



CITY COUNCIL MINUTES

Wednesday, February 9, 2011

7:00 p.m.

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor R. Bratina

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

Absent with Regrets: Councillor B. McHattie – City Business

Mayor Bratina called the meeting to order, and called upon Tiana Traficante to sing Oh Canada and lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following additions to the agenda:

1. CORRESPONDENCE

5.8 Correspondence from Julie Twyford respecting Mayor's \$10,000 Donation to the United Way

Recommendation: Be received.

5.9 Correspondence from the Ontario Realty Corporation respecting Trinity East – Official Plan Amendment and Zoning By-law Amendment – Request to Defer
(Item 3 of Planning Committee Report 11-002)

Recommendation: Be Received.

5.10 Correspondence from James Layne respecting the construction of the new Waste Water Pumping Station on Daffodil Crescent, Ancaster (To be distributed)

Recommendation: Be received.

5.11 Correspondence from Laura Cattari, respecting the Mayor's \$10,000 Donation

Recommendation: Be received.

2. PRIVATE AND CONFIDENTIAL

10.4 Appointment of Fire Chief

(Farr/Morelli)

That the Agenda for the City Council meeting being held on February 9, 2011, be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

None declared.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None

APPROVAL OF MINUTES

(Whitehead/Duvall)

That the Minutes of the January 26, 2011 meeting of Council be approved, as presented.

CARRIED

(Whitehead/Duvall)

That the Minutes of the January 31, 2011 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Duvall/Jackson)

That Council Communications 5.1 to 5.11 be approved, as amended, as follows:

5.1 Correspondence from The Honourable Deb Matthews, Minister of Health and Long-Term Care respecting additional base funding of \$2,900 effective April 1, 2010 to the City's Public Health Services for asthma education and services

Recommendation: Be received.

- 5.2 Correspondence from The Honourable Diane Finley, Minister of Human Resources and Skills Development, respecting Canada Mortgage and Housing Corporation's Residential Rehabilitation Assistance Program

Recommendation: Be received.

- 5.3 Correspondence from The Honourable Chuck Strahl, Minister of Transport, respecting the City's plans for Light Rail Transit

Recommendation: Be received.

- 5.4 Correspondence from The Honourable Deb Matthews, Minister of Health and Long-Term Care, respecting one-time funding of up to \$4,640 (at 100%) from January 1, 2010 to March 31, 2010 to support expenses incurred by the City's Public Health Services in responding to H1N1

Recommendation: Be received and that staff be directed to prepare an explanatory memo respecting this issue.

- 5.5 Correspondence from Keith Murch, Grand River Conservation Authority, respecting 2011 Budget and Levy Meeting

Recommendation: Be received.

- 5.6 Resolution from the Town of East Gwillimbury respecting a request that the Federal and Provincial governments allow municipalities to transfer approved funding between approved projects funded through the Infrastructure Stimulus Fund and the Recreational Infrastructure Canada/Ontario Recreational Program (RInC)

Recommendation: Be endorsed.

- 5.7 Resolution from the City of Windsor respecting petitioning the Provincial and Federal partners to request that electricity and heating be exempt from the harmonized Sales Tax (HST), like the current Municipal Water category

Recommendation: Be endorsed.

- 5.8 Correspondence from Julie Twyford respecting Mayor's \$10,000 Donation to the United Way

Recommendation: Be referred to staff for report back on the \$10,000 United Way Donation.

- 5.9 Correspondence from the Ontario Realty Corporation respecting Trinity East – Official Plan Amendment and Zoning By-law Amendment – Request to Defer (Item 3 of Planning Committee Report 11-002)

Recommendation: Be received.

5.10 Correspondence from James Layne respecting the construction of the new Waste Water Pumping Station on Daffodil Crescent, Ancaster.

Recommendation: Be received.

5.11 Correspondence from Laura Cattari, respecting the Mayor's \$10,000 Donation

Recommendation: Be referred to staff for report back on the \$10,000 United Way Donation.

CARRIED

(Collins/Merulla)

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

CARRIED

PLANNING COMMITTEE REPORT 11-002

(Pasuta/Clark)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 11-005

(Bratina/Partridge)

That the FIFTH Report of the General Issues Committee be adopted, and the information section received.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 11-002

Item 4 Budget Report on Follow-up to Options for Increasing Diversion and Landfill Capacity -Additional Diversion Options to Reach 65% Waste Diversion (PW07151d) - (City Wide) (Item 7.1)

(Ferguson/Johnson)

That Item 4 of Public Works Report 11-002 be amended by adding subsection (e) as follows:

- (e) That staff be directed to report back on ways to manage capacity and keep revenues for our composting materials.

Amendment CARRIED

Main motion as amended CARRIED

(Powers/Pasuta)

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

(Duvall/Jackson)

That Committee of the Whole rise and report.

CARRIED

MOTIONS

7.1 International Games Bid Protocol**(Clark/Pearson)**

That Item 7.1 be amended:

- (a) By adding the words *“That staff be directed to report back to the General Issues Committee on the following motion”* before the words “Therefore be it resolved that . . .”;
- (b) By adding the words “national or provincial” after the word “international” in the fourth paragraph;
- (c) By adding the following as subsection (f):
 - (f) Any additional matters relating to bid processes.

To read as follows:

(Clark/Pearson)

Whereas there will be future opportunities for Hamilton to host or participate in international games and

Whereas Hamilton has had past successes in hosting international games such as the 1930 British Empire Games, the 1986 World Junior Hockey Championship at Copps, the 1987 Canada Cup Ice Hockey Tournament, the 1993 World Judo Championships, the 1996 Men’s and Women’s World Curling Championship, the 2003 World Road Cycling Championships and others.

Whereas international games have become highly competitive in the bidding process

That staff be directed to report back to the General Issues Committee on the following motion:

Therefore be it resolved that the City of Hamilton develop, adopt and maintain a current Hamilton international, *national or provincial* games bid protocol which includes the following:

- (a) a fiscally viable business plan prior to any resolution to participate or host any games,
- (b) a plan for an amateur sports legacy program to assist the local community,
- (c) a feasibility study with a comparative matrix for all potential properties being considered for any new facility including financial viability, environmental, zoning, servicing, and any required municipal infrastructure upgrades,
- (d) a capital funding formula that commits Hamilton to no more than 40% of capital costs;
- (e) a public consultation process prior to the adoption of any resolution to participate in any games.
- (f) *Any additional matters relating to bid processes.*

Amendment CARRIED
Main Motion as amended CARRIED

7.2 Proposed Two Hour Free Parking on Saturdays for Hamilton Farmers' Market Patrons

(Clark/Pearson)

That Item 7.2 be TABLED until the next Council meeting in order to allow word smithing of the proposed amendments to the motion.

CARRIED

7.3 International Event Opportunities/2015 Pan Am Games Update (CM09006(I)) (City Wide)

(Jackson/Duvall)

That Item 1 of General Issues Committee Report 11-004 respecting International Event Opportunities/2015 Pan Am Games Update be amended by adding the following as sub-section (k):

- (k) That the appropriate staff from the Mayor's Office, and Councillors L. Ferguson and B. Morelli be appointed as Council's liaison with the staff and stakeholders involved during the construction process;

CARRIED

NOTICES OF MOTION

None

STATEMENTS BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Minutes of the December 9, 2009 Closed Session Meeting**(Pearson/Collins)**

- (a) That the Closed Session Minutes of the December 15, 2010 meeting of Council be approved, as presented.

- (b) That the December 15, 2010 Minutes of Council remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

10.2 Minutes of the January 26, 2011 Closed Session Meeting**(Pearson/Collins)**

- (a) That the Closed Session Minutes of the January 26, 2011 meeting of Council be approved, as presented.

- (b) That the January 26, 2011 Minutes of Council remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

10.3 Minutes of the January 31, 2011 Closed Session Meeting**(Pearson/Collins)**

- (a) That the Closed Session Minutes of the January 31, 2011 meeting of Council be approved, as presented.

- (b) That the January 31, 2011 Minutes of Council remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

(Pearson/Partridge)

That Council move into Closed Session at 8:35 p.m. pursuant to Section 8.1(b) of the City's Procedural By-law and Section 239 of the Municipal Act as the subject matter deals with a personal matter about an identifiable individual respecting the appointment of the Fire Chief.

CARRIED

(Merulla/Collins)

That Committee reconvene in Open Session at 8:50 p.m.

CARRIED

10.4 Appointment of Fire Chief

That Robert Simonds be appointed Fire Chief, effective March 14, 2011.

CARRIED

BY-LAWS

(Duvall/Jackson)

That Bill Nos. 011-045 to 011-060, attached hereto, be passed, that the Corporate seal be affixed thereto, and that the By-laws be signed by the Mayor and the City Clerk and read as follows:

By-law No.		
11-045	045	To Impose a Sanitary Sewer Charge upon owners of land abutting Garner Road West from Shaver Road to 125 metres west of Shaver Road, in the City of Hamilton
11-046	046	To Impose a Sanitary Sewer Charge upon owners of land abutting Regional Road No. 56 from Southbrook Drive to approximately 150 metres northerly, in the City of Hamilton
11-047	047	To Impose a Sanitary Sewer and Watermain Charge upon owners of land abutting Kitty Murray Lane from Garner Road East to approximately 700m northerly, in the City of Hamilton
11-048	048	To Impose a Sanitary Sewer Charge upon owners of land abutting Mothers Street from Twenty Road East to approximately 100 metres east of Saveryn Road, in the City of Hamilton
11-049	049	To Impose a Sanitary Sewer Charge upon owners of land abutting Shaver Road from Garner Road West to Wilson Street, in the City of Hamilton
11-050	050	To Impose a Sanitary Sewer Charge upon owners of land abutting Southcote Road from approximately 33 metres south of Bookjans Drive to 40 metres north of Secinaro Avenue, in the City of Hamilton
11-051	051	To Impose a Sanitary Sewer Charge upon owners of land abutting Southcote Road from approximately 58 metres south of Graycourt Drive to approximately 40 metres southerly, in the City of Hamilton
11-052	052	To Impose a Storm and Sanitary Sewer Charge upon owners of land abutting Watershore Drive from approximately 52 metres east of Aquamarine Drive to Glover Road, in the City of Hamilton

By-law No.	Bill No.	
11-053	053	To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Schedule 12 – Permit Parking Zones Schedule 14 – Wheelchair Loading Zones
11-054	054	To Adopt Official Plan Amendment No. 124 to the former Town of Flamborough Official Plan, Respecting 273 Parkside Drive
11-055	055	To Amend Zoning By-law No. 05-200, as amended, Respecting Lands Located at 273 Parkside Drive, (Flamborough)
11-056	056	To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Control
11-057	057	To Amend By-law No. 10-221, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
11-058	058	To Adopt Official Plan Amendment No. 163 to the former City of Stoney Creek Official Plan, Respecting Lands Located in the West Mountain area of the former City of Stoney Creek, south of Highland Road West, north of Rymal Road East, and west of Second Road West
11-059	059	To Amend Zoning By-law No. 05-200, Respecting Lands Located south of Highland Road West, north of Rymal Road East, and west of Second Road West (Stoney Creek)
11-060	060	To Confirm the Proceedings of City Council

(Jackson/Powers)

There being no further business, the City Council meeting adjourned at 9:00 p.m.

CARRIED

Respectfully submitted,

Mayor R. Bratina

R. Caterini
City Clerk
February 9, 2011