Present: Mayor F. Eisenberger

Absent with Regrets: Councillor S. Duvall – Illness
Councillor T. Jackson – Vacation

Mayor Eisenberger called the meeting to order and called upon Reverend Scott Jacobsen of Mountainview Christian Church to lead Council in prayer.

ANNOUNCEMENT

Mayor Eisenberger announced the recent passing of Doris Christenson, mother of Kevin Christenson, City Clerk. On behalf of City Council, Mayor Eisenberger extended sympathy and condolences to his family during this most difficult time.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:
1. **ADDED CEREMONIAL ACTIVITY**

Presentation by the Rotary Club of Hamilton Sunset respecting their Annual Fishing Derby

2. **ADDED COMMUNICATIONS**

5.9 Correspondence from Peter Quaglia, Hamilton International Village respecting Pedestrianization of Downtown Hamilton

   Recommendation: That the correspondence be referred to the General Manager of Public Works for inclusion in the review of the Downtown Transportation Master Plan

5.10 Correspondence from Peter Quaglia, Hamilton International Village respecting Rapid Transit Feasibility Study

   Recommendation: That the correspondence be referred to the General Manager of Public Works for inclusion in the review of the Rapid Transit Feasibility Study

5.11 Correspondence from Ben DesRoches respecting sewer charges from Horizon Utilities

   Recommendation: Be received

5.12 Correspondence from Barbara Konyi, Manager, Greater Golden Horseshoe Greenbelt Section, Ministry of Municipal Affairs in reply to the city’s motion on the proposed draft criteria

   Recommendation: Be received

5.13 Correspondence from Bob and Martha Dunham respecting Sewer Charges by Horizon Utilities

   Recommendation: Be received

5.14 Correspondence from Tyler MacLeod, Hamilton Chamber of Commerce respecting Accountability and Transparency By-law

   Recommendation: Be received

*Whitehead/Pearson*

That the Agenda for the City Council meeting being held on June 11, 2008, be approved, as amended.  

*CARRIED*
DECLARATIONS OF INTEREST

Motion 7.3 Request for Temporary Road Closure for Y108 Street Party – Saturday, June 21, 2008 from 12:00 noon to 4:00 p.m.

Councillor B. Bratina declared a conflict as he is employed by the radio station that is sponsoring this event.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 FCM – Smart Commute Initiative Award

Mayor Eisenberger called on Lisa Zinkewich, Senior Project Manager, Capital Planning and Implementation, Public Works Department, to accept the FCM-CH2M Hill Sustainable Community Award for Transportation which was awarded to the City of Hamilton at the Federation of Canadian Municipalities Annual General Meeting in Quebec City. As an active participant in the Smart Commute Initiative, Hamilton’s Public Works Department has worked with local employers and commuters over the last three years to encourage more people to walk, cycle, take transit, telework and carpool – and the results have demonstrated some amazing successes, including the opening of the City’s first secure bicycle parking facility just last week. Not only has the initiative reduced traffic congestion, it has also contributed towards reversing the adverse effects of vehicle emissions on climate change, which will ultimately improve the health and well-being of our community.

3.2 Presentation by the Rotary Club of Hamilton Sunset respecting their Annual Fishing Derby

Earl Inglis of the Rotary Club of Hamilton Sunset presented a Certificate of Appreciation to Mayor Eisenberger for the City's continued support of their Annual Fishing Derby which has been held at Inch Park for over 18 years. The Fishing Derby provides an opportunity for intellectually challenged adults and children to catch trout at the pool.

APPROVAL OF MINUTES

(Whitehead/Morelli)
That the Minutes of the May 28, 2008, meeting of Council be approved, as presented. CARRIED

COMMUNICATIONS

(Collins/Clark)
That Council Communications 5.1 to 5.14, as amended, be approved, as follows:
5.1 Correspondence from B. Funes on behalf of Prime Minister Stephen Harper respecting CBC radio station

Recommendation: Be received

5.2 Correspondence from John Tory, Leader of the Ontario PC Party respecting Bill 35

Recommendation: Be referred to the Audit and Administration Committee for discussion.

5.3 Correspondence from the Honourable George Smitherman, Deputy Premier, Minister of Health and Long Term Care respecting one-time funding increase of $375,000 to negotiate agreements for dedicated nurses to receive ambulance patients at hospital ER(s) for the fiscal year 2008-09

Recommendation: Be received

5.4 Correspondence from the City of Kingston respecting The Great Waterfront Trail Adventure

Recommendation: Be received

5.5 Correspondence from Tim Bullock, Chairman, Hamilton Downtown BIA respecting Public Information Centre held on May 29, 2008

Recommendation: That the comments be referred to the General Manager of Public Works for review

5.6 Correspondence from Tim Bullock, Chairman, Hamilton Downtown BIA respecting Fore Park Pedestrian Plaza and Rapid Transit Proposals for Hamilton

Recommendation: That the correspondence be referred to the General Manager of Public Works for inclusion in the review of the Downtown Transportation Master Plan

5.7 Correspondence from Peter George, McMaster University respecting Confucius Institute Project

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for review and report back to the Economic Development and Planning Committee
5.8 Correspondence from Keith Pelley and Sheryn Posen, Canada’s Sports Hall of Fame respecting proposal to develop a new public exhibition and public programming facility for Canada’s Sports Hall of Fame

Recommendation: Be referred to the General Manager of Economic Development and Planning and the Executive Director of Tourism Hamilton for a report back to the Committee of the Whole.

5.9 Correspondence from Peter Quaglia, Hamilton International Village respecting Pedestrianization of Downtown Hamilton

Recommendation: That the correspondence be referred to the General Manager of Public Works for inclusion in the review of the Downtown Transportation Master Plan

5.10 Correspondence from Peter Quaglia, Hamilton International Village respecting Rapid Transit Feasibility Study

Recommendation: That the correspondence be referred to the General Manager of Public Works for inclusion in the review of the Rapid Transit Feasibility Study

5.11 Correspondence from Ben DesRoches respecting sewer charges from Horizon Utilities

Recommendation: Be referred to the Office of the Mayor for response

5.12 Correspondence from Barbara Konyi, Manager, Greater Golden Horseshoe Greenbelt Section, Ministry of Municipal Affairs in reply to the city’s motion on the proposed draft criteria

Recommendation: Be received

5.13 Correspondence from Bob and Martha Dunham respecting Sewer Charges by Horizon Utilities

Recommendation: Be received

5.14 Correspondence from Tyler MacLeod, Hamilton Chamber of Commerce respecting Accountability and Transparency By-law

Recommendation: Be referred to the Accountability and Transparency Sub-Committee for their deliberations during code of Conduct discussions.

(CARRIED as amended)

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

CARRIED
PUBLIC WORKS COMMITTEE REPORT 08-010

(Powers/Pearson)
That the TENTH Report of the Public Works Committee be adopted, and the information section received.  CARRIED

AUDIT & ADMINISTRATION COMMITTEE 08-008

Item 7  Review of Water/Wastewater Utility Back-Bill Adjustments (FCS08056) (City Wide)

(Mitchell/Ferguson)
That Report FCS08056 respecting “Review of Water/Wastewater Utility Back-Bill Adjustments” be referred back to the Committee for one month pending completion of the audit.

The referral motion LOST.

The main motion CARRIED on the following recorded vote:

Yeas: Eisenberger, Bratina, Clark, Collins, McHattie, Merulla, Morelli, Pearson, Powers, Whitehead
Total Yeas: 10
Nays: Ferguson, McCarthy, Pasuta, Mitchell
Total Nays: 4
Absent: Duvall, Jackson
Total Absent: 2

(Bratina/Clark)
That the EIGHTH Report of the Audit & Administration Committee be adopted and the information section received.  CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE 08-009

(Merulla/Morelli)
That the NINTH Report of the Emergency & Community Services Committee be adopted, and the information section received.  CARRIED
Item 12  Applications for Approval of a Draft Plan of Subdivision, and Amendments to the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 625 Garner Road East (Ancaster) (PED08123) (Ward 12)

Recommendation (a)(ii)(6) CARRIED on the following recorded vote:

Yeas: Eisenberger, Bratina, Clark, Collins, Ferguson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers
Total Yeas: 13
Nays: Whitehead
Total Nays: 1
Absent: Duvall, Jackson
Total Absent: 2

(Ferguson/McCarthy)
That the TENTH Report of the Economic Development and Planning Committee be adopted, as amended, and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 08-020

Item 9  Accountability and Transparency Sub-Committee Report 08-003 – By-law respecting the Integrity Commissioner

Clauses 12 and 32 of the By-law CARRIED on the following recorded vote:

Yeas: Eisenberger, Bratina, Collins, Ferguson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 13
Nays: Clark
Total Nays: 1
Absent: Duvall, Jackson
Total Absent: 2

Item 10  Capital Priority Session – Projects Approval

The motion CARRIED on the following recorded vote:

Yeas: Eisenberger, Bratina, Clark, Collins, Ferguson, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 13
Nays: McCarthy
Total Nays: 1
Absent: Duvall, Jackson
Total Absent: 2
(Collins/Clark)  
That the TWENTIETH Report of Committee of the Whole be approved and the information section received.  
CARRIED

COMMITTEE OF THE WHOLE REPORT 08-021

(Collins/Clark)  
That the TWENTY-FIRST Report of the Committee of the Whole be approved, and the information section received.  
CARRIED

(Collins/Clark)  
That the Committee of the Whole rise and report.  
CARRIED

MOTIONS

7.1 City of Hamilton/Ministry of Transportation Governance Agreement for the Joint Procurement of Conventional Transit (HWR) Buses (PW08040)  

(Powers/Pearson)  
That Item 4 of Public Works Committee Report 08-007, approved by Council on April 23, 2008, respecting City of Hamilton/Ministry of Transportation Governance Agreement for the Joint Procurement of Conventional Transit (HSR) Buses, be amended by adding the following as sub-section (c):

“(c) That in accordance with the requirements of Article II, Item 2 of the Governance Agreement, the Director of Transit be appointed to the Steering Committee, with the Manager of Transit Fleet Maintenance as the alternate.”  
CARRIED

(McHattie/Merulla)  
That the Rules of Order be waived to allow for the introduction of a motion respecting Appointment to the Canadian Urban Transit Association (CUTA).  
CARRIED

7.2 Appointment to the Canadian Urban Transit Association (CUTA)  

(McHattie/Merulla)  
(a) That Councillor Brian McHattie be replaced by Councillor Russ Powers as the City of Hamilton’s elected representative on the Canadian Urban Transit Association (CUTA) Board of Directors Executive Committee;

(b) That CUTA be advised accordingly.  
CARRIED
That the Rules of Order be waived to allow for the introduction of a motion respecting
Request for Temporary Road Closure for Y108 Street Party.  

7.3 Request for Temporary Road Closure for Y108 Street Party – Saturday, 
June 21, 2008 from 12:00 noon to 4:00 p.m.

(Merulla/Morelli)  
That the application to close Glassco Avenue North between Roxborough 
Avenue and Britannia Avenue to hold a street event on Saturday June 21, 2008 
from 12:00 noon to 4:00 p.m. be approved subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate is received, 
and that such permits or authorizations that may be required by the Chief 
of Police or his designate are obtained;

(b) That the applicant provide proof of $5,000,000 public liability insurance 
naming the City of Hamilton as an added insured party with a provision for 
cross liability, and holding the City of Hamilton harmless from all actions, 
causes of action, interests, claims, demands, costs, damages, expenses 
and loss. The certificate for all events must be provided to the City of 
Hamilton prior to the first event;

(c) That all barricading, detour signing and traffic control be subject to the 
direction and satisfaction of the General Manager of Public Works, or his 
designate with all costs to be the responsibility of the applicant;

(d) That warning boards be installed in advance by the Public Works 
Department, on the affected roadways at the cost of the applicant;

(e) That the applicant ensure that clean-up operations be carried out 
immediately before the re-opening of the roads, to the satisfaction of the 
General Manager of Public Works at the expense of the event organizer;

(f) That no property owner or resident within the barricaded area be denied 
access to their property upon request;

(i) That all property owners and tenants along the closed portion of the road 
be notified of the event by the applicant prior to the event in a form 
acceptable to the General Manager of Public Works;

(j) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised 
that the City of Hamilton is aware of the application by Y108, to permit 
alcohol on the road allowance of Glassco Avenue North on Saturday June 
21, 2008 from 12:00 noon to 4:00 p.m.;
(k) That the applicants be granted an amendment to the City of Hamilton’s Noise By-law No. 79-292 to allow music to be played between the hours of 12:00 p.m. to 4:00 p.m., and that a Licensing & Standards Officer monitor the event and be in attendance if necessary, at the expense of the applicant;

(l) That the applicant pay the required full road closure permit fee of $531.33 per event made payable to “The City of Hamilton” prior to road closure.

CARRIED

NOTICES OF MOTION

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Minutes of the Closed Session Meeting of May 28, 2008

(Pearson/Whitehead)

(a) That the Minutes of the Closed Session of the City Council held on May 28, 2008, be received;

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

CARRIED

BY-LAWS

(Collins/Clark)

That Bill Nos. 08-142 to 08-155 attached hereto 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 08-142 to 08-155 as follows:

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-142</td>
<td>142</td>
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</tbody>
</table>

To Amend By-law No. 08-215, To Regulate Traffic: Schedule 5 – Stop Signs

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-143</td>
<td>143</td>
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</tbody>
</table>

To Adopt Official Plan Amendment No. 65 to the former Township of Glanbrook Official Plan Respecting Part of Block 133, Plan 62M-1062, Magnificent Way
<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-144</td>
<td>144</td>
<td>To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at Magnificent Way, Parts 1 and 2 on Reference Plan 62R-17951</td>
</tr>
<tr>
<td>08-145</td>
<td>145</td>
<td>To Appoint Weed Inspectors for the City of Hamilton</td>
</tr>
<tr>
<td>08-146</td>
<td>146</td>
<td>To Adopt Official Plan Amendment No. 122 to the former Town of Ancaster Official Plan, Respecting 625 Garner Road East</td>
</tr>
<tr>
<td>08-147</td>
<td>147</td>
<td>To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 625 Garner Road East</td>
</tr>
<tr>
<td>08-148</td>
<td>148</td>
<td>To Amend Zoning By-law No. 05-200, Respecting Lands Located at 625 Garner Road East</td>
</tr>
<tr>
<td>08-149</td>
<td>149</td>
<td>To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands known as 611 Tradewind Drive in the former Town of Ancaster</td>
</tr>
<tr>
<td>08-150</td>
<td>150</td>
<td>To Amend Zoning By-law 6593 (Hamilton), Respecting Lands Located at 1123, 1131, and 1135 Stone Church Road East</td>
</tr>
<tr>
<td>08-151</td>
<td>151</td>
<td>To Designate Land Located at 2600 Highway 56 (Glanbrook), City of Hamilton, As Property of Cultural Heritage Value</td>
</tr>
<tr>
<td>08-152</td>
<td>152</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 1301-1315 Upper Wellington Street, Hamilton</td>
</tr>
<tr>
<td>08-154</td>
<td>154</td>
<td>To Establish The Office of Integrity Commissioner</td>
</tr>
<tr>
<td>08-155</td>
<td>155</td>
<td>To Confirm the Proceedings of City Council</td>
</tr>
</tbody>
</table>
(Power/Pearson)
There being no further business, the City Council meeting adjourned at 8:05 p.m.

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

Kevin Christenson
Clerk
June 11, 2008