



## **General Issues Committee**

### **MINUTES**

**9:30 a.m.**

**Wednesday, April 18, 2012**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**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  
J. A. Priel, General Manager, Community Services  
Dr. E. Richardson, Medical Officer of Health  
H. Hale Tomasik, Executive Director, Human Resources and  
Organizational Development  
N. Everson, Director, Economic Development and Real  
Estate  
R. Sabo, Acting City Solicitor  
C. Biggs, Legislative Co-ordinator

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

**1. Hamilton Police Services Board Monthly Report (PSB 12-032) (Item 5.1)**

**(Clark/Powers)**

That Hamilton Police Services Board Monthly Report PSB 12-032 be received.

**CARRIED**

**2. Amendment to the Hamilton Licensing Tribunal – Decision-Making Authority (City Wide) (CL12009) (Item 5.3)**

**(Clark/Powers)**

That the By-law to amend the Hamilton Licensing By-law 07-170, attached as Appendix "A" to Report CL12009, be passed. **CARRIED**

**3. Infrastructure Ontario (IO) Surplus Land – Project 8453 – Located at 63-75 Atkinson Boulevard, described as Parts 6 and 28, Plan 62R015585, former Town of Dundas, now City of Hamilton (PED12067) (Ward 13) (Item 5.4)**

**(Clark/Powers)**

(a) 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 that the City of Hamilton has no interest in acquiring their land located at 63 – 75 Atkinson Boulevard, in the former Town of Dundas, now City of Hamilton, as shown on Appendix "A", attached to Report PED12067; and,

(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's requirements to the development of the site as identified in Appendix "B", attached to Report PED12067. **CARRIED**

**4. 2011 Annual Performance Measures (PED12056) (City Wide) (Item 5.5)**

**(Clark/Powers)**

That Report PED12056 respecting Planning and Economic Development Performance Measures for 2011 be received. **CARRIED**

**5. Hamilton Firefighters Drum Corps Loan (FCS12033) (City Wide) (Item 8.1)**

**(Jackson/Whitehead)**

(a) That in accordance with the provisions of the lease, the City exercise its right to terminate the lease with the Hamilton Firefighters Drum Corps Inc. (HFFDC) and acquire the title and possession of the Practice Facility Building;

(b) That City owned land, municipally known as 175 Dartnall Road, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;

- (c) That the building and equipment, located at 175 Dartnall Road, be sold to The International Association of Firefighters, Local 288, for the sum of \$285,000;
- (d) That a loan in the amount of \$250,000 to be repaid over 25 years at an interest rate of 3.1% in accordance with the City's External Loan Guidelines for the first ten (10) year term be approved for The International Association of Firefighters, Local 288;
- (e) That Real Estate staff of the Planning and Economic Development Department and the City Treasurer be authorized and directed to enter into a long term lease of the land at a nominal sum of \$1 per year with an Option to Purchase with The International Association of Firefighters, Local 288, in accordance with the terms and conditions attached in Appendix 'A' of report FCS12033;
- (f) That the Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor;
- (g) That the proceeds of the sale be used to pay the outstanding amounts owed by the HFFDC to the City. **CARRIED**

**6. 2012-2015 Strategic Plan (CM12001) (City Wide) (Item 7.2)**

**(Powers/Ferguson)**

- (a) That the 2012 – 2015 Strategic Plan, including Vision, Mission, Values, Strategic Priorities (and related Strategic Objectives and Strategic Actions), as amended, (attached Appendix A to Report CM12001), be approved and communicated to staff.
- (b) That staff be directed to report on progress made towards achieving the Strategic Actions outlined within the 2012 – 2015 Strategic Plan, on an annual basis. **CARRIED as amended**

7. **Report 12-001 of the Accountability and Transparency Sub-Committee – January 23, 2012 (Tabled at the March 21, 2012 General Issues Committee Meeting) (Item 8.2)**

**(Ferguson/Powers)**

- (a) **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) (Item 6.2)**

- (i) That the amending by-law, attached hereto as Appendix A, deleting and replacing subsection 15.1 of Appendix H (Council Code of Conduct) of the Council Procedural By-law No. 10-053, be enacted;
- (ii) That Council receive the information contained in Report LS12002, respecting 1.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. **CARRIED**

8. **Carlisle Rural Settlement Area Water Supply – Property Purchase for Well Site Investigation for New Well and Elevated Water Storage Tower (PW12029) (Ward 15) (Item 8.4)**

**(Partridge/Pasuta)**

- (a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to negotiate the acquisition of land required to site and establish a new well and elevated water storage tower, for the Carlisle Rural Settlement Area Municipal Communal Water System;
- (b) That the cost and disbursements for the property purchase be charged to account number 5141195152 identified in the 2012 budget as having a total budget of \$800,000 for the purposes of securing the property, and for the planning and conceptual design of the new well and elevated water storage tower. **CARRIED**

**9. Hamilton-Wentworth District School Board (HWDSB) Surplus Land located at 401 Rymal Road West, described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton (PED12034) (Ward 8)**

**(Whitehead/Merulla)**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring their land located at 401 Rymal Road West, legally described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton, as shown on Appendix "A" attached to Report PED12034;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's requirements to the development of the site as identified in Appendix "B" attached to Report PED12034.

**CARRIED**

**10. Illegal Dumping, Litter and Escaped Waste (PED11127(b)) (City Wide) (Outstanding Business List Item) (Item 8.6)**

**(Jackson/Merulla)**

- (a) That staff be directed to conduct a 12 month pilot project for illegal dumping across the City including the specific trouble locations in each Ward as previously identified in Report PW11052/PED11127, with the requirements/resources for such pilot project being as follows:
  - (i) approval to hire four students, one temporary part-time (.6) FTE Supervisor and one temporary part-time (.5) FTE temporary By-law Clerk;
  - (ii) approval to purchase and/or lease two unmarked used vans with side/rear windows for the purpose of enforcement and surveillance, and surveillance equipment, including cameras, video cameras, cellular devices and other electronic tools as required;
  - (iii) That the gross cost of Recommendation (a) (i) and (ii) above, estimated at \$180,000.00 plus \$45,000.00 in one time Capital costs, be approved and funded through the Tax Stabilization Reserve (110046) and that any proceeds from associated fees and charges be directed back to the Tax Stabilization Reserve (110046) to offset the actual gross cost;

- (iv) That staff be directed to report back to the General Issues Committee prior to the conclusion of the pilot, detailing key performance measures including:
  - (1) cost recovery from fines and through Court actions;
  - (2) compliance rates and measurably improved conditions in the specific trouble locations in each Ward as previously identified in Report PW11052/PED11127 and other areas across the City; and,
  - (3) reduced complaints about illegal dumping.
- (b) That prior to the commencement of the pilot project staff be directed to prepare comprehensive amendments for consideration by the General Issues Committee and Council to amend the Solid Waste Management By-law (09-067), the Streets By-law (86-077), the Parks By-law (01-219), and the Yard Maintenance By-law (10-118) as follows:
  - (i) By updating and/or replacing the relevant sections in order to provide more effective enforcement, to ensure consistency in language and to identify specific roles for property owners and/or tenants on boulevards abutting residential properties; and,
  - (ii) By increasing the penalties for illegal dumping to \$500.00 and that staff be directed to submit an application to the Ministry of the Attorney General's Office for approval.
- (c) That the pilot program of using Summer students to assist with the workload of Environmental Enforcement Officers be made permanent based on full cost recovery. **CARRIED**

**11. Expansion of Community Improvement Initiatives to Former Municipalities' Downtowns and Piers 5, 6, 7 and 8 (PED12065) (Wards 1, 2, 3, 9, 11, 12, 13 and 15) (Item 8.7)**

**(Powers/Clark)**

That Report PED12065 respecting Expansion of Community Improvement Initiatives to Former Municipalities' Downtowns and Piers 5, 6, 7 and 8 be received. **CARRIED**

**12. Organization Restructuring Policy (HUR12002) (City Wide) (Outstanding Business Item) (Item 8.8)**

**(Clark/Jackson)**

That the Organization Restructuring Policy, attached as Appendix "A" to HUR12002 be approved. **CARRIED**

**13. Waterfront Priorities Development Corporation (PED09200(a)) (City Wide) (Outstanding Business List Item) (Item 8.9)**

**(Jackson/Powers)**

(a) That Report PED09200(a) respecting the Waterfront Priorities - Development Corporation be received;

(b) That staff be directed to take no further action on establishing a Hamilton Waterfront Development Corporation at this time;

(c) That the General Manager of the Planning and Economic Development Department be authorized and directed to establish and formalize a Corporate "*Waterfront Development Office*" within Planning and Economic Development, that will act to coordinate all inter-departmental activities with respect to Hamilton's Waterfront and Shorelines areas, as well as acting as the City's liaison for outside agencies and private-sector investors;

(d) That staff be authorized and directed to convert and re-name the "Waterfront Development Corporation" Capital Project Number 4241006001, to a "Waterfront Priorities" Capital Project Number 4241006001;

(e) That the General Manager of the Planning and Economic Development Department, be authorized to draft a "Terms of Reference" for the implementation of the Council approved studies for Piers 5, 6, 7, and 8, as set out in the October 11, 2011 General Issues Committee Report, and that Hamilton Waterfront Trust (HWT) be approved as the retained agency to carry out the project management of such studies. **CARRIED**

**14. Capital Projects Status and Closing Report as of December 31, 2011 (FCS11073(b)) (City Wide) (Item 8.10)**

**(Whitehead/Clark)**

(a) That the December 31<sup>st</sup>, 2011, Capital Projects' Status and Projects' Closing Report and the attached Appendices A, B, C, D, and E to report FCS11073(b) for the tax levy and the rate supported capital projects be received for information;

- (b) That the General Manager of Finance & Corporate Services be directed to close the completed capital projects listed in Appendix B to report FCS11073(b) in accordance with the Capital Closing Policy and that the net transfers be applied as listed below and as detailed by project in Appendix B to report FCS11073(b):

**Summary of Net Transfers**

	\$ To\From)
<b><u>Dedicated Reserves/Projects</u></b>	
Development Charges Reserves	(30,528)
	<hr style="width: 100%; border: 0.5px solid black;"/> (30,528)
Unallocated Capital Levy Reserve	929,365
<b>Net Transfers</b>	<hr style="width: 100%; border: 0.5px solid black;"/> <b>898,837</b>
	<b>CARRIED</b>

**15. Capital and Sustainability Costs to implement Management Action Plans as identified in Audit Report 2010-07 AUD11013 (FCS12028) (City Wide) (Item 8.11)**

**(Clark/Pearson)**

- (a) That \$465,000 allocated in the 2012 Capital Budget proceed for the completion of the Management Action Plans outlined in the Internal Audit of the Information Services Division Business Processes Management Action Plans, as detailed in Appendix "A" of Report AUD11013 – Information Services (IS) – Business Process Management (attached as Appendix A to Report FCS12028);
- (b) That the implementation of the annual operating impacts (i.e., additional FTEs) related to the Management Action Plans, for the Information Services Division, commence in 2013, upon completion of the Information Services Governance Review and subject to approval of the 2013 Budget.

**CARRIED**

**16. Tax and Rate Operating Budget Variance Report to December 31, 2011 (Unaudited) (FCS12031) (City Wide) (Item 8.12)**

**(Ferguson/Powers)**

- (a) That the 2011 Tax and Rate Operating Budget Variance Report to December 31, 2011 be received for information;
- (b) That the 2011 Best Start Child Care fee subsidy pressure of \$1,560,000 be funded from Best Start Reserve 112218;



- (c) That, subject to final audit, the Disposition of Year-End Surplus/Deficit be approved as follows:

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
<b>Corporate Surplus from Tax Supported Operations</b>		<b>\$ 6,150,762</b>
<b>Less: Disposition to Self-Supporting Programs &amp; Agencies</b>		<b>\$ (2,032,807)</b>
Police (Transfer to Police Reserves)	\$ (320,411)	
Library (Transfer to Library Reserve)	\$(1,712,396)	
<b>Balance of Corporate Surplus</b>		<b>\$ 4,117,955</b>
Less: Transfer to AODA WIP Account		\$ (87,777)
Less: Transfer to ISF Capital Projects		\$ (250,000)
Less: Transfer to Theatre Aquarius		\$ (253,000)
Less: Transfer to Hamilton Conservation Authority		\$ (100,000)
Less: Transfer of Flamborough Slot Revenues to Flamborough Capital Reserve		\$ (123,745)
Less: Transfer to Unallocated Capital Reserve		\$ (3,237,989)
Less: Transfer to Tax Stabilization Reserve		\$ (65,444)
<b>Balance of Tax Supported Operations</b>		<b>\$ 0</b>
<b>Corporate Surplus from Rate Supported Operations</b>		<b>\$ 8,880,000</b>
Less: Transfer to the Rate Supported Reserves		\$ (8,880,000)
<b>Balance of Rate Supported Operations</b>		<b>\$ 0</b>

- (d) That any future year-end surplus in the budget for Flamborough Slot Revenues be transferred to the Flamborough Capital Reserve Fund 108032. **CARRIED**

**17. Report 12-002 of the Pan Am Stadium Precinct Sub-Committee – March 26, 2012 (Item 8.13)**

**(Ferguson/Pearson)**

- (a) Indemnification Stadium Completion Date - Hamilton Tiger-Cat Obligations**

**(Ferguson/Pearson)**

That the City of Hamilton request the Honorable Bob Chiarelli, Minister of Infrastructure, provide indemnification in the event that Ivor Wynne Stadium is not completed on schedule. **CARRIED**

- (ii) Hamilton Pan Am Games Business Plan**

**(Ferguson/Pearson)**

That the proposed 2012 Pan Am Gamers Initiative budget of \$340,300 be approved to be funded from Capital Project ID # 3621154100. **CARRIED**

**18. Arbitration Update – Casual/Part-time and In-Scope Arbitration (No Copy) (Item 12.2)**

**(Pearson/Clark)**

That the Arbitration Update respecting Casual/Part-time and In-Scope Arbitration, be received. **CARRIED**

**19. City of Hamilton v Metcalfe & Mansfield (FCS09066(b)/LS09006(b)) (Item 12.3)**

**(Powers/Partridge)**

- (a) That Report FCS09066(b)/LS09006(b), including its appendices, be received;
- (b) That Council ratify the commencement of the action by the City against Henry Juroviesky and Juroviesky & Ricci LLIP for purposes of the litigation;
- (c) That Report FCS09066(b)/LS09006( b) and its appendices remain confidential. **CARRIED**

**20. City of Hamilton ats Bre-Ex (LS10005(b)) (Item 12.4)**

**(Powers/Pasuta)**

- (a) That Report LS10005(b) respecting City of Hamilton ats Bre-Ex, including the opinion of independent outside counsel, attached as Appendix “A”, be received;
- (b) That the Acting City Solicitor be authorized and directed to agree to the fixing of the plaintiff’s legal costs of trial in the amount of \$465,000;
- (c) That the City of Hamilton make payment to the plaintiff, or as it may direct, the sum of \$1,641,967.70 in satisfaction of the outstanding judgment inclusive of damages, HST, prejudgment interest, costs and post judgment interest;
- (d) That such payment be charged to Account No. 51207920000;
- (e) That Report LS10005(b), including its attachment, remain confidential as it contains information that is subject to solicitor-client privilege. **CARRIED**

**21. Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board respecting Hamilton-Wentworth District School Board (Verbal) (Item 12.5)**

**(Clark/Pearson)**

That the verbal update provided by the City Manager respecting proposed or pending acquisition or disposition of land by the Municipality or Local Board respecting Hamilton-Wentworth District School Board, be received. **CARRIED**

**22. Contracted Vacation Entitlement and Payout (HUR12004) (City Wide) (Item 12.6)**

**(Pearson/Clark)**

(a) That Report HUR12004 respecting Contracted Vacation Entitlement and Payout, be received;

(b) That the contents of Report HUR12004 remain confidential as it contains information related to personal matters about an identifiable City employee. **CARRIED**

**FOR THE INFORMATION OF COUNCIL:**

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

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

**ADDED MINUTES FOR APPROVAL**

(i) March 22, 2012 (Budget) (Added Item 3.3)

(ii) April 11, 2012 (Special) (Added Item 3.4)

**ADDED DELEGATION REQUEST**

(iii) Delegation Request from Louise Dompierre, Art Gallery of Hamilton, respecting upcoming project at the Art Gallery (Added Item 4.2)

**STAFF PRESENTATIONS**

(iv) Item 7.1 – Amendments to Horizon Holdings Inc. Dividend Policy and Shareholders Agreement and Hamilton Utilities Corporation Dividend Policy (FCS12030) (City Wide)

The General Issues Committee will recess to deal with this item as Shareholders of Horizon Utilities Corporation. General Issues Committee meeting will reconvene upon completion of the HUC Shareholders meeting.

### **DISCUSSION ITEMS**

- (v) Item 8.3 – Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones (PW120310 (Ward 11) (Outstanding Business Item) - TABLED

### **PRIVATE & CONFIDENTIAL**

- (vi) Item 12.3 – City of Hamilton v. Metcalfe Mansfield Corporation et al – Report Numbers should read: FCS09066(b)/LS09006(b) throughout the entire report

#### **(Johnson/Powers)**

That the agenda be approved, as amended.

**CARRIED**

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

None

#### **(c) APPROVAL OF PREVIOUS MINUTES**

##### **(Duvall/Morelli)**

That the March 22, 27 and April 4 and 11, 2012 Minutes of the General Issues Committee be approved, as presented.

**CARRIED**

#### **(d) DELEGATION REQUESTS**

- (i) **Tim Rankin and Henry Watson, Hamilton Firefighters' Association, respecting purchase of the Firefighters' Band Hut from the City of Hamilton (Cross Reference to Item 8.1) (Item 4.1)**
- (ii) **Delegation Request from Louise Dompierre, Art Gallery of Hamilton, respecting upcoming project at the Art Gallery (Added Item 4.2)**

##### **(Clark/Johnson)**

(i) That the following delegation requests be approved:

- (aa) Tim Rankin and Henry Watson, Hamilton Firefighters' Association, respecting purchase of the Firefighters' Band Hut from the City of Hamilton (Cross Reference to Item 8.1) (Item 4.1)
- (bb) Delegation Request from Louise Dompierre, Art Gallery of Hamilton, respecting upcoming project at the Art Gallery (Added Item 4.2)

- (ii) That the rules of order be waived to allow the opportunity for the delegations to appear before the Committee at today's meeting.

**CARRIED**

**(e) CONSENT ITEMS**

- (i) Minutes of Various Sub-Committees (For Information Purposes Only) (Item 5.2)**

**(Clark/Powers)**

That the following Sub-Committee Minutes be received:

- (i) Joint City of Hamilton and Hamilton-Wentworth District School Board Liaison Committee – June 30, 2011
- (ii) Pan Am Stadium Precinct Sub-Committee – January 25, 2012
- (iii) Open for Business Sub-Committee – February 22, 2012
- (iv) Joint City of Hamilton/Hamilton-Wentworth District School Board Task Force – March 28, 2012

**CARRIED**

**(f) PUBLIC HEARING/DELEGATION**

- (i) Zach Douglas, McMaster Innovation Park – Annual Report (Item 6.1)**

Zach Douglas, President and CEO of McMaster Innovation Park, provided an update with respect to McMaster Innovation Park. In his power point presentation, Mr. Douglas spoke to the following:

- Map showing the West Hamilton Innovation District
- Vision and Mission Statement
- What is MIP hosting
- Current tenants in the Atrium at MIP
- Photos of former property appearance to current, The Atrium @ MIP, McMaster Innovation Park
- Status of MIP
- Photo of CANMET-MTL – Fall 2010; who they are; official grand opening in February, 2011; why they moved to Hamilton after 68 years; CANMET-MTL key LEED features
- Photo of McMaster Automotive Resource Centre (MARC); Warehouse redevelopment
- Future projects
- Health and Life Sciences Multi-tenant building
- Hotel
- Infrastructure

- Impact on Hamilton and the Golden Horseshoe Region – On-site and in the Community

A copy of the power point presentation was submitted to the City Clerk for the public record and can be viewed on the City of Hamilton website.

**(Duvall/Jackson)**

That the presentation provided by Zach Douglas, McMaster Innovation Park, be received. **CARRIED**

**(ii) Laura Jean Falla respecting Firefighters Band Hut (Item 6.2)**

Laura Jean Falla, Co-president of the Hamilton Drum and Bugle Corps, provided a brief synopsis of the history of the Drum and Bugle Corp to present and to express strong support for the recommendations contained in the staff report with respect to the International Association of Firefighters Local 288 purchase of the property at 175 Dartnall Road, Hamilton.

**(Ferguson/Johnson)**

That the presentation from Laura Jean Falla respecting the Firefighters' Band Hut, be received. **CARRIED**

**(iii) Tim Rankin and Henry Watson respecting Firefighters Band Hut (Item 4.1/6.3)**

Tim Rankin and Henry Watson, on behalf of the Hamilton Firefighters' Association, appeared before the Committee to speak in support of the staff recommendations with respect to the Firefighters Band Hut. The Committee was advised that all profits from the purchase will go to charity and reinvested re-invested in the community.

**(Whitehead/Jackson)**

That the presentation from Tim Rankin and Henry Watson respecting Firefighters Band Hut, be received. **CARRIED**

**(Johnson/Pearson)**

That Item 8.1 respecting Hamilton Firefighters Drum Corps Loan (FCS12033) be moved up on the agenda for discussion. **CARRIED**

See Item 5 for the disposition of this item.

**(iv) Louise Dompierre, Art Gallery of Hamilton, respecting Upcoming Projects at the Art Gallery (Item 4.2/6.4)**

Louise Dompierre, Executive Director of the Art Gallery of Hamilton, appeared before the Committee to seek approval/permission to issue a Request for Proposal for the purpose of conducting a feasibility study to look at bringing further improvements at the Art Gallery. Part of the study would include the piece of land that is located between the Art Gallery of Hamilton and HECFI.

Ms. Dompierre advised that anticipated completion of the Study is August 31, at which time the recommendations would be presented to the Board of Directors and based on those recommendations, their decision would then come back to the Committee to advise the scope of the project. The RFP is for a consultant to prepare a design and the cost of the RFP is approximately \$150,000 to \$200,000.

**(Farr/Whitehead)**

- (a) That the appropriate City staff meet with Art Gallery staff as soon as possible to provide input into and be on the review team for the development of the Art Gallery's Request for Proposal, with respect to improvements on the outdoor piece of land between the Art Gallery of Hamilton and the HECFI property,
- (b) That staff be directed to report back on the Request for Proposal at Council on April 25, 2012. **CARRIED**

**(g) STAFF PRESENTATIONS**

**(i) Amendments to Horizon Holdings Inc. Dividend Policy and Shareholders Agreement and Hamilton Utilities Corporation Dividend Policy (FCS12030) (City Wide) (Item 7.1)**

**(Johnson/Ferguson)**

That the General Issues Committee recess at 11:05 a.m. to convene a meeting of the Shareholders of Hamilton Utilities Corporation. **CARRIED**

See HUC Minutes of April 18, 2012 for the disposition of the recommendations contained in Report FCS12030.

**(Johnson/Ferguson)**

That the General Issues Committee reconvene at 11:35 a.m. **CARRIED**

**(ii) 2012-2015 Strategic Plan (CM12001) (City Wide) (Item 7.2)**

Chris Murray provided a power point presentation with respect to the 2012-2015 Strategic Plan and outlined the overview of the information being presented, including:

- Process – Highlights
- Components – Mission, Vision, Values
- Defining Values
- Strategic Priorities
- Strategic Objectives
  - A prosperous and healthy community
  - Valued and sustainable Services
  - Leadership and Governance
- Communication
- Moving forward.

Chris Murray thanked Lisa Zinkewich for all of her efforts toward compiling the presentation.

**(Ferguson/Powers)**

That Appendix “A” be amended by adding the following to “OUR Values”:

“**Cost Conscious** – WE must ensure that we are receiving value for taxpayers’ dollars spent.”

The Amendment was **DEFEATED** on the following tie vote:

Yeas:	Collins, Whitehead, Partridge, Powers, Ferguson
Total Yeas:	5
Nays:	Bratina, Farr, Jackson, Pearson, Clark
Total Nays:	5
Absent:	McHattie, Morelli, Merulla, Duvall, Pasuta, Johnson
Total Absent:	6

**(Clark/Pearson)**

That the “Accountability” section of “OUR Values” contained in Appendix “A” be amended to read as follows:

“**Accountability** – WE are responsible for our actions, ensuring the efficient, cost effective and sustainable use of public resources.”

The Amendment **CARRIED** on the following standing recorded vote:

Yeas:	Bratina, McHattie, Farr, Collins, Jackson, Whitehead, Partridge, Pasuta, Powers, Ferguson, Pearson, Clark
Total Yeas:	12
Total Nays:	0
Absent:	Morelli, Merulla, Duvall, Johnson
Total Absent:	4

The Committee recessed at 1:15 p.m. for thirty minutes.



**(h) DISCUSSION ITEMS**

- (i) Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones (PW12031) (Ward 11) (Outstanding Business Item) (Item 8.3)**

**(Johnson/Powers)**

That Report PW12031 respecting Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones be tabled. **CARRIED**

- (ii) Hamilton-Wentworth District School Board (HWDSB) Surplus Land located at 401 Rymal Road West, described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton (PED12034) (Ward 8)**

**(Whitehead/Merulla)**

That Report PED12034 respecting Hamilton-Wentworth District School Board (HWDSB) Surplus Land located at 401 Rymal Road West, described as Part of Lot 2, Concession 1, former Township of Glanford, now City of Hamilton, tabled at the April 4, 2012 General Issues Committee meeting, be lifted from the table. **CARRIED**

- (iii) Illegal Dumping, Litter and Escaped Waste (PED11127(b)) (City Wide) (Outstanding Business List Item) (Item 8.6)**

The Motion, in its entirety, **CARRIED** on the following recorded vote:

Yeas: Merulla, Jackson, Whitehead, Pasuta, Powers, Ferguson  
Total Yeas: 6  
Nays: Collins, Partridge, Pearson, Clark  
Total Nays: 4  
Absent: Bratina, McHattie, Farr, Morelli, Duvall, Johnson  
Total Absent: 6

- (iv) Report 12-001 of the Accountability and Transparency Sub-Committee – January 23, 2012 (Tabled at the March 21, 2012 General Issues Committee Meeting) (Item 8.2)**

- (a) 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) (Item 6.2)**

**(Clark/Pearson)**

That Report 12-001 of the Accountability and Transparency Sub-Committee – January 23, 2012, tabled at the March 21, 2012 General Issues Committee meeting, be lifted from the table.

**CARRIED**

(v) **Report 12-002 of the Pan Am Stadium Precinct Sub-Committee – March 26, 2012 (Item 8.13)**

(a) **Hamilton Pan Am Games Business Plan**

The Motion **CARRIED** on the following recorded vote:

Yeas: Pearson, Ferguson, Powers, Pasuta, Partridge,  
Collins, Whitehead, Duvall, Jackson, Merulla, Farr  
Total Yeas: 11  
Nays: Clark  
Total Nays: 1  
Absent: Bratina, Morelli, Merulla, McHattie  
Total Absent: 4

(i) **MOTIONS**

None.

(j) **NOTICES OF MOTION**

None.

(k) **OTHER BUSINESS**

(i) **Items to be Removed from the General Issues Committee Outstanding Business List:**

That the following items be removed from the General Issues Committee Outstanding Business List:

**(Merulla/Jackson)**

(aa) Illegal Dumping, Litter and Escaped Waste (PED11127(b)) (City Wide) (Outstanding Business List Item) (Item 8.6) **CARRIED**

**(Clark/Jackson)**

(bb) Organization Restructuring Policy (HUR12002) (City Wide) (Outstanding Business List Item) (Item 8.8) **CARRIED**

**(Jackson/Powers)**

(cc) Waterfront Priorities Development Corporation (PED09200(a)) (City Wide) (Outstanding Business List Item) (Item 8.9) **CARRIED**

**(I) PRIVATE & CONFIDENTIAL**

**12.1 Minutes of Closed Session Meetings – March 27 and April 4, 2012**

**(Partridge/Pearson)**

- (a) That the Minutes of the Closed Session Meetings of the General Issues Committee held on March 22 and April 4, 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**

**(Pasuta/Pearson)**

That the Committee move into closed session at 2:15 p.m. pursuant to sub-sections 8.1(b), (c), (d), (e) and (f) of the City's Procedural By-law and Sections 239.2(b), (c), (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,
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before an administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

respecting:

- (i) Arbitration Update – Casual/Part-time and In-Scope Arbitration (No Copy) (Item 12.2)
- (ii) City of Hamilton v Metcalfe & Mansfield (FCS09066(b)/LS09006(b)) (Item 12.3)
- (iii) City of Hamilton ats Bre-Ex (LS10005(b)) (Item 12.4)
- (iv) Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board respecting Hamilton-Wentworth District School Board (Verbal) (Item 12.5)

- (v) Contracted Vacation Entitlement and Payout (HUR12004) (City Wide) (Item 12.6)
- (vi) City Manager Performance Review (No Copy) (Deferred from April 4, 2012 GIC Meeting) (Item 12.7)
- (vii) City Manager Remuneration Options (HUR12005) (Item 12.8)

The Committee reconvened in Open Session at 4:30 p.m.

**12.2 Arbitration Update – Casual/Part-time and In-Scope Arbitration (No Copy)**

See Item 18 for the disposition of this item.

**12.3 City of Hamilton v Metcalfe & Mansfield (FCS09066(b)/LS09006(b))**

See Item 19 for the disposition of this item.

**12.4 City of Hamilton ats Bre-Ex (LS10005(b))**

See Item 20 for the disposition of this item.

**12.5 Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board respecting Hamilton-Wentworth District School Board (Verbal)**

See Item 21 for the disposition of this item.

**12.6 Contracted Vacation Entitlement and Payout (HUR12004) (City Wide)**

See Item 22 for the disposition of this item.

**(Powers/Clark)**

That the following items be referred to the April 25, 2012 meeting of Council for discussion:

- (i) City Manager Performance Review (No Copy) (Deferred from April 4, 2012 GIC Meeting) (Item 12.7)
- (ii) City Manager Remuneration Options (HUR12005) (Item 12.8) **CARRIED**

**(Clark/Pearson)**

There being no further business, the Committee adjourned at 4:35 p.m.

Respectfully submitted

Councillor C. Collins  
Deputy Mayor

Carolyn Biggs, Co-ordinator  
Committee Services/Council/Budgets  
April 18, 2012