Mayor F. Eisenberger called the meeting to order and called upon Reverend Bob Nightingale of Stoney Creek United Church to lead Council in prayer.

### APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. **ADDED COMMUNICATIONS**

   5.16 Correspondence from Michael Desnoyers, Chair, Hamiltonians for Progressive Development, requesting Council suspend the detailed Phase 2 studies of the proposed Airport Employment Growth District

   Recommendation: Be received and referred to the January 20, 2009 meeting of the Economic Development and Planning Committee
5.17(a) Correspondence from Joseph and Sina Macri expressing opposition to the proposed daycare facility at 1194 Scenic Drive, Ancaster

Recommendation: Be received.

5.17(b) Petition submitted by Joseph Macri in opposition to the proposed daycare facility at 1194 Scenic Drive, Ancaster (Petition signed by 58 signatories)

Recommendation: Be received.

5.17(c) Correspondence from Paul and Christine Bolduc respecting daycare facility on Scenic Drive

Recommendation: Be received.

5.18 Resolution from the Hamilton Municipal Heritage Committee respecting Alterations to the Exterior of Hamilton City Hall

Recommendation: Be received and referred to the City Hall Renovations Steering Committee

5.19 Correspondence from Susan Rogers, Townsend, Rogers respecting City of Hamilton Urban Structure Plan and Rural Plan

Recommendation: Be received

(Merulla/Collins)
That Item 8 of Emergency and Community Services Committee Report 08-016 be dealt with by the Committee prior to the Standing Committee Reports. CARRIED

(Pasuta/Pearson)
That the Agenda for the City Council meeting being held on December 10, 2008, be approved, as amended. CARRIED

DECLARATIONS OF INTEREST

Economic Development and Planning Committee Report 08-024
Item 25 Public Meeting respecting Change to Licensing By-law (Taxi Cab Cameras)

Councillor L. Ferguson declared an interest as he is an investor in the taxi industry.
Mayor F. Eisenberger declared an interest as his sister-in-law operates a market stall.

### CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

#### 3.1 Winona Peach Festival

Mayor Eisenberger called upon Linda Shuker to present a cheque to the City of Hamilton in the amount of $13,000 which represents the 2\textsuperscript{nd} instalment of a loan granted to the Winona Peach Festival.

#### 3.2 ECO School Presentation

Mayor Eisenberger recognized the following twelve schools from within the Hamilton-Wentworth Catholic District School Board who were certified as Eco Schools:

- Blessed Kateri Tekakwitha
- Our Lady of Lourdes
- Cathedral
- Pope John Paul II
- Holy Name of Mary
- Sacred Heart
- St. Christopher
- St. Daniel
- St. Helen
- St. Marguerite d'Youville
- St. Michael
- St. Paul.

Ontario EcoSchools is an environmental education designed collaboratively by school boards for school boards to incorporate environmental education, as well as environmentally-responsible action into the school setting. Student success, in both academics and positive contributions to society, is the focus of Ontario EcoSchools. The program aims to influence young people during a formative period of olife, and affect an exponential impact as children take a culture of conservation home with them.

Representatives from each of the schools were present to receive the awards.

Councillor B. McHattie also recognized Grant Ranalli for his efforts in bringing the program forward to the schools.

### APPROVAL OF MINUTES

(Duvall/Clark)
That the Minutes of the November 26, 2008, meeting of Council be approved, as presented. CARRIED
COMMUNICATIONS

(Morelli/Merulla)
That Council Communications 5.1 to 5.19, as amended, be approved, as follows:

5.1 Correspondence from The Honourable Minister of Municipal Affairs and Housing, Jim Watson respecting planning reform initiatives

Recommendation: Be received

5.2 Correspondence from JCJ Contracting and Canadian Waste Handlers respecting proposal disqualification

Recommendation: Be received

5.3 Correspondence from the Honourable Ministers of Finance, Dwight Duncan, Municipal Affairs and Housing, Jim Watson and Minister of Energy and Infrastructure, George Smitherman respecting Investing in Ontario Act, 2008

Recommendation: Be received

5.4 Correspondence from Dr. Tom Nugent respecting 30 year Growth Strategy

Recommendation: Be received

5.5 Correspondence from Dr. Tom Nugent requesting Council delay voting on GRIDS until after the next Provincial Election

Recommendation: Be received

5.6 Correspondence from the Honourable Premier of Ontario, Dalton McGuinty respecting 2008 Nutritious Food Basket Report

Recommendation: Be received

5.7 Correspondence from the Honourable Premier of Ontario, Dalton McGuinty respecting Temporary Care Allowance

Recommendation: Be received

5.8 Correspondence from the Honourable Minister of the Environment, John Gerretsen, respecting Newalta Certificate of Approval

Recommendation: Be received

5.9 Correspondence from M. Fair respecting Airport Employment Growth District

Recommendation: Be received
5.10 Communication from AMO respecting Draft Information and Communications Standard as part of the Accessibility for Ontarians with Disabilities Act, 2005

Recommendation: Be received and referred to the Advisory Committee for Persons with Disabilities for response

5.11 Communication from AMO respecting Extension on the Public review Period for the Information and Communications Standard requesting an extension for responses

Recommendation: Be endorsed and that a letter be forwarded to the Province requesting an extension to the response deadline to February, 2009

5.12 Correspondence from Dorothy Anderson respecting roundabouts

Recommendation: Be forwarded to the Advisory Committee for Persons with Disabilities

5.13 Correspondence from Jennifer Shaw, City of Burlington respecting Waterdown/Aldershot Transportation Master Plan, King Road, Technical Feasibility Study and Kearns Road EA Study

Recommendation: Be received.

5.14 Correspondence from the City of Cambridge respecting Property Tax Assessment

Recommendation: Be received and referred to the Audit and Administration Committee.

5.15 Correspondence from Kumar Nadarajah, President and C.E.O., Hamilton Ethnic Radio respecting CRTC application in progress for a Multi Cultural Radio station

Recommendation: Be Received.

5.16 Correspondence from Michael Desnoyers, Chair, Hamiltonians for Progressive Development, requesting Council suspend the detailed Phase 2 studies of the proposed Airport Employment Growth District

Recommendation: Be received and referred to the January 20, 2009 meeting of the Economic Development and Planning Committee

5.17(a) Correspondence from Joseph and Sina Macri expressing opposition to the proposed daycare facility at 1194 Scenic Drive, Ancaster

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5.17(b) Petition submitted by Joseph Macri in opposition to the proposed daycare facility at 1194 Scenic Drive, Ancaster (Petition signed by 58 signatories)

Recommendation: Be received.

5.17(c) Correspondence from Paul and Christine Bolduc respecting daycare facility on Scenic Drive

Recommendation: Be received.

5.18 Resolution from the Hamilton Municipal Heritage Committee respecting Alterations to the Exterior of Hamilton City Hall

Recommendation: Be received and referred to the City Hall Renovations Steering Committee.

5.19 Correspondence from Susan Rogers, Townsend, Rogers respecting City of Hamilton Urban Structure Plan and Rural Plan

Recommendation: Be received and referred to the Economic Development and Planning Committee.

CARRIED as amended

(Morelli/Merulla)
That Council move into Committee of the Whole for consideration of the Standing Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 08-019

(McHattie/Merulla)
That Information Item (j) of Public Works Committee Report 08-019 respecting Employee Personal Bicycle Purchase Plan (PW08145), be lifted from the information section.

The motion was DEFEATED.

(Powers/Pearson)
That the NINTEENTH Report of the Public Works Committee be adopted, and the information section received.

CARRIED

AUDIT & ADMINISTRATION COMMITTEE 08-015

Item 1 Appointment of Chair and Vice Chair for 2009 (Item A)

(Pearson/Collins)
That sub-section (b) of Item 1 of Audit and Administration Committee Report 08-015 respecting the Appointment of Chair and Vice Chair for 2009 be deleted in its entirety and replaced with the following in lieu thereof:
1(b) That Councillor R. Powers be appointed Vice Chair of the Audit and Administration Committee for 2009. Amendment CARRIED
Motion as amended CARRIED

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

EMERGENCY & COMMUNITY SERVICES COMMITTEE 08-016

Item 8 Ontario Works Temporary Care Allowance (ECS08023(a)) (City Wide)

Councillor S. Merulla recognized the attendance of Paul Miller, M.P.P., and thanked him for his efforts and support on behalf of the seniors in the community for implementing amendments with respect to Ontario Works Temporary Care Allowance.

Councillor Merulla also thanked Joe-Anne Priel, General Manager of Community Services, and her staff, for all of their efforts on this matter.

Item 8 was subsequently CARRIED.

(Jackson/McCarthy)
That the SIXTEENTH Report of the Emergency & Community Services Committee be adopted, and the information section received. CARRIED

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE 08-023

(Whitehead/Powers)
That the TWENTH-THIRD Report of the Economic Development and Planning Committee be adopted, and the information section received. CARRIED

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE 08-024

Item 3 Appointment of Second Vice Chair of the Economic Development and Planning Committee for 2009

(Pasuta/Mitchell)
That Item 3 of Economic Development and Planning Committee Report 08-024 be deleted in its entirety and replaced with the following in lieu thereof:
3. That Councillor Bob Bratina be appointed as Second Vice-Chair to the Economic Development and Planning Committee.

   Amendment CARRIED
   Motion as amended CARRIED

Item 26  Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Property Located at 1194 Scenic Drive (Ancaster) (PED08267) (Ward 12) (Item 8.1)

Item 26 was DEFEATED on the following standing recorded vote:

Yeas: Eisenberger, Bratina, McHattie, Mitchell, Pearson, Powers
Total Yea: 6
Nays: Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, Merulla, Morelli, Pasuta, Whitehead
Total Nays: 10

Item 27  Declaration of Surplus Property – Proposed Land Exchange between City of Hamilton and 810306 Ontario Inc. (Angelo Paletta) of Development Lands in the Former Township of Glanbrook, now in the City of Hamilton (PED08271) (Wards 7 and 11) (Whitehead/Powers)

That subsection (c) of Item 27 of Economic Development and Planning Committee Report 08-024 be amended by deleting the words “by Council” and adding therein the words “of the land transaction, at which time details will be made available” to read as follows:

(c) That the balance of Report PED08271 remain Private and Confidential at this time, until final disposition of the land transaction, at which time details will be made available.

   Amendment CARRIED
   Motion as amended CARRIED

Item 28  Proposed Land Exchange Between City of Hamilton and Nebo Group (2006) Inc. (Casimir Banas) of Development Lands in the Former Township of Glanbrook, now in the City of Hamilton (PED08302) (Wards 6 and 11) (Whitehead/Powers)

That subsection (b) of Item 28 of Economic Development and Planning Committee Report 08-024 be amended by deleting the words “by Council” and adding therein the words “of the land transaction, at which time details will be made available” to read as follows:
(b) That the balance of Report PED08302 remain Private and Confidential at this time, until final disposition of the land transaction, at which time details will be made available.  
Amendment CARRIED
Motion as amended CARRIED

(Whitehead/Powers)
That the TWENTY-FOURTH Report of the Economic Development and Planning Committee be adopted, as amended, and the information section received. CARRIED

**SELECTION COMMITTEE 08-004**

(Jackson/Duvall)
That the FOURTH Report of the Selection Committee be adopted and the information section received. CARRIED

**COMMITTEE OF THE WHOLE REPORT 08-035**

(Morelli/Collins)
That the THIRTY-FIFTH Report of Committee of the Whole be approved, and the information section received. CARRIED

**COMMITTEE OF THE WHOLE REPORT 08-036**

Item 13  Appointment of City Manager

(Powers/Eisenberger)
That Item 13 of Committee of the Whole Report 08-036 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That Christopher Murray be appointed to the position of CAO/Manager, effective January 2, 2009;

(b) That the By-law to Appoint and Prescribe the Duties and Responsibilities of the Chief Administrative Officer, attached hereto, be approved;

(c) That the work of the CAO Search Committee be deemed completed and the Committee disbanded;

(d) That thanks be extended to Ms. Margaret Campbell of Ray and Berndtson for her assistance in the search process.  
Amendment CARRIED
Motion as amended CARRIED
(Morelli/Collins)
That the THIRTY-SIXTH Report of the Committee of the Whole be approved, as amended, and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 08-037

NOTE: Due to a numbering error, Item 8 respecting the Lister Block is renumbered Item 9 and the balance of the items renumbered accordingly.

Item 4 No New Net Staff

(Collins/Duvall)
That sub-section (b) of Item 4 of Committee of the Whole Report 08-037 be amended by deleting the word, “redundant”, to read as follows:

(b) That staff report back on eliminating positions as part of the 2009 budget.” Amendment CARRIED

The motion, as amended, CARRIED on the following vote:

Yeas: Eisenberger, Bratina, Clark, Collins, Duvall, Ferguson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total Yea: 15
Nays: Jackson (opposed to sub-section (c))
Total Nays: 1

Item 11 United Brotherhood of Carpenters and Joiners of America Local 18 Certification (LS07012(a)) (City Wide)

The motion CARRIED on the following vote:

Yeas: Eisenberger, Bratina, Clark, Collins, Duvall, Jackson, McHattie, Merulla, Morelli, Pasuta, Pearson, Powers, Whitehead
Total Yea: 13
Nays: Ferguson, McCarthy, Mitchell
Total Nays: 3

Item 12 Canadian Union of Public Employees Local 1041 Memorandum of Settlement

(Morelli/ Merulla)
That Item 11 of Committee of the Whole Report 08-037 respecting Canadian Union of Public Employees Local 1041 Memorandum of Settlement be deleted in its entirety and replaced with the following in lieu thereof:
(a) That the Memorandum of Settlement for the City of Hamilton and the Canadian Union of Public Employees, Local 1041 (CUPE 1041) Managerial and Front-Line Supervisors on file with the Clerk, be approved;

(b) That the contents of Report HUR08023 remain confidential as they contain information related to labour relations and employee negotiations.

The motion, as amended, **CARRIED** on the following vote:

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

Total Yea: 13

**Nays:** Ferguson, McCarthy, Mitchell

Total Nays: 3

(Morelli/Merulla)

That the THIRTY-SEVENTH Report of the Committee of the Whole be approved, as amended, and the information section received. **CARRIED**

**BOARD OF HEALTH REPORT 08-012**

(Morelli/Merulla)

That the TWELFTH Report of the Board of Health be approved, as amended, and the information section received. **CARRIED**

(Morelli/Merulla)

That the Committee of the Whole rise and report. **CARRIED**

**MOTIONS**

7.1 **Establishment of a Reserve for Flamborough Capital Projects**

That subject to an overall surplus in the Tax Supported Programs, an amount not to exceed $200,000 be transferred to the Capital Projects - Flamborough Reserve on an annual basis, to be used for capital initiatives within Flamborough.

Councillor Whitehead did not introduce this motion at this time.

**NOTICES OF MOTION**

None
Members of Council used this opportunity to discuss matters of general interest.

PRIVATE AND CONFIDENTIAL

10.1 Minutes of the Closed Session Meeting of November 26, 2008

(Powers/Pasuta)
(a) That the Minutes of the Closed Session of the City Council held on November 26, 2008, be received;
(b) That the 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

BY-LAWS

(Morelli/Merulla)
That Bill Nos. 08-282 to 08-308 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 08-282 to 08-308 as follows:

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>08-282</td>
<td>282</td>
<td>To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs</td>
</tr>
<tr>
<td>08-283</td>
<td>283</td>
<td>To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Schedule 5 – Parking Meters Schedule 6 – Time Limit Parking Schedule 8 – No Parking Zones Schedule 12 – Permit Parking Zones Schedule 13 – No Stopping Zones</td>
</tr>
<tr>
<td>08-284</td>
<td>284</td>
<td>To Amend By-law No. 01-215, To Regulate Traffic: Schedule 2 – Speed Limits Schedule 13 – Designated Traffic Lanes Schedule 18 – Bicycle Lanes Schedule 19 – Bike Paths</td>
</tr>
<tr>
<td>08-285</td>
<td>285</td>
<td>To Amend By-law No. 07-170, To License and Regulate Various Businesses</td>
</tr>
<tr>
<td>08-286</td>
<td>286</td>
<td>To Amend Zoning By-law No. 05-200, Respecting Lands at 153 George Street</td>
</tr>
<tr>
<td>By-law No.</td>
<td>Bill No.</td>
<td>Description</td>
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<tr>
<td>08-287</td>
<td>287</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 85 Robinson Street (Hamilton Thistle Club)</td>
</tr>
<tr>
<td>08-288</td>
<td>288</td>
<td>To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at the North East Corner of Highland Road West and Second Road West</td>
</tr>
<tr>
<td>08-289</td>
<td>289</td>
<td>To Adopt Official Plan Amendment No. 144 to the former City of Stoney Creek Official Plan, Respecting 1478 Baseline Road</td>
</tr>
<tr>
<td>08-290</td>
<td>290</td>
<td>To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1478 Baseline Road</td>
</tr>
<tr>
<td>08-291</td>
<td>291</td>
<td>To Amend Zoning By-law No. 05-200, Respecting lands Located at 1478 Baseline Road (Stoney Creek)</td>
</tr>
<tr>
<td>08-292</td>
<td>292</td>
<td>To Adopt Official Plan Amendment No. 143 to the former City of Stoney Creek Official Plan, Respecting Lands on the east side and south of the corner of Highbury Drive, north of Candlewood Drive and south of Cline Park</td>
</tr>
<tr>
<td>08-293</td>
<td>293</td>
<td>To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at Highbury Drive</td>
</tr>
<tr>
<td>08-294</td>
<td>294</td>
<td>To Adopt Official Plan Amendment No. 215 to the former City of Hamilton Official Plan, Respecting 1081, 1091, 1097 and 1105 Beach Boulevard (Fisherman’s Pier)</td>
</tr>
<tr>
<td>08-295</td>
<td>295</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting 1081, 1091, 1097 and 1105 Beach Boulevard</td>
</tr>
<tr>
<td>08-296</td>
<td>296</td>
<td>To Adopt: Official Plan Amendment No. 33 to the former Regional Municipality of Hamilton-Wentworth Official Plan Official Plan Amendment No. 124 to the former Town of Ancaster Official Plan Official Plan Amendment No. 15 to the former Town of Dundas Official Plan Official Plan Amendment No. 112 to the Town of Flamborough Official Plan Official Plan Amendment No. 70 to the former Township of Glanbrook Official Plan Official Plan Amendment No. 216 to the former City of Hamilton Official Plan Official Plan Amendment No. 145 to the former City of Stoney Creek Official Plan Respecting City Wide – Pre-Consultation and Complete Application Policies</td>
</tr>
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<tr>
<td>08-297</td>
<td>297</td>
<td>To Require Consultation Prior to the Submission of Planning Applications and to Delegate Staff the Authority to Decide if an Application is Complete</td>
</tr>
<tr>
<td>08-298</td>
<td>298</td>
<td>To Amend By-law No. 03-294, To Require Pre-Consultation for Site Plan Control Applications and To Permit Additional Site Design Considerations to be Included in the Review of Development</td>
</tr>
<tr>
<td>08-299</td>
<td>299</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 398 King Street West</td>
</tr>
<tr>
<td>08-300</td>
<td>300</td>
<td>To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272, as amended, and Implement the 2009 Fees and Charges</td>
</tr>
<tr>
<td>08-301</td>
<td>301</td>
<td>To Amend the Sewer and Drain By-law No. 06-026, as amended, and Implement the 2009 Fees and Charges</td>
</tr>
<tr>
<td>08-302</td>
<td>302</td>
<td>To Amend the Sewer Use By-law No. 04-150, as amended, and Implement the 2009 Sewer Use Fees and Charges</td>
</tr>
<tr>
<td>08-303</td>
<td>303</td>
<td>To Amend the Waterworks By-law No. R84-026, as amended, and Implement the 2009 Water Use Fees and Charges</td>
</tr>
<tr>
<td>08-304</td>
<td>304</td>
<td>To Establish the 2009 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton</td>
</tr>
<tr>
<td>08-305</td>
<td>305</td>
<td>Respecting the Removal of Part Lot Control, Lots 1 – 6, 8 – 27, 29 – 34, 46 – 59, Registered Plan No. 62M-1117, Northampton Estates</td>
</tr>
<tr>
<td>08-306</td>
<td>306</td>
<td>Respecting the Removal of Part Lot Control, Lots 60 – 64, 67 – 73, 75 – 88, and Block 89, Registered Plan No. 62M-1117, Northampton Estates</td>
</tr>
<tr>
<td>08-307</td>
<td>307</td>
<td>To Appoint and To Prescribe the Duties and Responsibilities of the Chief Administrative Officer</td>
</tr>
<tr>
<td>08-308</td>
<td>308</td>
<td>To Confirm the Proceedings of City Council</td>
</tr>
</tbody>
</table>
(Power/Pearson)
There being no further business, the City Council meeting adjourned at 9:00 p.m.

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

Kevin Christenson
Clerk
December 10, 2008