



CITY COUNCIL MINUTES 12-022

5:00 p.m.

Wednesday, November 14, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: L. Ferguson - vacation

Mayor Bratina called the meeting to order and called upon Reverend Jason Small of Community Church, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

- 5.3 Correspondence from Tim Potocic, Festival Director, Sonic Unyon/Supercrawl requesting funding commitment

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee as part of the 2013 Budget considerations.

2. REPORTS FOR DISTRIBUTION

- 6.5 Audit, Finance & Administration Committee Report 12-009 – November 12, 2012 (To be distributed)

- 6.6 Emergency & Community Services Committee Report 12-010 – November 12, 2012 (To be distributed)

3. MOTIONS

- 7.3 Amendment to Subsection (b) of Item 8 of Emergency and Community Services Report 12-005 respecting 2012 Proposed Provincial Budget and Changes to the Discretionary Benefits (CS12020(a))

- 7.4 Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007 respecting Community Homelessness Prevention Initiative (CHPI) (CS12031)

4. NOTICES OF MOTION

- 8.1 Stoney Creek Santa Claus Parade

5. AMENDED BILL LIST

(Pearson/Johnson)

That the agenda for the November 14, 2012 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor B. Morelli declared an interest to Item 14 of the Audit, Finance and Administration Report 12-009, respecting Municipal Services & Property Taxation on Condominium Properties, as he is a condominium owner.

Councillor R. Powers declared an interest to Item 3 of the General Issues Committee Report 12-032, respecting 2013 Discretionary Benefits and Community Start-Up Benefit, as a family member is employed with a local social services agency which receives funds through these programs.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS
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3.1 Presentation of Queen's Diamond Jubilee Medal to former Councillor William McCulloch

The Mayor invited William McCulloch forward and presented him with the Queen's Diamond Jubilee Medal.

APPROVAL OF MINUTES

4.1 October 24, 2012

(Johnson/Pearson)

That the Minutes of the October 24, 2012, meeting of Council be approved, as presented.

CARRIED

4.2 November 7, 2012

(Johnson/Pearson)

That the Minutes of the November 7, 2012, special meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Merulla/Collins)

That Council Communications 5.1 through 5.3 be approved, as amended, as follows:

5.1 Communication from Joe Minor, respecting Food Growth in a Toxic Ditch

Recommendation: Be referred to the General Manager of the Planning and Economic Development Department for the appropriate action and that staff report back on the paper trail.

5.2 Correspondence from Jennifer Hewson, President and Claire Fletcher, Treasurer, of Jacks' and Jills' Co-operative Preschool Inc., respecting the Rental Rate of the Room above the Lions Outdoor Pool in Ancaster

Recommendation: Be received and referred to the General Manager of the Community Services Department for a report to the Emergency & Community Services Committee.

5.3 Correspondence from Tim Potocic, Festival Director, Sonic Unyon/Supercrawl requesting funding commitment

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee as part of the 2013 Budget considerations.

CARRIED

(McHattie/Farr)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 12-031

(Bratina/Partridge)

That the THIRTY-FIRST Report of the General Issues Committee be adopted, and the information section received.

CARRIED

PUBLIC WORKS REPORT 12-012

5. Amendments to Solid Waste Management By-law 09-067 (PW09021a) (City Wide) (Item 8.3)

(Collins/Morelli)

That Item 5 of the Public Works Committee Report 12-012 be amended as follows:

That the by-law amending the Solid Waste Management By-law 09-067 be amended be deleting Section 14 which reads as follows:

Section 14: Removes the green cart as an acceptable container for leaf and yard waste. Green carts will still be acceptable container for organic waste, which includes the topping up of leaf and yard waste as an acceptable practice.

CARRIED

(McHattie/Farr)

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

CARRIED

PLANNING COMMITTEE REPORT 12-017

(Clark/Pearson)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 12-032

12. Report 12-002 of the Gaming Proposal Facility Sub-Committee – November 1, 2012 (Item 8.10)

(Clark/Johnson)

That Item 12(a) of the General Issues Committee Report 12-032 be amended as follows:

That Subsection (ii) be amended by adding the following words after the word "approval", "following the consideration of the conditions to be placed on the casino.", to read as follows:

- (ii) That the questions proposed for polling be drafted and provided to Council for perusal and approval following the consideration of the conditions to be placed on the casino.

CARRIED

(Bratina/Powers)

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

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE 12-009

8. Succession Management and Leadership Development (HUR12017) (City Wide) (Item 7.1)

(Clark/Powers)

That Item 8 of the Audit, Finance and Administration Committee Report 12-009, be amended as follows:

- (a) That Report HUR12017, respecting Succession Management and Leadership Development, be referred back to the City Manager to be modified to a succession development program and to seek advice from the provincial civil service;
- (b) That the program be transparent and open to all employees;
- (c) That the City Manager report back to the Audit, Finance and Administration Committee.

CARRIED

(Johnson/Pearson)

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

CARRIED

EMERGENCY AND COMMUNITY SERVICES COMMITTEE 12-010
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6. Ice Rates for Junior Hockey Clubs (CS12033) (City Wide) (Outstanding Business List Item) (Item 8.2)

(Partridge/Jackson)

That subsection (a)(i) of Item 6 of Emergency and Community Services Committee Report 12-010 respecting Ice Rates for Junior Hockey Clubs (CS12033) be amended by deleting the words "50% of full rate" to read as follows:

- (a) That the recommended criteria to determine ice rental rates to be charged to Ontario Hockey Association junior teams utilizing City of Hamilton municipal arenas for the 2012-2013 season, be approved as follows:

Eligibility Criteria	Ice Rate to be Paid (excluding HST)
(i) 80% or more of the team players being Hamilton residents	\$125.29 (Affiliated rate - 50% of full rate)

CARRIED

(Partridge/Pasuta)

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

CARRIED

(McHattie/Farr)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Advertising along the Red Hill Valley Parkway and Lincoln Alexander Parkway

(Merulla/Morelli)

That staff be directed to bring a report to the General Issues Committee, which explores advertising along the Red Hill Valley Parkway as well as the Lincoln Alexander Parkway (LINC) in order to maximize revenues.

CARRIED

7.2 J. L. Grightmire Arena Renovations Project - 2014 Allan Cup Senior Hockey Championship

(Powers/Pasuta)

WHEREAS, the 2014 National Senior Hockey Championship for the Allan Cup will be held in Dundas at the J. L. Grightmire Arena and it is important that renovations be completed in advance of this; and,

WHEREAS, the J. L. Grightmire Arena Renovations Project has been submitted for the Community Infrastructure Improvement Fund (CIIF) Program; and, if approved, must be shovel-ready in order to meet the CIIF project completion deadline of March 31, 2014; and,

WHEREAS, the J. L. Grightmire Arena Renovations Project has been listed under the 2013 capital pre-approval list and the design would be funded from Account # 7101354536 (Program – Arena Retrofits); and,

WHEREAS, Invizij Architects Inc. has previously worked with the Hockeyville Legacy Foundation, a community and funding partner of this project, and is familiar and supportive of the design requirements;

Therefore Be It Resolved:

- (a) That the upset limit of \$100,000 for the use of the Consultant Roster (Purchasing Policy #9) be waived for the design of the J. L. Grightmire Arena Renovation Project.
- (b) That Invizij Architects Inc. be approved as a single source design consultant for the J. L. Grightmire Arena Renovations Project to ensure the project is ready in time for the National Senior Hockey Championships in late 2014.

CARRIED

7.3 Re: Amendment to Subsection (b) of Item 8 of Emergency and Community Services Report 12-005 respecting 2012 Proposed Provincial Budget and Changes to the Discretionary Benefits (CS12020(a))

(Partridge/Duvall)

That Subsection (b) of Item 8 of Emergency & Community Services Report 12-005 which reads as follows:

- (b) That the City of Hamilton advise the Premier of Ontario, Ontario Works, Disability Support Program and Low Income Program recipients that the City of Hamilton will only fund discretionary benefits until December 31, 2012;

be amended by deleting the words *December 31, 2012* and inserting the words *June 30, 2013* to read as follows:

- (b) That the City of Hamilton advise the Premier of Ontario, Ontario Works, Disability Support Program and Low Income Program recipients that the City of Hamilton will only fund discretionary benefits until *June 30, 2013*;

CARRIED

7.4 Re: Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007 respecting Community Homelessness Prevention Initiative (CHPI) (CS12031)

(Partridge/Merulla)

That sub-section (c) to Item 4 of the Emergency & Community Services Committee Report 12-007, respecting the Community Homelessness Prevention Initiative, which was TABLED and which reads as follows be LIFTED from the table:

- (c) That the General Manager of the Community Services Department be authorized and directed to fund the Consolidated Homelessness Prevention Initiative for 2013 in the annualized amount of \$3,351,080 from 2013 Community Services departmental surplus, the 2013 corporate surplus and/or the Tax Stabilization Reserve (110046) pending the 2013 budget deliberations.

CARRIED

(Partridge/Merulla)

That Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007, respecting Community Homelessness Prevention Initiative, as it was addressed as Item 3 of the General Issues Committee Report 12-032, be withdrawn.

CARRIED

7.5 Stoney Creek Santa Claus Parade

(Clark/Pearson)

(a) That a grant in the amount of \$45,000, be approved for the Stoney Creek Santa Claus Parade for a period of three (3) years (2012 – 2014), to be funded from the Newalta Reserve Account (#117036), and paid out as follows:

(i) 2012 - \$15,000 less the \$3,485 paid out through the Community Partnership Program in 2012, for a total of \$11,515.

(ii) 2013 and 2014 - \$15,000 per year.

(b) That the organizers of the Stoney Creek Santa Claus Parade be advised that they will be responsible for paying all costs for the Stoney Creek Santa Claus Parade directly to their vendors for roads and traffic services as well as Hamilton Police Service.

(c) That staff be directed to transfer the \$3,485, which was already paid to the Stoney Creek Santa Claus Parade Committee through the Community Partnership Program (CPP), from the Newalta Reserve Account (#117036) to the CPP Account (#604005).

(d) That staff be directed to hold in abeyance the base budget amount of \$7,661, in the Community Partnership Program (CPP) account, for the Stoney Creek Santa Claus Parade for a three year period (2012 to 2014), in order that the Stoney Creek Santa Claus Parade be able to reapply for a CPP grant in 2015 at the current level.

(e) That the event organizers provide annually all receipts to the Finance staff.

CARRIED

NOTICES OF MOTION

Councillor B. Clark introduced the following Notice of Motion:

8.1 Stoney Creek Santa Clause Parade

(a) That a grant in the amount of \$45,000, be approved for the Stoney Creek Santa Claus Parade for a period of three (3) years (2012 – 2014), to be funded from the Newalta Reserve Account (#117036), and paid out as follows:

- (i) 2012 - \$15,000 less the \$3,485 paid out through the Community Partnership Program in 2012, for a total of \$11,515.
- (ii) 2013 and 2014 - \$15,000 per year.
- (b) That the organizers of the Stoney Creek Santa Claus Parade be advised that they will be responsible for paying all costs for the Stoney Creek Santa Claus Parade directly to their vendors for roads and traffic services as well as Hamilton Police Service.
- (c) That staff be directed to transfer the \$3,485, which was already paid to the Stoney Creek Santa Claus Parade Committee through the Community Partnership Program (CPP), from the Newalta Reserve Account (#117036) to the CPP Account (#604005).
- (d) That staff be directed to hold in abeyance the base budget amount of \$7,661, in the Community Partnership Program (CPP) account, for the Stoney Creek Santa Claus Parade for a three year period (2012 to 2014), in order that the Stoney Creek Santa Claus Parade be able to reapply for a CPP grant in 2015 at the current level.
- (e) That the event organizers provide annually all receipts to the Finance staff.

(Clark/Pearson)

That the Rules of Order be waived to allow for the introduction of a motion respecting grant funding for the Stoney Creek Santa Claus Parade.

CARRIED

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – October 30, 2012

(Partridge/Duvall)

- (a) That the Closed Session Minutes of the October 30, 2012 meeting of Council be approved, as presented;
- (b) That the Closed Session Minutes of the October 30, 2012 meeting of Council, remain confidential and restricted from public disclosure.

CARRIED

BY-LAWS

(Merulla/Morelli)

That the Bill List for the November 14, 2012 Meeting of Council be amended through the addition of the following as Bill 254, 255, 256 and 257 and renumbering the balance:

Bill No.

- 254** To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton
- 255** To Adopt and Maintain a Procurement Policy for the City of Hamilton
- 256** To Amend By-law No. 10-209, A By-law to Regulate the Hamilton Farmers' Market
- 257** To Exempt from Taxation for Municipal and School Board Purposes the Leasehold Interest of Tradeport International Corporation in the Lands Comprising Hamilton International Airport as a Municipal Capital Facility Pursuant to the Provisions of Subsection 110(6) of the Municipal Act, 2001, and Ontario Regulation 603/06

Amendment CARRIED

(Merulla/Morelli)

That Bills No. 246 to 258 attached hereto, be passed, as amended, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

Bill No.

- 246** To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking
Schedule 8 – No Parking Zones
Schedule 9 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 20 – School Bus Loading Zones
- 247** To Amend By-law No. 06-147, Being a By-law to Authorize the City to Enter into Extension Agreements
- 248** To Incorporate City Land Designated as Blocks 51 and 52 on Plan 62M-1148 into Medici Lane
- 249** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 25 - Taxicabs
- 250** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 22 – Salvage and Second-Hand Goods, Pawnbroker, and Jewellery and Precious Metals Businesses
- 251** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 2 and 4 Blanshard Street and 0 Poulette Street

- 252** To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 546 and 548 Fifty Road and 32 and 36 Kingspoint Circle
- 253** To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 455 Jones Road
- 254** To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton
- 255** To Adopt and Maintain a Procurement Policy for the City of Hamilton
- 256** To Amend By-law No. 10-209, A By-law to Regulate the Hamilton Farmers' Market
- 257** To Exempt from Taxation for Municipal and School Board Purposes the Leasehold Interest of Tradeport International Corporation in the Lands Comprising Hamilton International Airport as a Municipal Capital Facility Pursuant to the Provisions of Subsection 110(6) of the Municipal Act, 2001, and Ontario Regulation 603/06
- 258** To Confirm the Proceedings of City Council

CARRIED

(Duvall/Jackson)

That, there being no further business, the City Council meeting be adjourned at 7:23 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk