



CITY COUNCIL MINUTES

Thursday, July 7, 2011

9:30 a.m.

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr, L. Ferguson,
T. Jackson, B. Johnson, S.-Merulla, B. Morelli, J. Partridge,
R. Pasuta, R. Powers, M. Pearson

**Absent with
Regrets:** T. Whitehead, B. McHattie Vacation

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

- 5.4 Correspondence from Gilford E. Boyd respecting GO train expansion into the Niagara Peninsula

Recommendation: Be received.

- 5.5 Correspondence from Sheila Milligan, Fundraiser for The Hamilton Regional Indian Centre requesting the donation of bus passes for use by a Summer Camp Program for Urban Native Youth.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.6 Correspondence from Gord Conroy, President, Theatre Ancaster, respecting support for a development project in partnership with Theatre Ancaster to expand and update the Old Firehall Arts Centre

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

2. ADDED COMMITTEE REPORTS

6.4 Hamilton Licensing Tribunal Report 11-005 July 6, 2011

(Morelli/Farr)

That the Agenda for the City Council meeting being held on July 7, 2011, be approved, as amended. **CARRIED**

DECLARATIONS OF INTEREST

Councillor Pearson declared an interest on Item 1 of Planning Committee Report 11-013 as the Item relates to rental properties the Councillor owns.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

Mayor Bratina recognized Dr. David McCann for his work, both locally as an Assistant Professor in the Department of Family Medicine at McMaster University, and internationally as a co-ordinator of disaster responses. The Mayor highlighted the Doctors work in New York City in the immediate aftermath of 9/11 and his work done in Port-au-Prince Haiti following the 2010 earthquake.

Brent Browett awarded Dr. McCann with the title of honorary Emergency Management Chief for his work locally in pandemic planning and his contributions internationally. Dr. David Price accepted the award on behalf of Dr. David McCann who could not be in attendance.

(Merulla/Collins)

That Council recess at 9:45 a.m. to reconvene at the conclusion of the Special General Issues Committee meeting. **CARRIED**

Council reconvened at 10:08 a.m.

APPROVAL OF MINUTES

4.1 June 29, 2011

(Collins/Morelli)

That the Minutes of the June 29, 2011, meeting of Council be approved, as presented. **CARRIED**

COMMUNICATIONS

(Morelli /Merulla)

That Council Communications 5.1 to 5.6 be approved, as amended, as follows

- 5.1 Correspondence from the Halton-Hamilton Source Protection Region respecting Notice of Commencement under Ontario Regulation 287/07 Preparation of Drinking Water Source Protection Plans

Recommendation: **(Powers/Partridge)** Be received.

- 5.2 Correspondence from the Ministry of Municipal Affairs and Housing respecting Residential Tenancies Act Automatic Rent Reductions

Recommendation: **(Duvall/Jackson)** Be received and forwarded to the CEO of Hamilton Housing for Information

- 5.3 Resolution from the Township of Carling respecting Township of North Stormont Wildfires in Slave Lake, Alberta, and their donation to help compensate them in their recent fire

Recommendation: **(Pearson/Powers)** Be received

- 5.4 Correspondence from Gilford E. Boyd respecting GO train expansion into the Niagara Peninsula

Recommendation: **(Partridge/Pearson)** Be received.

- 5.5 Correspondence from Sheila Milligan, Fundraiser for The Hamilton Regional Indian Centre requesting the donation of bus passes for use by a Summer Camp Program for Urban Native Youth.

Recommendation: **(Pearson/Collins)** Be received and referred to the General Manager of Public Works for appropriate action.

- 5.6 Correspondence from Gord Conroy, President, Theatre Ancaster, respecting support for a development project in partnership with Theatre Ancaster to expand and update the Old Firehall Arts Centre

Recommendation: **(Ferguson/Powers)** Be received and referred to the General Manager of Public Works to work in consultation with the Director of Culture for a report to the appropriate Standing Committee. **CARRIED**

(Morelli/Merulla)

That Council move into Committee of the Whole for consideration of the Standing Committee Reports. **CARRIED**

GENERAL ISSUES COMMITTEE REPORT 11-023

**Item 13 McMaster Health Campus Proposal McMaster University (CM11008(a)/
PED11034/FCS11063/ BOH11026)****(Jackson/Partridge)**

That subsection (c) be referred to the Future Fund Board of Governors for consideration prior to the August 11, 2011 meeting of Council.

Amendment CARRIED

The Main Motion as Amended **CARRIED** on the following Recorded Vote:

Yeas	B. Bratina, L. Ferguson, J. Partridge, R. Pasuta, R. Powers, M. Pearson, S. Duvall, T. Jackson, C. Collins, S. Merulla, B. Morelli, J. Farr
Total:	12
Nays:	B. Clark, B. Johnson
Total	2
Absent:	T. Whitehead, B. McHattie
Total	2

**Item 22 Hamilton Health Sciences Access to Best Care Resolution
Emergency Medical Services****(Farr/Morelli)**

That Item 22 of General Issues Committee Report 11-023 respecting Hamilton Health Sciences Access to Best Care Resolution Emergency Medical Services be amended as follows:

- (a) That sub-section (a) and (c) be amended by deleting "7" and replacing it with "9" in lieu thereof;
- (b) That sub-section (b)(ii) be amended by adding the words "up to 5.5 FTE" be added following the word, "Add";
- (c) That sub-section (c) of Item 22 be deleted in its entirety and replaced with the following
 - (c) That Hamilton EMS spend up to \$355K for 2011 and up to \$478K in first 4 months of 2012 in operating funds for a total of \$833K over the months of- the pilot project, and up to \$30,000 for one time purchase of Electro-cardio graph equipment. **Amendment CARRIED**

(Ferguson/Powers)

That the following be added as sub-section (g)

- (g) That the City Manager be directed to further examine and report to GIC regarding why the additional funding and staff resources are not resolving the Code Zero situation.

The Motion to Amended was **DEFEATED** on the following Standing Recorded Vote:

Yeas	B. Bratina, L. Ferguson, R. Pasuta, R. Powers, M. Pearson, B. Johnson
Total:	6
Nays:	S. Duvall, T. Jackson, C. Collins, B. Morelli, J. Farr, J. Partridge, S. Merulla, B. Clark
Total	8
Absent:	T. Whitehead, B. McHattie
Total	2

The Main Motion as Amended **CARRIED** on the following Recorded Vote:

Yeas	B. Bratina, J. Partridge, R. Pasuta, R. Powers, M. Pearson, S. Duvall, T. Jackson, C. Collins, S. Merulla, B. Morelli, J. Farr, B. Clark, B. Johnson
Total:	13
Nays:	L. Ferguson
Total	1
Absent:	T. Whitehead, B. McHattie
Total	2

(Morelli/Merulla)

That the TWENTY THIRD Report of the General Issues Committee be adopted, as amended, and the information section received. **CARRIED**

PLANNING COMMITTEE REPORT 11-013

- Item 2** **Application for an Amendment to a Ministry of Environment Provisional Certificate of Approval No. A130407 (2285-85ZK3L) to Operate a Waste Disposal Site (Transfer/Processing), 35 Jones Road (Stoney Creek) (PED11124) (Ward 11)**

(Clark/Johnson)

That Item 2 of the Planning Committee Report 11-013 be referred back to the Planning Committee. **CARRIED**

(Pasuta/Clark)

That the THIRTEENTH Report of the Planning Committee be adopted as amended, and the information section received. **CARRIED**

(Morelli/Merulla)

That the 48-hour rule be waived to allow for the introduction and consideration of the following Reports:

(a) General Issues Committee Report 11-024 July 6, 2011

(b) Hamilton Licensing Tribunal Report 11-005 July 6, 2011. **CARRIED**

GENERAL ISSUES COMMITTEE REPORT 11-024

Item 3 Waste Collection and Recycling Processing Procurement Processes for 2013-202(PW11030(a)) (City Wide)

(Powers/Jackson)

That sub-section (g) be amended by the addition of "bulk" after "annual" to read as follows:

(g) That the procurement and internal costing processes for waste collection services include an option for an annual bulk collection event for each of the six waste collection zones in the City.

Amendment CARRIED

(Jackson/Duvall)

That sub-section (a)(iii) of Item 3 of General Issues Committee Report 11-024 be amended by the addition of a sub-section (5) to read as follows:

(5) That staff be directed to investigate the feasibility of adding one bag to the current one bag limit

The Amendment **CARRIED** on the Following Standing Recorded Vote

Yeas B. Bratina, S. Duvall, T. Jackson, C. Collins, S. Merulla,
B. Morelli, J. Farr, B. Clark

Total: 8

Nays M. Pearson, B. Johnson, L. Ferguson, R. Powers,
R. Pasuta, J. Partridge

Total: 6

Absent: T. Whitehead, B. McHattie

Total: 2

Main Motion as Amended CARRIED

(Morelli/Merulla)

That the TWENTY FOURTH Report of the General Issues Committee be adopted as amended, and the information section received. **CARRIED**

HAMILTON LICENSING TRIBUNAL REPORT 11-005
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(Collins/Merulla)

That the FIFTH Report of the Hamilton Licensing Tribunal be adopted, and the information section received. **CARRIED**

(Morelli/Merulla)

That Committee of the Whole Rise and Report **CARRIED**

MOTIONS

7.1 Disclosure Policy for Expenses Submitted by Elected Officials and Senior Staff

Whereas the City of Hamilton is committed to an open, transparent and accountable governance model;

And Whereas both the Federal and Provincial Privacy Commissioners have adopted proactive disclosure for accommodation and hospitality expenses for themselves and their staff;

And Whereas the municipal costs to responding to freedom of information requests can be significantly mitigated by adopting a proactive disclosure process,

Therefore be it resolved:

- (a) That the City of Hamilton implement a Proactive Disclosure policy for expenses submitted by elected officials and senior staff;
- (b) That all expenses must be filed within 60 days of being incurred including receipts and all details;
- (c) That any expense(s) filed after the 60 days of incurrence will not be reimbursed;
- (d) That all approved monthly expense reports, with details, be made publicly available online within 30 days.

(Johnson/Merulla)

That the Motion respecting Disclosure Policy for Expenses Submitted by Elected Officials and Senior Staff, be referred to the Governance Review Sub-Committee

CARRIED

7.2 Restoration of Sink Hole Area, Churchill Park, Westdale

(Powers/Jackson)

Whereas a saturated sink hole area half the size of a football field has developed adjacent to the Aviary in Churchill Park;

And Whereas sampling has indicated that City water is present, suggesting a broken pipe;

And Whereas the area continues to expand, displaying qualities of quick sand, and increasingly developing a strong odour from the volumes of standing water;

And Whereas this area represents a West Nile Virus public health risk due to mosquito breeding;

And Whereas Public Works Parks staff has researched a solution and have undertaken to obtain three quotes to get the work accomplished.

Therefore, be it resolved:

That remedial work be undertaken to repair this area as soon as possible, and that the work be funded to an upset limit of \$35,00 from the Tax Stabilization Reserve.

CARRIED

NOTICES OF MOTION

None

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

None

BY-LAWS

(Morelli/Merulla)

That Bills No. 011-177 to 011-192 attached hereto, be passed, that the Corporate seal be affixed thereto, and that the By-law be signed by the Mayor and the City Clerk and read as follows:

By-law No.

- | | |
|---------------|--|
| 11-177 | To Establish Certain 2011 User Fees and Charges for Services, Activities or the Use of Property |
| 11-178 | To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 14 – Wheelchair Loading Zones |
| 11-179 | To Incorporate City Land Designated as Parts 2 and 3 on Plan 62R-19069 into Albert Street |
| 11-180 | To Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-17780 into Mountain Park Avenue |
| 11-181 | To Incorporate City Land Designated as Part 1 on Plan 62R-19069 into Lynden Road |
| 11-182 | To Incorporate City Land Designated as Part 3 on Plan 62R-18952 into Springbreeze Heights |
| 11-183 | To Incorporate City Land Designated as Part 3 on Plan 62R-19074 into Montreal Circle |
| 11-184 | Respecting Removal of Part Lot Control, Block 76, Plan No. 62M-1150 – “Summerlea West Phase 2A” |
| 11-185 | Respecting Removal of Part Lot Control, Block 77, Plan No. 62M-1150 – “Summerlea West Phase 2A” |
| 11-186 | To Adopt Official Plan Amendment No. 138 to the former Town of Ancaster Official Plan, Respecting 71 Wilson Street East |
| 11-187 | To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 71 Wilson Street East, in the former Town of Ancaster, now in the City of Hamilton |
| 11-188 | To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 80-171, Respecting Lands Located at 95 Rymal Road West (Hamilton) |
| 11-189 | To Adopt: Regional Official Plan Amendment No. 43 to the Hamilton-Wentworth Official Plan; Respecting: 1125-1143 Wilson Street West |
| 11-190 | To Adopt Official Plan Amendment No. 137 to the former Town of Ancaster Official Plan; Respecting: 1125-1143 Wilson Street West |

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11-191 To Amend Zoning By-law No. 87-57 (Ancaster), respecting Lands Located at 1125-1143 Wilson Street West (Ancaster)

11-192 To Confirm Proceedings of Council

CARRIED

(Pearson/Partridge)

There being no further business, the City Council meeting adjourned at 12:38 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk
July 7, 2011