CITY COUNCIL MINUTES

Thursday, July 9, 2009
9:30 a.m.
Albion Rooms
Hamilton Convention Centre
One Summer's Lane
Hamilton, Ontario

Present: Mayor F. Eisenberger


Mayor Eisenberger called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

5.10 Correspondence from Ministry of Culture respecting Draft Standards and Guidelines for Consultant Archaeologists (2009)

Recommendation: That the correspondence be referred to the General Manager of Planning and Economic Development for consideration in the review and approval of archaeological studies as part of development projects
5.11 Correspondence from Anne Quick, Pam Farrell and Lois Hanson
Respecting Residents in Favour of 50 Road Shopping Centre

Recommendation: Be received

5.12 Correspondence from Peter Colosimo, Public Works, Region of Niagara,
respecting Mady Developments – Proposed Major Commercial
Development, 400 Winona road and 395 Fifty Road

Recommendation: Be received

5.13 Correspondence from Harold Kersey, Mady Development Corporation
respecting Mady Developments – Proposed Major Commercial
Development, 400 Winona road and 395 Fifty Road

Recommendation: Be received

5.14 Email from Christine Calupka respecting Winona and Fifty Road

Recommendation: Be received

(Pearson/Collins)
That the Agenda for the City Council meeting being held on July 9, 2009, be approved, as amended. CARRIED

DECLARATIONS OF INTEREST

None

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None

APPROVAL OF MINUTES

(Pearson/Clark)
That the Minutes of the June 24, 2009, meeting of Council be approved, as presented. CARRIED

(Whitehead/Ferguson)
That the Minutes of the June 29, 2009 special meeting of Council be approved as presented. CARRIED.
COMMUNICATIONS

(Clark/Collins)
That Council Communications 5.1 to 5.14 be approved, as amended, as follows:

5.1 Correspondence from Dean Allison, MP Niagara West-Glanbrook respecting grand opening of the Glanbrook Landfill Gas-To-Energy Facility

Recommendation: Be received

5.2 Correspondence from Sharon Pearce, Mount Hope United Church respecting Light Rail Transit coming to Hamilton and Mayor Eisenberger’s reply to the correspondence

Recommendation: Be received

5.3 AMO – Report of the Secretary-Treasurer on Nominations to the 2009-2010 AMO Board of Directors

Recommendation: Be received

5.4 Correspondence from Alan Latourelle, Parks Canada respecting tax incentives to encourage private sector investment in the rehabilitation of historic places

Recommendation: Be received

5.5 Correspondence from John Moroz, St. Marys Cement respecting City Council’s resolution of April 15, 2009

Recommendation: Be received

5.6 Correspondence from John Mills respecting interactions with staff and reply from Mayor Eisenberger to the correspondence

Recommendation: Be received

5.7 Correspondence from the Honourable Jim Bradley, Minister of Transportation respecting 2009 Ontario Bus Replacement Program – funding allocation of $5,382,279.00

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

5.8 Correspondence from the Town of Innisfil respecting Ontario’s 2009 Budget - Harmonized Sales Tax Affects Electricity Rates starting July 1, 2010

Recommendation: (Whitehead/Ferguson) Be endorsed
5.9 Correspondence from the Township of Stirling-Rawdon respecting Municipal Drinking Water Licensing Plan

Recommendation: (Jackson/Collins) Be referred to the General Manager of Public Works for a report to the Public Works Committee

5.10 Correspondence from Ministry of Culture respecting Draft Standards and Guidelines for Consultant Archaeologists (2009)

Recommendation: That the correspondence be referred to the General Manager of Planning and Economic Development for consideration in the review and approval of archaeological studies as part of development projects

5.11 Correspondence from Anne Quick, Pam Farrell and Lois Hanson Respecting Residents in Favour of 50 Road Shopping Centre

Recommendation: Be received

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Recommendation: Be received

5.13 Correspondence from Harold Kersey, Mady Development Corporation respecting Mady Developments – Proposed Major Commercial Development, 400 Winona road and 395 Fifty Road

Recommendation: Be received

5.14 Email from Christine Calupka respecting Winona and Fifty Road

Recommendation: Be received

(CARRIED AS AMENDED)

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

CARRIED
Item 21  Applications for Approval of a Draft Plan of Subdivision Revision, and Amendments to the Ancaster Official Plan and Zoning By-law No. 87-57 and 05-200, for Lands Located at 625 Garner Road East (Ancaster) (PED09186) (Ward 12) (Item 6.8)

(Ferguson/Pearson)
That sub-section (a)(i) of Item 21 be amended by adding the words, “as amended with new Condition 41” following the words, “to Report PED09186”.

Amendment CARRIED
Motion as amended CARRIED

(Clark/Pearson)
That Information Item (r) respecting Applications for Amendments to the Hamilton-Wentworth Official Plan, Stoney Creek Official Plan and Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, in the Former City of Stoney Creek (PED09157) (Ward 11) be lifted from the Information Section and added as Item 25 to Economic Development and Planning Committee Report 09-015.

CARRIED

(Clark/Pearson)
That Item 25 be amended by adding the following as sub-sections (e), (f) and (g), as follows:

(e) That the developer shall be fully responsible for its own storm water management plan at its sole cost and expense to the satisfaction of the Directors of Development Engineering, and Strategic and Environmental Planning for the City of Hamilton, the Hamilton Conservation Authority, and the Ontario Ministry of Transportation.

(f) That, subject to removal of all holding provisions, the developer shall be permitted to proceed with development of its project subject to sufficient lands being reserved on the developer’s property at Winona Road to accommodate the transit hub in accordance with the City’s completed Transit Hub Feasibility Study. The developer shall adjust its development plans as necessary to accommodate the Transit Hub design details as set out in said completed study.

(g) That the Former Regional Municipality of Hamilton-Wentworth Official Plan and the Former City of Stoney Creek Official Plan Item 12.6.2.1 a)ii be amended to provide for One department store, with a maximum gross floor area of 17,000 square metres.

CARRIED
(Clark/Pearson)
That Item 25 be further amended by the following:

(a) By deleting the words, “at Winona Road”; in sub-section (f);

(b) By adding the words, “and the by-law amendment to the Stoney Creek Zoning By-law” following the words, “Item 12.6.2.1 a)i”, and by adding the words, “provided that the area for the sale and display of food shall not exceed 4,180 square metres” following the words, “17,000 square metres” in sub-section (g).

(Clark/Collins)
That the above-noted motion and amendments be deferred pending the outcome of a reconsideration motion respecting “Employment Lands” designation. CARRIED

(Whitehead/McHattie)

The Reconsideration Motion LOST on the following recorded vote:

Yeas: Eisenberger, Bratina, McHattie, Merulla, Morelli, Pasuta, Whitehead
Total Yeas: 7
Nays: Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, Mitchell, Pearson, Powers
Total Nays: 9

(Whitehead/Merulla)
That staff be directed to bring back the findings of the traffic impact study to Council for discussion and deliberations.

The Motion LOST on the following standing recorded vote:

Yeas: Duvall, Merulla, Morelli, Pasuta, Whitehead
Total Yeas: 5
Nays: Eisenberger, Bratina, Clark, Collins, Ferguson, Jackson, McCarthy, McHattie, Mitchell, Pearson, Powers
Total Nays: 11

(Duvall/Merulla)
That the recommendations with respect to Applications for Amendments to the Hamilton-Wentworth Official Plan, Stoney Creek Official Plan and Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, in the Former City of Stoney Creek (PED09157) (Ward 11) be tabled to the next meeting of Council.
The Motion to Table LOST on the following standing recorded vote:

Yeas: Eisenberger, Clark, Collins, Ferguson, Jackson, McCarthy, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 12
Nays: Bratina, Duvall, McHattie, Merulla
Total Nays: 4

The Main Motion, as amended, which reads in its entirety as follows:

25. Applications for Amendments to the Hamilton-Wentworth Official Plan, Stoney Creek Official Plan and Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, in the Former City of Stoney Creek (PED09157) (Ward 11)

(a) That approval be given to amended Hamilton-Wentworth Official Plan Amendment Application ROPA-05-04, by Penady (Stoney Creek) Ltd., Applicant, for Regional Official Plan Amendment No. ___ , to revise Policy C3.1.3.5, for the lands located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, as shown on Appendix “A” to Report PED09157, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED09157, as amended, be adopted by City Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement.

(b) That approval be given to amended Official Plan Amendment Application OPA-05-20 by Penady (Stoney Creek) Ltd., Applicant, for Official Plan Amendment No. ___ , to amend Schedule “A” General Land Use Plan, of the City of Stoney Creek Official Plan, for a redesignation from “Special Policy F” to “Commercial”, for the lands located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, as shown on Appendix “A” to Report PED09157, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED09157, as amended, be adopted by City Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and will be in conformity with the Hamilton-Wentworth Official Plan upon approval of Regional Official Plan Amendment No. ___.
(c) That approval be given to amended Zoning Application ZAC-05-111, by Penady (Stoney Creek) Ltd., Applicant, for a change in zoning from the Agricultural Specialty “AS” Zone to the Community Shopping Centre (Holding) “SC2-4(H)” Zone (Block 1), and from the Highway Commercial “HC” Zone to the Community Shopping Centre (Holding) “SC2-4(H)” Zone (Block 2), for the lands located at 1310 South Service Road, 400 Winona Road and 395 Fifty Road, as shown on Appendix “A” to Report PED09157, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED09157, as amended, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the proposed changes in zoning will be conformity to the Hamilton-Wentworth Official Plan and to the City of Stoney Creek Official Plan upon approval of Official Plan Amendment No.’s ____ and ____.

(d) That the Former Regional Municipality of Hamilton-Wentworth Official Plan Amendment as referenced in sub-section (a) above, and the Former City of Stoney Creek Official Plan Amendment as referenced in sub-section (b) above (Item 12.6.2.1 a)ii) and the By-law amendment to the Stoney Creek Zoning By-law, as referenced in sub-section (c) above, all be amended to provide for One department store, with a maximum gross floor area of 17,000 square metres, provided that the area for the sale and display of food shall not exceed 4,180 square metres.

(e) That upon finalization of the implementing By-laws, the new Urban Official Plan be modified to incorporate the subject lands as Special Policy Area No. ____.

(f) That Council’s approval of these applications is also subject to the following:

(i) That the developer shall be fully responsible for its own storm water management plan at its sole cost and expense to the satisfaction of the Directors of Development Engineering, and Strategic and Environmental Planning for the City of Hamilton, the Hamilton Conservation Authority, and the Ontario Ministry of Transportation;

(ii) That, subject to removal of all holding provisions, the developer shall be permitted to proceed with development of its project subject to sufficient lands being reserved on the developer’s property to accommodate the transit hub in accordance with the City’s completed Transit Hub Feasibility Study. The developer shall adjust its development plans as necessary to accommodate the Transit Hub design details as set out in said completed study.

CARRIED on the following standing recorded vote:
Yeas: Eisenberger, Clark, Collins, Ferguson, Jackson, McCarthy, Mitchell, Pearson, Powers, Whitehead
Total Yees: 10
Nays: Bratina, Duvall, McHattie, Merulla, Morelli, Pasuta
Total Nays: 6

NOTE: The sub-sections have been re-arranged to better integrate with planning conditions.

(Clark/Pearson)
That Item 25 be further amended by adding the following as sub-section (g):

(g) That pursuant to Section 34(17) of the Planning Act, RSO 1990, Council deem that no further notice is required respecting the changes to the by-law made following the Public Meeting, respecting the subject item.

Amendment CARRIED

(Pearson/Powers)
That the FIFTEENTH Report of the Economic Development & Planning Committee be adopted, as amended, and the information section received. CARRIED

BOARD OF HEALTH REPORT 09-008

(Bratina/Clark)
That the EIGHTH Report of the Board of Health be adopted, and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 09-020

(Clark/Whitehead)
That Information Item (i)(1) of Committee of the Whole Report 09-020 respecting United Brotherhood of Carpenters and Joiners of America Local 18 – Status Update and Direction (HUR09013) be deferred to the end of the meeting for discussion in Closed Session.

CARRIED

(Whitehead/Powers)
That Information Item (h)(2)(10.1) of Committee of the Whole Report 09-020 be lifted from the Information Section and added as Item 16, as follows:

16. William McCulloch Park Sports Field Redevelopment

(Whitehead/Powers)
Whereas, Seneca School property on Abbington Drive in Ward 8 was declared surplus and hence sold by the School Board to a developer, the City has therefore, lost the use of three (3) programed ball diamonds on the Seneca School property,
And Whereas, in order to address the loss of the three (3) ball diamonds at the Seneca School property, City Council approved on May 27, 2009 the submission of William McCulloch Park Sports Field Redevelopment as part of the Recreation Infrastructure Canada Program in Ontario and Ontario Recreation Funding Program through Report FCS09061.

And Whereas, Recommendation (a) of the Report FCS09061 indicated "That the Recreation Projects, as listed in Appendix “A” of report FCS09061, be approved for consideration under the Recreation Infrastructure Canada Program in Ontario and Ontario Recreation Funding Program;"

And Whereas, Appendix “A” of Report FCS09061 indicated the project ranked number 5 in priority, and due to funding announcements for the initial Infrastructure Stimulus Funding, would now place William McCulloch Park Sports Field Redevelopment as the number 3 priority on the Recreation Infrastructure Canada Program in Ontario and Ontario Recreation Funding Program for the City of Hamilton.

And Whereas, William McCulloch Park Sports Field Redevelopment identified 3 new ball fields and upgrades to one existing ball field for city recreation league play, children’s playground, bike paths for a total project cost of $900,000.

Therefore, it be resolved:

That should the William McCulloch Park Sports Field Redevelopment program not be supported under the Recreation Infrastructure Canada Program in Ontario and Ontario Recreation Funding Program, that Council approve an expenditure of $1 million dollars from the Council Strategic Initiative Reserve 108022 to fund the William McCulloch Park Sports Field Redevelopment program.

(Ferguson/Pasuta)
That the following recommendation be added as sub-section (b):

(b) That the funds for the William McCulloch Park Sports Field Redevelopment Program be area rated as a recreational plan.

DEFEATED

The Motion CARRIED on the following vote:

Yeas: Eisenberger, Bratina, Clark, Collins, Duvall, Jackson, McCarthy, McHattie, Merulla, Morelli, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 14
Nays: Ferguson, Pasuta
Total Nays: 2

(Merulla/Morelli)
That the Rules of Order be waived to allow for the following Notices of Motions from Committee of the Whole Report 09-020 to be introduced as Motions and added as Items 17, 18 and 19 to Committee of the Whole Report 09-020:
11.1 Littering, Illegal Dumping, Graffiti and Security Issues affecting Municipal Properties abutting Railway Lands

11.2 All-way Stop – Intersection of Napier Street and Locke Street North

11.3 380 Martin Road, Ancaster

(Merulla/McHattie)
That the following be added as Item 17 to Committee of the Whole Report 09-020:

17. Littering, Illegal Dumping, Graffiti and Security Issues affecting Municipal Properties abutting Railway Lands

(a) That staff be directed to prepare a report for consideration of the Public Works Committee respecting opportunities to address littering, illegal dumping, graffiti and security issues affecting municipal properties abutting Railway Lands;

(b) That in developing the report, staff shall:

(i) consult with CN staff and internal stakeholders, and have regard for applicable policies, regulations, standards and studies;

(ii) include consideration of specific neighbourhood conditions along the CN Rail line between Kenilworth Avenue and Strathearn Avenue and

(iii) develop remediation strategy recommendations for possible implementation city wide or locally as may be required. CARRIED

(Merulla/McHattie)
That the following be added as Item 18 to Committee of the Whole Report 09-020:

18. All-way Stop – Intersection of Napier Street and Locke Street North

Whereas Locke Street North has been designated a mobility street in the draft Strathcona Secondary Plan and Master Transportation Plan;

And Whereas a number of children cross Locke Street at Napier Street to enter Victoria Park or to attend Strathcona School;

And Whereas the City-wide cycling route uses Napier Street and continues into Victoria Park across Locke Street North on the multi-use pathway through the park;

And Whereas visibility is extremely poor given the significant amount of street parking on Locke Street North and Napier Street.
Now Therefore Be It Resolved:

(a) That an all-way stop be implemented at the intersection of Napier Street and Locke Street North;

(b) That the appropriate amendment to the City of Hamilton Traffic By-law be passed and enacted. CARIED

(Ferguson/Pasuta) That the following be added as Item 19 to Committee of the Whole Report 09-020:

19. 380 Martin Road, Ancaster

(a) That the section of Martin Road in the former Town of Ancaster be closed with armour rock, minimum 1 cubic meter in size, or like material immediately north of the driveway entrance to the property at 380 Martin Road, Ancaster and at the intersection with Mineral Springs Road;

(b) That additional signage indicating "Local Access Only" be added to the current "Road Closed" signage to permit the property owners with unimpeded access to their property. CARIED

LICENSEING TRIBUNAL REPORT 09-004

(Clark/Collins) That the FOURTH Report of the Licensing Tribunal be adopted, and the information section received. CARIED

SELECTION COMMITTEE REPORT 09-002

(Jackson/Ferguson) That the SECOND Report of the Selection Committee be adopted, and the information section received. CARIED

(Clark/Collins) That the Committee of the Whole rise and report. CARIED
7.1 Requirements for Masters Licenses/Trades Licenses in the City of Hamilton

(McCarty/Jackson)
(a) That Planning and Legal staff be directed to prepare a report, for consideration of the Economic Development and Planning Committee, respecting the requirement of Masters Licenses/Trades Licenses in the City of Hamilton.

(b) That the report address, but not be limited to, the following areas:

(i) Regulation, monitoring and enforcement; and,

(ii) Legal issues surrounding the requirement (including liabilities with the current practice).

(McCarty/Jackson)
That the following be added as sub-section (c):

(c) That staff be directed to evaluate as to why this current practice of requiring Masters' Licences/Trades Licenses was dropped/abandoned in Burlington.

Amendment CARRIED
Motion as amended CARRIED

7.2 One-Time Funding for the Establishment of the Dundas Farmers' Market

(Powers/Pasuta)
(a) That a one-time grant, in the amount of $15,000 to cover the start up costs for the establishment of the Dundas Farmers' Market, be provided to the Dundas Farmers' Market Management Group.

(b) That staff be directed to recommend an appropriate funding source for the $15,000 funding to cover the start up costs for the establishment of the Dundas Farmers' Market.

(Powers/Pasuta)
That sub-section (a) be amended by adding the words, "subject to all required documentation having been received in a manner satisfactory to the City Solicitor."

Amendment CARRIED
Motion as amended CARRIED
NOTICES OF MOTION

(Merulla/Whitehead)
That the Rules of Order be waived to allow the introduction of a motion to rescind Item 4 of Public Works, Infrastructure and Environment Committee Report 05-010 respecting Permanent Closure of Public Unassumed Alley South of 1540 Main Street East approved by Council on June 15, 2005.

CARRIED

(Merulla/McHattie)
8.1 Permanent Closure of Public Unassumed Alley South of 1540 Main Street East, Hamilton (Ward 4)

That Item 4 of Public Works, Infrastructure and Environment Committee Report 05-010 as noted below respecting Permanent Closure of Public Unassumed Alley South of 1540 Main Street East approved by Council on June 15, 2005, which reads as follows, be rescinded on the basis that the closure of the alley and sale to the original applicant, St. Columba Presbyterian Church ("the Church"), has not proceeded and the Church has abandoned all efforts to obtain these lands from the City.

4. Permanent Closure of Public Unassumed Alley South of 1540 Main Street East (PW05068) - (Ward 4) (Item 7.1)

(a) That the application of St. Columba Church, located at 1540 Main Street East, Hamilton, to permanently close and purchase the public unassumed alley running east/west to the south of the property, be approved, subject to the following:

(i) That the applicant make an application to a District Court Judge, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close and purchase unassumed alley south of 1540 Main Street East, Hamilton.

(ii) That the General Manager, Public Works or his designate sign the appropriate documentation confirming that no public funds have been expended on the portion of alley to be closed.

(iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor.

(iv) That the applicant register a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Senior Project Manager, Survey and Technical Services and that the applicant deposit a reproducible copy of said plan with the Senior Project Manager, Survey and Technical Services.
(b) That provided the Judge’s Order to permanently close the public unassumed alley is granted:

(i) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway.

(ii) That the appropriate by-law be introduced and enacted by Council.

(iii) That the Real Estate Section, Planning and Development Department be authorized and directed to sell this closed highway at fair market value and in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299.

(iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office.

(v) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper land registry office.

(vi) That the City Clerk be directed to publish a notice pursuant to Section 300 of the Municipal Act, R.S.O. 1990, of the City’s intention to pass the by-law.

CARRIED

The following Notice of Motion was introduced by Mayor Eisenberger:

8.2 Hamilton Port Authority – City of Hamilton Liaison Committee

(a) That for the purposes of liaising on real estate and planning matters related to Pier 8, that a Hamilton Port Authority Liaison Committee be established consisting of the following:

(i) Chair and two members of the Hamilton Port Authority Board
(ii) The Mayor and two members of Hamilton City Council
(iii) City Manager and the Hamilton Port Authority Director

(b) That the Liaison Committee provide updates and reports to Council.

(Whitehead/Merulla)
That the Rules of Order be waived to allow for the introduction of a motion respecting the establishment of a Hamilton Port Authority – City of Hamilton Liaison Committee.

CARRIED
City Council (16) July 9, 2009

(Eisenberger/Whitehead)
That the following be added as Motion 7.3:

7.3 Hamilton Port Authority – City of Hamilton Liaison Committee

(a) That for the purposes of liaising on real estate and planning matters related to Pier 8, that a Hamilton Port Authority Liaison Committee be established consisting of the following:

(i) Chair and two members of Hamilton Port Authority Board
(ii) The Mayor and two members of Hamilton City Council
(iii) City Manager and the Hamilton Port Authority Director

(b) That the Liaison Committee provide updates and reports to Council.

(Merulla/Morelli)
That sub-section (a)(ii) be amended to read as follows:

(a)(ii) Mayor Eisenberger and Councillors B. Bratina and C. Collins.

Amendment CARRIED
Motion as amended CARRIED

Councillor Powers put the following Notice of Motion forward:

Dundas Community Arts Foundation Proposal

That the Finance and Community Services Departments be authorized to investigate options for possible financial involvement by the City in the Dundas Community Arts Foundation proposal.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes of June 10, 2009

(Pearson/Powers)
That the Closed Session Minutes of June 10, 2009 be adopted as presented.

CARRIED

(Powers/Pearson)
That Council move into Closed Session at 12:15 p.m. pursuant to Section 8.1(d) of the City of Hamilton’s Procedural By-law as the subject matter pertains to labour relations or employee negotiations.

CARRIED
(Pearson/Clark)
That Council reconvene in Open Session at 1:10 p.m.  

(Clarke/Collins)
That the following be added as Item 20 to Committee of the Whole Report 09-020:

20. United Brotherhood of Carpenters and Joiners of America (UBCJA) Local 18 – Status Update and Direction (HUR09013) (City Wide)

(a) That the recommendations approved in Report HUR09013 be approved, subject to staff successfully negotiating relief from the United Brotherhood of Carpenters and Joiners of America (UBCJA) collective agreement specific to tendering restrictions for the City;

(b) That the contents of Report HUR09013 remain confidential as it contains information pertaining to labour relations or employee negotiations.

The Motion CARRIED on the following standing recorded vote:

Yea: Eisenberger, Bratina, Clark, Collins, Duvall, Jackson, McHattie, Merulla, Morelli, Pasuta, Pearson, Powers, Whitehead

Total Yea: 13

Nay: Ferguson

Total Nay: 1

Absent: McCarthy, Mitchell

Total Absent: 2

(Bratina/Clark/)
That the TWENTIETH Report of the Committee of the Whole be adopted, as amended, and the information section received.  

CARRIED

BY-LAWS

(Clarke/Collins)
That Bill Nos. 09-147 09-167 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 09-147 to 09-167 as follows:

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
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<tbody>
<tr>
<td>09-147</td>
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To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 8 – No Parking Zones
Schedule 14 – Wheelchair Loading Zones

To Impose Late Payment Charges for the Non-Payment of Taxes
<table>
<thead>
<tr>
<th>By-law No.</th>
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<th>Description</th>
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<tbody>
<tr>
<td>09-149</td>
<td>149</td>
<td>To Adopt: Office Plan Amendment No. 35 to the Region of Hamilton-Wentworth Official Plan; Office Plan Amendment No. 128, to the Town of Ancaster Official Plan; Office Plan Amendment No. 18 to the Town of Dundas Official Plan; Office Plan Amendment No. 118 to the Town of Flamborough Official Plan; Office Plan Amendment No. 75 to the Township of Glanbrook Official Plan; Office Plan Amendment No. 220 to the City of Hamilton Official Plan; Office Plan Amendment No. 149 to the City of Stoney Creek Official Plan, Respecting Urban Hamilton (Lands Within the Urban Area)</td>
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<tr>
<td>09-150</td>
<td>150</td>
<td>To Adopt Urban Hamilton Official Plan Respecting Urban Hamilton (Lands Within the Urban Area)</td>
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<tr>
<td>09-151</td>
<td>151</td>
<td>To Permanently Close a Portion of Nebo Road Allowance abutting Lots 13 and 14, Concession 7, Geographic Township of Glanford, City of Hamilton, being part of Lots 13 &amp; 14, Concession 7, Geographic Township of Glanford, designated as Part 1 on Reference Plan 62R-18477, Township of Glanbrook, now City of Hamilton</td>
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<tr>
<td>09-152</td>
<td>152</td>
<td>To Amend By-law No. 07-170, A By-law To License and Regulate Various Businesses</td>
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<td>09-153</td>
<td>153</td>
<td>To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272, as amended and Implement the Consecutive Estimated Accounts Policy</td>
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<td>09-154</td>
<td>154</td>
<td>To Amend the Waterworks By-law R84-026, as amended, and Implement the Consecutive Estimated Accounts Policy</td>
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<td>09-155</td>
<td>155</td>
<td>To Amend By-law No. 08-154, as amended, Being a By-law to Establish the Office of Integrity Commissioner</td>
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<tr>
<td>09-156</td>
<td>156</td>
<td>To Amend By-law No. 07-170, A By-law to License and Regulate Various Businesses</td>
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<tr>
<td>09-157</td>
<td>157</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting the Property Located at 547-549 Main Street East</td>
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<tr>
<td>09-158</td>
<td>158</td>
<td>To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 236 Parkside Drive</td>
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<tr>
<td>09-159</td>
<td>159</td>
<td>To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 431 Kitty Murray Lane</td>
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City Council

July 9, 2009

By-law No.  Bill No.  
09-160  160  To Adopt Official Plan Amendment No. 129 to the former Town of Ancaster Official Plan, Respecting 625 Garner Road
09-161  161  To Amend Zoning By-law No. 05-200, Respecting Lands Located at 625 Garner Road East (Ancaster)
09-162  162  To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 625 Garner Road East
09-163  163  To Adopt Official Plan Amendment No. 219 to the Official Plan Amendment of the former City of Hamilton Respecting 480 and 500 Centennial Parkway North and 20 Warrington Street
09-164  164  To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 480 and 500 Centennial Parkway North and 20 Warrington Street
09-165  165  To Adopt Official Plan Amendment No. 76 to the Former Township of Glanbrook Official Plan Respecting 2100, 2120 and 2190 Rymal Road East
09-166  166  To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 2100, 2120 and 2190 Rymal Road East
09-167  167  To Confirm the Proceedings of City Council  

By-law 163 CARRIED on the following vote:

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

(Powers/Pearson)

That there being no further business, the City Council meeting adjourn at 1:15 p.m.  

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

Kevin Christenson
City Clerk
July 9, 2009