



## **GENERAL ISSUES COMMITTEE MINUTES 15-018**

9:30 a.m.

Wednesday, October 7, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Mayor F. Eisenberger (Chair), Deputy Mayor S. Merulla (Vice Chair)  
Councillors A. Johnson, J. Farr, M. Green, C. Collins, T. Jackson,  
D. Conley, B. Johnson, L. Ferguson, A. VanderBeek

**Absent  
with Regrets:** Councillors S. Duvall, M. Pearson, R. Pasuta, Partridge – Personal  
Councillor T. Whitehead – Other City Business

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

**1. Westdale Village Business Improvement Area (BIA) Revised Board of Management (PED15152) (Ward 1) (Item 5.1)**

**(A. Johnson/Green)**

That the following individual be appointed to the Westdale Village Business Improvement Area (BIA) Board of Management:

- (i) Hollie Pocsai

**CARRIED**

**2. Facility Naming Sub-Committee Report 15-002, August 31, 2015 (Item 8.1)**

**(Collins/Jackson)**

- (i) **Naming of "Corporal Nathan Cirillo Leash Free Area" (PW15061) (Ward 12) (Item 8.1)**

- (a) That the stormwater management pond located at 799 Golf Links Road, Ancaster which is used as a leash free dog park, be named the "Corporal Nathan Cirillo Leash Free Area" as this meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy;

- (b) That the City Solicitor be authorized and directed to prepare the appropriate amendment to By-law 12-031, a By-law “For Responsible Animal Ownership in the City of Hamilton”, to include the “Corporal Nathan Cirillo Leash Free Area” as a leash free location for dogs; in a form satisfactory to the City Solicitor.

**CARRIED**

**3. Business Improvement Area Advisory Committee Report 15-009, September 8, 2015 (Item 8.2)**

**(Green/VanderBeek)**

**(i) Open for Business Sub-Committee Appointment (Item 6.2)**

That Kathy Drewitt be appointed as the BIAAC representative on the Open for Business Sub-Committee for the balance of the 2014-2018 term of Council.

**(ii) Establishment of a Code of Conduct and Human Resources Policy for BIAs (Item 6.4)**

That staff be directed to report to General Issues Committee by December 2, 2015 on the legal and administrative responsibilities of the City to BIAs in its jurisdiction, as prescribed by the *Municipal Act*, 2001 and that the report include an examination of the practices used by other municipalities.

**CARRIED**

**(iii) City of Hamilton Revenue Sharing Program and the Contribution to the BIA Operating Budget Program – Approval of Proposed BIA Expenditures (Item 9.1(a))**

(a) That the expenditure request from the Ottawa Street BIA in the amount of \$15,757.93 from the Commercial Improvement Program to be spent on beautification initiatives, be approved; and,

(b) That the expenditure request from the Ottawa Street BIA in the amount of \$19,163.79 from the Parking Revenue Sharing Program to be spent for marketing and promotional efforts, be approved.

**(iv) City of Hamilton Revenue Sharing Program and the Contribution to the BIA Operating Budget Program – Approval of Proposed BIA Expenditures (Added Item 9.1(b))**

(a) That the expenditure request from the King West BIA in the amount of \$1752.60 from the Commercial Improvement Program to be spent on: the purchase and maintenance of hanging plants, the

purchase of anti-graffiti products and the purchase of Christmas decorations, be approved; and,

- (b) That the expenditure request from the King West BIA in the amount of \$1975.15 from the Parking Revenue Sharing Program to spent for promotional efforts, be approved.

**(v) City of Hamilton Revenue Sharing Program and the Contribution to the BIA Operating Budget Program – Approval of Proposed BIA Expenditures (Added Item 9.1(c))**

That the expenditure request from the Stoney Creek BIA in the amount of \$1999.67 from the Commercial Improvement Program to be spent on Christmas decorations and street banners, be approved.

**CARRIED**

**4. Stormwater Funding Review (FCS15061/PW15067) (City Wide) (Item 8.3)**

**(Eisenberger/A. Johnson)**

- (a) That staff be directed to evaluate the benefits of an alternative Stormwater Fee structure and report back to the General Issues Committee on the following:
  - (i) residential Stormwater Fee;
  - (ii) multi-residential (MR)/Industrial/Commercial/Institutional (ICI) Stormwater Fee;
  - (iii) Stormwater Fee Credit Program;
  - (iv) identify budget restatement amounts for both the property tax and rate supported budgets;
  - (v) cost to implement and maintain an alternative stormwater fee based program;
  - (vi) billing mechanism and related policy/business process considerations;
- (b) That staff be authorized and directed to issue a Request for Proposals (“RFP”) for Consulting Services for a Stormwater Funding Review; and,
- (c) That the total cost of the Stormwater Funding Review with an upset limit of \$600,000 be funded from the Stormwater reserve (108010).

**CARRIED**

5. **Conservation Authorities Act Review (LS15027) (City Wide) (Item 8.4)**

**(A. Johnson/B. Johnson)**

That the Mayor forward a submission to the Ministry of Natural Resources and Forestry regarding the *Conservation Authorities Act* review, substantially as set out in Appendix "A" attached to Report LS15027.

**CARRIED**

6. **Report FCS15077 – Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust (Item 8.5)**

**(Jackson/Farr)**

- (a) That the City of Hamilton provide a one-time grant, funded from the tax-stabilization reserve (110046), to the Hamilton Waterfront Trust (HWT) in the amount of \$137,500 representing the incremental costs borne by HWT **exclusively** for the operation and maintenance of the City's outdoor rink, washrooms and related grounds maintenance, for the 2015 spring, summer and autumn seasons;
- (b) That City staff be directed to engage Hamilton Waterfront Trust representatives for the purpose of reporting back to Committee on potential amendments to the current operating agreement between the City of Hamilton and Hamilton Waterfront Trust in relation to the annual outdoor rink operation, washrooms and grounds maintenance;
- (c) That City staff be directed to report back through the 2016 budget process (GIC) on the recommended amendments to the operating and maintenance agreement between City of Hamilton and Hamilton Waterfront Trust (HWT), including the related increase in contractual funding and options for dedicated capital funding for the purpose of preserving the value of HWT infrastructure; and,
- (d) That the matter respecting "Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust" be removed from the General Issue Committee's Outstanding Business List.

**AMENDMENT CARRIED  
MOTION AS AMENDED CARRIED**

7. **Additional 2015 Funding for the Wards 1 and 2 Budgets (Item 9.1)**

**(Farr/A. Johnson)**

- (a) That one-time funding of up to \$30,000, to be allocated to the Ward 1 budget, to be funded from the Tax Stabilization Reserve (Account 110046), be approved to mitigate an unfavourable 2015 year-end variance; and,

- (b) That one-time funding in the amount of \$25,000, to be allocated to the Ward 2 budget, to be funded from the Legislative Budget (Account 300100), be approved to mitigate an unfavourable 2015 year-end variance.

**CARRIED**

**8. Funding for Ward 2 Capital Projects from the 2014 Ward 2 Participatory Budgeting Sessions (Item 9.2)**

**(Farr/A. Johnson)**

That the following Ward 2 Capital Projects be approved and funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve (108052):

- (i) \$100,000 for the Restoration of the Roof of St. Mark's Church;
  - (ii) \$86,000 for the Rail Trail Reconstruction (Corktown/Stinson);
  - (iii) \$25,000 for Water Fountains for Drinking (Central/Beasley);
  - (iv) \$2,200 for Wheelchair Swings (Ward-wide);
  - (v) \$60,000 for a Durand Traffic Calming Reserve;
  - (vi) \$55,000 for Bike Rack Sculptures in Downtown Hamilton;
  - (vii) \$150,000 for Pedestrian Safety Initiatives at Wentworth and Charlton;
  - (viii) \$4,000 for the Installation of Four (4) Additional Public Garbage Bins (Ward-wide);
  - (ix) \$300,000 for the 2-way Conversion of Duke & Bold Streets;
  - (x) \$18,000 for the Installation of Six (6) Semi-Circular Park Bench Sets in ward-wide parks;
  - (xi) \$180,000 for Neighbourhood Signage (Ward-wide); and,
  - (xii) \$17,000 for Outdoor Games Tables in the Waterfront and North End; and,
- (b) That the General Managers of the Public Works and Planning and Economic Development Departments be authorized and directed to prepare, advertise and award tenders, as required for the above noted works.

**CARRIED**

9. Sale of 1276 Sandhill Drive, Ancaster (PED15147) (Ward 12) (Item 12.1)

**(Ferguson/VanderBeek)**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the Lots 4 and 5, Plan 62M-353, municipally known as 1276 Sandhill Drive, Ancaster, as shown on Appendix "A" attached to Report PED15147, to McMaster University, subject to a proposed easement in favour of Hydro One;
- (b) That the net proceeds of the sale be deposited in Account No. **108030 (Ancaster Reserves)**, and that all associated Legal, Real Estate and property maintenance costs related to the sale and closing of this property be deposited into Account No. 45408-3560150200 (Property Purchases and Sales);
- (c) That Report PED15147 regarding the sale of 1276 Sandhill Drive, Ancaster, remain confidential until the completion of the transaction;
- (d) That the City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable; and,
- (e) That the Mayor and Clerk be authorized and directed to execute the necessary documents, in a form satisfactory to the City Solicitor.

**AMENDMENT CARRIED  
MOTION AS AMENDED, CARRIED**

10. Citizens' Jury on Transit Options – Citizen Appointments (CM15016) (City Wide) (Item 12.2)

**(Eisenberger/Merulla)**

- (a) That citizens listed in Private & Confidential Appendix "A" to Report CM15016 be appointed to the Citizens' Jury on Transit; and
- (b) That, upon approval by Council, Appendix "A" to Report CM15016 – Citizens' Jury on Transit, be released as a public document.

11. Tradeport International Corporation Contractual Matter  
(PED15161/LS15028) (City Wide) (Item 12.3)

**(Ferguson/Eisenberger)**

That Report PED15161/LS15028, respecting a Tradeport International Corporation Contractual matter and its appendices remain confidential.

**CARRIED**

**FOR THE INFORMATION OF COMMITTEE:**

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

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

- (i) Added as Item 4.3 – Delegation Request submitted by Jim Harris, Knollwood Golf Club, respecting Enbridge Lines that will run through his property (to appear at the same meeting as the Enbridge presentation, date to be determined).
- (ii) Added as Item 8.5 – Report FCS15077 – Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust
- (iii) Added as Item 12.3 – PED15161/LS15028, Tradeport International Corporation Contractual Matter

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (f) of the *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.

**(Green/Jackson)**

That the agenda for the October 7, 2015 General Issues Committee meeting be approved, as amended.

**CARRIED**

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

Councillor D. Conley declared in interest to Items 4.1, a Delegation Request submitted by Trish Mills respecting Enbridge Pipeline's Line 10; and, 4.3, a delegation request submitted by Jim Harris, Knollwood Golf Club, respecting Enbridge Pipeline's Lines that will run through his property, as Councillor Conley's daughter is employed by Enbridge.

Councillor A. Johnson declared an interest to Item 4.1, a Delegation Request submitted by Trish Mills respecting Enbridge Pipeline's Line 10; as he previously provided legal representation to Ms. Mills respecting Enbridge Pipeline.

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

**(i) September 16, 2015 (Item 3.1)**

**(Ferguson/VanderBeek)**

That the Minutes of the September 16, 2015 meeting of the General Issues Committee be approved, as presented.

**CARRIED**

**(d) DELEGATION REQUESTS**

- (i) Trish Mills respecting Enbridge Pipeline's Line 10 (to appear at the same meeting as the Enbridge presentation, date to be determined.) (Item 4.1)**

**(Eisenberger/Jackson)**

That the delegation request submitted by Trish Mills respecting Enbridge Pipeline's Line 10, be approved to appear at the same meeting as the Enbridge presentation (date to be determined).

**CARRIED**

- (ii) Ron McKerlie, President, Mohawk College to provide a Presentation respecting Mohawk College's City School initiative (For the October 21<sup>st</sup> GIC) (Item 4.2)**

**(Eisenberger/Green)**

That the delegation request submitted by Ron McKerlie, President, Mohawk College to provide a Presentation respecting Mohawk College's City School initiative, be approved for the October 21, 2015 GIC meeting.

**CARRIED**

- (iii) Jim Harris, Knollwood Golf Club, respecting Enbridge Lines that will run through his property (to appear at the same meeting as the Enbridge presentation, date to be determined). (Item 4.3)**

**(Ferguson/B. Johnson)**

That the delegation request submitted by Jim Harris, Knollwood Golf Club, respecting Enbridge Lines that will run through his property, be approved to appear at the same meeting as the Enbridge presentation (date to be determined).

**CARRIED**

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

- (i) John Hawker and Robin McKee, of the Sir John A. Macdonald Society, respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200<sup>th</sup> Birthday (Item 6.5)**

John Hawker and Robin McKee addressed Committee respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200<sup>th</sup> Birthday. The presentation included, but was not limited to, the following:

- Following the death of Sir John A. Macdonald on June 6, 1891, the Hamilton Board of Trade proposed to erect a permanent memorial to commemorate the former Prime Minister. The Board believed



that the statue would be a credit to the City of Hamilton, and would also attract thousands of tourists. The City agreed and proceeded to establish the Macdonald Committee. The newly formed committee was responsible for generating money to fund the project.

- Senator Sanford believed the Committee would have no difficulties raising four to five thousand dollars for the cause. Tenders were given and sculptors submitted models of Sir John A. Macdonald. George E. Wade of London, England was the sculptor chosen for the project. His model portrayed Macdonald in a buttoned up Prince Albert coat with his right hand extended.
- The final statue arrived in Hamilton from London, England on October 30, 1893. The statue was mounted and covered by bunting in preparation for the official dedication, which was held on November 1, 1893.
- Mr. McKee invited everyone one to attend The Sir John A. Macdonald Society's (Hamilton) commemoration of the unveiling of Canada's First Statue to Sir John A. Macdonald at Gore Park, Hamilton on Sunday, November 1, 2015 at 2:00 p.m.
- January 9, 2016 a gala event is scheduled, the annual statue event will also be held at the statue site and a reenactment of the statue unveiling will also occur later in the year.
- Everyone was also invited to attend the Remembrance event at the Hamilton Cemetery on November 7, 2015 at 11 a.m. (The Lost Monument).

**(A. Johnson/B. Johnson)**

That the presentation by John Hawker and Robin McKee, of the Sir John A. Macdonald Society, respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200<sup>th</sup> Birthday, be received.

**CARRIED**

**(f) DISCUSSION ITEMS (Item 8)**

**(i) Stormwater Funding Review (FCS15061/PW15067) (City Wide) (Item 8.3)**

Item 8.3 CARRIED on the following Standing Recorded Vote:

Yeas: Eisenberger, Jackson, Merulla, Farr, A. Johnson, Conley  
Total: 6  
Nays: B. Johnson, Ferguson, VanderBeek, Collins, Green  
Total: 5  
Absent: Whitehead, Duvall, Pearson, Pasuta, Partridge  
Total: 5

For disposition of this matter, please refer to Item 4.

**(ii) Report FCS15077 – Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust (Item 8.5)**

**(Jackson/Farr)**

That sub-section (a) to Report FCS15077, respecting the Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust, be amended by adding the word “exclusively” after the words “costs borne by HWT”, to read as follows:

- (a) That the City of Hamilton provide a one-time grant, funded from the tax-stabilization reserve (110046), to the Hamilton Waterfront Trust (HWT) in the amount of \$137,500 representing the incremental costs borne by HWT **exclusively** for the operation and maintenance of the City's outdoor rink, washrooms and related grounds maintenance, for the 2015 spring, summer and autumn seasons;

**CARRIED**

For disposition of this matter, please refer to Item 6.

**(g) MOTIONS (Item 9)**

Councillor J. Farr introduced the following Motion:

**(i) Additional 2015 Funding for the Wards 1 and 2 Budgets (Item 9.1)**

Whereas, the allocation of the Inner City Funding formula was amended by the Governance Committee for the 2015 budget; thereby, reducing the Ward 1 allocation from \$5,549 to \$0;

Whereas, the allocation of the Inner City Funding formula was amended by the Governance Committee for the 2015 budget; thereby, reducing the Ward 2 allocation from \$17,258 to \$11,710;

Whereas, based on population and residential demand for service from constituents in Ward 1 is resulting in added costs for Advertising and Administrative Office support; and,

Whereas, a growing population and increasing residential engagement and demand for service from constituents in Ward 2 is resulting in added costs for Administrative Office support and thus greatly limiting the ability to carry out advertising, address office supply needs and participate in sponsoring opportunities for the growing number of service groups and organizations; and,

Whereas the best estimate of the total number of students living within Ward 1 is 16,585, with the vast majority of those not reflected in city statistics or the voters' list;

Whereas, there is a contingency budget within the Legislative Dept (300100) for \$25,000; and,

Whereas, the 2014 year-end legislative variance was \$564,090 (\$274,690 excluding the Mayor's Office);

**THEREFORE BE IT RESOLVED:**

- (a) That one-time funding of up to \$30,000, to be allocated to the Ward 1 budget, to be funded from the Tax Stabilization Reserve (Account 110046), be approved to mitigate an unfavourable 2015 year-end variance; and,
- (b) That one-time funding in the amount of \$25,000, to be allocated to the Ward 2 budget, to be funded from the Legislative Budget (Account 300100), be approved to mitigate an unfavourable 2015 year-end variance.

For disposition of this matter above, please refer to Item 7.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Amendments to the Outstanding Business List (Item 11.1)**

**(Ferguson/VanderBeek)**

That the following amendments to the General Issues Committee's Outstanding Business List, be approved:

- (a) Proposed new due dates:
- (i) Item “M” - Relocation of POA Courtrooms and Offices  
Current Due Date: October 21, 2015  
Proposed New Due Date: November 18, 2015
  - (ii) Item “R” - Operating Agreement – Hamilton Farmers’ Market Board of Directors  
Current Due Date: September 16, 2015  
Proposed New Due Date: November 18, 2015
  - (iii) Item “EE” – Annualized Audit of the Hamilton Police Services Board  
Current Due Date: July 6, 2015  
Proposed New Due Date: November 18, 2015
- (b) Items to be removed:
- (i) Item “JJ” - Potential Revenue Generation Opportunities as they relate to the Investment Options of Municipal Short Term Holdings  
*(Addressed through Item 9 of AF&A Report 15-009 – FCS15055)*
  - (ii) Item “FF” - Feasibility of a Partnership with the Hamilton-Wentworth District School Board  
*(Addressed through Item 4 of GIC Report 15-012 – CES15030)*
  - (iii) Item “Z” - Feasibility and Options for Annual Base Funding for the Hamilton Waterfront Trust  
*(Addressed as Item 8.5 on today’s agenda – FCS15077)*
  - (iv) Item “W” – Citizens’ Jury on Transit Options – Citizen Appointments  
*(Addressed as Item 12.2 on today’s agenda – CM15016)*

**CARRIED**

**(i) PRIVATE & CONFIDENTIAL (Item 12)**

**(Collins/Farr)**

That Committee move into Closed Session, respecting Items 12.1 – Report PED15147, Sale of 1276 Sandhill Drive, Ancaster; 12.2 – Report CM15016, Citizens’ Jury on Transit Options – Citizen Appointments; and, 12.3 - PED15161/LS15028, Tradeport International Corporation Contractual Matter, pursuant to Section 8.1, Sub-sections (c), (b) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (b) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters to pertain to a proposed or pending acquisition or disposition of land for City purposes; personal matters

about an identifiable individual, including City employees; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**(i) Sale of 1276 Sandhill Drive, Ancaster (PED15147) (Ward 12) (Item 12.1)**

**(Ferguson/VanderBeek)**

That sub-section (b) to Report PED15147, respecting the Sale of 1276 Sandhill Drive, Ancaster, be amended by deleting the account number and words "47702- 3620507100 (Ancaster Industrial Park)" and replacing them with the account number and words "**108030 (Ancaster Ancaster Reserves)**" to read as follows:

- (b) That the net proceeds of the sale be deposited in Account No. **108030 (Ancaster Reserves)**, and that all associated Legal, Real Estate and property maintenance costs related to the sale and closing of this property be deposited into Account No. 45408-3560150200 (Property Purchases and Sales);

**CARRIED**

**(ii) Citizens' Jury on Transit Options – Citizen Appointments (CM15016) (City Wide) (Item 12.2)**

Councillors Ferguson and VanderBeek wished to be recorded as OPPOSED to Item 12.2

For disposition of this matter, please refer to Item 10.

**(iii) Tradeport International Corporation Contractual Matter (PED15161/LS15028) (City Wide) (Item 12.3)**

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 11.

**(j) ADJOURNMENT (Item 13)**

**(Jackson/Collins)**

That, there being no further business, the General Issues Committee, be adjourned at 11:52 a.m.

**CARRIED**

Respectfully submitted,

S. Merulla, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk