



GENERAL ISSUES COMMITTEE REPORT 18-016

9:30 a.m.

Monday, August 13, 2018
Council Chambers
Hamilton City Hall
71 Main Street West

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-016 AND RESPECTFULLY RECOMMENDS:

**1. King West Business Improvement Area (BIA) Revised Board of
Management (PED14258(a)) (Ward 2) (Item 5.2)**

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

- (i) Gordon Hazelwood

**2. Stoney Creek Business Improvement Area (BIA) Revised Board of
Management (PED16110(b)) (Ward 9) (Item 5.3)**

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

- (i) Doug Sutherland

3. Westdale Village Business Improvement Area (BIA) Revised Board of Management (PED16015(c)) (Ward 1) (Item 5.4)

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

- (i) Marcia Fattouh

4. Ottawa Street Business Improvement Area (BIA) Revised Board of Management (PED16062(b)) (Wards 3 and 4) (Item 5.5)

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

- (i) Michael Carruth

5. City of Music Logo – Delegated Authority (PED18146) (City Wide) (Item 5.6)

- (a) That the Director, Tourism and Culture Division, Planning and Economic Development Department, be delegated authority over the future use of the Hamilton City of Music logo including, but not limited to, the managing of the licensing of the logo (attached as Appendix “A” to Report 18-016); and,
- (b) That the City Solicitor be authorized and directed to take all necessary steps to trademark the Hamilton City of Music logo (attached as Appendix “A” to Report 18-016).

6. Mayor’s Blue-Ribbon Task Force on Skills Development – Progress Report and Update (PED18164) (City Wide) (Item 7.1)

That Report PED18164, respecting the Mayor’s Blue-Ribbon Task Force on Skills Development – Progress Report and Update, be received.

7. Advisory Committee for Persons with Disabilities Report 18-007, July 10, 2018 (Item 8.1)

- (a) **Wheelchair and Scooter Safety Working Group Proposed Roundtable Discussion (Item 5.5(b))**
 - (i) That a Roundtable Discussion event, with service providers, to discuss how the City of Hamilton can assist persons with disabilities

when they are stranded or in an emergency situation, be approved;
and,

- (ii) That the draft letter of invitation to the Wheelchair and Scooter Safety Working Group Proposed Roundtable, attached as Appendix “B” to Report 18-016, be approved.

(b) Continuity of Working Groups of the Advisory Committee for Persons with Disabilities during the Municipal Election period in 2018 (Item 11.5)

That the Advisory Committee for Persons with Disabilities, and its Working Groups, continue to meet during the municipal election period in 2018.

(c) Possible Delegation to the Accessible Transit Services Review Sub-Committee meeting on July 17, 2018 (Item 11.7)

- (a) That a delegation to Accessible Transit Services Review Sub-Committee meeting on July 17, 2018, be approved; and

- (b) That the delegation consist of A. Mallet, and T. Wallis.

8. City Wide Transportation Master Plan Review and Update – Supplementary Report (PED18137(a)) (City Wide) (Item 8.2(a))

That Report PED18137(a), respecting the City Wide Transportation Master Plan Review and Update – Supplementary Report, be received.

9. City Wide Transportation Master Plan Review and Update – Supplementary Report (PED18137) (City Wide) (Item 8.2(b))

NOTE: Due to bulk, Appendix “C” to Report 18-016, being the Transportation Master Plan, is not included in the printed agenda, but is available on the City’s website.

- (a) That the City of Hamilton Transportation Master Plan review and update, shown as Appendix “C” to Report 18-016, be approved;
- (b) That the projects identified in Appendix “C” to Report 18-016, respecting the City of Hamilton Transportation Master Plan, be approved in principle, subject to available funding within the City’s 10-year capital forecast, inclusive of any funding from senior levels of government;

- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to file the City of Hamilton Transportation Master Plan (TMP) review and update with the Municipal Clerk for a minimum forty-five day public review period;
- (d) That upon completion of the public review period the applicable unfunded City of Hamilton Transportation Master Plan (TMP) recommendations be submitted as part of the annual Capital Budget approval process;
- (e) That the “Wards 1, 2 and 3 One-Way to Two-Way Street Study Group” be identified as completed and removed from the Public Works Committee Outstanding Business List;
- (f) That Impacts of a Change in the 2007 City of Hamilton Transportation Master Plan (TMP) Recommended Policy be identified as completed and removed from the General Issues Committee Outstanding Business List;
- (g) That the City of Hamilton Transportation Master Plan (TMP) be identified as completed and removed from the General Issues Committee Outstanding Business List.

10. City Manager Recruitment Process (HUR18013) (City Wide) (Item 8.3)

- (a) That a Steering Committee, comprised of the Mayor and the Chairs of the Standing Committees, be established to assist with the recruitment process for the City Manager; and,
- (b) That the recruitment process, for the City Manager position, for both internal and external candidates commence immediately.

11. Expenditures from the 2018 Ward 1 Area Rating Ward Infrastructure Account (Item 10.1)

That the following expenditures be authorized from the 2018 Ward 1 Area Rating Ward Infrastructure Account:

- (i) \$170,000 for implementation of the infrastructure featured associated with the Churchill Park Master Plan, Phase 2;
- (ii) \$135,000 for new garden boxes, shed, water line extension, fencing, and concrete wheelchair accessibility feature at the Victoria Park raised gardens and associated concrete pad;

- (iii) \$45,000 for repair of the fishing wharf upon the floating bridge from Cootes Paradise (to supplement the funds already allocated by Council for the general purpose of repairing flooding damage to the waterfront trail);
- (iv) \$45,000 for cycling improvements in Strathcona neighbourhood;
- (v) \$96,000 for water-fountains and/or fountain repairs in Ward 1 municipal green space; and,
- (vi) \$300,000 for the Alexander Park community hub partnership fund.

12. Potential Litigation relating to Sewer Damage (LS14035(c)/PW14114(c)) (Wards 10 and 11) (Item 12.2)

That Report LS14035(c)/PW14114(c), respecting Potential Litigation relating to Sewer Damage, remain confidential.

13. Partial Acquisition of Industrial Land – Rymal Road East (PED18176) (Ward 11) (Item 12.3)

- (a) That the direction provided to staff in Closed Session, respecting the Partial Acquisition of Industrial Land – Rymal Road East, be approved; and,
- (b) That Report PED18176 and its appendices, respecting Partial Acquisition of Industrial Land – Rymal Road East, remain confidential until completion of the real estate transaction.

14. New Cellular Ground Tower Lease at Sherwood Park, Stoney Creek (PED18179) (Ward 10) (Item 12.4)

- (a) That the lands designated as Part 1 on Plan 62R-20104, forming part of 14-24 Sherwood Park Road, Stoney Creek, being Part of PIN 17350-0081 (LT) having an area of approximately seven sq. m. (75 sq. ft.), as shown in Appendix “A” to Report PED18179, be declared surplus to the requirements of the City of Hamilton in accordance with Procedural By-law 14-204 for the purposes of temporary easement;
- (b) That an Offer to Purchase (Easement) by Rogers Communications Inc., scheduled to close on or before October 1, 2015, for the temporary easement land described in Recommendation (a) to Report PED18179, be approved and completed at the price of \$2 (excluding HST);

- (c) That a Lease with Rogers Communications Inc., over the land described as Part 2, Plan 62R-20104 to erect a 35m high cell tower a slim-line monopole capable of co-sharing with another carrier, substantially based on terms and conditions attached as Appendix “B” to Report PED18179, and any other terms and conditions deemed appropriate to the General Manager, Planning and Economic Development, be approved;
- (d) That a Right-of-Way for Rogers Communications Inc. over the land described as Part 3, Plan 62R-20104 to provide vehicular access to the tower compound area be approved;
- (e) That the Lease proceeds, for the Lease with Rogers Communications Inc., over the land described as Part 2, Plan 62R-20104, be credited to Account No. 48300-3301609610;
- (f) That any costs related to the Lease with Rogers Communications Inc., over the land described as Part 2, Plan 62R-20104, including Real Estate and Legal Fees (\$7,700) be funded from Account No. 48300-3301609610 and credited to Account No. 45408-812036;
- (g) That the General Manager, Planning and Economic Development Department, or their designate, acting on behalf of the City as landlord, be authorized to provide any consents, approvals and notices related to the Lease Agreement for the new Cellular Ground Tower Lease at Sherwood Park, Stoney Creek, outlined in Report PED18179;
- (h) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement, respecting the new Cellular Ground Tower Lease at Sherwood Park, Stoney Creek, and any necessary ancillary documents, in a form satisfactory to the City Solicitor; and,
- (i) That Appendix “B” to Report PED18179, respecting the New Cellular Ground Tower Lease at Sherwood Park, Stoney Creek, remain confidential until completion of the real estate transaction.

15. Waste Management System Development – Materials Recycling Facility Operations Contract (PW16059(e)/LS18047) (City Wide) (Item 12.5)

- (a) That the direction provided to staff in Closed Session, respecting the Waste Management System Development – Materials Recycling Facility Operations Contract, be approved; and,
- (b) That Report PW16059(e)/LS18047, respecting the Waste Management System Development – Materials Recycling Facility Operations Contract, and its appendix, remain confidential.

16. Chedoke Creek Contamination (PW18076/LS18049) (City Wide) (Item 12.6)

That Report PW18076/LS18049, respecting the Chedoke Creek Contamination, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.3 Pauline Kajiura, Information Hamilton, respecting a Funding Request for Information Hamilton (For the September 19, 2018 GIC)
- 4.4 PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review (For the August 13, 2018 GIC)

2. NOTICES OF MOTION (Item 10)

- 10.1 Expenditures from the 2018 Ward 1 Area Rating Ward Infrastructure Account

3. GENERAL INFORMATION / OTHER BUSINESS (Item 11)

11.1 Amendments to the Outstanding Business List

As staff have advised that the City Accomplishments presentation will still come forward to a future General Issues Committee (GIC) meeting, only the public and confidential portions of the City Manager's Performance Evaluation are to be removed from the GIC Outstanding Business List:

(a) Items to be removed:

- (i) City Manager's 2017 Performance Review (~~**all portions: City Accomplishments,**~~ public and

confidential portions of Performance Review - No longer required)

4. PRIVATE & CONFIDENTIAL (Item 12)

12.6 Chedoke Creek Contamination (PW18076/LS18049) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The agenda for the August 13, 2018 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) July 9, 2018 (Item 3.1)

The Minutes of the July 9, 2018 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Vic Durdjevic, Nikola Tesla Educational Corporation, respecting an Event at the Hamilton Steam and Technology Museum on August 26, 2018 (For the August 13, 2018 GIC) (Item 4.1)

The delegation request, submitted by Vic Durdjevic, Nikola Tesla Educational Corporation, respecting an Event at the Hamilton Steam and Technology Museum on August 26, 2018, was approved to appear before the General Issues Committee on August 13, 2018.

- (ii) Dr. Patrick Deane, President, McMaster University, to provide the Annual Address respecting McMaster University (For the December 12, 2018 GIC) (Item 4.2)**

The delegation request, submitted by Dr. Patrick Deane, President, McMaster University, to provide the Annual Address respecting McMaster University, was approved to appear before the General Issues Committee on December 12, 2018.

- (iii) Pauline Kajiura, Information Hamilton, respecting a Funding Request for Information Hamilton (For the September 19, 2018 GIC) (Item 4.3)**

The delegation request, submitted by Pauline Kajiura, Information Hamilton, respecting a Funding Request for Information Hamilton, was approved to appear before the General Issues Committee on September 19, 2018.

- (iv) PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review (For the August 13, 2018 GIC) (Item 4.4)**

The delegation request, submitted by PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review, was approved to appear before the General Issues Committee on August 13, 2018.

(e) CONSENT ITEMS (Item 5)

- (i) Various Sub-Committee/Advisory Committee Minutes (Item 5.1)**

The following Sub-Committee/Advisory Committee Minutes were received:

- (1) Hamilton-Wentworth District School Board, March 22, 2018 (Item 5.1(a))
- (2) Business Improvement Area Advisory Committee, June 12, 2018 (Item 5.2(b))

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Giorgio Cotroneo, Stoney Creek Resident, respecting Suggestions as to How to Make Hamilton Greater (Item 6.1)

Mr. Cotroneo addressed Committee and provided his suggestions as to how to make Hamilton greater.

The verbal presentation, provided by Giorgio Cotroneo, Stoney Creek Resident, respecting suggestions as to how make Hamilton greater, was received.

(ii) Vic Durdjevic, Nikola Tesla Educational Corporation, respecting an Event at the Hamilton Steam and Technology Museum on August 26, 2018 (Item 6.2)

Vic Durdjevic, Nikola Tesla Educational Corporation, addressed Committee respecting an event at the Hamilton Steam and Technology Museum on August 26, 2018.

The presentation, provided by Vic Durdjevic, Nikola Tesla Educational Corporation, respecting an event at the Hamilton Steam and Technology Museum on August 26, 2018, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(iii) PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review (Item 6.3)

PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, addressed Committee respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review.

The delegation of PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review, was permitted an additional 5 minutes beyond the allowed time, to continue with their presentation.

The presentation provided by PJ Mercanti, Joe Mercanti, Scott Warren and Jasper Kujavsky, Carmen's Group, respecting Item 8.4 – Report PED18168, Sports, Entertainment and Convention Venues Review, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of the matter above, please refer to Item (g)(i) below.

Report PED18168, respecting the Sports, Entertainment and Convention Venues Review, was moved up on the agenda to be considered before Item 7.1.

Mayor F. Eisenberger and Councillor M. Green wished to be recorded as OPPOSED to the motion above.

(g) DISCUSSION ITEMS (Item 8)

(i) Report PED18168, Sports, Entertainment and Convention Venues Review (Item 8.4)

Sub-section (c) to Report PED18168, respecting the Sports, Entertainment and Convention Venues Review, was deleted in its entirety and replaced with the following in lieu thereof:

- ~~(c) That a contribution to an upset limit of \$200K, from the Tax Stabilization Reserve Account No. 110046, be used to fund the independent, third-party study of Hamilton's sports, entertainment and convention centre facility needs; and,~~
- (c) That staff be directed to explore the potential of securing funding from private sector, for-profit stakeholders for the third-party study respecting the Sports, Entertainment and Convention Venues, and report back to the General Issues Committee.

Mayor F. Eisenberger and Councillor M. Green wished to be recorded as OPPOSED to the Amending Motion above.

- (a) Report PED18168, respecting the Sports, Entertainment and Convention Venues Review, as amended, was referred back to staff for a review of the proposal put forward by the Carmen's Group; and,
- (b) Legal and Procurement staff were directed to review the proposal from the Carmen's Group, and any other viable opportunities, with respect to the third-party study for the sports, entertainment and convention venues, and report back to the General Issues Committee.

Councillor M. Green wished to be recorded as OPPOSED to the Referral Motion above.

(h) STAFF PRESENTATIONS (Item 7)

(i) Mayor's Blue-Ribbon Task Force on Skills Development – Progress Report and Update (PED18164) (City Wide) (Item 7.1)

As Ron McKerlie, President of Mohawk College and member of the Mayor's Blue-Ribbon Task Force on Skills Development, was unable to remain at the meeting due to other commitments, the presentation respecting Report PED18164 - Mayor's Blue-Ribbon Task Force on Skills Development – Progress Report and Update, was not provided.

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

(i) DISCUSSION ITEMS - continued (Item 8)

(i) City Wide Transportation Master Plan Review and Update – Supplementary Report (PED18137) (City Wide) (Item 8.2(b))

A new sub-section (b) to Report PED18137, respecting the City Wide Transportation Master Plan Review and Update – Supplementary Report, that reads as follows, was added and the balance of the recommendations were re-lettered accordingly:

- (b) That the projects identified in Appendix "A" to Report PED18137, respecting the City of Hamilton Transportation Master Plan, be approved in principle, subject to available funding within the City's 10-year capital forecast, inclusive of any funding from senior levels of government;

For disposition of the matter above, please refer to Item 9.

(ii) City Manager Recruitment Process (HUR18013) (City Wide) (Item 8.3)

Sub-section (b) to Report HUR18013, respecting the City Manager Recruitment Process, was amended by deleting the words "in approximately November 2018" and replacing them with the word "immediately", to read as follows:

- (b) That the recruitment process, for the City Manager position, for both internal and external candidates commence ~~in approximately November 2018~~ immediately.

For disposition of the matter above, please refer to Item 10.

(j) NOTICES OF MOTION (Item 10)

Councillor A. Johnson introduced a Notice of Motion respecting expenditures from the 2018 Ward 1 Area Rating Ward Infrastructure Account.

The Rules of Order were waived to allow for the introduction of a Motion respecting expenditures from the 2018 Ward 1 Area Rating Ward Infrastructure Account.

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

(k) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

11.1 Amendments to the Outstanding Business List:

The matter respecting the Feasibility of a Fashion Incubator at the former Eastmount School Site (PED17114 TABLED pending additional information), currently listed under "Proposed New Due Dates", was removed from the General Issues Committee's Outstanding Committee.

The following amendments to the General Issues Committee's Outstanding Business List, as amended, were approved:

- (a) Items to be removed:
 - (i) City Manager's 2017 Performance Review (Public and confidential portions of Performance Review - No longer required)
 - (ii) Recovery of the City of Hamilton Costs for the Implementation of Cannabis Legalization (Addressed as Item 6, GIC Report 18-015, FCS18052)
 - (iii) Feasibility of a Fashion Incubator at the former Eastmount School Site (PED17114 TABLED pending additional information)
Current Due Date: June 20, 2018
Proposed New Due Date: January 16, 2019

(b) Proposed New Due Dates:

- (i) Former Eastmount Park Elementary School Site –
Opportunities for Not-for-Profit Community Groups
Current Due Date: June 20, 2018
Proposed New Due Date: January 16, 2019

(I) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – July 9, 2018 (Item 12.1)

- (a) The Closed Session Minutes of the July 9, 2018 General Issues Committee meeting, were approved; and,
- (b) That the Closed Session Minutes of the July 9, 2018 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 12.2 to 12.6; Appendix “B” only to Item 12.4, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300; and, Section 239(2), Sub-sections (c), (e), (f), (i) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Partial Acquisition of Industrial Land – Rymal Road East (PED18176) (Ward 11) (Item 12.3)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 13.

(iii) Waste Management System Development – Materials Recycling Facility Operations Contract (PW16059(e)/LS18047) (City Wide) (Item 12.5)

Staff were provided with direction in Closed Session.

Councillor M. Pearson wished to be recorded as OPPOSED to this matter.

For further disposition of this matter, please refer to Item 15.

(m) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 4:31 p.m.

Respectfully submitted,

A. VanderBeek, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk