



## **CITY COUNCIL MINUTES 15-002**

**5:00 p.m.**

**Wednesday, January 21, 2015**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Mayor F. Eisenberger  
Deputy Mayor R. Pasuta  
Councillors A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins,  
T. Jackson, S. Duvall, T. Whitehead, D. Conley, M. Pearson,  
B. Johnson, A. VanderBeek, L. Ferguson, J. Partridge

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Mayor Eisenberger called the meeting to order and called upon Reverend Dallas Friesen from the Mount Hamilton Baptist Church to lead Council in prayer.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

**ADDED CEREMONIAL ACTIVITY**

3.1 Lincoln M. Alexander Day

**ADDED CORRESPONDENCE**

5.9 Correspondence from Earl Basse, Integrity Commissioner, respecting an Update on the Status of Open Inquiries

Recommendation: Be received.

5.10 Correspondence respecting the Transit Only Lane

- (i) Gail and Bill Lorimer
- (ii) Graham McNally

Recommendation: Be received.

REVISED MOTIONS

7.6 Suspension of Enforcement for King Street Transit Only Lane

ADDED MOTIONS

7.7 Illegal Dumping Pilot Project (Notice of Motion December 17, 2014)

ADDED NOTICE OF MOTION

8.1 Tobogganing

**(Green/A. Johnson)**

That Item 7.1, a Motion respecting Lincoln M. Alexander Day, be moved up in the Agenda to be considered immediately following the conclusion of Item 3.1, a Ceremonial Activity respecting Lincoln M. Alexander Day.

**CARRIED**

**(Pearson/Conley)**

That the agenda for the January 21, 2015 meeting of Council be approved, as amended.

**CARRIED**

<b>DECLARATIONS OF INTEREST</b>
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Councillor B. Johnson declared a conflict of interest on Item 4 of the Selection Committee Report 14-001 respecting the Niagara Peninsula Conservation Authority as her campaign manager, Stewart Beattie, is a member of the Board of Directors of the Niagara Peninsula Conservation Authority.

<b>CEREMONIAL ACTIVITIES</b>
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**3.1 Lincoln M. Alexander Day (Item 7.1)**

The Mayor recognized the occasion of the first Lincoln M. Alexander Day and paid tribute to the accomplishments of the late Hon. Lincoln M. Alexander. Miss Khalida Mya Douglas, a member of the Hamilton Children's Choir and a student at Dr. Davey Elementary School, performed a song in honour of the late Hon. Lincoln M. Alexander.

**(Green/A. Johnson)**

WHEREAS, in 1942, Lincoln M. Alexander joined the Royal Canadian Air Force and served in World War II;

AND WHEREAS, in 1953 Lincoln Alexander graduated from Osgoode Law and practiced at law firm in Hamilton until 1968 when he won a seat representing Hamilton West for the Progressive Conservative party in Ottawa and became the first Black Canadian to be elected to the House of Commons;

AND WHEREAS, Mr. Alexander won four elections representing Hamilton West and, in 1979, became the Federal Minister of Labour during the Clark government, later resigning his position in 1980 and becoming Chairman of the Ontario Workers' Compensation Board;

AND WHEREAS, in 1985, Mr. Alexander was named as Lieutenant Governor of Ontario becoming the first Black Canadian to hold that title, a position he held until 1991;

AND WHEREAS, Lincoln Alexander was a Companion of the Order of Canada, Chair of the Canadian Race Relations Foundation and member of the Order of Ontario;

AND WHEREAS, Lincoln Alexander left a legacy as a passionate advocate for multiculturalism who broke racial barriers and built bridges between diverse communities in Hamilton and was a champion for Youth, Veterans and Seniors issues.

THEREFORE BE IT RESOLVED:

That January 21<sup>st</sup> be recognized as Lincoln M. Alexander Day in order to commemorate this notable Hamiltonian.

The above motion CARRIED unanimously on the following Standing Recorded Vote:

Yeas: Mayor Eisenberger, A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson, S. Duvall, T. Whitehead, D. Conley, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, J. Partridge, R. Pasuta

Total: 16

Nays: 0

### **3.2 Recognition of the Hamilton Fire Fighter Combat Challenge Team**

Mayor Eisenberger recognized the Hamilton Fire Fighter Combat Challenge Team and congratulated them on their recent achievements. The members of the Hamilton Fire Fighter Combat Challenge Team are: Dean Morrow, Louis Boiteau, Justin Couperus, Mike Cascioli, Mike Jones, Neil Hubley, Danny Folino and Brandon Sferrazza. Awards were presented to the Fire Fighter Combat Challenge Team by Mayor Eisenberger and Fire Chief Robert Simonds.

### **3.3 YWCA Hamilton – 125 years of Service to the Community**

Mayor Eisenberger recognized the work that the YWCA Hamilton does in our community and congratulated the organization for 125 years of service. The Mayor called on Ms. Denise Doyle, CEO of the YWCA Hamilton, to address Council.

<b>APPROVAL OF MINUTES</b>
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#### **4.1 December 17, 2014**

**(Partridge/Merulla)**

That the Minutes of the December 17, 2014, meeting of Council be approved, as presented.

**CARRIED**

<b>COMMUNICATIONS</b>
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**(Pasuta/B. Johnson)**

That Council Communications 5.1 through 5.10 approved, as follows:

- 5.1 Correspondence from Associate Minister, Dipika Damerla, respecting the invitation to the Honourable Eric Hoskins, Minister of Health and Long-Term Care to be part of consultations on electronic cigarettes

Recommendation: Be Received.

- 5.2 Correspondence from the Municipality of Wawa respecting Power Dam Special Payment Program

Recommendation: Be Received.

- 5.3 Correspondence from the Town of Richmond Hill respecting Canada Post Residential Delivery Service

**(Jackson/Duvall)**

Recommendation: Be Received and endorsed.

- 5.4 Correspondence from Hamilton Niagara Haldimand Brant Local Health Integration Network, respecting a request for ongoing funding for the Expanded Community Health Educator/Navigator (CHEN) approach to health care for vulnerable groups, including the Aboriginal community in the City of Hamilton

Recommendation: Be Received.

- 5.5 Correspondence from Hamilton-Wentworth District School Board, respecting North School Site Update

Recommendation: Be Received.

- 5.6 Correspondence from the Ministry of Transportation, respecting Notice of Detail Design Project Highway 6 Resurfacing (City of Hamilton, Haldimand County)

Recommendation: Be received and referred to the General Manager of Public Works

- 5.7 Correspondence from Michael Beaudoin respecting zoning concerns at 1098 and 1100 Main St W.

Recommendation: Be Received and referred to the General Manager of Planning and Economic Development.

- 5.8 Correspondence from Kathy Cruickshanks, on behalf of Dave and Linda Fenton, respecting Request to Amend FCS14063 to Reduce Development Charges for 50 Keith St by 50%

**(Pearson/Ferguson)**

Recommendation: Be Received and referred to General Manager of Finance and Corporate Services for a report to the Audit, Finance and Administration Committee.

- 5.9 Correspondence from Earl Basse, Integrity Commissioner, respecting an Update on the Status of Open Inquiries

Recommendation: Be received.

5.10 Correspondence respecting the Transit Only Lane

- (i) Gail and Bill Lorimer
- (ii) Graham McNally

Recommendation: Be received.

**CARRIED AS AMENDED**

**(Collins/Merulla)**

That Council move into Committee of the Whole for consideration of the Committee Reports.

**CARRIED**

**GENERAL ISSUES COMMITTEE BUDGET REPORT 15-001**

**(Eisenberger/Partridge)**

That the first Report of the General Issues Committee (Budget) be adopted, and the information section received.

**CARRIED**

**PUBLIC WORKS COMMITTEE REPORT 15-001**

**(Merulla/Collins)**

That the first Report of the Public Works Committee be adopted, and the information section received.

**CARRIED**

**BOARD OF HEALTH REPORT 15-001**

**(Eisenberger/Partridge)**

That the first Report of the Board of Health be adopted, and the information section received.

**CARRIED**

**PLANNING COMMITTEE REPORT 15-001**

**Added as Item 6 to the Planning Committee Report 15-001**

**(Collins/Whitehead)**

- (a) That Council support staff in their request to extend the consultation period for the Environmental Review Process for the proposed energy-from-waste Gasification Plant in the Port area; and,
- (b) That staff be directed to report to General Issues Committee on the adequacy of the proponents' studies to support the proposed Gasification Plant and to determine the need to request the Ministry of Environment and Climate Change to "bump up" the proposal to a full Environmental Assessment.

**CARRIED**

**(Partridge/Pearson)**

That the first Report of the Planning Committee be adopted, as amended, and the information section received.

**CARRIED**

<b>GENERAL ISSUES COMMITTEE REPORT 15-002</b>
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**(A. Johnson/Green)**

That Information Item 5 of the General Issues Committee Report 15-002, respecting the King Street Transit Only Lane Pilot Project, be lifted and added as item 5(b) to the General Issues Committee Report 15-002.

**CARRIED**

**(A. Johnson/Green)**

- (a) That staff be directed to review the feasibility of having the King Street Transit Only Lane reconfigured in Spring 2015, to the second lane from the north curb with parking being reinstated in the north curb lane, from Bay Street running westerly; and,
- (b) That staff be directed to evaluate potential improvements to signal operations to be implemented in spring 2015, including transit priority, in order to continue to improve the overall operations throughout the corridor and report to the General Issues Committee.

The following amendment was put:

**(Merulla/Farr)**

That staff be requested to report back to Council on the feasibility of expanding the Transit Only Bus Lane for assessment purposes.

The amendment to the Main Motion (above) was DEFEATED on the following Standing Recorded Vote:

Yeas: Mayor Eisenberger, A. Johnson, J. Farr, M. Green, S. Merulla

Total: 5

Nays: C. Collins, T. Jackson, S. Duvall, T. Whitehead, D. Conley, M. Pearson,  
B. Johnson, L. Ferguson, A. VanderBeek, R. Pasuta, J. Partridge

Total: 11

**(Merulla/Farr)**

The Main Motion was DEFEATED on the following Standing Recorded Vote:

Yeas: Mayor Eisenberger, A. Johnson, J. Farr, M. Green, S. Merulla, M. Pearson

Total: 6

Nays: C. Collins, T. Jackson, S. Duvall, T. Whitehead, D. Conley, B. Johnson,  
L. Ferguson, A. VanderBeek, R. Pasuta, J. Partridge

Total: 10

**(Collins/Ferguson)**

That Information Item (f)(ii) of the General Issues Committee Report 15-002, respecting the Discontinuation of the Transit Only Lane Pilot Program, be lifted from the Information Section and added as item 5(b) to the General Issues Committee Report 15-002.

**CARRIED**

**(Collins/Ferguson)**

WHEREAS, the number of vehicular accidents has significantly increased along the Transit Only Lane Pilot route;

AND WHEREAS, many commercial operators have been adversely affected by the implementation and operation of the Transit Only Lane Pilot project;

AND WHEREAS, there are no documented transit benefits listed in the Transit Only Pilot report;

AND WHEREAS the Transit Only Lane Pilot project has created unnecessary traffic congestion, causing lengthy delays for downtown shoppers, residents, workers and merchants;

THEREFORE BE IT RESOLVED:

- (a) That the Transit Only Lane Pilot project be discontinued;
- (b) That staff be directed to make the necessary arrangements to return the transit lane to a fully functional lane for all vehicles;
- (c) That staff be directed to prepare a by-law to amend By-law 01-215, being a By-law to Regulate Traffic, to reflect the changes required in the discontinuation of the Transit Only Lane along King Street, from Mary Street to New Street;



- (d) That staff be directed to prepare a by-law to amend By-law 01-218, being a By-law to Regulate On-Street Parking, to reflect the changes required in the discontinuation of the Transit Only Lane along King Street, from Mary Street to New Street.

The above motion CARRIED on the following Standing Recorded Vote:

Yeas: C. Collins, T. Jackson, S. Duvall, T. Whitehead, D. Conley, L. Ferguson, A. VanderBeek, R. Pasuta, J. Partridge

Total: 9

Nays: Mayor Eisenberger, A. Johnson, J. Farr, M. Green, S. Merulla, M. Pearson, B. Johnson

Total: 7

**(Eisenberger/Partridge)**

That Information Item (g)(i) of the General Issues Committee Report 15-002, being a motion referred to the January 14, 2015 General Issues Committee meeting at the December 17, 2014 Council meeting respecting the Transit Only Lane Pilot Project Report, be lifted from the Information Section

**CARRIED**

**(Eisenberger/Partridge)**

That the motion referred to the January 14, 2015 General Issues Committee meeting at the December 17, 2014 Council meeting respecting the Transit Only Lane Pilot Project Report, which reads as follows, be withdrawn:

**(g)(i) Transit Only Lane Pilot Project Report (Item 9.1)**

That the General Manager, Public Works Department be directed to include in the Transit Only Lane Pilot Project report, scheduled for the January 14, 2015 General Issues Committee meeting, available to Councillors and the public as of January 7, 2015, giving consideration to alternatives to the current design and operation, such as but not limited to:

- (a) Restricting hours of operation of the Transit Only Lane, to weekday morning and afternoon rush hours only and unrestricted use on weekends;
- (b) Modification to allow the use of the Transit Only Lane to other High Occupancy Vehicles; and,
- (c) Alternative design to relocate the Transit Only Lane to the second lane from the north curb lane and to restore parking back to the north curb land while eliminating parking in the south lane, in the area west of Bay Street.

**CARRIED**

**(Eisenberger/Pasuta)**

That the second Report of the General Issues Committee be adopted, as amended, and the information section received.

**CARRIED**

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 15-001</b>
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**(Pearson/A. Johnson)**

That the first Report of the Audit, Finance and Administration Committee be adopted, and the information section received.

**CARRIED**

<b>EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 15-001</b>
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**(Whitehead/Duval)**

That the first Report of the Emergency and Community Services Committee be adopted, and the information section received.

**CARRIED**

**(Collins/Merulla)**

That the Committee of the Whole Rise and Report.

**CARRIED**

<b>MOTIONS</b>
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**7.1 Lincoln M. Alexander Day**

For disposition of this item please see page 3.

**7.2 44<sup>th</sup> Annual JUNO Awards (2015) – Liquor Serving Time**

**(Farr/Merulla)**

WHEREAS, Hamilton City Council has received Notices (attached hereto as Appendices “A” through “N”) from establishments that wish to obtain Special Occasion Permits to sell alcohol beyond their normal hours of operation during the 2015 JUNO Awards taking place in Hamilton, Ontario on March 13, 14 and 15, 2015;

AND WHEREAS, the Alcohol and Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the 44<sup>TH</sup> Annual JUNO Awards, being held in the city of Hamilton, Ontario from March 13, 2015 to March 15, 2015 inclusive, as municipally significant; and,
- (b) That the following applicants be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
  - (i) Sheraton Hamilton Hotel, 116 King Street West, Hamilton, ON (attached hereto as Appendix "A")
  - (ii) Absinthe, 35 King Street Hamilton, ON (attached hereto as Appendix "B")
  - (iii) The Augusta House, 17 Augusta Street, Hamilton, ON (attached hereto as Appendix "C")
  - (iv) Sarcoa Restaurant, 57 Discovery Drive, Hamilton, ON (attached hereto as Appendix "D")
  - (v) The Pheasant Plucker, 20 Augusta Street, Hamilton, ON (attached hereto as Appendix "E")
  - (vi) Corktown Pub and Fare, 175 Young Street, Hamilton, ON (attached hereto as Appendix "F")
  - (vii) Casbah, 306 King Street West, Hamilton, ON (attached hereto as Appendix "G")
  - (viii) Mills Hardware, 95 King Street East, Hamilton, ON (attached hereto as Appendix "H")
  - (ix) This Aint Hollywood, 345 James Street North, Hamilton, ON (attached hereto as Appendix "I")
  - (x) Anchor Bar Hamilton, 2 King Street West, Hamilton, ON (attached hereto as Appendix "J")
  - (xi) The Baltimore House, 43 King William Street, Hamilton, ON (attached hereto as Appendix "K")
  - (xii) Liuna Station Banquet and Convention Centre, 360 James Street North, Hamilton, ON (attached hereto as Appendix "L")

- (xiii) Radius, 151-153 James Street South, Hamilton, ON (attached hereto as Appendix "M")
- (xiv) 2137706 Ontario Inc., operating as Club Seventy Seven, 77 King William Street, Hamilton, ON (attached hereto as Appendix "N")

**CARRIED**

### **7.3 Boris Brott Music Festival**

#### **(Collins/Merulla)**

WHEREAS, the Boris Brott Music Festival was approved to received \$90,110 in 2014 from the Boards & Agencies, approved by Council on April 9, 2014 through 2(c)(i) of General Issues Committee Budget Report 14-002.

AND WHEREAS, to be consistent with prior years, staff is seeking Council approval to continue funding, as of January 2015, for those organizations that receive funding on a monthly basis, pending approval of the 2015 budget;

AND WHEREAS, The funding is based on the previous year's budget and is adjusted, if necessary, when the current year's budget receives Council approval;

THEREFORE BE IT RESOLVED:

- (a) That, an advancement of funds be provided monthly to Boris Brott Music Festival in the amount \$7,500 monthly for 5 months, payable of the 1<sup>st</sup> of each month, commencing January 1, 2015, to be funded from the 2015 City Enrichment Fund
- (b) That any outstanding arrears due to the City of Hamilton by Boris Brott Music Festival be first applied against the approved grant funding, including advances, until the debt is satisfied, prior to that Agency receiving the balance of any approved payment.

**CARRIED**

### **7.4 2015 Recommended Water, Wastewater and Stormwater Budget (FSC15002) (City Wide)**

#### **(Jackson/Eisenberger)**

- (a) That the metered water consumption charges for residential properties in the City of Hamilton be imposed at the following rates, as of January 22, 2015:

Monthly Water Consumption (m3)	Rate (\$/m3)
0 – 10	0.66
10 +	1.32

- (b) That the metered water consumption charge for commercial, industrial, institutional, and multi-residential (bulk meter) properties in the City of Hamilton be imposed at the rate of \$1.32 per cubic metre, as of January 22, 2015;
- (c) That daily water fixed charges for all properties in the City of Hamilton be imposed at the following rates, as of January 22, 2015:

Meter Size	Daily Water Rate
15 mm	\$ 0.30
16 mm	\$ 0.30
20 mm	\$ 0.30
25 mm	\$ 0.75
38 mm	\$ 1.50
50 mm	\$ 2.40
75 mm	\$ 4.80
100 mm	\$ 7.50
150 mm	\$ 15.00
200 mm	\$ 24.00
250 mm	\$ 34.50
300 mm	\$ 51.00

- (d) That the wastewater/storm treatment charges for residential properties in the City of Hamilton be imposed at the following rates, effective January 22, 2015:

Monthly Water Consumption (m3)	Rate (\$/m3)
0 – 10	0.71
10 +	1.41

- (e) That the wastewater/storm treatment charge for all commercial, industrial, institutional, and multi-residential (bulk meter) properties in the City of Hamilton be imposed at the rate of \$1.41 per cubic metre, effective January 22, 2015;
- (f) That daily wastewater/storm fixed charges for all properties in the City of Hamilton be imposed at the following rates, effective January 22, 2015:

Meter Size	Daily Wastewater/Storm Rate
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15 mm	\$ 0.30
16 mm	\$ 0.30
20 mm	\$ 0.30
25 mm	\$ 0.75
38 mm	\$ 1.50
50 mm	\$ 2.40
75 mm	\$ 4.80
100 mm	\$ 7.50
150 mm	\$ 15.00
200 mm	\$ 24.00
250 mm	\$ 34.50
300 mm	\$ 51.00

- (g) That the residential non-metered annual water rate be imposed at the flat rate of \$472.20 per annum, effective January 22, 2015;
- (h) That the residential non-metered annual wastewater/storm rate be imposed at the flat rate of \$499.40 per annum, effective January 22, 2015;
- (i) That the residential combined non-metered annual water and wastewater/storm rate be imposed at the flat rate of \$971.60 per annum, effective January 22, 2015;
- (j) That the Private Fire Line rates be imposed at the following rates, effective January 22, 2015:

Connection Size		Monthly Rate
(mm)	inches	
25	1.0	\$ 3.00
38	1.5	\$ 6.90
50	2.0	\$ 12.00
75	3.0	\$ 27.00
100	4.0	\$ 48.00
150	6.0	\$ 108.00
200	8.0	\$ 192.00
250	10.0	\$ 192.00
300	12.0	\$ 192.00

- (k) That the 2015 Water, Wastewater & Storm Proposed Fees and Charges be imposed as per Appendix "G" to Report FCS15002, as amended, effective January 22, 2015;

- (l) That the 2015 Water, Wastewater and Stormwater Management Rate Supported Operating Budget in the amount of \$ 183,754,760 be approved as per Appendix "A" to Report FCS15002;
- (m) That the long-term financing plan for the Water, Wastewater and Stormwater programs and related rate increases required to meet sustainable financing, as identified in the 2015-2024 Water, Wastewater and Stormwater Management Rate Supported Operating Budget forecast (Appendix "A" to Report FCS15002) be approved in principle;
- (n) That the 2015 Water, Wastewater and Stormwater Management Rate Supported Capital Budget and Financing Plan in the amount of \$ 148,036,000 be approved as per Appendix "H" to Report FCS15002;
- (o) That the 2015-2024 Water, Wastewater and Stormwater Management Rate Supported Capital Budget forecast and financing plan (Appendix "I" to Report FCS15002) be approved in principle;
- (p) That the City Solicitor be authorized and directed to prepare, for Council approval, all necessary by-laws respecting the 2015 water and wastewater/storm user fees, charges and rates set out in recommendations (a) through (k) of Report FCS15002.

**CARRIED**

## **7.5 Crown Point Park**

### **(Merulla/Duvall)**

That the Facility Naming Sub-Committee be requested to consider renaming Crown Point Park to the Hon. Bob McKenzie Park, to honour the long serving Member of Provincial Parliament and Minister of Labour in Hamilton East.

**CARRIED**

## **7.6 Suspension of Enforcement for King Street Only Transit Only Lane (tabled from Council on December 17, 2014)**

### **(Collins/Ferguson)**

That the following Motion be withdrawn:

- (a) That the enforcement of the current Transit Only Lane along King Street, from Mary Street to New Street, be immediately suspended until such time as the General Issues Committee receives a report respecting the effectiveness of the King Street Bus Only Lane Pilot Program and Council has made a final decision respecting the same;

- (b) That Traffic Operations staff be directed to bag all current regulatory signage along King Street, from Mary Street to New Street, that designates the Transit Only Lane or prohibits specific traffic movements as a result of the designated Transit Only Lane;
- (c) That Hamilton Police Service be notified that signage related to the Transit Only Lane along King Street, from Mary Street to New Street has been removed until further notice.

**CARRIED**

## **7.7 Illegal Dumping Pilot Project**

### **(Merulla/Collins)**

WHEREAS the City of Hamilton has experienced a shift of illegal dumping across the City from public and private property to that of Parklands and other public areas;

AND WHEREAS Municipal Law Enforcement established a pilot project in 2012 to enforce this illegal dumping;

AND WHEREAS Enforcement Officers have been using video surveillance to identify and charge offenders in Council identified hot spots;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton, Municipal Law Enforcement Division continue to enforce illegal dumping for the duration of the pilot project and research the feasibility of permanent video surveillance being established in identified hit spots;
- (b) That the use of mobile video surveillance technology be continued to identify offenders and charge;
- (c) That staff continue to work with other departments to coordinate enforcement efforts.

**CARRIED**

## **10.1 Selection Committee Report 14-001**

### **(Whitehead/Duvall)**

- (a) That the following citizens be appointed to the Fence Viewers Committee for a term commencing January 22, 2015 and to expire November 30, 2018 or until such time as a successor is appointed.

Roberta Kominar



David            Ryder

- (b) That the following citizens be appointed to the Glanbrook Landfill Community Coordinating Committee for a term commencing January 22, 2015 and to expire November 30, 2018 or until such time as a successor is appointed.

Nigel            Warren  
Allan            Freeman  
Andy            Fevez  
Brian            Smith

- (c) That the following citizens be appointed to the Niagara Peninsula Conservation Authority for a term commencing January 22, 2015 and to expire November 30, 2018 or until such time as a successor is appointed.

James           Beattie  
James           Kaspersetz

**CARRIED**

<b>NOTICES OF MOTIONS</b>
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### 8.1 Tobogganing

Councillor Whitehead introduced the following Notice of motion:

WHEREAS, tobogganing is considered a Canadian recreational activity;

WHEREAS, legal precedence has been established by the courts on tobogganing litigation;

WHEREAS, the City of Hamilton banned tobogganing on city property by by-law, and still remained liable, resulting in a large damage award;

WHEREAS, municipalities within the Province of Ontario who have banned; restricted and closed hills to tobogganing through by-law and posted notices, it remains unclear if the restrictions and hill closures mitigate a municipality from legal proceedings;

NOW THEREFORE BE IT RESOLVED:

That the Manager of Risk Management coordinate, together with the City Solicitor, staff of the Public Works Department or other affected departments, a review of the options available to the City in respect of tobogganing on City

property, including the feasibility of the City of Hamilton designating tobogganing areas within the community, and report back to the General Issues Committee.

**STATEMENT BY MEMBERS**

Members of Council used this opportunity to discuss matters of general interest.

**PRIVATE AND CONFIDENTIAL**

**(Whitehead/Pearson)**

That Council move into Closed Session, at 8:08 p.m., respecting an update on U.S. Steel, pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 10-053, and Section 239, Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**Added Item 10.2 Update Respecting U.S. Steel**

There was no information to report respecting Item 10.2.

City Council reconvened in Open Session at 8:20 p.m.

**BY-LAWS**

**(Pasuta/Conley)**

That the Bill List be amended by renumbering and adding the by-laws as follows:

**Bill No.**

- |            |   |
|------------|---|
| <b>025</b> | Respecting Removal of Part Lot Control, Registered Plan No. 62M-1216<br>1124-1143 Wilson Street West (Ancaster)             |
| <b>026</b> | To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures<br>Pending Receipt of Current Revenues for 2015 |
| <b>027</b> | To Authorize an Interim Tax Levy for 2015   |
| <b>028</b> | To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-<br>272 and Implement the 2015 Charges               |
| <b>029</b> | To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2015<br>Fees and Charge                                   |
| <b>031</b> | To Amend the Waterworks By-law No. R84-026 and Implement the 2015 Fees  |

and Charges

**032** To Confirm the Proceedings of City Council

**CARRIED**

**(Pasuta/Green)**

That Bills No. 15-002 to No. 15-032 be passed, as amended, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

- 002** To Amend By-law No. 01-215, To Regulate Traffic  
Schedule 2 - Speed Limits  
Schedule 9 - No Right on Red  
Schedule 13 - Designated Traffic Lanes
- 003** To Amend By-law No. 01-215, To Regulate Traffic  
Schedule 2 - Speed Limits  
Schedule 3 - Flashing School Zones – Reduced Speed Limit
- 004** To Amend the Leash Free Zone Provisions of City of Hamilton By-law No. 12-031, Being a By-law For Responsible Animal Ownership
- 005** To Incorporate City Land Designated as Block 123 on Plan 62M-1181 into Bellagio Drive
- 006** To Incorporate City Land Designated as Blocks 31 and 32 on Plan 62M-1203 into Chartwell Circle
- 007** To Incorporate City Land Designated as Blocks 58, 63, and 64 on Plan 62M-1199 into Crafter Crescent
- 008** To Incorporate City Land Designated as Block 122 on Plan 62M-1181 into Keystone Crescent
- 009** To Incorporate City Land Designated as Blocks 57 and 62 on Plan-1199 into Morrissey Boulevard
- 010** To Incorporate City Land Designated as Block 56 on Plan 62M-1199 into Rexdale Street
- 011** To Incorporate City Land Designated as Block 61 on Plan 62M-1199 into Sherway Street
- 012** To Incorporate City Land Designated as Block 64 on Plan 62M-1114 into Showcase Drive
- 013** To Incorporate City Land Designated as Part 9 on Plan 62R-11790 into Cielo Court
- 014** To Incorporate City Land Designated as Block 89 on Plan 62M-511 into Ascoli Drive
- 015** To Incorporate City Land Designated as Blocks 87, 90, 91, and 94 on Plan 62M-

- 1125 into Truedell Circle
- 016** To Incorporate City Land Designated as Block 53 on Plan 62M-689 into Aquasanta Crescent
- 017** To Incorporate City Land Designated as Block 78 on Plan 62M-1194 into Tinlin Drive
- 018** To Incorporate City Land Designated as Block 'D' on Plan 62M-22 into Violet Drive
- 019** To Incorporate City Land Designated as Blocks 75 and 77 on Plan 62M-1194 into Binhaven Boulevard
- 020** To Incorporate City Land Designated as Block 74 on Plan 62M-1194 into Gowland Drive
- 021** To Incorporate City Land Designated as Block 256 on Plan 62M-1061 into Voyager Pass
- 022** To Incorporate City Land Designated as Blocks 80, 81, and 82 on Plan 62M-1194 into Windwood Drive
- 023** To Amend By-law No. 01-218, as amended, To Regulate On-Street:  
Schedule 5 – Parking Meters  
Schedule 6 – Time Limit Parking  
Schedule 8 – No Parking Zones  
Schedule 9 – Alternate Side Parking  
Schedule 12 – Permit Parking Zones  
Schedule 14 – Wheelchair Loading Zones
- 024** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 98 James Street South (Hamilton)
- 025** Respecting Removal of Part Lot Control, Registered Plan No. 62M-1216 1124-1143 Wilson Street West (Ancaster)
- 026** To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2015
- 027** To Authorize an Interim Tax Levy for 2015
- 028** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2015 Charges
- 029** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2015 Fees and Charges
- 030** A By-law to Establish the 2015 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
- 031** To Amend the Waterworks By-law No. R84-026 and Implement the 2015 Fees and Charges
- 032** To Confirm the Proceedings of City Council

**CARRIED**

**(Partridge/Pearson)**

That there being no further business, the City Council meeting be adjourned at 8:22 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

R. Caterini  
City Clerk