General Issues Committee
REPORT 12-015
(as amended and approved by Council on June 13, 2012)
9:30 a.m.
Wednesday, June 6, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Deputy Mayor J. Farr (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, L. Ferguson, B. McHattie,
S. Merulla, B. Morelli, T. Jackson, B. Johnson, J. Partridge, R.
Pasuta, M. Pearson, R. Powers

Absent with Regrets:
Councillor S. Duvall – City Business
Councillor T. Whitehead – Illness

Also Present:
C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate
Services
J. Mater, A/General Manager, Public Works
T. McCabe, General Manager, Planning and Economic
Development
J. A. Priel, General Manager, Community and Social
Services
Dr. E. Richardson, Medical Officer of Health
D. Fisher, Acting City Solicitor
C. Biggs, Legislative Co-ordinator

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-015 AND
RESPECTFULLY RECOMMENDS:

1. Hamilton Police Services Board Monthly Report (PSB 12-061) (Item 5.1)

That Hamilton Police Services Board Monthly Report PSB 12-0961 be received.

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2. **Community Policing Partnerships (CPP) Program – Agreement with the Ministry of Community Safety and Correctional Services for Additional Funding for Front-Line Officers (PSB 98-069(i)) (City Wide) (Item 5.4)**

That the Mayor and City Clerk be authorized and directed to execute the Community Policing Partnership (CPP) Program Agreement between the Province of Ontario, the City of Hamilton and the Hamilton Police Services Board respecting additional funding for front-line officers, such agreement to be in a form satisfactory to Corporate Counsel.

3. **Funding Agreement: Safe Communities – 1,000 Officers Partnership Program (SCOPP) (PSB 05-055(j)) (City Wide) (Item 5.5)**

That the Mayor and City Clerk be authorized and directed to execute the Funding Agreement: Safer Communities – 1,000 Officers Partnership Program (SCOPP) between Her Majesty in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, the City of Hamilton and the Hamilton Police Services Board, respecting additional funding for front-line officers, in a form satisfactory to the City Solicitor.

4. **Provincial Offences Administration (POA) 2011 Annual Report (FCS12041) (City Wide) (Item 5.6)**

That Report FCS12041 respecting Provincial Offences Administration (POA 2011) Annual Report, be received.

5. **Labour Relations Grievance Activity Reporting and Analysis (2007-2011) (HUR12010) (City Wide) (Item 5.7)**

That Report HUR12010 respecting Labour Relations Grievance Activity Reporting and Analysis (2007-2011), be received.

6. **Barton Village Business Improvement Area (B.I.A.) Revised Board of Management (PED10248(c)) (Wards 2 and 3) (Item 5.8)**

That Sheila Levitt be appointed to the Barton Village Business Improvement Area (B.I.A). Board of Management.
7. Hamilton-Wentworth Catholic District School Board (HWCDSB) Surplus Land – Located at 70 Barton Street, described as Part of Lot 38, Plan M12, formerly Waterdown, now City of Hamilton (PED12105) (Ward 15) (Item 5.9)

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) that the City of Hamilton has no interest in the property located at 70 Barton Street in the former Town of Waterdown, described as Part of Lot 38, Plan M-12, as shown on Appendix “A” attached to Report PED12105.

(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) of the City of Hamilton’s development requirements for the site as set out in Appendix “B” attached to Report PED12105.

8. Commercial Vacancy Rate in the City of Hamilton (PED12107) (City Wide) (Outstanding Business Item) (Item 5.10)

That Report PED12107 respecting Commercial Vacancy Rate in the City of Hamilton, be received.

9. Residential Water/Wastewater Warranty Protection Plans (FCS12044/PW12041) (City Wide) (Item 7.1)

(a) That the General Manager of Finance and Corporate Services be authorized and directed to issue a Revenue Generating Request for Proposals (“RFP”) for Residential Water/Wastewater Warranty Protection Plans (“Plans”);

(b) That staff be directed to report back to the General Issues Committee with the results of the RFP prior to the contract being awarded.

10. Interim Maintenance Measures: 52-56 Charlton Avenue West, Hamilton (also known as Charlton Hall) (PED12106/PW12045) (City Wide) (Item 8.1)

(a) That the General Manager of Public Works be authorized and directed to commence immediate capital improvements and maintenance to the City-owned 52–56 Charlton Avenue property, and that the required $250,000.00 to complete these works be funded from the Unallocated Capital Reserve Fund #108020; and,
(b) That the Corporate Facilities Management Section of Public Works continues on an interim basis to manage this non-core facility provided the capital infusion of $250,000.00 is introduced to rehabilitate and renew critical components of the facility as identified in the Condition Assessment Report.

11. **Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones (PW12031) (Ward 11) (Outstanding Business Item) (Item 8.2)**

   (a) That Report PW12031 respecting the Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones, be received;

   (b) That staff be authorized and directed to install raised crosswalks at Valiant Circle and Fall Fair Way to provide a safe and protected pedestrian walkway for residents to access the park.

12. **Water, Wastewater and Stormwater Rate Structure Review Update (Outstanding Business Item) (FCS11025(b)) (City Wide) (Item 8.3)**

   That the “Revised Rate Structure Review Timeline” for the Water, Wastewater and Stormwater Rate Structure Review, as outlined in Appendix “A” attached hereto, be approved.

13. **Budget Allocation and Confederation Park Interim Operating Agreement Update (PW11005(b)) (Item 8.4)**

   That, in compliance with the Budget Control Policy FCS12010(A), the annual operating budget for Confederation Park be transferred from Boards and Agencies - Hamilton Conservation Authority (grants) to Public Works - Operations and Waste Management (contractual).

14. **Assessment of Opportunities to Commemorate the Diamond Jubilee of Queen Elizabeth II (PED12092) (City Wide) (Outstanding Business Item) (Item 8.5)**

   (a) That the naming of the newly created pedestrian promenade at Gore Park to commemorate the Diamond Jubilee of Queen Elizabeth II be referred to the Facility Naming Sub-Committee for consideration under the Municipal Property and Building Naming Policy and in consultation with Public Works and the Gore Master Plan stakeholders.
(b) That staff determine an appropriate location for a Diamond Jubilee tree planting legacy project and associated dedication events and secure necessary funding sources, in consultation with Forestry and Horticulture, Public Works, community stakeholders and partners.

15. Report 12-004 of the Advisory Committee for Persons with Disabilities – May 8, 2012 (Item 8.6)

(a) That Report 12-004 of the Advisory Committee for Persons with Disabilities, be received;

(b) That a representative from the Hamilton Police Service be invited to attend a General Issues Committee meeting to explain Section 17 of the Mental Health Act pursuant to the recent decision announced by the Human Rights Commission.

16. Report 12-003 of the Accountability and Transparency Sub-Committee – May 8, 2012 (Item 8.7)

Closed Meeting Investigations (LS12008) (City Wide)

(a) That Report LS12008, Closed Meeting Investigations, be received;

(b) That the Ontario Ombudsman continue to provide services to the City of Hamilton for closed meeting investigations.

17. Report 12-004 of the Accountability and Transparency Sub-Committee – May 17, 2012 (Item 8.8)

Integrity Commissioner’s Draft By-law and Contract

(a) That the Integrity Commissioner’s By-law, attached to Report 12-004 of the Accountability and Transparency Sub-Committee, be approved;

(b) That the Integrity Commissioner’s Contract, attached to Report 12-004 of the Accountability and Transparency Sub-Committee, be approved.

18. Donation of Statue of Mahatma Gandhi to the City of Hamilton (Item 9.3)

(a) That the donation of a Gandhi statue from the Government of India be formally accepted;

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(b) That staff report back on the placing of the statue on the City Hall grounds, or any other appropriately-deemed site, including any costs for mounting the statue.

**Item 19 was approved, as amended:**

19. **One-Time Funding for Hamilton Folk Arts Heritage Council (New Business) (No Copy)**

   (a) That a one-time funding grant in the amount of **$93,040** to the Hamilton Folk Arts Heritage Council be approved and funded from the Tax Stabilization Reserve;

   (b) That the Hamilton Folk Arts Heritage Council be requested to submit an application through the Community Partnership Program for funding requests in future years.

20. **Matter Respecting an Identifiable Individual (PED12121) (Item 12.2)**

    That Report PED12121 respecting an identifiable individual, be received and remain confidential as it contains information related to a personal matter.

21. **Hamilton Emergency Services – Verbal Update respecting an Identifiable Individual (Item 12.3)**

    That the verbal updated provided by staff respecting Hamilton Emergency Services – respecting an Identifiable Individual, be received.

22. **City Manager Remuneration Options (HUR12005(a)) (Item 12.4)**

   (a) That Report HUR12005(a) respecting the City Manager remuneration options be received;

   (b) That the City Manager’s remuneration for 2012 and 2013 as outlined in Revised Option 1 of Report HUR12005(a), be approved, subject to effective performance review;

   (c) That Report HUR12005(a) respecting City Manager remuneration remain confidential as it relates to a personal matter about an identifiable individual;

   (d) That Human Resources investigate and report back on options for City Manager remuneration to be implemented after the City Manager reaches the targeted job rate.

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FOR THE INFORMATION OF COUNCIL:

(a)  **CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

**ADDED DELEGATION REQUEST**

For Today’s Meeting:

(i)  Delegation Request from the Social Planning and Research Council and the Hamilton Community Foundation respecting the Nutritious Breakfast Program

For June 25 Special GIC Meeting:

(ii) Delegation Request from the Flamborough Community Council to express comments/concerns/position on behalf of the Council representing the communities in Wards 14 and 15 with respect to the Ward Boundary review (Added as Item 4.3)

**ADDED DISCUSSION ITEM**

(iii) Joint City/Hamilton-Wentworth District School Board Task Force – Verbal Update (Added as Item 8.9) (No Copy)

**MOTION**

(iv) Downtown Courthouse Update – Deferred to June 20, 2012 GIC Meeting (Item 9.1)

**ADDED NOTICES OF MOTION**

(v)  One-time Funding for Hamilton Art Market – June 30 to August 25, 2012 (Added as Item 10.1)

(vi) 21 Weirs Lane, Dundas – Connection to Municipal Water System (Added as Item 10.2)

On a motion, the agenda was approved, as amended.

(b) **DECLARATIONS OF INTEREST (Item 2)**

None
(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the April 27, May 11 and May 16, 2012 Minutes of the General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS

On a motion, the delegation request from Judy Travis, Workforce Planning Hamilton, to present findings from the report respecting Immigrant Entrepreneurship and recommendations from the report, was approved. (Item 4.2)

On a motion, that the delegation request from the Social Planning and Research Council and the Hamilton Community Foundation respecting the Nutritious Breakfast Program, was approved and the rules of order were waived to provide the opportunity for their presentation at today’s meeting. (Item 4.3)

On a motion, the delegation requests from the following, to appear before the Committee on June, 25, 2012 respecting Ward Boundaries, were approved:

   (aa) Ray Fullerton (Item 4.1)
   (bb) Flamborough Community Council (Item 4.4).

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees:

On a motion, the following Minutes were received:

   (aa) Hamilton Association of Business Improvement Areas – April 10, 2012 (Item 5.2)
   (bb) Accountability and Transparency Sub-Committee – May 8, 2012 (Item 5.3)

(f) PRESENTATIONS

(i) Hamilton Partners in Nutrition and Social Planning and Research Council respecting the Nutritious Breakfast Program (Added Item 4.3/6.1)

Deirdre Pike addressed the Committee on behalf of Hamilton Partners in Nutrition and Social Planning and Research Council respecting the Nutritious Breakfast Program. Her comments included, but were not limited to, the following:

- 23,000 will have a meal across this City because of Hamilton Partners in Nutrition, which operates 124 programs.
• Receives $200 to $300 per school; about four years ago, Ministry of Child and Youth Services made commitment to support this type of program throughout the Province
• Want a universal nutrition program where every student would have access to nutritious food and through partnership, have programs run by well-trained volunteers and not run on a shoe-string budget
• Ministry funds $1 for every breakfast; schools are feeding children on .37 per breakfast
• Need has become greater in the City – north Hamilton has doubled in number of kids
• Think it is time to “out” this conversation and to bring to attention that nutritional needs of students in the community needs to be put higher up on the agenda; think that the Mayor’s motion (Item 9.2) is very worthwhile and eager to provide information
• In terms of impacts of the student nutrition program, principals have documented that students’ learning ability is far higher when students have breakfast
• Support the conversation and welcome questions
• Local businesses are also involved in contributing to the program such as Lococo’s and Salerno’s
• Matt Goodman, Hamilton Community Foundation, and Don Jaffray and Tom Cooper, SPRC, were in attendance
• Trying to build infrastructure to support the breakfast program

Chair Farr thanked the delegation for their presentation and indicated that the Committee will be discussing the Mayor’s motion further on in the agenda.

On a motion, the presentation by Deirdre Pike was received..

(g) STAFF PRESENTATIONS

(i) Residential Water/Wastewater Warranty Protection Plans (FCS12044/PW12041) (City Wide)

John Savoia, Senior Policy Advisor, provided a power point presentation respecting Residential Water/Wastewater Warranty Protection Plans, which included the following:

• Water line and sewer lateral responsibilities and ownership
• Water line and sewer lateral repair costs
• Water line/sewer lateral failure risk factors
• Optional residential warranty protection plans
• Typical residential plan features
• Canadian market – residential warranty protection plans
• Marketing Agreement opportunity
• Marketing roles and responsibilities
• Benefits to the City/Benefits to the Customer
• Review of recommendations

Mr. Savoia prefaced his presentation by indicating that the recommendations in the report provide a new opportunity for the Committee’s consideration.

A copy of the presentation was distributed to the Committee and can be viewed on the City of Hamilton website.

On a motion, the presentation respecting Residential Water/Wastewater Warranty Protection Plans, was received.

On a motion, sub-sections (b), (c) and (d) were deleted in their entirety and replaced with the following in lieu thereof:

(b) That staff be directed to report back to the General Issues Committee with the results of the RFP prior to the contract being awarded.

See Item 10 for the disposition of this item.

(h) DISCUSSION ITEMS

(i) Interim Maintenance Measures: 52-56 Charlton Avenue West, Hamilton (also known as Charlton Hall) (PED12106/PW12045) (City Wide) (Item 8.1)

The Motion CARRIED on the following recorded vote:

Yeas: Pearson, Johnson, Partridge, Bratina, Farr, Jackson, Collins, Merulla, McHattie
Total Yeas: 9
Nays: Clark, Powers
Total Nays: 2
Absent: Ferguson, Pasuta, Whitehead, Duvall, Morelli
Total Absent: 5

(ii) Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones (PW12031) (Ward 11) (Item 8.2)

On a motion, the Report PW12031 respecting Petition – Fall Fair Way and Pumpkin Pass as No Parking Zone was lifted from the table.

Councillor Johnson provided an update as a result of a public meeting held with the residents and thanked the appropriate staff for their attendance at the meeting.
On a motion, the following was added as sub-section (b):

(b) That staff be authorized and directed to install raised crosswalks at Valiant Circle and Fall Fair Way to provide a safe and protected pedestrian walkway for residents to access the park.

See Item 12 for the disposition of this item.

(iii) **Water, Wastewater and Stormwater Rate Structure Review Update (FCS11025(b))**

On a motion, the following was added as sub-section (b):

(b) That the total cost of the Water and Wastewater Rate Structure Review, with an upset limit of $70,000, be funded equally from the Waterworks Capital Reserve (108015) and the Sanitary Sewer Capital Reserve (108005) with a timeframe of six months for staff to report back to the General Issues Committee.

The Amendment was **DEFEATED** on the following recorded vote:

- Yeas: Farr, Powers, McHattie, Merulla
- Total Yeas: 4
- Nays: Clark, Pearson, Johnson, Partridge, Jackson, Morelli, Collins
- Total Nays: 7
- Absent: Ferguson, Pasuta, Whitehead, Duvall, Morelli
- Total Absent: 5

(iv) **Report 12-004 of the Advisory Committee for Persons with Disabilities – May 8, 2012 (Item 8.6)**

On a motion, the following was added as sub-section (b):

(b) That a representative from the Hamilton Police Service be requested to attend a General Issues Committee meeting to explain Section 17 of the Mental Health Act pursuant to the recent decision announced by the Human Rights Commission.

See Item 18 for the disposition of this item.

(i) **MOTIONS**

(i) **Downtown Courthouse Update**

On a motion, staff was directed report back to the General Issues Committee with an update on the Downtown Courthouse as it relates to current and future lease arrangements.
(ii) Universal School Nutrition Program (Nutritious Breakfast Program) (Item 9.2)

Whereas it is recognized that a universal school nutrition program can provide measureable benefits to the health and educational development of children and adolescents; and

And Whereas the City’s mission statement includes the goal of being “best place to raise a child”.

Therefore be it resolved:

That City Manager appoint the appropriate staff to provide direction for the creation of a "Universal School Nutrition Program" Sub-Committee to determine how the municipality can best achieve this outcome.

On a motion, the Main Motion was deleted and replaced with the following and subsequently Carried:

That the City Manager be directed to report back to the General Issues Committee on the City’s role in assisting with a Universal School Nutrition Program.

(iii) Donation of Statue of Mahatma Gandhi to the City of Hamilton (Item 9.3)

On a motion, sub-section (b) be amended by inserting the words, “or any other appropriately-deemed site” following the word “grounds”.

See Item 19 for the disposition of this item.

(j) NOTICES OF MOTION

Deputy Mayor J. Farr relinquished the Chair and introduced the following Notice of Motion:

(i) One-time Funding for Hamilton Art Market – June 30 to August 25, 2012

Whereas the Hamilton Art Market occurs every Saturday (June 30 to August 25) from 11:00 a.m. until 4:00 p.m. this summer;

And Whereas over 25 artisans will set up shop at the 5th season Hamilton Art Market located at International Village, Ferguson Station;

And Whereas the Immigrant Culture and Art Association (ICAA) is a one-of-a-kind institution aimed to support emerging, established and life-time immigrant and local artists who do not have the advantage to showcase their talents and creations;

Council – June 13, 2012
And Whereas the program engaged over 100 internationally diverse and Hamilton local artisans and craft-makers within the last five years;

And Whereas this season’s Art Market features artists, musicians, and performers diverse of social, cultural and economic backgrounds;

And Whereas this event has attracted thousands of visitors and art buyers and over a dozen of the artists have established art enterprises and received Vendor Permits as a result of the Art Market;

And Whereas the ICAA Board of Directors have identified a budget shortfall of $11,650.00 for this year’s event.

Therefore, be it resolved:

(a) That one-time funding in the amount of $11,650 be directed to the Immigrant Culture and Art Association (ICAA) for the 2012 Hamilton Art Market to be held from June 30 to August 25, 2012;

(b) That this amount be funded from the Planning and Economic Development Department’s Promotions Account (from the 2012 Operating Budget).

Councillor M. Pearson introduced the following Notice of Motion:

(ii) 21 Weirs Lane, Dundas – Connection to Municipal Water System (Item 10.2)

That the property owners of 21 Weirs Lane, Dundas, be permitted to connect their single-family residence to the municipal water system, located approximately 132 metres away, in a manner acceptable to the City of Hamilton.

Councillor B. Morelli introduced the following Notice of Motion:

(iii) One-Time Funding for Hamilton Folk Arts Heritage Council

That a one-time funding grant in the amount of $40,000 to the Hamilton Folk Arts Heritage Council be approved and funded through the Tax Stabilization Reserve.

On a motion, the Rules of Order were waived to allow for the introduction of a Motion respecting One-Time Funding for the Hamilton Folk Arts Heritage Council.

One-Time Funding for Hamilton Folk Arts Heritage Council

On a motion, the following was added as sub-section (b):
(b) That the Hamilton Folk Arts Heritage Council be requested to submit an application through the Community Partnership Program for funding requests in future years.

See Item 19 for the disposition of this item.

(k) OTHER BUSINESS

(i) Outstanding Business List (Item 11.1)

(aa) Revised Due Dates

On a motion, the following Due Dates were amended and approved:

Corporate Services

(i) Item A: Buy Local (Recommendation (b) of Report FCS09020)
   Due Date: May 16, 2012
   Revised Due Date: June 11, 2012 (AF&A)

(ii) Item H: 2012 Ontario Municipal Partnership Fund Allocations
   Due Date: April 18, 2012
   Revised Due Date: September 19, 2012

Public Works

(iii) Item E: HWDSB Surplus Land at 161 Meadowlands Blvd.
      Due Date: June 6, 2012
      Revised due Date: August 13, 2012

(bb) Removal of Items from the Outstanding Business List

On a motion, the following items were removed from the Outstanding Business List:

Planning

(i) Items N1 and N2 – Assessment of Opportunities to Commemorate the Diamond Jubilee of Queen Elizabeth II/Request that the Promenade at Gore Park be named to commemorate Diamond Jubilee

Public Works

(ii) Item A: Petition – Fall Fair Way and Pumpkin Pass as No Parking Zones
On a motion, the Minutes of the Closed Session Meeting of the General Issues Committee held on May 16, 2012 were approved. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On a motion, the Committee moved into closed session at 12:50 p.m. pursuant to sub-sections 8.1(b) of the City’s Procedural By-law and Section 239.2 of the Municipal Act as the subject matters pertain to personal matters about an identifiable individual, including municipal or local board employees, respecting:

12.2 Matter respecting an Identifiable Individual (PED12121)
12.3 Hamilton Emergency Services – Verbal Update respecting an Identifiable Individual (No Copy)
12.4 City Manager Remuneration Options (HUR12005(a))

The Committee reconvened in Open Session at 1:50 p.m.

12.2 Matter respecting an Identifiable Individual (PED12121)

See Item 20 for the disposition of this item.

12.3 Hamilton Emergency Services – Verbal Update respecting an Identifiable Individual

See Item 21 for the disposition of this item.

12.4 City Manager Remuneration Options (HUR12005(a))

See Item 22 for the disposition of this item.

There being no further business, the Committee adjourned at 1:54 p.m.

Respectfully submitted

Councillor J. Farr
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
June 6, 2012
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