CITY COUNCIL
MINUTES

Wednesday, June 15, 2005
7:00 p.m.
Millgrove Community Centre
855 Millgrove Side Road

Present:   Mayor L. Di Ianni

Councillors D. Braden, B. Bratina, P. Bruckler, C. Collins,
M. Ferguson, T. Jackson, B. Kelly, M. McCarthy, B. McHattie,
D. Mitchell, S. Merulla, B. Morelli, M. Pearson, A. Samson,
T. Whitehead

Mayor Di Ianni called the meeting to order.

The Mayor called upon Reverend George Robertson of Knox Presbyterian Church in Waterdown to lead the Council in Prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. Added Council Communication Item 5.7 from Bruce Wormald, Lancaster, Brooks and Welch addressing the Waste Collection RFP. This communication corresponds with Item 12 of the Public Works Infrastructure and Environment Committee Report before Council for consideration this evening.

2. Added Council Communication Item 5.8 from the Corporation of the Town of Niagara-on-the-Lake respecting property assessments

3. Added Council Communication Item 5.9 from Bruce Duncan, Hamilton Conservation Authority respecting letter of support for application to the National Historic Sites and Monuments Board
4. Added Council Communication Item 5.10, from Beverly Hendry, Ministry of Municipal Affairs and Housing respecting comments to the Draft Official Plan Amendment – Lands in the vicinity of the John C. Munro Airport. This item corresponds to Item 11 of the Planning and Economic Development Committee Report before Council for consideration this evening.

5. Added Motion Item 7.3 by Councillor Braden respecting Red Hill Valley Project – Noise Mitigation Program Correspondence Package


(Ferguson/Pearson)
That the Agenda for the City Council meeting being held on June 15, 2005, as amended, be approved. CARRIED.

DEclarations of Interest

Item 5.6 Communications – Correspondence from General Manager of Finance and Corporate Services, Joe Rinaldo, respecting appointment of Auditor – Compliance Audit.

Mayor Di Ianni declared a conflict respecting this item, as he is identified in the memorandum.

Item 1 Monthly Status Report of Tenders and Requests for Proposals for April 2005 (FCS05023(c)) (City Wide) (Item 6.3)

Corporate Administration Committee Report 05-010

Councillor Ferguson declared a conflict respecting this item, as a member of his family is involved with one of the companies which has been awarded a contract.

CERemonial Activities/Announcements

The Mayor welcomed everyone attending this meeting of Council being held at the Millgrove Community Centre. He thanked the Flamborough Chamber of Commerce for hosting the meet-and-greet held prior to the meeting.

Mayor Dilanni extended best wishes to Rick Gadowski, Manager of Forestry & Horticulture who is currently receiving post operative treatment and asked that we keep Rick and his family in our thoughts and prayers in support of his return to good health.
(Bratina/Kelly)
That Item 7.1 CBC Motion, of the Minutes of City Council Meeting held on May 25, 2005, be amended to replace the name of Councillor Bratina with the name of Councillor Kelly, regarding the conflict declared regarding the television industry.

AMENDMENT CARRIED

(Bratina/Ferguson)
That the Minutes of the City Council Meeting held on May 25, 2005, be approved, as amended.

CARRIED.

COMMUNICATIONS

(Bratina/Bruckler)
That Council Communications be approved, as amended, as follows;

5.1 Correspondence from Don Campbell, Real Estate Investment Network in recognition of the City’s Economic Development Office

Recommendation: Be received

5.2 Correspondence from the Honourable Jim Watson, Minister of Consumer and Business Services respecting charity fundraising

Recommendation: Be received

5.3 Correspondence from David Calder, Corporation of the City of Cambridge respecting Volunteer and Municipal Trails

Recommendation: Be received and forwarded to the appropriate Standing Committee for their consideration.

5.4 Correspondence from Mayor Hazel McCallion, City of Mississauga respecting Greater Toronto Area Bus Rapid Transit Funding

Recommendation: Be referred to the General Manager of Public Works for a report to the Public Works, Infrastructure and Environment Committee

5.5 Request for Nominations for 2005-2006 AMO Board of Directors

Recommendation: That Councillor Braden and Mayor DiIanni be approved as the Council Nominations for the 2005-2006 AMO Board of Directors.
5.6 Correspondence from General Manager of Finance, Joe Rinaldo respecting appointment of Auditor – Compliance Audit

Recommendation: That the correspondence outlining the process for hiring an External Auditor for the compliance audit submitted by the General Manager of Finance and Corporate Services and the legal opinion provided by the City Solicitor with respect to expanding the scope of the compliance audit be received and the hiring process endorsed.

5.7 Correspondence from Bruce Wormald, Lancaster, Brooks and Welch addressing the Waste Collection RFP. This communication corresponds with Item 12 of the Public works Infrastructure and Environment Committee Report which is before you for consideration this evening.

Recommendation: Be received.

5.8 Council Communication from the Corporation of the Town of Niagara-on-the-Lake respecting property assessments.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for a Report to the Corporate Administration Committee.

5.9 Council Communication from Bruce Duncan, Hamilton Conservation Authority respecting letter of support for application to the National Historic Sites and Monuments Board

Recommendation: That the Hamilton Conservation Authority be advised that the City of Hamilton is in support of their application to the National Historic Sites and Monuments Board for consideration of the Griffin House, 733 Mineral Springs Road, Hamilton

5.10 Added Council Communication from Beverly Hendry, Ministry of Municipal Affairs and Housing respecting comments to the Draft Official Plan Amendment – Lands in the vicinity of the John C. Munro Airport. (This item corresponds to Item 11 of the Planning and Economic Development Committee Report before Council for consideration this evening.)

Recommendation: Be received

CARRIED

(Bratina/Braden)
That Council move into Committee of the Whole for consideration of the Standing Committee Reports.

CARRIED.
PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT
COMMITTEE REPORT 05-010

Item 12. Request for Proposals Reference C11-11-05 - Waste Collection Services (PW04114b) - (City Wide) (Item 8.2)

(Merulla/Samson)
That this matter be considered In-Camera, at the appropriate time in the meeting.

CARRIED.

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 05-013

Item 11. City Initiative 05-F to Amend the Official Plans for the Former Regional Municipality of Hamilton-Wentworth, Former Town of Ancaster and the Former Township of Glanbrook to Recognize and Expand the Existing Airport Influence Area and to Create a Special Policy Area for Employment Purposes (PED05015) (City Wide) (Item 6.5)

(Ferguson/McHattie)
That Item 11 of Planning and Economic Development Report 05-013, be referred back to the Planning and Economic Development Committee, to hold a non-statutory public meeting, in Ancaster, within thirty days.

CARRIED.

Councillors Braden, McCarthy, Pearson and Whitehead indicated that they wished to be recorded as OPPOSED to this item.

(Whitehead/ Pearson)
That the THIRTEENTH Report of the Planning and Economic Development Committee be adopted, as amended, and the information section received.

CARRIED.

CORPORATE ADMINISTRATION COMMITTEE REPORT 05-010

(Braden/Bratina)
That the TENTH Report of the Corporate Administration Committee be adopted as presented and the information section received.

CARRIED.
STRATEGIC PLANNING & BUDGETS COMMITTEE REPORT 05-006

(McHattie/Merulla)
That the SIXTH Report of the Strategic Planning & Budgets Committee be adopted as presented and the information section received.

CARRIED.

SOCIAL AND PUBLIC HEALTH COMMITTEE REPORT 05-009

Item 2 Public Health Reform: Potential Implications for Local Public Health (SPH05033)
(City Wide)

(Jackson/McHattie)
That Item 2 of Social and Public Health Services Committee Report 05-009 be amended as follows:

To add the phrase “the Mayor or a representative from the Office of the Mayor” to section (b) of the Recommendation, following the phrase “Social and Public Health Services Committee”.

AMENDMENT CARRIED.

(McHattie/Merulla)
That the NINTH Report of the Social and Public Health Committee be adopted as amended, and the information section received.

CARRIED, AS AMENDED.

COMMUNITY SERVICES COMMITTEE REPORT 05-007

(Bruckler/Jackson)
That the SEVENTH Report of the Community Services Committee be adopted, as presented, and the information section received.

CARRIED.

MOTIONS

7.1 Churchill Park – West Hamilton

(McHattie/Bratina)
Whereas, in the April 1, 2005 Royal Botanical Gardens Review Committee report, a commitment was made to consider the sale of property that was not required to meet RBG’s mandate, and

Whereas, Churchill Park in west Hamilton is owned by the RBG, but has functioned as a City of Hamilton park, hosting baseball, soccer, cricket, lawn bowling, sites and other open space amenities; and
Whereas, Churchill Park is a critical asset to the Ainslie Wood-Westdale community, Canada’s first planned neighbourhood.

Therefore, be it resolved that, the Council of the City of Hamilton advise the Royal Botanical Gardens that it endorses the future use of Churchill Park as an open space for the continued benefit of all Hamiltonians and visitors to Hamilton.  

CARRIED.

7.2 Housekeeping Amendment  
(Mitchell/McCarthy)  
That Item 7 of Report 05-009 of the Public Works, Infrastructure and Environment Committee, respecting Fennell Avenue Temporary Road Closure Application by “Play On!” Canadian Street Hockey Tournament (PW05055) be amended by adding the following subsection:

(g) That all property owners and tenants along the closed portion of the route be notified of the event, and proof in writing from these tenants be provided prior to the event in a form acceptable to the General Manager of Public Works.

CARRIED

7.3 Red Hill Valley Project – Noise Mitigation Program Correspondence Package  
(Braden/Bratina)  
That the deadline for responses to the noise mitigation program selection approved by Council on April 27, 2005 be delayed to July 4, 2005, to allow the remaining property owners the opportunity to respond.

CARRIED

7.4 Petition respecting request for a review and improvement of the junction of Centre Road and the 14th Concession, Flamborough.  
(McCarthy/Whitehead)  
That a petition from residents in the Mountsberg community respecting the junction of Centre Road and the 14th Concession, requesting a review and improvements to this intersection be received and referred to the General Manager of Public Works, Infrastructure and Environment, for a report to the Public Works, Infrastructure and Environment Committee.

CARRIED.
NOTICES OF MOTION

None

MEMBERS OF COUNCIL

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

PRIVATE & CONFIDENTIAL

On a motion (Braden/McCarthy) Council moved In-Camera to receive an update respecting three legal matters.

CARRIED.

On a Motion (Pearson/Mitchell) Council reconvened in open session.

CARRIED.

Item 8. Glanbrook Sports Complex Master Plan (PW05071) – (Ward 11 with City Wide Implications) ((item “C” Master Plan for the Glanbrook Sports Complex in the Public Works Infrastructure and Environment Committee Outstanding Business List) (Item 8.1)

(Ferguson/Whitehead)

That this Item be referred back to Public Works, Infrastructure and Environment Committee to review the costs in the report.

CARRIED.

Item 12. Request for Proposals Reference C11-11-05 Waste Collection Services (PW04114b) – (City Wide) (Item 8.2)

Councillors Jackson, Collins, Merulla, Morelli and Samson indicated they wished to be recorded as OPPOSED to this item.

(Mitchell/Pearson)

That the TENTH Report of Public Works, Infrastructure and Environment be adopted, as amended, and the information section received.

CARRIED.
(Bratina/Braden)
That Bill Nos. 05-156 to 05-167 be passed, that the Corporate Seal be affixed thereto and the By-laws be signed by the Mayor and the City Clerk, and numbered as 05-156 to 05-167

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To Establish Certain 2005 User Fees and Charges for Services Provided by The City of Hamilton

To Amend By-law No. 01-216, as amended, To Regulate Municipal Parking Facilities and By-law No. 01-218, as amended, To Regulate On-Street Parking
By-law 01-216: Section 8
By-law 01-218: Section 8

To Amend Zoning By-law No. 6593, Respecting Lands Located on Annabelle Street, Part of Lot 16, Concession 7, Lot 23, Plan 62M-1024

To Amend Zoning By-law No. 87-57 (Ancaster), Zoning By-law No. 3581-86 (Dundas), Zoning By-law No. 90-145-Z (Flamborough), Zoning By-law No. 464 (Glanbrook), Zoning By-law No. 6593 (Hamilton), Zoning By-law No. 3692-92 (Stoney Creek), Respecting Consolidated Lot Development

To Amend Zoning By-law No. 87-57 (Ancaster), as amended by By-law No. 02-319, Respecting Lands Located at 129 Cloverleaf Drive

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 500 Glover Road

Respecting Removal of Part Lot Control for Block 28, Registered Plan 62M-1007

To Amend Zoning By-law No. 6593, Respecting Lands Located at 75 and 79 Rymal Road West

To Amend by-law No. 01-215, To Regulate Traffic Schedule 29 – Weight Restriction on Bridges

To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 5 – Parking Meters
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
05-166 166 To Amend By-law No. 01-215, To Regulate Traffic Schedule 2 – Speed Limits

05-167 167 To Confirm the Proceedings of City Council

The City Council meeting adjourned at 11:14 p.m.

Respectfully submitted,

Larry Di Ianni
Mayor

Kevin Christenson, Clerk
June 15, 2005