



CITY COUNCIL MINUTES

Wednesday, October 12, 2011

7:00 p.m.

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor R. Bratina

Councillors B. McHattie, J. Farr, B. Morelli, S. Merulla, C. Collins,
T. Jackson, S. Duvall, T. Whitehead, B. Clark, M. Pearson,
B. Johnson, L. Ferguson, R. Powers, R. Pasuta, J. Partridge

Mayor Bratina called the meeting to order and called upon Father Geoffrey Korz from All Saints of North America Orthodox Church in east Hamilton to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

- 5.8 Correspondence from the Ontario Good Roads Association, call for nominations to Board of Directors 2012-2013 term.

Recommendation: For the consideration of Council.

- 5.9 Correspondence from the Honorable Premier Dalton McGuinty respecting the City of Hamilton letter on wind turbine development (September 28, 2011 Council Meeting)

Recommendation: Be received.

- 5.10 Resolution from the Regional Council of Niagara respecting the Golden Horseshoe Food & Farming Action Plan 2021.

Recommendation: Be received.

(Pearson/Pasuta)

That the Agenda for the City Council meeting being held on October 12, 2011, be approved, as amended. **CARRIED**

DECLARATIONS OF INTEREST

None

APPROVAL OF MINUTES

4.1 September 28, 2011**(Whitehead/Farr)**

That the Minutes of the September 28, 2011, meeting of Council be approved, as presented. **CARRIED**

COMMUNICATIONS

(Partridge/Powers)

That Council Communications 5.1 to 5.10 be approved, as amended, as follows:

- 5.1 Correspondence from the Canadian Diabetes Association respecting Diabetes Awareness Month and World Diabetes Day (November and November 14th respectively)

(Ferguson/Powers)

Recommendation: Be received.

CARRIED

- 5.2 Correspondence from Trish Richards, AVW-TELAV Audio Visual Solutions, respecting AV Week in Hamilton, October 16 to 22, 2011

(Jackson/Collins)

Recommendation: Be received.

CARRIED

- 5.3 Correspondence from Ken Phillips, CAO/Secretary-Treasurer, Conservation Halton, respecting presentation of their 2012 Budget to CH Board of Directors on October 27, 2011

(Pearson/Johnson)

Recommendation: Be received.

CARRIED

- 5.4 Niagara Peninsula Conservation Authority Notice of Meeting respecting proposed Regulations Update to the Conservation Authorities Act and Section 28 Regulations

(Partridge/Pasuta)

Recommendation: Be received.

CARRIED

- 5.5 Correspondence from Matt Jelly respecting Prayer in City Council Meetings

(Duvall/White)

Recommendation: Be received and referred to the Governance Review Sub-Committee for consideration.

The Motion **CARRIED** on the following votes:

Yeas: B. Bratina, T. Whitehead, S. Duvall, T. Jackson, C. Collins,
S. Merulla, B. Morelli, J. Farr, B. McHattie, B. Clark, M. Pearson,
B. Johnson, R. Powers, R. Pasuta, J. Partridge

Total: 15

Nays: L. Ferguson

Total: 1

- 5.6 Correspondence from representatives of MADD Canada, the Ontario Health Association and the Centre for Addiction and Mental Health requesting a formal resolution of Council opposing any plan to put liquor, beer or wine into convenience stores

(Merulla/Morelli)

Recommendation: Be received.

CARRIED

- 5.7 Resolution from the Township of Tiny respecting Publically-Owned Water Treatment Facilities

(Pearson/Powers)

Recommendation: Be received.

CARRIED

- 5.8 Correspondence from the Ontario Good Roads Association, call for nominations to Board of Directors 2012-2013 term.

(Partridge/Johnson)

Recommendation: Be received.

CARRIED

- 5.9 Correspondence from the Honorable Premier Dalton McGuinty respecting the City of Hamilton letter on wind turbine development (September 28, 2011 Council Meeting)

(Powers/Johnson)

Recommendation: Be received.

CARRIED

- 5.10 Resolution from the Regional Council of Niagara respecting the Golden Horeshoe Food & Farming Action Plan 2021.

(Pasuta/Ferguson)

Recommendation: Be referred to the Agricultural & Rural Affairs Committee.
Motion as amended CARRIED

(McHattie/Farr)

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

PUBLIC WORKS COMMITTEE REPORT 11-011

Item 2 Rymal Road Planning Area (ROPA9) Transportation Master Plan Update (PW11070)(Wards 6, 9 & 11) (Item 5.4)

(Clark/Johnson)

That sub-section (b) be amended with the addition 'prior to December 1, 2011' after "Councillors" to read as follows:

- (b) That staff be directed to meet with the Chair of the Public Works Committee along with Ward 6, 9 and 11 Councillors prior to December 1, 2011 respecting the Rymal Road Planning Area and Transportation Master Plan Update. **Amendment CARRIED**

(Powers/Ferguson)

That the ELEVENTH Report of the Public Works Committee be adopted as amended, and the information section received. **CARRIED**

PLANNING COMMITTEE REPORT 11-017

(Pasuta/Clark)

That the SEVENTEENTH Report of the Planning Committee be adopted, and the information section received. **CARRIED**

(McHattie/Farr)

That the 48-hour rule be waived to allow for the introduction and consideration of General Issues Committee Report 11-029 – October 11, 2011

The Motion **CARRIED** on the following votes:

Yeas: B. Bratina, T. Whitehead, S. Duvall, T. Jackson, C. Collins,
S. Merulla, B. Morelli, J. Farr, B. McHattie, B. Clark, M. Pearson,
B. Johnson, R. Powers, R. Pasuta, J. Partridge

Total: 15

Nays: L. Ferguson

Total: 1

GENERAL ISSUES COMMITTEE REPORT 11-029**Item 23 Government Relations Contact Team****(Whitehead/Pasuta)**

That Item 23 of the General Issues Committee Report 11-029 respecting Government Relations Contact Team be amended as follows:

By deleting subsections (e) and (f) and replacing in lieu thereof the following revised subsection (e) as follows:

- (e) That further to Appendix G of the City's Procedural By-law respecting the Role of the Mayor, that a Government Relations Contact Team consisting of the Mayor, Chair of the Fairness to Hamilton Campaign Sub-committee and the City Manager, be approved to assist the Mayor in advocating formal city council approved positions to senior levels of government. **Amendment CARRIED**

(Powers/Ferguson)

- (a) That subsection (d) be amended by deleting "both senior levels of government" and replacing that wording with "all levels of government;
- (b) That subsection (e) be amended with the addition of the wording "and additional city staff or elected officials on an as required basis" following "The City Manager

Amendment CARRIED

Main Motion as Amended CARRIED

(Bratina/Pasuta)

That the TWENTY-NINTH Report of the General Issues Committee be adopted, as amended, and the information section received. **CARRIED**

(McHattie/Farr)

That Committee of the Whole Rise and Report.

CARRIED

MOTIONS

None

NOTICES OF MOTION

None

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL**12.1 City of Hamilton v. Metcalfe Mansfield Capital Corporation et al, Court File No. CV-09-38787****(Partridge/Pearson)**

That Council move into Closed Session at 8:41 p.m. to discuss a matter respecting the City of Hamilton v. Metcalfe Mansfield Capital Corporation et al, Court File No. CV-09-387871. pursuant to Section 8.1(e) and (f) of the Procedural By-law and Section 239(2)(e) and (f) of the Municipal Act as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals affecting the City and advice that is subject to solicitor client privilege, including communications for that purpose.

CARRIED

Committee reconvened in Open Session at 8:54 p.m. Mayor Bratina indicated that direction had been provided to staff in Closed Session.

BY-LAWS**(McHattie/Pearson)**

That Bills No. 011-243 to 011-259 attached hereto, be passed, that the Corporate seal be affixed thereto, and that the By-law be signed by the Mayor and the City Clerk and read as follows:

By-law No.	Bill No.	
11-243	243	To Impose a Storm and Sanitary Sewer Charge upon owners of land abutting Trinity Church Road from Rymal Road East to approximately 264 metres south, in the City of Hamilton
11-244	244	To Amend By-law No. 01-215, as amended, To Regulate Traffic: Schedule 3 – Flashing School Zones – Reduced Speed Limit Schedule 2 – Speed Limits
11-245	245	To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Schedule 8 – No Parking Zones Schedule 10 – Alternate Side Parking Schedule 12 – Permit Parking Zones Schedule 13 – No Stopping Zones Schedule 14 – Wheelchair Loading Zones Schedule 20 – School Bus Loading Zones

By-law No.	Bill No.	
11-246	246	To Permanently Close an Unassumed Portion of the Alley between 176 Locke Street North and 170 Locke Street North, Hamilton, established by Registered Plan 284, City of Hamilton, designated as Part 1 on Plan 62R-18786
11-247	247	To Incorporate City Land Designated as Blocks 27, 29, and 30 on Plan 62M-1132 into Aquamarine Drive
11-248	248	To Incorporate City Land Designated as Block 25 on Plan 62M-968 into Galileo Drive
11-249	249	To Incorporate City Land Designated as Parts 1, 2, and 3 on Plan 62R-11998 into Springwood Drive
11-250	250	Respecting Removal of Part Lot Control, Block 78, Plan on 62M-1150, "Summerlea West Phase 2A"
11-251	251	Respecting Removal of Part Lot Control, Block 89, Registered Plan No. 62M-1057, "4 & 6 Lockport Way, Stoney Creek"
11-252	252	To Adopt Official Plan Amendment No. 10 to the Urban Hamilton Official Plan, Respecting 460 and 480 Springbrook Avenue (former Town of Ancaster)
11-253	253	To Adopt Official Plan Amendment No. 139 to the former Town of Ancaster Official Plan, Respecting 460 and 480 Springbrook Avenue, Ancaster
11-254	254	To Amend Zoning By-law No. 05-200 Respecting Lands Located at 460 and 480 Springbrook Avenue, Ancaster
11-255	255	To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 460 and 480 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton
11-256	256	To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 12 Ambrose Avenue
11-257	257	To Amend Zoning By-law No. 05-200, Respecting Lands Located at 12 Ambrose Avenue (Hamilton)
11-258	258	To Designated Council of the City of Hamilton as the Head and to Delegate the Head's Powers and Duties, both in accordance with the Municipal Freedom of Information and Protection of Privacy Act
11-259	259	To Confirm the Proceedings of City Council

CARRIED**(Johnson/Pearson)**

There being no further business, the City Council meeting adjourned at 8:56 p.m.

City Council

(8)

October 12, 2011

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
Clerk
October 12, 2011