Hill Valley Parkway.

- (c) That representatives of John C. Munro/Hamilton International Airport be invited to a meeting of the Airport Implementation Committee to provide a presentation respecting the future of the Airport relative to the strategic investments that the City has made in the area surrounding the airport property.
- (d) That staff provide a report back to the Committee with respect to the commercial property vacancy rate in the City. **Amendments CARRIED CARRIED as amended**

**14. Auditor General Model (CM11006) (City Wide) (Item 8.1(a))**

**(Whitehead/Farr)**

- (a) That Report CM11006 respecting Auditor General Model be received;
- (b) That the establishment of a separate Auditor General Office not be pursued;
- (c) That Audit Services staff be increased by 2 contract FTE's, to be dedicated to undertaking value for money audits for the term of the pilot project, and that these contract FTE's be funded from the Tax Stabilization Reserve for a period of three years. **CARRIED**

**15. Implementation of the Hybrid Auditor General Model (AUD11028) (City Wide) (Item 8.1(b))**

**(Whitehead/Farr)**

- (a) That Report AUD11028 respecting the implementation of the hybrid Auditor General model be received;
- (b) That the by-law appointing the Director of Audit Services as the Auditor General attached as Appendix "A" to Report AUD11028, which has been prepared in a form satisfactory to the City Solicitor, be passed;
- (c) That the Internal Audit Charter approved by Council on January 26, 2011 be repealed and replaced by the Audit Services Charter attached as Appendix "B" to Report AUD11028;
- (d) That, pending receipt of the appropriate resources, the Director of Audit Services be directed to carry out a three year pilot project conducting value-for-money audits as approved by Council in the annual work plan, such work plan to be submitted for approval firstly to the Audit Finance and Administration Committee in accordance with the Audit Services Charter; and



- (e) That the Director of Audit Services report back through the Audit, Finance and Administration Committee, as follows:
  - (i) at the conclusion of each value-for-money audit, with the results and recommendations;
  - (ii) annually, to identify tangible savings/increased revenues, if any realized, as a result of the Implementation of the recommendations made in the year; and
  - (iii) at the end of the three-year pilot, summarizing the estimated cumulative savings, in addition to highlighting non-financial benefits such as improved internal controls, operational efficiencies and environmental, social or service improvements, as appropriate, resulting from the value-for-money audit program.

**CARRIED**

**16. ACPD (Audible Signals (PW08077(a)) (City Wide) (Item 8.3)**

**(Powers/Partridge)**

- (a) That, in accordance with Purchasing Policy #14 - Policy for Standardization, the Polara Navigator or similar replacement model from Polara Inc., be designated as the sole source corporate standard for accessible pedestrian signal units for the City of Hamilton, through to the end of 2016;
- (b) That the General Manager of Public Works or his/her Authorized Designate be authorized and directed to negotiate procurement of necessary hardware and execute all formal documents as per (a) above in a form acceptable to the City Solicitor;
- (c) That \$150,000 be utilized annually to equip new and reconstructed traffic signals with Accessible Pedestrian Signal systems, funded through the capital cost of the individual projects;
- (d) That the item entitled "ACPD Audible Signals" be identified as completed and removed from the Outstanding Business List.

**CARRIED**

**17. Report 12-002 of the Advisory Committee for Persons with Disabilities – February 14, 2012 (Item 8.5)**

**Hamilton Police Service - Mental Illness/Disability**

**(Merulla/Pearson)**

That the Hamilton Police Service along with Crisis Outreach and Support Team (COAST) provide an update to the Advisory Committee for Persons with Disabilities respecting Police interactions with those who have a mental disability or illness.

**CARRIED**

**18. PFOS at John C. Munro/Hamilton International Airport (Item 9.1)**

**(Johnson/McHattie)**

(a) That staff be directed to facilitate a Public Open House in June, 2012 in conjunction with representatives of the consultant team from EXP and TradePort respecting On-site PFOS at the John C. Munro/ Hamilton International Airport;

(b) That staff from the Niagara Peninsula Conservation Authority, the Ministry of the Environment and the Department of Oceans and Fisheries be invited to attend the Public Open House in June, 2012; and,

(c) That staff be directed to bring forward a status report regarding the item on the General Issues Committee's Outstanding Business List respecting On-site PFOS at the John C. Munro Hamilton International Airport, on or before the August 13, 2012 General Issues Committee meeting.

**CARRIED**

**19. Property Assessed Payments for Energy Retrofits (PAPER) (Item 9.2)**

**(McHattie/Farr)**

That the City of Hamilton requests the Province of Ontario and the Federal Government of Canada to:

(a) Implement regulatory change for Local Improvement Charges (LICs) to enable clear authority for municipalities to use LICs for energy improvements on private property, while ensuring that financing stays with the property and continues to have priority lien status;

(b) Define/recognize energy improvements as a public benefit;

(c) Amend the cost allocation method for LIC's to accommodate retrofit costs on specific private property;

(d) Ensure the LIC process is simplified and voluntary;

- (e) Support a collaboration to develop “Property Assessed Payments for Energy Retrofits (PAPER)” programs, including providing appropriate technical assistance to enable optimal energy savings for every dollar spent;
- (f) Provide support via low-interest financial loan guarantees/loan loss reserves and for addressing the scalability of energy saving guarantees for the residential sector;
- (g) Support the development of a blended product like Canada Mortgage and Housing Corporation’s (CMHC’s) Mortgage Loan Insurance for Property Assessed Payments for Energy Retrofits (PAPER) to decrease default risk;
- (h) Provide incentives like energy efficiency income tax credits;
- (i) Maintain O. Reg 403/02 (Debt and Financial Obligation Limits); and
- (j) Allow municipalities to fully recover the administrative costs associated with implementing such a program, such that the program is provided at no cost to the municipality. **CARRIED**

**20. Establishment of a Greater Bay Area Sub-Committee (Item 9.3)**

**(Partridge/Collins)**

- (a) That a Greater Bay Area Committee be established jointly by the City of Hamilton and City of Burlington;
- (b) That the Committee mandate and agenda allow for discussion of any subject in the greater bay area of mutual interest and concern;
- (c) That the Committee be composed of equal representation from the Cities of Hamilton and Burlington, specifically:
  - 2 members each from Hamilton and Burlington City Councils, representing Wards bordering on Hamilton Harbour/Lake Ontario
  - Mayors of both Hamilton and Burlington
- (d) That two Co-Chairs, one from each community, be selected. The Co-Chairs shall alternate the chairing of meetings at agreed upon locations.
- (e) That the City Managers (or designate) and appropriate staff of Hamilton and Burlington attend the meetings to facilitate the work of the Sub-Committee;
- (e) That meetings be scheduled at the call of the Co-Chairs;

- (g) That members of the Committee be responsible to report back to their respective Councils through the appropriate Standing Committee;
- (h) That staff of the respective Clerk's Office alternate the responsibilities of preparing agendas and minutes for said meetings. **CARRIED**

**21. Request for Removal of Reduced Load Restrictions on Nebo and Twenty and Roads (Item 10.1)**

**(Powers/Jackson)**

That the Reduced Load restrictions currently on Nebo Road (from Rymal Road to Twenty Road) and Twenty Road (from Nebo Road to Glover Road) be removed pending the reconstruction of those two roads in the Red Hill Business Park to urban standards. **CARRIED as amended**

**22. 2008 CUPE 5167 Collective Bargaining (City Wide) (LS12006)**

**(Partridge/Pearson)**

- (a) That Report LS12006 respecting 2008 CUPE 5167 Collective Bargaining be received;
- (b) That Report LS12006 remain confidential. **CARRIED**

**23. City of Hamilton v Metcalfe & Mansfield (Item 12.4)**

**(Pearson/Bratina)**

- (a) That Report LS12007 respecting City of Hamilton v. Metcalfe & Mansfield be received;
- (b) That staff report back to the General Issues Committee on March 22, 2012 with respect to the direction provided during the In Camera discussion;
- (c) That the contents of Report LS12007 remain confidential. **CARRIED**

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

**PUBLIC HEARINGS/DELEGATIONS**

- (i) Granting of the “Freedom of the City” to the 31 Signal Regiment of the City of Hamilton (CL12003) (City Wide) (Formerly Item 8.2)

**NOTICES OF MOTION**

- (ii) Revised Motion – Establishment of a Greater Bay Area Sub-Committee (Item 9.3)

**DISCUSSION REPORT**

- (iii) Item 1 of Report 12-001 of the Accountability and Transparency Sub-Committee – January 23, 2012 – TABLE to the April 18, 2012 meeting of the General Issues Committee to allow the opportunity to provide Notice to Citizens (Item 8.4)

**ADDED NOTICES OF MOTION**

- (iv) Request for Removal of Reduced Load Restrictions on Nebo, Twenty and Glover Roads (Added Item 10.1)
- (v) 21 Weirs Lane, Dundas – Connection to Municipal Water System (Added Item 10.2)

**ADDED PRIVATE & CONFIDENTIAL**

- (vi) City of Hamilton v Metcalfe & Mansfield (Added Item 12.4) (No copy)

The following issue will be handled in a different manner:

- (vii) Update respecting an identifiable individual (Added Item 12.5) (No copy)

The following item is withdrawn at this time and will be placed on a future General Issues Committee agenda with additional information provided by staff:

- (viii) Update respecting Security of the Property of the Municipality (Added Item 12.6)

Councillor S. Merulla requested the following item be added to the agenda:

- (ix) Statements contained in Editorial by Andrew Dreschel in the March 21, 2012 Spectator entitled, “Bratina bristles with political paranoia” and specifically, the Mayor’s request for affidavits from staff.

Chair Clark suggested that this matter be dealt with by the Committee under “Other Business” on the agenda.

**(Pearson/Morelli)**

That the agenda be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

None

**(c) APPROVAL OF PREVIOUS MINUTES (Item 3)**

**(Pearson/Farr)**

That the Minutes of the February 15 (regular) and February 21 and 27 (special) meetings of the General Issues Committee be approved as presented.

**CARRIED**

**(d) CONSENT AGENDA**

**(i) Hamilton LEEDing the Way, LEED Grant Program Application LGP-12-01 – Maple Leaf Foods Inc. 440 Glover Road, Hamilton (PED12038) (Ward 11) (Item 5.7)**

**(Powers/Pearson)**

That the following be added as sub-section (c):

- (c) That staff be requested to report to the appropriate General Issues Committee meeting with regard to participation by new and existing businesses in either LEEDS or LEEDS standards programs in the City of Hamilton and obtain/provide similar information from other municipalities to assist in the development of the report, and that the report include information with respect to the incremental cost of LEED certification (silver, gold, platinum) as it applies to the use of the City program by local stakeholders.

**Amendment CARRIED**

**Main Motion CARRIED as amended**

**(ii) Business Appreciation Program (PED12042) (City Wide) (Item 5.10)**

**(Collins/Merulla)**

That the following be added as sub-section (d):

- (d) That the issue of developing a strategy that seeks to address when and how companies can be recognized be referred to the Governance Review Sub-Committee to determine the appropriate placement of such recognition.

**Amendment CARRIED**

**Main Motion CARRIED as amended**

(ii) **Media Relations Policy Update (CM12004) (City Wide) (Item 5.13)**

**(Partridge/Pearson)**

That the "Scope" section of Appendix "A" to Report CM12004 respecting Communications Policy – Media Relations be amended to include "their staff", to read as follows:

**SCOPE:**

This Policy applies to all staff and divisions of the City of Hamilton. This Policy does not apply to members of City Council, their staff, or to the City's agencies, boards or commissions. **Amendment CARRIED**

**(Pearson/Powers)**

That Report CM12004 respecting Media Relations Policy Update be tabled and that staff be directed to provide an additional report, together with the 2005 policy, indicating the changes from the 2005 policy to the proposed 2012 policy. **CARRIED**

(e) **PUBLIC HEARINGS/DELEGATIONS (Item 6)**

(i) **Granting of the "Freedom of the City" to the 31 Signal Regiment of the City of Hamilton (CL12003) (City Wide) (Item 6.1/8.2)**

Mary Gallagher, Deputy Clerk, invited Major Frederico, Commanding Officer of 31 Signal Regiment, Captain White and Geordie Elms to the podium. Provided background information on the Freedom of the City

Major Frederico noted that 31 Signal Regiment will be celebrating its 100<sup>th</sup> anniversary of army signalers in Hamilton; and the request to exercise the Freedom of the City would be a fitting tribute.

Geordie Elms noted that the granting of the Freedom of the City is a relatively normal event in the history of any regiment in its home City; hope to establish a template for dealing with similar requests going forward.

**(Whitehead/Jackson)**

That the presentation from Mary Gallagher, Deputy Clerk, and Major Frederico, Commanding Officer of the 31 Signal Regiment, and Geordie Elms, Retired Colonel, respecting the Granting of the Freedom of the City, be received. **CARRIED**

The Motion **CARRIED** on the following Standing Recorded Vote:

Yeas: Bratina, McHattie, Farr, Morelli, Merulla, Collins, Jackson,  
Duvall, Whitehead, Partridge, Pasuta, Powers, Pearson, Clark  
Total Yeas: 14  
Nays: 0  
Absent: Ferguson, Johnson  
Total Absent: 2

**(f) PRESENTATION**

**(i) 2011 Economic Development Division Report and Highlights  
(PED12044) (City Wide) (Item 7.1)**

Neil Everson provided a power point presentation with respect to 2011 – The Year In Review/2011 Economic Development City-Wide Highlights, which included the following:

- Bayfront Industrial District and Bayfront Development Highlights
- Downtown Investments and Downtown Development Highlights
- Ancaster Business Park and Development Highlights at the Ancaster Industrial Business Park
- Redhill Business Park and Red Hill Development Highlights
- Stoney Creek Business Park and Development Highlights
- Small Business Enterprise Centre – 2011 Record Year and Highlights
- 2012 – The Year Ahead/2012 Economic Development Pipeline
- Non-residential Pipeline for 2012; 2012 Pipeline of Downtown Developments
- 2011 by the Numbers, including Diversity Index, Total Building Permits, Economic Growth, Non-residential Development; 2011 Residential vs Non-residential Growth; Industrial Vacancy Rate; Q4 – 2011 Industrial Vacancy Rates; Industrial Absorption; Industrial Statistics; Downtown Vacancy Rate; Employed Population FT/PT; Employed Population – FT vs PT; Unemployment Rate for 2011
- Highlights of Economic Development Goals/Real Estate Services
- Business Retention and Expansion
- Hamilton Calling Program Highlights
- 2010-2015 Economic Development Strategy Update; Strategy Deliverables
- Changing Hamilton's Image
- Awards and Recognitions

A copy of the power point presentation has been retained in the Clerk's Office for the public record and is available for viewing on the City's website. The Committee was distributed with the most recent edition of "Hamilton Economic Development 2011 Economic Review".



**(Merulla/Collins)**

That the following be added as sub-section (b):

- (b) That staff be directed to report back on assessment values on properties associated with industrial parks in the City and areas associated with the Red Hill Valley Parkway.

**Amendment CARRIED**

**(Collins/Merulla)**

That the following be added as sub-section (c):

- (c) That representatives of John C. Munro/Hamilton International Airport be invited to a meeting of the Airport Implementation Committee to provide a presentation respecting the future of the Airport relative to the strategic investments that the City has made in the area surrounding the airport property.

**Amendment CARRIED**

**(Whitehead/Jackson)**

That the following be added as sub-section (d):

- (d) That staff provide a report back to the Committee with respect to the commercial property vacancy rate in the City.

**Amendment CARRIED**

**Main Motion as amended CARRIED**

**(ii) City Manager's Annual Update (2011) (Item 7.2)**

Chris Murray provided a power point presentation with respect to the City Manager Performance Appraisal and spoke to the following issues:

- Overview
- Priorities: Strategic Priority #1 – A prosperous and healthy community; Strategic Priority #2 – Valued and sustainable services; Strategic Priority #3 – Leadership and Governance
- Operating Budget Principle
- Relationship between Community, City Council and Civic Administration
- 2011 Strategic Direction
  - developed SMT work plan
  - provided 2008-2011 Annual Strategic Update
  - initiated development of the 2012-2015 Strategic Plan
  - Supported and provided guidance on key initiatives, including: area rating resolution; settlement of CUPE5167 labour negotiations; Pan Am Stadium; Downtown McMaster Health Campus; Overall Transportation Strategy (LRT, BRT, GO); HECFI RFP process; Auditor General model

- 2011 Financial Outcomes
  - Supported and provided guidance on key initiatives, including: lowest tax increase in 10 years
  - Initiated Council workshops to discuss budget process improvements
  - Council-approved Service Delivery Report
  - Co-leader of City Manager Association's OMBI (Ontario Municipal Benchmarking Initiative)
- 2011 Staff Focus
  - City Manager Awards of Excellence
  - Corporate-wide Staff Recognition Program
  - Supported Human Resources in the development of vacancy management protocol; organization restructuring policy; PeopleSoft Position Management System
- 2011 Citizen Focus
- Conditions for Success
- City's Vision
- How do we deliver on our vision?

**(Pearson/Farr)**

That the presentation respecting the City Manager's Annual review be received. **CARRIED**

**(g) DISCUSSION AGENDA**

- (i) Report 12-001 of the Accountability and Transparency Sub-Committee – January 23, 2012 (Item 8.4)**
  - (aa) Revision of Subsection 15.1 of the Council Code of Conduct and Comparison of Mississauga Judicial Inquiry Council Code of Conduct Recommendations to the Council Code of Conduct (City Wide) (LS12002)**

**(Farr/Morelli)**

That Item 1 of Report 12-001 of the Accountability and Transparency Sub-Committee be tabled to the April 18, 2012 meeting of the General Issues Committee to provide the opportunity for public notice. **CARRIED**

**(ii) Auditor General Model (CM11006) (City Wide) (Item 8.1(a))**

Sub-section (c) **CARRIED** on the following recorded vote:

Yeas: Pearson, Powers, Pasuta, Partridge, Bratina, Clark, Whitehead,  
Duvall, Jackson, Collins, Merulla, Farr, McHattie

Total Yeas: 13

Nays: Johnson

Total Nays: 1

Absent: Ferguson, Morelli

Total Absent: 2

**(h) NEW BUSINESS**

Councillor Merulla spoke to the editorial which was published in the Spectator entitled, "Bratina bristles with political paranoia" in defense of the City's senior management team and the Mayor's comments that he will be demanding an investigation with complete signed affidavits.

Chris Murray provided the contents of discussions that took place with the Mayor, Rob Rossini and Peggy Chapman.

Councillor Merulla requested a copy of the e-mail which was sent to Spectator managers, as referred to in the editorial.

The Committee requested further discussion on this matter take place during the In Camera session in order to have staff respond to questions raised with respect to payout of vacation.

**(Farr/Merulla)**

That the information provided by staff with respect to the circumstances of the March 21, 2012 Spectator editorial by Andrew Dreschel, be received. **CARRIED**

**(i) MOTIONS**

**(i) PFOS at John C. Munro/Hamilton International Airport (Item 9.1)**

**(Johnson/McHattie)**

That sub-section (b) be amended with the inclusion of the Department of Oceans and Fisheries.

**Amendment CARRIED**

**Motion as amended CARRIED**

**(i) Property Assessed Payments for Energy Retrofits (Item 9.2)**

The following is the preamble to the motion introduce by Councillor McHattie:

Whereas the City of Hamilton recognizes the importance of energy conservation and its significant benefits to the community, environment and economy;

And whereas the David Suzuki Foundation has written three reports on utilizing Local Improvement Charges (LICs) to provide residential homeowners with secure, low-interest financing for home energy retrofits, known as “Property Assessed Payments for Energy Retrofits (PAPER)”;

And whereas amendments to the current LIC legislation (O. Reg 586/06 “Local Improvement Charges – Priority Lien Status”) would be required in order for this initiative to work;

And whereas the Association of Municipalities of Ontario (AMO) is in support of this initiative (*attached*);

And whereas the Council of the City of Windsor has passed a similar motion requesting that senior levels of government make the necessary legislative changes.

**(McHattie/Farr)**

That sub-section (j) be amended by deleting the words, “of providing this program”, and replace it with the words, “associated with implementing such a program” in lieu thereof.

**Amendment CARRIED  
Motion as amended CARRIED.**

See Item 19 for the motion.

**(ii) Establishment of a Greater Bay Area Sub-Committee**

The following is the preamble for the motion introduced by Councillor Partridge:

Whereas, the City of Hamilton and the City of Burlington share a border and many common issues;

And Whereas, it is desirable to attain a shared vision on priority areas such as the environment, transportation corridors, Burlington Bay, economic development, etc.

See Item 20 for the motion.

**(j) NOTICES OF MOTION (Item 10)**

Councillor B. Johnson introduced the following Notice of Motion:

**(i) Request for Removal of Reduced Load Restrictions on Nebo, Twenty and Glover Roads**

Whereas there are reduced load restrictions currently in effect on Nebo Road, Twenty Road and Glover Roads (former Town of Glanbrook) in the Red Hill Business Park from March 1 to April 30 of every year;

And Whereas Twenty Road and portions of Glover Road and Nebo Road will be reconstructed commencing the spring of 2012 with completion estimated for the fall of 2013;

And Whereas upon reconstruction of these three roads in the Red Hill Business Park to urban standards, there will no longer be a requirement for seasonal reduced load restrictions;

And Whereas these reduced load restrictions are impacting the delivery of supplies and finished products from the Canada Bread facility;

And Whereas these reduced load restrictions are impacting the accessibility of construction equipment to the ~~Glover Road~~ site for the development of the new Maple Leaf Foods facility.

Now Therefore Be it Resolved:

That the Reduced Load restrictions currently on Nebo Road (from Rymal Road to Twenty Road); Twenty Road (from Nebo Road to Glover Road); and ~~Glover Road (from Rymal Road to the residential enclave south of Maple Leaf Foods)~~ be removed pending the reconstruction of these three roads in the Red Hill Business Park to urban standards.

Councillor Johnson amended her Notice of Motion to take out reference to Glover Road, as noted above.

**(Powers/Johnson)**

That the rules of order be waived in order to allow for the introduction of a motion respecting Request for Removal of Reduced Load Restrictions on Nebo, Twenty and Glover Roads. **CARRIED**

See Item 21 for the disposition of this item.

Councillor R. Powers introduced the following Notice of Motion:

**(ii) 21 Weirs Lane, Dundas – Connection to Municipal Water System (Item 10.2)**

That for health and safety reasons, the property owners of 21 Weirs Lane, Dundas be permitted to connect their single family residence to the municipal water system, located approximately 132 metres away, in a manner acceptable to the City of Hamilton.

**(k) OTHER BUSINESS/GENERAL INFORMATION**

**(i) Outstanding Business List (Item 11.1)**

**(Pearson/Farr)**

That the following revised due dates be approved:

Item T: St. Mark's Church and Auchmar Estates

Due Date: February 15, 2012

Revised Due Date: St. Mark's Church – April 18, 2012

Auchmar Estates – June 20, 2012

**CARRIED**

**(l) PRIVATE & CONFIDENTIAL**

**(i) Minutes of Closed Session Meetings – February 21, 27 and March 6, 2012**

**(Jackson/Farr)**

(a) That the Minutes of the Closed Session Meetings of the General Issues Committee held on February 21, 27 and March 6, 2012 be approved;

(b) That these Minutes remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

**CARRIED**

**(Powers/Pearson)**

That the Committee move into closed Session at 3:10 p.m. pursuant to sub-sections 8.1(b), (d), (e) and (f) of the City's Procedural By-law and Sections 239.2 (b), (d), (e) and (f) of the Municipal Act as the subject matters pertain to:

(b) personal matters about an identifiable individual, including municipal or local board employees and labour relations or employees

(d) labour relations or employee negotiations

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the City
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

respecting:

- 12.2 2008 CUPE 5167 Collective Bargaining.
- 12.3 City Manager Performance Review
- 12.4 City of Hamilton v Metcalfe & Mansfield
- 12.7 Personal Matter about an Identifiable Individual.

The Committee reconvened in Open Session.

**12.2 2008 CUPE 5167 Collective Bargaining**

Pursuant to sub-section 8.1(d) of the City's Procedural By-law and Section 239.2(d) of the Municipal Act as the subject matter pertains to labour relations or employee negotiations.

See Item 22 for the disposition of this item.

**12.3 City Manager Performance Review**

Pursuant to sub-section 8.1(b) of the City's Procedural By-law and Section 239.2(b) of the Municipal Act as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

During the In Camera session, the Committee agreed to defer this item to a future General Issues Committee meeting.

**12.4 City of Hamilton v Metcalfe & Mansfield**

Pursuant to sub-sections 8.1(e) and (f) of the City's Procedural By-law and Sections 239.2(e) and (f) of the Municipal Act as the subject matter pertains to (e) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board; and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose..

See Item 23 for the disposition of this item.

**12.7 Update respecting an identifiable individual (Added)**

Pursuant to sub-section 8.1(b) of the City's Procedural By-law and Section 239.2(b) of the Municipal Act as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

During the In Camera session, Councillor Duvall indicated that he had received a response from staff to his inquiry and therefore, further discussion was not required.

**(Pearson/Johnson)**

There being no further business, the Committee adjourned at 4:30 p.m.

Respectfully submitted

Councillor B. Clark  
Deputy Mayor

Carolyn Biggs, Co-ordinator  
Committee Services/Council/Budgets  
March 21, 2012