Present: Mayor F. Eisenberger

Also Present: C. Murray, Acting City Manager
T. Tollis, Acting General Manager, Finance and Corporate Services
G. Davis, Acting General Manager, Public Works
J. Kay, General Manager/Chief, Hamilton Emergency Services
J.A. Priel, General Manager, Community Services
T. McCabe, General Manager, Planning and Economic Development
Dr. E. Richardson, MOH
P. Barkwell, City Solicitor
M. Gallagher, Co-ordinator, Council and Committee of the Whole/Budgets

THE FOLLOWING WAS REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. Facility Naming Sub-Committee Minutes of August 6, 2008 – FOR INFORMATION ONLY (Item 4.1)

That the Minutes of the Facility Naming Sub-Committee of August 6, 2008 be received.
2. Non-Union Compensation Sub-Committee Minutes of November 25, 2008 (Item 4.2)

That the Minutes of the Non-Union Compensation Sub-Committee meeting of November 25, 2008 be received.

3. Westdale Village Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2009 (PED09023) (Ward 1) (Item 4.3)

   a) That the 2009 Operating Budget for the Westdale Village B.I.A. (attached as Appendix ‘A’ to Report PED09023) be approved in the amount of $120,000.00;

   b) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2009 budget as referenced in sub-section (a) above;

   c) That the following schedule of payments for 2009 be approved:

      January       $60,000.00
      July          $60,000.00

      Assessment appeals may be deducted from the levy payments.

4. Barton Village Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2009 (PED09016) (Wards 2 & 3) (Item 4.4)

   a) That the 2009 operating budget for the Barton Village B.I.A. (attached as Appendix ‘A’ to Report PED09016) be approved in the amount of $43,895.00;

   b) That the levy portion of the operating budget for the Barton Village B.I.A. in the amount of $42,391.00 be approved;

   c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2009 budget as referenced in sub-section (b) above;

   d) That the following schedule of payments for 2009 be approved:

      January       $10,597.75
April $10,597.75
July $10,597.75
October $10,597.75

Note: Assessment appeals may be deducted from the levy payments.

5. Downtown Hamilton Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2009 (PED09015) (Ward 2) (Item 4.5)

a) That the 2009 operating budget for the Downtown Hamilton B.I.A. (attached as Appendix ‘A’ to Report PED09015) be approved in the amount of $280,700.00;

b) That the levy portion of the operating budget for the Downtown Hamilton B.I.A. in the amount of $238,000.00 be approved;

c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2009 budget as referenced in sub-section (b) above;

d) That the following schedule of payments for 2009 be approved:

January $59,500.00
April $59,500.00
July $59,500.00
October $59,500.00

Assessment appeals may be deducted from the levy payments.

6. Concession Street Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2009 (PED09024) (Wards 6 & 7) (Item 4.6)

a) That the 2009 Operating Budget for the Concession Street B.I.A. (attached as Appendix ‘A’ to Report PED09024) be approved in the amount of $78,600.00.

b) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2009 Budget as referenced in sub-section (a) above.

c) That the following schedule of payments for 2009 be approved:
Committee of the Whole

January $19,650.00
April $19,650.00
July $19,650.00
October $19,650.00

Assessment appeals may be deducted from the levy payments.

7. Ottawa Street Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2009 (PED09025) (Wards 3 & 4) (Item 4.7)

a) That the 2009 operating budget for the Ottawa Street B.I.A. (attached as Appendix ‘A’ to Report PED09025) be approved in the amount of $132,322.00;

b) That the levy portion of the operating budget for the Ottawa Street B.I.A. in the amount of $126,322.00 be approved;

c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2009 budget as referenced in sub-section (a) above;

d) That the following schedule of payments for 2009 be approved:

January $63,161.00
June $63,161.00

Assessment appeals may be deducted from the levy payments.

8. Appointment of Treasurer for the City of Hamilton (FCS09015) (City Wide) (Item 4.8)

That the by-law attached as Appendix “A” to report FCS09015 appointing Antonio D. Tollis as the Treasurer of the City of Hamilton as required by section 286 of the Municipal Act, be approved.

9. Hamilton Agricultural Profile 2008 – An Update to the City of Hamilton Agricultural Economic Impact and Development Study – 2003 (PED09021) (City Wide) (Item 6.1)

(a) That the Hamilton Agricultural Profile 2008 contained in Appendix A to Report PED09021 be received.

(b) That the Hamilton Agricultural Profile 2008 be sent to the Ontario Minister of Agriculture, Food and Rural Affairs together with a letter
from the Mayor expressing appreciation for the Ministry’s financial support and staff resources that support Hamilton’s agriculture industry.

(c) That the Hamilton Agricultural Profile 2008 report be sent to the following local and Provincial General Farm Organizations – Hamilton Wentworth Federation of Agriculture, Ontario Federation of Agriculture, Brant-Wentworth Christian Farmers Federation, Christian Farmers Federation of Ontario.

(d) That staff be directed to continue to implement the Agricultural Action Plan recommended Tasks contained in Appendix C to Report PED09021 as part of 2009/2010 work plans.

10. West Harbour Waterfront Recreation Master Plan (PW09004) (City Wide) (Item 6.2)

(a) That the General Manager of Public Works be authorized and directed to revise the Waterfront Recreation Master Plan, based on the Hamilton Waterfront Trust Plan attached as Appendix “B” to report PW09004, incorporating stakeholder comments and that the revised preferred plan include the following principals:

i. That the long term vision for the West Harbour include various Waterfront Recreation Institutions within their separate, existing facilities;

ii. Utilize floating breakwaters within the main basin as flood mitigation;

iii. Maintain as much of the existing shoreline configuration as possible;

iv. Incorporate the use of wall structures or other measures as flood protection of buildings, rather than filling to raise building elevations providing it is cost effective;

v. Greater reuse of existing buildings, where feasible and cost effective;

vi. Increased use of structured parking to reduce the amount of surface parking required within the West Harbour Area;

vii. Apply up to the maximum amounts and types of commercial space outlined in Malone Given Parsons West Harbour Waterfront Commercial Opportunity Study Report, dated July 2008;

viii. Staging to reduce the impacts on leaseholders and in recognition of lease terms;

ix. Investigate options for relocation of the majority of summer and winter storage offsite to maximize waterfront potential.

(b) That the General Manager of Public Works complete the consultation process and report back to committee;
(c) That Pier 7 be included as denoted in schedule A within the boundaries of the West Harbour Recreation Master Plan and that staff work with all stakeholders to determine the appropriate amount of square footage for that space.

(d) That Hamilton Waterfront Trust and staff work with all stakeholders to continue to work on the final design plans which will be presented to committee at a later date.

(e) That staff be directed to initiate a lease renewal process for all Waterfront Stakeholders and report back to Committee and Council before years end 2009.

(f) That the item related to Recommendations from the Waterfront Revitalization Task Force re: West Harbour Waterfront Recreation Master Plan be removed from the Public Works Committee Outstanding Business List.

11. Report of the Accountability and Transparency Committee respecting Code of Conduct for Members of Council (Item 6.3)

(a) That the Code of Conduct be referred back to the Accountability and Transparency Committee for further discussion including addressing Section 4 – 4.3(b) and 4.6(1) of the Gifts and Benefits section and the exemption of not for profit organizations.

(b) That Members of Council be requested to provide any other concerns on the Code of Conduct to the Sub-Committee for discussion.

12. International Event Opportunities – 2015 Pan Am Games Bid Update (City Wide) (PED08091(b)) (Item 6.4)

(a) That the following sport venues, in the following order of priority, be approved as Hamilton’s formal requested venues to be submitted to the Ontario 2015 Pan Am Games Bid Corporation (BIDCO):

(i) Stadium  
(ii) 50 metre (10 lanes) aquatics pool  
(iii) Copps Coliseum  
(iv) Permanent Velodrome

(b) That the short list of potential stadium precincts, in no particular order of priority, be endorsed as follows:

(i) Precinct 1: West Harbourfront  
(ii) Precinct 2: Downtown Hamilton
(iii) Precinct 3: Airport lands

(c) That Council support staff continue to investigate the details of the three (3) potential stadium precincts listed in recommendation (b) and report back to Committee of the Whole in February 2009 on the feasibility and vision of each location using a triple bottom line analysis.

13. Non Union Compensation Sub-Committee Report 08-001, December 15, 2008 (Item 8.1)

(a) Non Union Management & Professional Exempt Group Benefits Post Age 65 (HUR08021) (City Wide) (Item 5.1)

(i) That Council approve the replacement of the $10,000 Death Benefit currently provided to non-union employees working beyond the age 65 with the same level of Basic and Optional Life Insurance benefits available to non-union employees who are under the age 65, and that this insurance coverage be available until the maximum age of 70;

(ii) That Council approve Accidental Death and Dismemberment (AD&D) coverage level currently provided to eligible non-union employees under the age of 65 be offered to those working beyond age 65, and that this Accidental Death and Dismemberment coverage be available until the maximum age of 70;

(iii) That this policy be reviewed in early 2011.

(b) Non Union High School Cooperative Students (HUR08022) (City Wide)

That the revised Student Rate Policy, specifically for High School Cooperative Students, attached as Appendix “A”, be approved as amended to reflect the following:

Last sentence of Appendix A, amended from $12.00/day to “$12.00/day or an equivalent”
14. **Facility Naming Sub-Committee Report 08-003, December 11, 2008 (Item 8.2)**

(a) **Naming of Ancaster Community Centre Park to “Robert E. Wade Park” (PW08147) (Ward 12) (Item 6.1)**

(i) That the request to name the park site commonly known as the Ancaster Community Centre Park, located at 385 Jerseyville Road, the “Robert E. Wade Park” be approved as it has been confirmed the request meets the criteria within the Municipal Property and Building Naming Policy.

(ii) That Item B respecting the Proposed Naming of the Ancaster Community Centre – The Wade Centre be deemed complete and be removed from the Facility Naming Sub-Committee Outstanding Business List.

(b) **Naming of Grays Road Parkette to the “Ernie Seager Parkette” (PW07059a) (Ward 5) (Item 6.2)**

(i) That the site informally referred to as Grays Road Parkette, located at the end of Grays at Lakegate Drive, be named “Ernie Seager Parkette”.

(ii) That Item D respecting the Feasibility of Naming an Existing Park after the Late Mr. Ernie Seager be deemed complete and be removed from the Facility Naming Sub-Committee Outstanding Business List.

(c) **Naming of a Ball Diamond at Eastmount Park to the “Phyllis Smith-Trafford Diamond” (PW08142) (Ward 7) (Item 6.3)**

(i) That the request to name a park asset (ball diamond) at Eastmount Park the “Phyllis Smith-Trafford Diamond” be approved, as it meets the Municipal Property and Building Naming Policy.

(ii) That Item G respecting the Feasibility of naming the baseball diamond at Eastmount Park after Mrs. Phyllis Smith-Trafford be deemed complete and be removed from the Facility Naming Sub-Committee Outstanding Business List.
(d) Ancaster Landfill Site – Proposed Renaming to the Edward Y. Morwick Community Park (Outstanding Business List, Item A)

That item A respecting the Ancaster Landfill Site – Proposed Renaming to the Edward Y. Morwick Community Park be removed from the Facility Naming Sub-Committee Outstanding Business List, as the renaming is not proceeding at this time.

(e) Proposed Amendment to the City of Hamilton Municipal Property and Building Name Policy (Outstanding Business List, Item C)

(i) That no action be taken with respect to the proposed amendment to the required radius in Section 6 (“Public Support Petition”) of the City Of Hamilton Municipal Property and Building Name Policy;

(ii) That the City Of Hamilton Municipal Property and Building Name Policy continue to allow for the naming of facilities both after people who are living and posthumously;

(iii) That the item respecting the Proposed Amendment to the City of Hamilton Municipal Property and Building Name Policy be deemed complete and be removed from the Facility Naming Sub-Committee’s Outstanding Business List.

15. Improved Inspection Procedures for Vacant and Derelict Buildings and Other Properties that are Potentially Unsafe (PED09031) (City Wide) (Item 8.3)

(a) That the Building Services and the Parking and By-law Services Divisions of the Planning and Economic Development Department adopt a proactive approach to Property Standards enforcement of vacant/derelict buildings as set out in Appendix “A” attached to Report PED09031.

(b) That Parking and By-Law Services continue to monitor workloads associated with this initiative and report back to Committee if this presents any significant impact on work plans or staffing.

(c) That the item related to “improved inspection procedures related to vacant buildings and other properties that are potentially unsafe” be identified as completed and removed from the Committee of the Whole’s Outstanding Business List.
16. Accessing the Strategic Initiatives Fund

(a) That staff be authorized to access the Strategic Initiatives Fund for up to $270,000 for the purpose of preparing urban design guidelines for the Barton-Tiffany Block;

(b) That staff be authorized to access the Strategic Initiatives Fund for up to $100,000 for the purpose of due diligence investigations concerning a potential property acquisition.

FOR THE INFORMATION OF COUNCIL:

(a) ANNOUNCEMENTS

Deputy Mayors for the Month of January 2009


(b) CHANGES TO THE AGENDA

The clerk noted the following changes to the agenda:

Added Delegation Requests to address Item 6.2 on today’s Agenda by:

5.2 John Dolbec, Hamilton Chamber of Commerce

5.3 Chris Firth-Eagland of the Hamilton Waterfront Trust

5.4 Stephan Park, North End Neighbours Association

Added Report to be considered as Item 4.8 - Appointment of Treasurer for the City of Hamilton

Added Private and Confidential Matter requiring directions for the city’s legal counsel on an upcoming OMB Hearing

The agenda was adopted as amended.

(c) DECLARATIONS OF INTEREST

None
(d) ADOPTION OF MINUTES

3.1 December 8, 2008

The Minutes of December 8, 2008 were adopted as presented.

(e) DELEGATION REQUESTS

The following delegation requests were approved.

5.1 Request to address Committee by Martin Lipp, Waterfront Stakeholders Group respecting Item 6.2 – West Harbour Waterfront Recreation Master Plan

5.2 Request to address Committee by Tyler MacLeod or John Dolbec, Hamilton Chamber

5.3 Request to address Committee by Chris Firth-Eagland, Waterfront Trust

5.4 Stephan Park, North End Neighbours Association

(f) PRESENTATIONS

(i) Hamilton Agricultural Profile 2008 – An Update to the City of Hamilton Agricultural Economic Impact and Development Study – 2003 (PED09021) (City Wide) (Item 6.1)

Sue Coverdale introduced members of the Agricultural Sub-Committee.

A Power point presentation by Margaret Walton of Planscape was made highlighting the following:
- Gross Farm Receipts
- Ranked Provincially
- Top Ten Ranking by Total Gross Farm Receipts for City by Former Municipalities
- Vision for Agriculture
- Action Plan Deliverables

A video presentation titled “Before Sliced Bread” was also presented.
(ii) West Harbour Waterfront Recreation Master Plan (PW09004) (City Wide) (Item 6.2)

Justin Readman provided an overview of the report. A power point presentation highlighted the following:

- Process (Planning and Environmental Assessment)
- Setting Sail
- Principles
- Stakeholder Input
- Next Steps

The following delegations were entertained:

1. Martin Lipp, Waterfront Stakeholders Group

Mr. Lipp provided a power point presentation which highlighted the following:
- Review of Who the Stakeholders are
- Position of the Stakeholders Group:
  - absolutely need a plan to eliminate uncertainty, stop missed opportunities, stop degradation of facilities
  - Input/true consultation/not been heard
  - Can contribute to a positive resolution
- Fully support the written submissions from the Chamber
- Addressed items i. through ix. on page 1 of the Planning Report
- Recommend completion of the Waterfront Trust Plan and adoption of Option 2, as shown on Page 7 of the Planning Report
- Opposed to Item I: Consolidation of similar uses
- Many facilities are shared and activities supported
- Interchanging Leander with Macassa does not truly offer any gain
- Existing paid for facilities are the product of different needs and reflect different philosophies
- Probably outcome will be disappearance/absorption of some organizations
- Item ii: Utilize Breakwater – strongly support
  - Damaged in 1991 and never repaired
  - Inadequate
  - Primary cause of shore/dock/boat damage
2. John Dolbec, Hamilton Chamber of Commerce

Mr. Dolbec provided a presentation and highlighted the following:
- endorse the presentation made by Martin Lipp on behalf of the Waterfront Stakeholders Task Force
- The Chamber views a balanced fully integrated waterfront as being the most desirable option within the broader context of still strongly supporting the initiatives identified in Setting Sail
- believes that the waterfront should be transformed into a vital region wide urban cultural/recreational and retail year round attraction
- must improve connections to the waterfront including enhanced public transit, improved GO connections, parking and access needs of visitors vehicles
- need in the long term for improved access from Burlington/Wellington/Victoria area to the York/King/Queen area including options for direct access to Highway 403
- Chamber endorses the Guiding Principles of the Hamilton Waterfront Trust’s Final West Harbour Waterfront Recreational Master Plan

3. Chris Firth-Eagland, Hamilton Waterfront Trust

Mr. Eagland provided an overview by power point and highlighted the following:

- Harbor West Concept Plan
- Harbour West Master Plan Objectives:
  - Significantly increase public access to the waterfront
  - Positive environmental approach, especially with respect to shoreline and habitat
  - A harbourfront precinct designed as a destination for all Hamiltonians
  - Financial Viability
  - Innovative and sustainable adaptive reuse of existing elements
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- Recognition of Historical and Cultural Waterfront Institutions
- Positive Integration with the Community in a local context

4. Stephan Park, North End Neighbours Association

Mr. Park provided an overview of the following in his presentation:
- Involved in process since 2002
- when it came time to pass setting sail we urged that two separate studies be carried out
- impacts on residents on neighbours in north end
- feel that the neighbourhood and the other stakeholders have had little impact on consultation process
- amalgamation is a real concern
- feel that the full partner in development of policies
- strong support of the boating organizations – they work well and meet needs of boaters
- natural recreational boating resource which is unique and should be protected.
- traffic and planning process – no idea of car, bus traffic proposed for West Harbour or how to get to shore
- protect residents and streets from becoming transportation corridors
- parking
- support public transit to the waterfront
- do support idea of working further with staff
- Waterfront Trust plan is a better plan

5. T. Rodger Metcalfe, The Royal Hamilton Yacht Club

written submission

The presentations and written submission were received. Councillor M. McCarthy was opposed to the recommendation as amended.

(iii) Report of the Accountability and Transparency Committee respecting Code of Conduct for Members of Council (Item 6.3)

Peter Barkwell provided a power point presentation and highlighted the following:
- Review of Definitions
- Review of Gifts and Benefits
- Confidentiality
- Election Campaign Work
- Conduct at Council and Committee
- Improper Use of Influence
- Business Relations
- Current/Prospective Employment
- City Employees
- Council Policies/Procedures
- Complaints
- Harassment
- Compliance with the Code of Conduct
- Financial Disclosure Statement

(iv) **International Event Opportunities – 2015 Pan Am Games Bid Update (City Wide) (PED08091(b)) (Item 6.4)**

David Adames provided an overview of the report. Highlights included the following:

- Update on Pan Am Bid
- Obtaining input and direction on sport venue requests
- Updated Council on venue site analysis

Recommendation (b) (subsection ii) was amended by deleting Precinct 2: East-end Gateway: Confederation Park

Councillors Bratina, Clark, McCarthy opposed to motion as amended.

(g) **MOTIONS**

(I) The rules of order were waived to allow the introduction of a motion respecting the naming of Bayfront Park the Robert M. Morrow Park.

(II) A recommendation to name Bayfront Park the Robert M. Morrow Park was referred to the Facility Naming Sub-Committee for consideration.
(h) NOTICES OF MOTION

Councillor Merulla presented the following Notice of Motion:

Re: Economic Stimulus Plan

(i) That staff be directed to prepare a local economic stimulus package that would consist of capital projects to be funded from the Hamilton Future Fund or another appropriate funding source that would not impact the 2009 tax levy (i.e. pending Federal Government economic stimulus package);

(ii) That staff be directed to prepare evaluation criteria to guide Council decision-making in local economic stimulus spending that measures the number of local jobs that will be created, how funds circulate within the City of Hamilton community, and the social, economic and environmental benefits that such spending will create.

(i) PRIVATE AND CONFIDENTIAL

11.1 Closed Session Minutes of December 8, 2008

The Closed Session Minutes of December 8, 2008 were adopted as presented.

11.2 OMB Hearing – Property Acquisition

Refer to Item 16 for disposition

There being no further business, the meeting adjourned at p.m.

Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher
Co-ordinator
Council, Committee of the Whole and Budgets
January 12, 2009