CITY COUNCIL
MINUTES
7:00 p.m.
Wednesday, January 27, 2010
Albion Rooms
Hamilton Convention Centre
One Summer’s Lane
Hamilton, Ontario

Present:
Mayor F. Eisenberger
Councillors B. Bratina, B. Clark, C. Collins, S. Duvall,
L. Ferguson, T. Jackson, M. McCarthy, B. McHattie,
S. Merulla, B. Morelli, D. Mitchell, R. Pasuta, M. Pearson, T.
Whitehead

Absent with Regrets:
Councillor R. Powers - Illness

Mayor Eisenberger called the meeting to order and called upon Reverend David
Anderson, of St. John the Evangelist Anglican Church in Hamilton, to lead Council in
prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

5.15 Correspondence from Todd Coldham, One Power, respecting a product that
targets construction, disaster relief and emergency response.

Recommendation: For the consideration of Council.

5.16 Correspondence from Ian Rowe, Twenty Place respecting the Impact of City
Policies on Condominium Corporations.

Recommendation: For the consideration of Council.
5.17 Correspondence from the Honourable Deputy Minister of Tourism and Culture, Drew Fagan respecting Request for Expressions of Interest to establish Regional Tourism Organizations

Recommendation: For the consideration of Council.

2. COMMITTEE REPORTS

6.4 Board of Health Report 10-001, January 25, 2010

(Clark/Pasuta)
That the Agenda for the Council meeting being held on January 27, 2010, be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Following the consideration of Item 1 of the Board of Health Report 10-001, Mayor Eisenberger declared an interest as his wife is a dental hygienist.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Commemoration to Honour Victims of the Holocaust

Mayor Eisenberger called upon Dr. Larry Levin, President, United Jewish Appeal Federation, to speak to the Commemoration of International Day of Holocaust Remembrance.

Dr. Levin spoke about the history of the Holocaust and encouraged survivors to tell their stories, to honour the memories of the men, woman and children, who were tragically lost during the Holocaust in order to ensure that these historic acts of inhumanity do not reoccur.

Gail Rappolt, United Nations Association of Canada, was invited to the podium to address Council. Ms. Rappolt noted that, in 2005, the United Nations General Assembly designated January 27th as the International Day of Commemoration in memory of the victims of the Holocaust. This was the day upon which the world would mark and remember the Holocaust and its victims ~ today being the 65th anniversary of the liberation of Auschwitz.

Ms. Rappolt stated that we must continue to teach our children the lessons of history’s darkest chapters in order to help them to do a better job of building a world of peaceful coexistence; that we must uphold the standards and laws that the United Nations has put in place to protect people, and to work toward freedom from genocide, war crimes and crimes against humanity.
The United Nations Group, in consultation with the HCPN and the Canadian Department of Peace Initiative, are now working toward having Hamilton become the third city in the world to adopt a Commission on the Culture of Peace.

Dr. Levin provided a brief history of Dr. Sol Messinger, a holocaust survivor, who in 1939 left Hamburg, Germany, boarded the S.S. St. Louis with 936 other Holocaust refugees and headed for Cuba. Dr. Levin then introduced Dr. Sol Messinger to speak on behalf of the Holocaust survivors.

Dr. Messinger shared experiences of his family’s voyage on the S.S. St. Louis, as they were trying to escape from the Holocaust; and, of when his father was arrested by the Gestapo and deported to Poland in the middle of the night. In the end, Dr. Messinger asked that everyone remember and learn from this harsh lesson in history, in order to not repeat it in the future.

Rabbi Daniel Green, of the Adas Israel Synagogue, provided closing comments.

APPROVAL OF MINUTES

(Pearson/Mitchell)
That the Minutes of the January 11, 2010 meeting of Council be approved, as presented.  CARRIED

(Pearson/Mitchell)
That the Minutes of the January 20, 2010 meeting of Council be approved, as presented.  CARRIED

COMMUNICATIONS

(Merulla/Morelli)
That Council Communications 5.1 to 5.17 be approved, as amended:

5.1 Letter of resignation by Jack McFarland from the Veterans’ Committee

Recommendation: Be received

5.2 Correspondence from the Honourable Minister of Community and Social Services, Madeleine Meilleur respecting emergency hostel services and Hostels to Homes pilot in Ontario

Recommendation: Be received

5.3 Correspondence from the Honourable Minister of Municipal Affairs and Housing Jim Watson advising that he is resigning from his Minister’s portfolio to run as Mayor for the City of Ottawa

Recommendation: Be received
5.4 Correspondence from Joanne Santucci, Executive Director of Food Share in appreciation for support received from the community and specifically the City of Hamilton

Recommendation: Be received

5.5 Correspondence from the Honourable Minister of Citizenship and Immigration, Michael Chan respecting grant in the amount of $20,000 to the City of Hamilton as part of the Municipal Immigration Information Online program

Recommendation: Be received

5.6 Correspondence from Chair Roger Garland, Toronto 2015 Pan/Parapan American Games respecting transition from bid group to host organization

Recommendation: Be received

5.7 Correspondence from City of Kingston respecting exemption of electricity sales from provincial portion of the single harmonized sales tax

Recommendation: (McCarthy/Whitehead) Be supported.

5.8 Correspondence from Howie Dayton, Chair, Ontario Task Group on Affordable Access to Recreation respecting endorsement of Policy Framework on Affordable Access to Recreation for Ontarians

Recommendation: (McCarthy/Jackson) Be supported.

5.9 Correspondence from G.P. Alex Thomson and David Doel, Lynwood Hall Child and Family Centre respecting Children’s Mental health Services

Recommendation: (Whitehead/Pearson) Be received and referred to the Board of Health.

5.10 Correspondence from the Township of Essa respecting independent review of the Conservation Authorities and how they collect and charge for permit fees, levy fees and the duplication of planning for residents, business and municipalities

Recommendation: (McCarthy/Morelli) Be received.
5.11 Correspondence from Mayor Dave Bronconnier, City of Calgary requesting endorsement of a motion respecting assistance for Haiti

Recommendation: *(Morelli/Eisenberger)* Be endorsed and that the City of Hamilton assess its areas of expertise and how it may best assist Haiti.

5.12 Correspondence from Karren Wallace, Township of Melanchton, respecting proposal by Highland Companies for a 2,400 acre, 200 foot open pit limestone mine

Recommendation: Be received.

5.13 Correspondence from Cindy I’Anson, Executive Director, Woodview Children’s Mental Health and Autism Services respecting under funding of Children’s Mental Health programmes

Recommendation: *(Whitehead/Pearson)* Be received and referred to the Board of Health.

5.14 Petition from citizens requesting a speed reduction on Weir Road North, Lynden from 70 km/hr to 60 km/hr

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

5.15 Correspondence from Todd Coldham, OnePower Inc., respecting a product that targets construction, disaster relief and emergency response.

*(Merulla/Mchattie)*

(a) That the correspondence from OnePower, respecting a product that targets construction, disaster relief and emergency response, be received.

(b) That the City of Hamilton initiate a dialogue with the Federal and Provincial governments respecting the proposed donation of a OnePower unit to the Haitian relief efforts.

(c) That OnePower Inc. be invited to attend a meeting of the Economic Development and Planning Committee to provide a presentation respecting the OnePower unit.

5.16 Correspondence from Ian Rowe, Twenty Place respecting the Impact of City Policies on Condominium Corporations.
Recommendation: That the delegation request submitted by Ian Rowe, of Twenty Place, to appear before the Committee of the Whole, respecting the impact of City policies on condominium corporations, be approved.

5.17 Correspondence from the Honourable Deputy Minister of Tourism and Culture, Drew Fagan respecting Request for Expressions of Interest to establish Regional Tourism Organizations

Recommendation: (Merulla/Morelli) Be received and referred to the Hamilton Tourism Board.

(Morelli/Pasuta)
That Council move into Committee of the Whole for consideration of the Standing Committee Reports.  CARRIED

PUBLIC WORKS COMMITTEE REPORT 10-001


(Clark/Collins)
That Item 6, Sub-section (a)(iv) of the Public Works Committee Report 10-001 be amended by deleting all of the words following “municipal tax base”, to read as follows:

(iv) Landfill levies are not imposed on municipal landfills used for residential waste where the municipality has integrated comprehensive waste diversion programs that are funded through the municipal tax base.

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

(Jackson/McCarthy)
That the FIRST Report of the Public Works Committee be adopted, as amended, and the information section received.

CARRIED

ECONOMIC DEVELOPMENT & PLANNING COMMITTEE REPORT 10-001

11. Applications for Approval of a Revised Draft Plan of Subdivision, “Binbrook Heights”, and Amendments to the Glenbrook Official Plan and Zoning By-law No. 464 for Lands Known as 2490 Regional Road No. 56 in the Former Township of Glenbrook (Binbrook) (PED10007) (Ward 11) (Item 6.3)
That Item 11 of Economic Development and Planning Committee Report 10-001, respecting the Application for Approval of a Revised Draft Plan of Subdivision, “Binbrook Heights”, and Amendments to the Glanbrook Official Plan and Zoning By-law be amended by deleting Condition 66 in Appendix “G” to Report PED10007 in its entirety, and replacing it with the following in lieu thereof:

66. That prior to the registration of the final plan of Subdivision, the owner shall establish an 8.0m easement over Block 74, in favour of the City of Hamilton and/or the lands known municipally as 2400 Regional Road No. 56, for the purposes of construction, vehicular and pedestrian access, and servicing, to the satisfaction of the Director of Development Engineering, and the Director of Planning.

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

That the FIRST Report of the Economic Development & Planning Committee be adopted, as amended, and the information section received.

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 10-001

10. Standardization of Emergency Response Vehicles - Emergency Medical Services (HES10003) (City Wide) (Item 8.2)

Yeas: Eisenberger, Bratina, Clark, Collins, Duvall, Jackson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Whitehead

Total: 14

Nays: Ferguson

Total: 1

Absent: Powers

Total: 1

(Pasuta/Merulla)
That the FIRST Report of the Emergency & Community Services Committee be adopted, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 10-001

(Eisenberger/Whitehead)
That the FIRST Report of the Board of Health be adopted, and the information section received.

CARRIED

(Morelli/Pasuta)
That the Committee of the Whole rise and report.

CARRIED
7.1 Investigating the Possibility of Selling the John C. Munro Hamilton International Airport

On a motion (Collins/McCarthy) the following motion was put on the floor:

Whereas the City of Hamilton owns the John C. Munro Hamilton International Airport; and,

Whereas the current contract with Tradeport contains a clause that allows the City to re-acquire the airport (in 2010) with conditions; and,

Whereas it is unlikely that the City will ever seek to operate the facility as a municipal operation; and,

Whereas the land holdings and other assets of the airport operation, wholly owned by the Corporation of the City of Hamilton have great value; and,

Whereas the City of Hamilton is seeking revenue sources to pay for a corporate wide capital infrastructure deficit;

Therefore be it resolved that City of Hamilton staff prepare a report that investigates the possibility of divesting itself of the John C. Munro Hamilton International Airport by 2012, with the goal and objective of reinvesting the resources from its sale into the City’s infrastructure.

(Collins/McCarthy)
That the Motion be deleted, in its entirety.  

(Collins/McCarthy)
(a) That City of Hamilton staff prepare a report respecting the investigation of the ramifications and options of divesting itself of the John C. Munro Hamilton International Airport by 2012;

(b) That the staff report include an investigation of the terms of the lease between the City of Hamilton and Tradeport International respecting the John C. Munro International Airport, to consider all possible options for revision prior to 2012;

(c) That Council strongly endorse pursuing a portion of the Airport Improvement Fees, to be used for future land acquisitions at the airport.

The above motion CARRIED as follows:

Sub-section (a):
Yeas: Bratina, Clark, Collins, Duvall, Jackson, McCarthy, McHattie, Merulla, Morelli
Total: 9
Nays: Eisenberger, Ferguson, Pasuta, Mitchell, Pearson, Whitehead
Total: 6
Absent: Powers
Total: 1

Sub-sections (b) and (c) CARRIED unanimously.

7.2 Release of Funding to Opera Hamilton

(Jackson/Bratina)
That the Rules of Order be waived to allow the introduction of a motion respecting Funding for Opera Hamilton.

CARRIED

(Jackson/Bratina)
That the 2010 request for funding, submitted by Opera Hamilton, in the amount of $126,928, be approved and advanced in January 2010.

CARRIED

Yeas: Eisenberger, Bratina, Clark, Collins, Ferguson, Jackson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Whitehead
Total: 14
Nays: Duvall
Total: 1
Absent: Powers
Total: 1

NOTICES OF MOTION

Councillor B. Morelli introduced the following Notice of Motion:

8.1 Motion to Amend Item 3 of Committee of the Whole Report 09-034 respecting 2010 Water and Wastewater User Fees and Charges

(a) That subsection (e) of Item 3 of Committee of the Whole Report 09-034 respecting 2010 Water and Wastewater User Fees and Charges approved by Council on December 9, 2009 be amended as follows:

(i) by deleting the 2010 Fee of $506.00 for Partial Sewer Lateral Cleaning – Regular Hours and replacing it with the 2010 Fee of $418.00

(ii) by deleting the 2010 Fee of $418.00 for Partial Sewer Lateral Cleaning – After Hours and replacing it with the 2010 Fee of $506.00
(b) That an amendment to Schedule “A” to By-law No. 09-264 and Amendment to Schedule “B” to By-law No. 09-262 be passed to reflect the revisions.

8.2 Emergency Funding for the 91st Highlanders Athletic Association - Indoor Games

(Bratina/Pearson)
That the rules of order be waived to allow the introduction of a motion respecting Emergency Funding for the 91st Highlanders Athletic Association Indoor Games.

(Bratina/Pearson)
(a) That a special one-time grant in the amount of $30,000 be provided to the 91st Highlanders Athletic Association to assist with funding of rent and event costs at Copps Coliseum for the 84th Annual Hamilton Indoor Games scheduled on Thursday, February 19, 2010 and Friday, February 20, 2010;

(b) That the $30,000 be funded firstly from any 2010 Operating Budget surplus and secondly from the Tax Stabilization Reserve.

CARRIED

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Merulla/Morelli)
That Bill Nos. 10-006 to 10-017 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 numbered as 10-006 to 10-017 as follows:

By-law No.

10-006 To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 5 – Parking Meters

10-007 To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 1 – Arterial Routes
Schedule 2 – Through Highways
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – No Wheelchair Loading Zones
Schedule 15 – Commercial Vehicle Loading Zones
Schedule 20 – School Bus Loading Zones
Schedule 21 – Snow Routes

10-008 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs
10-009 Respecting Removal of Part Lot Control, Block 186, Registered Plan No. 62M-987, “Fifty Road Joint Venture, Phase 2”
10-010 Respecting Removal of Part Lot Control, Block 4, Registered Plan No. 62M-1081, Flamborough Power Centre – Phase 1
10-012 To Amend By-law No. 03-301, Governing the Proceedings of Council and Committees of Council
10-013 To Amend By-law No. 2000-118, The Town of Ancaster Tree Protection By-law; By-law No. 4513-99, the Town of Dundas Tree Protection By-law; By-law No. 4401-96, the City of Stoney Creek Tree By-law; By-law No. R00-054, the Regional Municipality of Hamilton-Wentworth Woodland Conservation By-law
10-014 To Appoint Municipal Law Enforcement Officers for the City of Hamilton and to Repeal By-law No. 07-243
10-015 To Adopt Official Plan Amendment No. 155 to the former City of Stoney Creek Official Plan, Respecting Lands Located on the west side of Upper Centennial Parkway, south of Highgate Drive, and known as Part of Lot 25, Concession 8, Stoney Creek
10-016 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Lands Located on the west side of Upper Centennial Parkway, south of Highgate Drive and known as Part of Lot 25, Concession 8, Stoney Creek
10-017 To Confirm the Proceedings of City Council

(Pearson/Whitehead)
There being no further business, the City Council meeting adjourned at 11:08 p.m.

CARRIED

Respectfully submitted,

Fred Eisenberger
Mayor

Kevin Christenson
City Clerk