Committee of the Whole
MINUTES
9:30 a.m.
August 8, 2007
Council Chambers, Hamilton City Hall

Present: Mayor F. Eisenberger


Absent with regrets: Councillor B. McHattie – Vacation
Councillor S. Merulla – Vacation
Councillor B. Morelli – Police Services
Councillor M. Pearson – Vacation
Councillor T. Whitehead - Illness

Also Present: T. McCabe, Acting City Manager/General Manager of Planning and Economic Development
J. Rinaldo, General Manager, Finance and Corporate Services
S. Stewart, General Manager, Public Works
J. Priel, General Manager, Community Services
K. Christenson, City Clerk
M. Gallagher, Co-ordinator

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

(McCarthy/Ferguson)
That Items 4.1 to 4.10 of the consent agenda be approved. CARRIED.

1. Speed Limits – Full-time 40 km/h School Zones (PW07099) (Wards 1, 2, 6, 8 and 13) (Item 4.1)
   (a) That the speed limits in the following school zones be approved at 40 km/h:
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(i) Locke Street South between 30m south of Stanley Avenue and 75m north of Herkimer Street;
(ii) Simcoe Street East between James Street North and Catharine Street North;
(iii) Hughson Street North between Strachan Street and 50m north of Macaulay Street East;
(iv) Brentwood Drive between 50m north of Broker Drive and Idlewood Avenue;
(v) Montcalm Drive and Miami Drive;
(vi) Lynbrook Drive between Montcalm Drive and Rolston Drive;
(vii) Rolston Drive between Mountbatten Drive and Miami Drive;
(viii) Appleblossom Drive between Moonbeam Drive and 150m south of Chester Avenue;
(ix) Park Street West between Princess Street and 60m east of Sydenham Street;

(b) That the by-law outlined in Report PW07099 as Appendix “A” be passed and enacted to amend City of Hamilton By-law No. 01-215.

2. Extension of Red Light Camera Program (PW03150e) (Item 4.2)

That Report PW03150(e) respecting Extension of Red Light Camera Program be received.

3. To incorporate certain City land into various streets by By-Law (PW07002f) (Affects Ward 13) (Item 4.3)

(a) That the following City land be incorporated into the following streets;
Zeldin Place             Block 43
Plan 62M-323             Ward 13

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;

(c) That the General Manager of Public Works be authorized and directed to register the By-Laws.

4. Print Shop Update (FCS06096(a) (City Wide) (Item 4.4)

That Report FCS06096(a) respecting Print Shop Update be received.

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5. Red Hill Valley Project Financial Status Report – April to June 2007 (FCS07003b/PW07003b) (City Wide) (Item 4.5)

That Report FCS07003b/PW07003b respecting Red Hill Valley Project Financial Status Report be received.

6. Monthly Status Report of Tenders and Requests for Proposals for May 25, 2007 to July 12, 2007 (FCS07030d) (City Wide) (Item 4.6)

That Report FCS07030(d) respecting Monthly Status Report of Tenders and Requests for Proposals for May 25, 2007 to July 12, 2007 be received.

7. Quarterly Status Report on the Use of Policy #10 – Emergency Purchasing and Policy #11 – Negotiations for the 2nd Quarter 2007 (FCS07051(a) (City Wide) (Item 4.7)

That Report FCS07051(a) respecting Quarterly Status Report on the Use of Policy #10 – Emergency Purchasing and Policy #11 – Negotiations for the 2nd Quarter 2007 be received.

8. Newborn Registration Services (FCS07073) (City Wide) (Item 4.8)

That Report FCS07073 respecting Newborn Registration Services be received.

9. Customer Contact Centre Second Quarter Update (FCS07074) (City Wide) (Item 4.9)

That Report FCS07074 respecting Customer Contact Centre Second Quarter Update be received.

10. Hamilton’s Emergency Management Program’s Alignment with Provincial Legislation (HES07006) (City Wide) (Item 4.10)

(a) That Report HES07006 – Hamilton’s Emergency Management Program’s Alignment with Provincial Legislation, be received.

(b) That the parties, shown on Appendix A to Report HES07006, be appointed to the Emergency Control Group and the Emergency Management Program Committee.

(c) That the proposed Committee Structure for Implementing the Emergency Management Program, as shown in Appendix B to Report HES07006, be approved.
(d) That the proposed Committee Structure for Responding to an Emergency, as shown in Appendix C to Report HES07006, be approved.

11. Biosolids Master Plan (PW07047(a)) (Item 6.1)  
(Powers/Mitchell)

(a) That Council endorse the Biosolids Master Plan (Phases 1 and 2 document of the Class Environmental Assessment) and its preferred strategy of Thermal Reduction (with digestion for energy recovery);

(b) That the General Manager, Public Works, be authorized and directed to proceed with filing the Biosolids Master Plan for a 30-day review with the Ministry of the Environment’s Environmental Board of Review.

(Powers/Mitchell)  
That the following be added as subsection (c):

(c) That as part of the presentation of the results of the 30 day review to a future city committee meeting, staff prepare and present a peer reviewed analysis of other thermal reduction options, presently and possibly available within the city.

The Motion as amended was split for voting purposes and CARRIED on a recorded vote as follows:

(a) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1

(b) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1

(c) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1
12. **Correspondence from Lynda Lukasik, Environment Hamilton respecting Biosolids Master Plan (added item)**
(Mitchell/Powers)
That the correspondence from Lynda Lukasik, Environment Hamilton respecting the Biosolids Master Plan report, be received. CARRIED.

13. **Horizon Business Opportunities (Item 6.2)**
(Ferguson/Jackson)
That the presentation respecting a strategic business opportunity for utility consolidation/potential strategic partnerships with Guelph Hydro, be received. CARRIED.

14. **Increase to Discretionary Denture Program 2007 (ECS07054) (City Wide) (Item 7.1)**
(Jackson/McCarthy)
(a) That Report ECS07054 respecting the Discretionary Denture Program be received.
(b) That the General Manager of Community Services be authorized and directed to increase the fees of the Discretionary Denture Program to 75% of the 2007 Ontario Dental Association (ODA) Suggested Fee Guide.
(c) That the potential increase in budget of $38,620 gross, $12,350 net, be covered within the 2007 budget and the annualized impact will be deferred to the 2008 Budget Deliberations.
(d) That the General Manager of Community Services be authorized and directed to increase the fees of the Discretionary Denture Program annually to reflect 75% of the current fee guide. CARRIED.

15. **Approval for Alcohol as part of a Special Event (Bavarian Garden) at Pier 4 Park (ECS07060) (Ward 2) (Item 7.2)**
(Jackson/McCarthy)
(a) That the Hamilton Labour Day Music Festival, organized by the Burlington Jazz 'n' Blues Festival Inc., be approved to host a Bavarian Garden as part of their 2007 program at Pier 4 Park on Sunday, September 2 and Monday, September 3 between the hours of 12noon and 11:00 p.m.
(b) That, if the request to host a Bavarian Garden is approved, the hosting organization must comply with:
(i) The *Ontario Liquor License Act*, R.S.O. 1990, Chapter L.19 and the administration of the Act by the Alcohol and Gaming Commission of Ontario (AGCO);

(ii) The conditions contained within the City of Hamilton’s Municipal Alcohol Guidelines, Appendix A of the Policy for Special Event Planning;

(iii) The applicant must provide $5,000,000 comprehensive general liability insurance coverage (which shall include a host liquor liability endorsement), and that the City of Hamilton is named as an additional insured party to this Policy; and,

(iv) The applicant must pay all City Service costs associated with the operation of this event. CARRIED.

16. Culture and Recreation Guide Distribution Changes (ECS07059) (Item 7.3)  
(Jackson/Pasuta)  
That report ECS07059 respecting Culture and Recreation Guide Distribution Changes be received. CARRIED.

17. Accessible Transit Services (ATS) Review (PW05075(b)) (City Wide) (Item 7.4)  
(Powers/Jackson)  
(a) That staff be authorized and directed to offer DARTS and their sub-contractor Veteran’s Transportation (VETS) a one-year extension on their contracts with all the current terms and conditions to remain in place for the period June 2008 through June 2009, and to continue on the basis of a month-to-month mutually agreeable extension, in accordance with Council’s ATS Sub-committee direction to delay issuance of the Specialized Transit Service Delivery Request For Proposal (RFP).

(b) That the City Manager be authorized and directed to engage the services of PSTG Consulting to facilitate the development of governance model options for the Specialized Transit Program, at a cost not to exceed $15,000 and to be funded from the 2007 Transit Division budget. CARRIED.

18. Redeemer University College – Transit Pass Extension Agreement (PW07100) (City Wide) (Item 7.5)  
(Ferguson/Jackson)  
That Council authorize the Mayor and the City Clerk to execute the Transit Pass Extension Agreement between Redeemer University College Student Senate, Redeemer University College, and the City of Hamilton for the period May 1, 2007, to April 30, 2008. CARRIED.
19. University Transit Pass Program (PW07101) (City Wide) (Item 7.6)  
(Powers/Clark)  
(a) That information contained within this report regarding University Transit Pass programs in existence in other Canadian municipalities be received.  
(b) That Council authorize and direct staff to negotiate with the parties to the University Transit Pass program in Hamilton to obtain proposed Agreements for the 2008 academic year that reflect a fee structure and terms in line with those in other Canadian municipalities.  
(c) That staff be directed to report back to Council with a program structure reflective of the proposed Agreements above, concurrent with consideration of the 2008 Transit Budget. CARRIED.

20. Hamilton-Wentworth District School Board – School Hour Transit Pass Program (PW07102) (City Wide) (Item 7.7)  
(Mitchell/Jackson)  
That The Hamilton Street Railway Company be authorized and directed to enter into an Agreement with The Hamilton-Wentworth District School Board for a School Hour Transit Pass program, with a term ending on June 30, 2008, in a form satisfactory to the City Solicitor. CARRIED.

21. Eastport Drive Trail – Design Lead (PW07103) (Ward 5) (Item 7.8)  
(Collins/Bratina)  
(a) That the City of Hamilton and the Hamilton Waterfront Trust enter into a Service Agreement for the Hamilton Waterfront Trust to lead and undertake the design and construction of the Eastport Drive Trail, based on the roles and responsibilities outlined in Report PW07103 and as detailed in Appendix B;  
(i) That the Mayor and City Clerk be authorized and directed to execute all necessary documents related to the Service Agreement, said document to have content acceptable to the General Manager of Public Works, the General Manager of Finance and Corporate Services and be in a form satisfactory to the City Solicitor and Corporate Counsel;  
(b) That the Hamilton Waterfront Trust provide estimates for the construction of the proposed trail, which shall be reported to Council for budgetary approval as part of the Public Works annual capital budget approval, or for consideration by the appropriate Standing Committee and by City Council, prior to proceeding with detailed design, tender and construction documents;
(c) That the Hamilton Waterfront Trust consult with the interested stakeholders, seeking public input via a Project Advisory Group, in the development of a potential trail design solution including but not limited to, the Hamilton Beach Preservation Committee, the Hamilton Port Authority, the Ministry of Transportation, Federal and Provincial Government agencies, the Hamilton Conservation Authority and City of Hamilton representatives as required;

(d) That the design and construction of the proposed Eastport Drive Trail shall be subject to the final detailed design approval by the City;

(i) That the City of Hamilton General Manager of Public Works is hereby authorized to provide final detailed design approval of the Eastport Drive Trail.

(e) That the Hamilton Waterfront Trust be directed to obtain all necessary approvals and permits related to the design and construction of the proposed Eastport Drive Trail prior to construction.

(f) That the Hamilton Waterfront Trust designate the subject lands as “Lands” for the purposes of Section 2(a)(iii) of the Deed of Trust dated November 24, 2000.

CARRIED.

22. Hamilton Conservation Authority Watershed (HCA2) Bridges Master Plan Municipal Class Environmental Assessment (PW07105) (Ward 13) (Item 7.9)  
(Powers/McCarthy)

(a) That the General Manager, Public Works, be authorized and directed to file the Hamilton Conservation Authority Watershed (HCA 2) Bridges Master Plan Municipal Class Environmental Assessment Project File Report with the Municipal Clerk for a minimum 30 day public review period;

(b) That upon final approval of the Environmental Assessment for Bridge 95 - Thorpe Street and Bridge 297 Main Street that funding for these structures be subject to the Capital Budget process;

(c) That upon final approval of the Capital Budget, the General Manager, Public Works Department, be authorized and directed to proceed with the implementation of the preferred alternative.

CARRIED.
23. Municipal Representation on Source Protection Committees
(PW07107) (City Wide) (Item 7.11)
(Jackson/Collins)

(a) That the City of Hamilton appoint Councillor M. McCarthy to the Source Protection Committee for the Hamilton/Halton Source Protection Region;

(b) That the City of Hamilton appoint the Senior Project Manager of Source Protection Planning (Public Works Department) to the Source Protection Committee for the Hamilton/Halton Source Protection Region, Niagara Peninsula Source Protection Area, and the Lake Erie Source Protection Region;

(c) That the General Manager of the Public Works Department be authorized to undertake discussions with the other Municipalities to facilitate a joint membership appointment submission to the Lake Erie Source Protection Authority;

(d) That the Public Works Department be directed to distribute this report to: the Ontario Ministry of Environment, the partner Municipalities, and the three Lead Source Protection Authorities within the City of Hamilton;

(e) That the City of Hamilton appoint the Senior Director of Water & Wastewater to the Source Protection Committee for the Hamilton/Halton Source Protection Region, should an additional seat be allocated to the City of Hamilton in the future. CARRIED.

24. Expropriation of Land for Seabreeze Park, Trillium Neighbourhood
(PW07104) (Ward 11) (Item 7.12)
(Mitchell/Pasuta)

(a) That the City Solicitor be authorized and directed to proceed with the necessary steps to expropriate 0.986 Hectares (2.438 acres) more or less of the vacant lands, having a frontage of 120 metres (393.7 feet) more or less along the southern limit of Seabreeze Crescent in the former City of Stoney Creek, now in the City of Hamilton (as shown on Appendix A attached to Report PW07104) for municipal parkland and ancillary uses located at:

<table>
<thead>
<tr>
<th>Municipal Address</th>
<th>Owner</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>67-85 Seabreeze Cres. Ward 11 (Former City of Stoney Creek)</td>
<td>Christian A. Beier</td>
<td>Lots 14, 15 and Part of Lot 16, Registered Plan No. 635, Part of Lot 9, Broken Front Conc., Saltfleet Township, Part of PIN #17362-0562 (LT)</td>
</tr>
</tbody>
</table>

(b) That the City Solicitor or his agent prepare, and the City Clerk sign, an Application for Approval to Expropriate by the City of Hamilton
the lands known as Lots 14, 15 and Part of Lot 16, Registered Plan No. 635, Part of Lot 9, Broken Front Concession, Saltfleet Township, Part of PIN #17362-0562 (LT), for the purposes of municipal parkland and ancillary uses;

(c) That the Application by the City of Hamilton, signed by the City Clerk to expropriate the lands known as Lots 14, 15 and Part of Lot 16, Registered Plan No. 635, Part of Lot 9, Broken Front Concession, Saltfleet Township, Part of PIN #17362-0562 (LT), be authorized and that the said Application be hereby received and that the City Solicitor be authorized and directed to cause the necessary Notices in this Application to be served on the registered owners of the lands affected and for advertisement of the said Notice of Expropriation to be placed in a local newspaper for three (3) consecutive weeks;

(d) That the City Solicitor be authorized and directed to forward to the Chief Inquiry Officer any Request for Hearings received and to report to City Council such information;

(e) That, in the event no requests for Hearings are received, the General Manager of Public Works be authorized to introduce the appropriate Expropriation By-Law to City Council;

(f) That the Manager of Real Estate, Planning and Economic Development Department be authorized to obtain external Appraisals of the subject lands, if and when necessary, to form the basis of compensation to be offered by the City and that the Manager of Real Estate, if and when necessary, be authorized and directed to negotiate compensation with the owner of the expropriated lands on the basis of the appraisal report;

(g) That the Manager, Survey/Technical Services, be authorized and directed to prepare a Survey Plan of the lands known as Lots 14, 15 and Part of Lot 16, Registered Plan No. 635, Part of Lot 9, Broken Front Concession, Saltfleet Township, Part of PIN #17362-0562 (LT) and to deposit the plan of survey in the Land Registry Office;

(h) That all costs of the expropriation be charged to Capital Budget Item Project No. 4400556521 –Trillium Seabreeze Park.

CARRIED.
25. Tax Appeals under Section 357 and 358 of the Municipal Act, 2001 (FCS07035(b)) (City Wide) (Item 7.13) (Jackson/McCarthy)  
(a) That the tax write-offs processed under Section 357 of the Municipal Act, 2001, in the amount of $335,006.86 be approved (refer to Appendix “A” to report FCS07035(b); and  

(b) That tax appeals, due to a gross or manifest clerical error pursuant to Section 358 of the Municipal Act, 2001, in the amount of $133,498.47, be approved (refer to Appendix “B” to report FCS07035(b)).  
CARRIED.

26. Plan on how to redevelop the Oriole Crescent housing complex (Item 8.1) (Collins/Jackson)  
Whereas, there have been a number of security issues at CityHousing Hamilton’s Oriole Crescent development over the past couple of years, and;  

Whereas, there is now an understanding amongst social housing providers that it is important to create diverse mixed income neighbourhoods, and;  

Whereas, Canada’s first social housing project, Regent Park in Toronto, is now undergoing a significant redevelopment based on an interest in creating a sustainable, diverse mix of housing;  

Therefore be it resolved:  

That the CityHousing Hamilton staff investigate the Toronto Regent Park experience and report back to the Emergency and Community Services Committee with a plan on how to redevelop the Oriole Crescent housing complex (with consideration to other CityHousing Hamilton developments).  
CARRIED.

Mayor Eisenberger relinquished the chair to Acting Deputy Mayor McCarthy

27. Mayors for Peace (Item 8.2) (Eisenberger/Jackson)  
(a) That Mayor Eisenberger forward correspondence to the Physicians for Global Survival and the Culture of Peace Network re-affirming the city’s support of the program to promote the Solidarity of Cities Toward the Total Abolition of Nuclear Weapons;  

(b) That the Mayor sign the declaration and become a member of the Mayors for Peace.  
CARRIED.
Mayor Eisenberger assumed the Chair.

28. **Gypsy Moth Intervention (Item 8.3)**  
   (Powers/Mitchell)  
   (a) That staff be directed to prepare a report for consideration by October on the environmental impact and means of intervention of a possible gypsy moth invasion in consultation with the Hamilton Conservation Authority, Royal Botanical Gardens and Ministry of Natural Resources;

   (b) That the report include cost estimates for aerial spraying on a city-wide and/or regional basis (logical ward groupings). CARRIED.

29. **Gypsy Moth – Provincial Assistance (Added Motion)**  
   (Mitchell/Clark)  
   That the Province be put on notice that the City wishes the Province to be a lead partner in dealing with the Gypsy Moth issue (including financial component). CARRIED.

30. **FCM International Partnership Program (Item 8.4)**  
    (Powers/Pasuta)  
    Whereas, the City of Hamilton has actively participated since 1997 in the Federation of Canadian Municipalities’ “Municipal Partnership Program” through their International Centre for Municipal Development;

    And Whereas the City of Hamilton and has successfully completed programs and projects in Ostrava, Czech Republic and Otjiwarango, Namibia;

    Therefore be it resolved:

        That the City of Hamilton indicate to the Federation of Canadian Municipalities through application to their Municipal Partnership program that the City has an interest in participating in another international co-operative initiative. CARRIED.

31. **150 King St East, Dundas (Item 8.5)**  
    (Powers/Clark)  
    Whereas, Hamilton City Council by resolution on September 13, 2006 approved the allocation of $300,000 from Dundas Parkland Dedication Reserve Account 114050 for the purchase of the 1.008 ha. (2.43 ac.) site located at 150 King Street East, Dundas (former Ben Veldhuis Greenhouses) for the express purpose of creation of passive parkland
Therefore, be it resolved:

(a) That the City Of Hamilton, Hamilton Conservation Authority and the owner of 150 King Street East, Dundas finalize the terms of agreement and expeditiously conclude the purchase of those lands.

(b) That the land municipally known as 150 King Street East, Dundas and legally described as Lot 5 (Firstly and Secondly), Registered Complied Plan No. 1411 in the former Town of Dundas, now in the City of Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299

(c) That the Mayor and City Clerk be authorized and directed to execute an Agreement for the long term management of those lands referred to in clause b) in a form satisfactory to the City Solicitor. CARRIED.

32. Biedermann Packaging fire (Item 8.6) (Powers/Mitchell)
(a) That the City of Hamilton request that the Province of Ontario conduct a public inquiry into the events surrounding the fire of Thursday, July 26th, 2007 at Biedermann Packaging Inc., 36 Head St, Dundas which resulted in severe environmental impact to the Spencer Creek and Cootes Paradise;

(b) That in addition, the City of Hamilton convene a multi-agency review of any and all procedures and events prior to, during and following the fire and wherever appropriate, make recommendations to mitigate and/or better prepare for a similar occurrence and report same to Committee of the Whole (COW);

(c) That further staff be directed to report to the relevant committee(s) on what new and additional measures should be instituted and any other issues including the location of this and/or similar operations where continuance is proscribed. CARRIED.

33. Outside Counsel Accounts and FOI Requests (LS07011) (City Wide) (Item 10.3) (Duvall/Pasuta)
(a) That Report LS07011 be received, and remain private and confidential; and,

(b) That this report be removed from the Audit and Administration Committee’s list of Outstanding Business. CARRIED.
34. **Implementation of C.U.P.E. Local 5167 Job Evaluation (HUR07007) (City Wide) (Item 10.4)** (Ferguson/McCarthy)
   
   (a) That the mandated Consent Order issued by the Ministry of Labour on March 7, 2003 requesting the implementation of CUPE Local 5167 Job Evaluation Adjustments be approved and funded from the Contingency included in the 2007 Budget;

   (b) That the contents of Report HUR07007 respecting the implementation of C. U.P.E. Local 5167 Job Evaluation remain confidential as it contains information related to labour relations and employee negotiations. CARRIED.

35. **United Brotherhood of Carpenters and Joiners of America Local 18 Certification (HUR06005B/FCS06039B) (City Wide) (Item 10.5b)** (Clark/Mitchell)
   
   That Report HUR06005B/FCS06039B be received and remain confidential, as its subject matter pertains to labour relations or employee negotiations, to litigation affecting the municipality and to the receiving of advice that is subject to solicitor-client privilege. CARRIED.

36. **City of Hamilton ats George Robson Construction (Weston) Limited (LS01009B) (City Wide) (Item 10.6)** (Powers/Mitchell)
   
   (a) That the City of Hamilton make an application to the Supreme Court of Canada for leave to appeal the judgment against it in the case of George Robson Construction (Weston) Limited v. City of Hamilton in Court File No. 98-CV-150327 CM, and if it is granted leave, that it carry on with the appeal to the Supreme Court of Canada;

   (b) That the City Solicitor be authorized and directed to take all necessary steps for the purposes of representing the interests of the City of Hamilton in the case of George Robson Construction (Weston) Limited v. City of Hamilton in Court File No. 98-CV-150327 CM, including the execution of all required documentation.

   (c) That Report LS01009B remain confidential, as it contains information that is subject to solicitor-client privilege. CARRIED.

Councillor Clark Opposed.
37. **Correspondence from Mark Giavedonia of Evans Philp respecting Amendment to Heavy Vehicle Provisions of Traffic By-law 01-215**  
(Collins/Jackson)  
That the correspondence from Mark Giavedonia respecting Amendment to Heavy Vehicle Provisions of Traffic By-law 01-215 be received.  
CARRIED.  

38. **ATU Local 107**  
(Powers/Mitchell)  
That the verbal report be received.  
CARRIED.  

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA**

(Collins/Jackson)  
That the agenda be approved as amended with the following changes noted by the clerk:

**Added Delegation Request:**

5.1 Request by Joanna Santa Barbara, Physicians for Global Survival respecting threat of nuclear weapons  
If approved, this delegation will appear before Committee on September 11, 2007  

**Correspondence received from:**

Mark Giavedonia of Evans Philp respecting Item 7.10 – Amendment to Heavy Vehicle Provisions of traffic By-law. Mr. Philp is requesting that this report be deferred to the September 17th Public works Committee meeting  
Written submission received from Lynda Lukasik respecting Item 6.1 – Biosolids Master Plan  

**Added Motions:**

8.3 Gypsy Moth Intervention  
8.4 FCM International Partnership Program  
8.5 150 King St East, Dundas  
8.6 Biedermann Packaging fire
Private and Confidential Reports

renumbering of the current 10.5 listed on the agenda to:

10.5(a) United Brotherhood of Carpenters and Joiners of America Local 18 & The City of Hamilton – Memoranda of Settlement (Residential & Heavy engineering Sectors) (HUR07008) (City Wide)

The current 10.5 listed on the agenda renumbered to:
10.5(b) United Brotherhood of Carpenters and Joiners of America Local 18 Certification (HUR06005B/FCS06039B) (City Wide)

CARRIED.

(b) DECLARATIONS OF INTEREST

(i) Monthly Status Report of Tenders and Requests for Proposals for May 25, 2007 to July 12, 2007 (FCS07030d) (City Wide) (Item 4.6)

Councillor Ferguson declared an interest in this report as he and his brother are associated with companies bidding on projects noted in the report.

(ii) Culture and Recreation Guide Distribution Changes (ECS07059) (Item 7.3)

Councillor Bratina declared an interest on this report as a company he works for is involved in the guide’s distribution.

(iii) Accessible Transit Services (Item 7.4)

Councillor Ferguson declared an interest on this report as he is an investor in the taxi industry

(c) ADOPTION OF MINUTES

3.1 July 10, 2007 (special) (McCarthy/Clark)
The Minutes of July 10, 2007 were adopted as presented.

CARRIED.

3.2 July 11, 2007
(Powers/Mitchell)
The Minutes of July 11, 2007 were adopted as presented.

CARRIED.

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(d) **DELEGATION REQUESTS**  
(Powers/McCarthy)  
An added Delegation Request from Joanna Santa Barbara respecting threat of nuclear weapons was approved. The presentation will be entertained at Committee of the Whole on September 11, 2007. CARRIED.

(e) **PRESENTATIONS**

(i) **Biosolids Master Plan (PW07047(a)) (Item 6.1)**

Jim Harnum, Senior Director, Water/Wastewater Division presented an overview of the report. Included in the presentation were highlights of the following:
- The need for a biosolids plan
- Past and Current Practices
- Challenges with Current Practice
- Problem Statement
- BMP Objective and Approach
- Public Information Centres and Public Input
- Recommendation of the Stakeholder Advisory Committee
- Short listed alternative analysis
- Class A Stabilized biosolids production
- Thermal Reduction
- Short listed Alternative Summary Analysis/social impacts
- Comparisons
- Preferred alternative

Motion was split for voting purposes and CARRIED on a recorded vote as follows:

(a) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1

(b) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1

(c) Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, Pasuta, Mitchell, Powers  
Total: 10  
Nays: Collins  
Total: 1
(ii) Horizon Business Opportunities (Item 6.2)

Charles Hantho and Max Canazi, Horizon Utilities Corporation presented to committee. A further report and recommendation expected to be brought back to council in October/November.

Staff will do their peer review of ownership.

(f) Amendment to Heavy Vehicle Provisions of Traffic By-law 01-215 (PW07106) (City Wide) (Item 7.10) (Clark/McCarthy)

Referred to the September 17, 2007 Public Works Committee

CARRIED.

(g) United Brotherhood of Carpenters and Joiners of America Local 18 & The City of Hamilton – Memoranda of Settlement (Residential & Heavy engineering Sectors) (HUR07008) (City Wide) (Item 10.5 a) (Ferguson/McCarthy)

Tabled to a future Committee of the Whole meeting as soon as possible. Staff direction provided in closed session. CARRIED.

Councillor Duvall opposed

(h) PRIVATE AND CONFIDENTIAL

That Committee moved into Closed Session at 12:10 p.m. to deliberate a number of confidential items noted on the agenda.

The Committee reconvened in Open Session and approved the following:

(i) Closed Session Minutes of July 10, 2007 (Item 10.1) (Powers/Ferguson)

The Minutes of July 10, 2007 closed session were adopted as presented.

The closed session 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.
(ii) Closed Session Minutes of July 11, 2007 (Item 10.2)
(Mitchell/McCarthy)
The Minutes of July 11, 2007 closed session were adopted as presented.

The closed session 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.

(iii) Outside Counsel Accounts and FOI Requests LS07011 (City Wide) (Item 10.3)
Recommendation approved in open session

(iv) Implementation of C.U.P.E. Local 5167 Job Evaluation HUR07007 - (City Wide) (Item 10.4)
Recommendation approved in open session

(v) United Brotherhood of Carpenters and Joiners of America Local 18 & The City of Hamilton – Memoranda of Settlement (Residential & Heavy engineering Sectors) (HUR07008) (City Wide) (Item 10.5a)
Tabled with staff direction provided in closed session.

(vi) United Brotherhood of Carpenters and Joiners of America Local 18 Certification (HUR06005B/FCS06039B) (City Wide) (Item 10.5(b)
Recommendation approved in open session

(vii) City of Hamilton ats George Robson Construction (Weston) Limited (LS01009B) (City Wide) (Item 10.6)
Recommendation approved in open session

(viii) ATU Local 107 Update

Staff direction provided in closed session.

There being no further business, the meeting adjourned at 4:05 p.m.
Committee of the Whole
Minutes
August 8, 2007

Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher
Co-ordinator
August 8, 2007