CITY COUNCIL
M I N U T E S

Friday, December 16, 2011
2:50 p.m.
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor R. Bratina


Absent with Regrets: Councillor B. McHattie

Mayor Bratina called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised the following change:

ADDED NOTICE OF MOTION

Notice of Motion respecting Extension of Transcab Service to Canada Bread

(Whitehead/Morelli)
That the Agenda for the Special City Council meeting being held on December 16, 2011, be approved, as presented.

DECLARATIONS OF INTEREST

None declared.
CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None

APPROVAL OF MINUTES

None

MOTIONS

7.1 Employment Relations and Application of City Policies

(Clark/Whitehead)
That the Council waive its solicitor-client privilege to permit the City Solicitor to repeat in open session the legal advice regarding the consequences of Council altering the employment contract of the Mayor’s Chief of Staff. CARRIED

7.2 PFOS at John C. Munro/Hamilton International Airport (Item 5.2)

(Johnson/Clark)
(a) That the City of Hamilton agree to pay one-half of the estimated cost of the initial risk assessment and report for the purpose of PFOS related remediation, the City costs being estimated at $40,000, without prejudice to the rights of the City and Tradeport International Corporation (TradePort) to their remedies and rights under the airport lease;

(b) That pursuant to the Airport Lease Agreement, the City of Hamilton deems that TradePort International Corporation is responsible for the costs of study and remediation on airport property;

(c) That the City agree with TradePort, that the funding of the City’s portion of the expense in (a) be drawn the Airport Joint Marketing Reserve # 112217 established under the airport lease agreement with TradePort;

(d) That City of Hamilton staff report back, and request the attendance of representatives of TradePort and the Ministry of Environment at the General Issues Committee, upon receipt and review of the findings from this Phase 1 study in (a) and consider further analysis of downstream impacts of the PFOS issue;

(e) That staff notify appropriate officials at Transport Canada and Health Canada of the concern and the City’s interest in further information on the historic use of PFOS at the airport, and compensation or funding in respect of future costs of remediation or removal; and,
(f) That Council authorize the City Solicitor and legal representatives of TradePort to document the agreements for cost sharing and obtaining the initial report and analysis, use of the airport marketing reserve, in (a) and (c) above, by exchange of letters.  

CARRIED

7.3  Expansion of the Urban Transit Service Area (Added Notice of Motion)

(Johnson/Jackson)
That pending a report from staff on the expansion of the Urban Transit Area to include the Red Hill Business Park, that in the interim, staff be directed to extend TransCab services currently being provided to Canada Bread to include Country Wide Recycling.  

CARRIED

NOTICES OF MOTION

Councilllor B. Johnson introduced the following Notice of Motion:

PFOS at John C. Munro/Hamilton International Airport (Item 5.2)

(a) That the City of Hamilton agree to pay one-half of the estimated cost of the initial risk assessment and report for the purpose of PFOS related remediation, the City costs being estimated at $40,000, without prejudice to the rights of the City and TradePort International Corporation (TradePort) to their remedies and rights under the airport lease;

(b) That pursuant to the Airport Lease Agreement, the City of Hamilton deems that TradePort International Corporation is responsible for the costs of study and remediation on airport property;

(c) That the City agree with TradePort, that the funding of the City’s portion of the expense in (a) be drawn the Airport Joint Marketing Reserve # 112217 established under the airport lease agreement with TradePort;

(d) That City of Hamilton staff report back, and request the attendance of representatives of TradePort and the Ministry of Environment at the General Issues Committee, upon receipt and review of the findings from this Phase 1 study in (a) and consider further analysis of downstream impacts of the PFOS issue;
(e) That staff notify appropriate officials at Transport Canada and Health Canada of the concern and the City’s interest in further information on the historic use of PFOS at the airport, and compensation or funding in respect of future costs of remediation or removal; and,

(f) That Council authorize the City Solicitor and legal representatives of TradePort to document the agreements for cost sharing and obtaining the initial report and analysis, use of the airport marketing reserve, in (a) and (c) above, by exchange of letters.

(Johnson/Clark)
That the rules of order be waived to allow for the introduction of a motion respecting PFOS at John C. Munro/Hamilton International Airport. CARRIED

See Motion 7.2 for the disposition of this item.

Councillor B. Johnson introduced the following Notice of Motion:

Expansion of the Urban Transit Service Area (Added Notice of Motion)

That pending a report from staff on the expansion of the Urban Transit Area to include the Red Hill Business Park, that in the interim, staff be directed to extend TransCab services currently being provided to Canada Bread to include Country Wide Recycling. CARRIED

(Johnson/Whitehead)
That the rules of order be waived in order to allow for the introduction of a motion respecting Expansion of the Urban Transit Service Area. CARRIED

See Item 7.3 for the disposition of this item.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Partridge/Powers)
That Bills No. 320 attached hereto, be passed, that the Corporate Seal be affixed thereto, and that the By-law be numbered and signed by the Mayor and the City Clerk and read as follows:

By-law No. 11-320 To Confirm Proceedings of Council

(Pasuta/Partridge)

That, there being no further business, the City Council meeting adjourned at 3:10 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

M. Gallagher
Deputy Clerk
December 16, 2011