
Absent with regrets: Mayor L. DiIanni – City Business

Deputy Mayor B. Kelly called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. Revised Item 7.2 respecting Funding for Arts Hamilton (formerly Hamilton and Region Arts Council)

2. Notice of Motion by Councillor McHattie noted as Item 8.1 respecting Establishment of a Hamilton Triple Bottom Line - Business Attraction Task Force (Whitehead/Pearson)

That the Agenda for the City Council meeting being held on November 17, 2005 be approved as amended. CARRIED

DECLARATIONS OF INTEREST

None

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None
APPROVAL OF MINUTES

(Morelli/Bruckler)
That the Minutes of the City Council Meeting held on October 26, 2005, be approved. CARRIED

(Whitehead/Merulla)
That the Minutes of the City Council Meeting held on October 27, 2005, be approved. CARRIED

(Ferguson/Collins)
That the Minutes of the City Council Meeting held on November 10, 2005, be approved. CARRIED

COMMUNICATIONS

(Jackson/Bratina)
That the following dispositions for the Council Communications be approved as follows:

5.1 Correspondence from the Honourable Ralph Goodale, Minister of Finance, respecting tax treatment of donations of publicly traded securities to charities

Recommendation: Be received.

5.2 Correspondence from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, respecting the City’s request for funding from the Ontario Disaster Relief Assistance Program (ODRAP) for the August 19th, 2005 storm

Recommendation: Be received.

5.3 Correspondence from the Honourable Jim Watson, Minister of Health Promotion, confirming the support of the Government of Ontario for the City’s bid for the 2014 Commonwealth Games Bid to Commonwealth Games Canada

Recommendation: Be received.

5.4 Correspondence from AMO respecting Ontario’s $3 Billion Provincial Municipal Fiscal Gap

(McCarthy/Jackson)

Recommendation:
Whereas there currently exists a $23 billion gap between what the Federal Government receives from Ontarians compared with the amount returned to them in programs and services;

And Whereas, the gap grew from $2 billion to $23 billion between 1994/95 and 2004/05;
And Whereas this gap directly affects local taxpayers as municipal governments struggle with the burden of reduced transfer payments by the province while budgets, such as health and social services continue to escalate;

Be it therefore resolved that the City of Hamilton supports the efforts directed at getting the Federal Government to reduce the $23 billion gap

And further that a letter indicating this support be forwarded to the federal Minister of Finance, the Honourable Ralph Goodale, the provincial Minister of Finance, The Honourable Dwight Duncan, the provincial Minister of Intergovernmental Affairs, the Honourable Dr. Marie Bountrogianni, the provincial Minister of Municipal Affairs, the Honourable John Gerretsen, MP;

And further that copies of this resolution be forwarded to the Federation of Ontario Municipalities and surrounding municipalities in our region, requesting their support.

AMENDMENT CARRIED.

5.5 Correspondence from John Mokrycke, Chairman of the Downtown Hamilton Business Improvement Area, expressing support for the proposed Residential/Commercial Development at 87-89 King Street East

Recommendation: Be received and referred to the General of Manager Planning and Economic Development for a report to the Social and Public Health Services Committee.

5.6 Correspondence from Peter S. Hyde, Hamilton Specialty Bar Corporation, respecting loss of production due to excessive hydro costs

Recommendation: Be received and referred to Horizon Utilities for appropriate action and response and to the Corporate Administration Committee for discussion. AMENDMENT CARRIED.

5.7 Petition for Sanitary Sewer construction on North Service Road submitted by Vijay Bhardwaj on behalf of 6 property owners.

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

5.8 Correspondence from J. Zablocki to Councillor B. McHattie, requesting sponsorship for a symposium on the future of the Hamilton and Scourge ships (Morelli/Samson)

That the correspondence be received and referred to the Community Services Committee for discussion. AMENDMENT CARRIED.
5.9 Resolution from the Town of Tecumseh requesting Council to endorse their resolution respecting the fee, issuance and expiration of passports

(Bruckler/Ferguson) Be received. CARRIED.

5.10 Correspondence from Inky Mark, M.P., Dauphin-Swan River-Marquette, Manitoba, requesting support of his Private Members Bill respecting the Heritage Hunting and Fishing Protection Act – Private Member’s Bill No. C-391

(McCarthy/Mitchell)
That the request to support the Private Member’s Bill No. C-391 be endorsed.

(Whitehead/Merulla)
That the correspondence be referred to the City Managers’ office for a report to the appropriate Committee AMENDMENT CARRIED.

5.11 Resolution from the Township of Terrace Bay requesting Council to endorse their resolution respecting influenza pandemic preparation.

(McCarthy/Morelli)
That the correspondence be received and referred to the Medical Officer of Health for a report back to the Social and Public Health committee AMENDMENT CARRIED. MOTION AS AMENDED CARRIED.

(Jackson/Ferguson)
That Council move into Committee of the Whole for consideration of the Standing Committee Reports. CARRIED

(Merulla/Morelli)
That Item 10.1 be moved forward on the Agenda. CARRIED.

PRIVATE AND CONFIDENTIAL

10.1 Report by City Solicitor and City Clerk respecting the Municipal Compliance Audit

(Morelli/McHattie)
That Committee move in camera to receive legal advice from the City Solicitor on the issue. CARRIED.

(Collins/McHattie)
That Committee reconvene in open session. CARRIED.
That the question be put.

CARRIED.

WHEREAS the Auditor has delivered Reports with respect to the campaign finances of candidates John Best and Larry DiIanni;

AND WHEREAS the Auditor has requested that the Audits of candidates John Best and Larry DiIanni be extended;

AND WHEREAS the authority of the City and of the Auditor is defined by Section 81(6) of the Municipal Elections Act;

NOW THEREFORE BE IT RESOLVED:

(a) That the Auditor be authorized to continue the Audit of the campaign finances of candidate John Best until such time as the Auditor is satisfied that he has identified, and reported, all apparent contraventions of the Municipal Elections Act by the candidate John Best; and

(b) That the Auditor be authorized to continue the Audit of the campaign finances of candidate Larry DiIanni until such time as the Auditor is satisfied that he has identified, and reported, all apparent contraventions of the Municipal Elections Act by the candidate Larry DiIanni; and

(c) The the Auditor be requested to deliver a Final Report with respect to candidates John Best and Larry DiIanni, stating that he is satisfied that he has identified all apparent contraventions of the Municipal Elections Act by each of John Best and Larry DiIanni and Marvin Caplan; and

(d) That the General Manager of Finance and Corporate Services be authorized to pay all reasonable accounts of the Auditor for performing any such continuations of the Audits of candidates John Best and Larry DiIanni and Marvin Caplan.

(e) That Report LS05012/CL05018 remain a confidential document until such time as it can be publicly released.

CARRIED.

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 05-023

That the TWENTY-THIRD Report of the Planning and Economic Development Committee be adopted, and the information section received.

CARRIED
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 05-024

(Ferguson/Morelli)


That this item be tabled for two weeks. CARRIED.

(Whitehead/Pearson)

That the TWENTY-FOURTH Report of the Planning and Economic Development Committee be adopted as amended and the information section received. CARRIED.

CORPORATE ADMINISTRATION COMMITTEE REPORT 05-016

(Braden/Bratina)

That the SIXTEENTH Report of the Corporate Administration Committee be adopted, and the information section received. CARRIED.

STRATEGIC PLANNING AND BUDGETS COMMITTEE REPORT 05-013

(McHattie/Collins)

That the THIRTEENTH Report of the Strategic Planning and Budgets Committee be adopted, and the information section received. CARRIED.

PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE REPORT 05-016

(Mitchell/McCarthy)

That the SIXTEENTH Report of the Public Works, Infrastructure and Environment Committee be adopted, and the information section received. CARRIED.

COMMITTEE OF THE WHOLE REPORT 05-019

(Jackson/Bratina)

That the NINTEENTH Report of the Committee of the Whole be received for information. CARRIED.
PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 05-025

(Whitehead/McHattie)
That the TWENTY-FIFTH Report of the Planning and Economic Development Committee be adopted and the information section received. CARRIED

SOCIAL AND PUBLIC HEALTH SERVICES COMMITTEE REPORT 05-014

(Merulla/Whitehead)
That the following be added as Item 10 to the Social and Public Health Services Committee Report:

10. Staff report respecting charitable organizations

   (a) That staff prepare a report to investigate funding opportunities to assist charitable organizations who have lost revenues through local Bingo Operations.

   (b) That the report be addressed by the Corporate Administration Committee at its meeting held on December 7, 2005 and include impacts, costs, implications and time frame for implementing a solution to address this problem. CARRIED.

(McHattie/Whitehead)
That the FOURTEENTH Report of the Social and Public Health Services Committee be adopted as amended and the information section received. CARRIED

COMMUNITY SERVICES COMMITTEE REPORT 05-011

(Bruckler/Ferguson)
That the ELEVENTH Report of the Community Services Committee be adopted, and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 05-020

(Jackson/Ferguson)
That the TWENTIETH Report of the Committee of the Whole be received for information. CARRIED
MOTIONS

7.1 Canadian Catholic Organization for Development and Peace Water Declaration

(Merulla/Whitehead)

WHEREAS one in six people in the world do not have access to clean drinking water.

WHEREAS the UN Conference on Water in 1977 in Mar de Plata affirmed the right of all persons to access clean drinking water in order to satisfy their fundamental needs; and,

WHEREAS current World Bank loans for water services in developing countries frequently require the privatization of those services or an increase in water prices, thereby jeopardizing citizens’ access to safe drinking water; and,

WHEREAS the Canadian Catholic Organization for Development and Peace has asked Canadian municipalities to assist in its effort to have the federal government recognize water as a common good and access to drinking water as a basic human right;

NOW; THEREFORE, BE IT RESOLVED THAT this Council recognize and affirm that:

- water is a sacred gift that connects all life;
- access to clean water is a basic human right;
- the value of Earth’s fresh water to the common good takes priority over any possible commercial value;
- fresh water is a sacred legacy, a public trust and a collective responsibility;

AND BE IT FURTHER RESOLVED THAT this Council call upon the federal government to urge the World Bank to ensure access to clean affordable water for the world’s poor, and strengthen the role of the public sector and individual communities in setting water policies and delivering and regulating water services.

CARRIED.

7.2 Funding for Arts Hamilton (formerly Hamilton and Region Arts Council)

(McHattie/Merulla)

Whereas, Arts Hamilton (formerly Hamilton and Region Arts Council) has functioned as an umbrella organization for all arts disciplines in the City of Hamilton for over 33 years;
Whereas, Arts Hamilton is the only organization that represents all arts disciplines;

Whereas, Arts Hamilton is the largest and oldest art council in Ontario;

Whereas, Arts Hamilton advocates on behalf of all arts disciplines; facilitates communication between arts disciplines, the City of Hamilton, and the community at large; collaborates and coordinates with arts groups so that they can do what they do best; and communicates with City Council and City staff on arts matters city-wide;

Whereas, the Ontario Arts Council grant to Arts Hamilton has been reduced over a period of years from $32,500 to $18,000; and

Whereas, the Arts Hamilton has recently produced a new Strategic Plan, covering the four pillars of program, profile, resources, and partnerships; and

Whereas, other Hamilton arts groups have expressed support for additional funding for Arts Hamilton, with the proviso that a review of Arts Hamilton’s mandate be conducted (and Arts Hamilton believes this to be a positive undertaking);

Therefore be it resolved:

1. That Council be requested to fund in the amount of $35,000 from the 2005 contingency reserve to assist Arts Hamilton to resume normal operations; participate in a mandate review, begin implementation of their new Strategic Plan, and explore long-term partnerships with the City of Hamilton;

2. That an outside consultant be hired to conduct a review on behalf of the City of Hamilton (under the direction of the Public Health and Community Services Department) of the following:

   (a) Arts Hamilton’s mandate (within the boundaries of its constitution), including but not limited to consideration of “who does what” within the Hamilton arts community,

   (b) Direction on the programs and services that arts organizations and artists wish Arts Hamilton to provide, and innovative ways in which arts groups can work together to benefit the Hamilton arts scene;

   (c) That funding in the amount of $9,500 be provided to hire the consultant;

3. That a Steering Committee be established consisting of three members of Council and staff as required to prepare Terms of Reference for the study and to guide the project to completion.
4. That funds for this initiative be allocated from the 2005 Budget Surplus.

(McHattie/Merulla)
(a) That Item 1 of this resolution be amended by deleting the figure $35,000 and replacing with the figure $10,000 in lieu thereof;
(b) That the General Manager of Finance and Corporate Services include this matter in the report which is investigating funding opportunities to assist charitable organizations.
(c) That Arts Hamilton be invited to make a presentation to the Corporate Administration Committee on their Strategic Plan.
(d) That Items 2 to 4 be tabled pending the report by the General Manager of Finance and Corporate Services. AMENDMENT CARRIED.
MOTION AS AMENDED CARRIED.

Councillors M. McCarthy, D. Braden and M. Pearson indicated that they wished to be recorded as being opposed.

7.3 Potential Increase of Monthly Cap for the Taxi Script Program
(Bratina/Jackson)
That Public Works staff be directed to investigate the implications of a potential increase to the Taxi Script Program monthly cap, for 2006, and report back to the Public Works, Infrastructure and Environment Committee. CARRIED.

7.4 November 9, 2005 Tornado – Request for Disaster Relief
(Jackson/Collins)
Whereas the City of Hamilton recently experienced a “tornado touchdown” on Wednesday, November 9, 2005;

Therefore, be it resolved;

That the Council of the Municipality of the City of Hamilton hereby requests the Minister of Municipal Affairs and Housing to declare all areas affected by the tornado as a “disaster area” for the purposes of the Ontario Disaster Relief assistance Program (ODRAP);

And further, that should the Minister declare a disaster, that City Council under the authority of ODRAP, appoint members to a Disaster Relief Committee to administer ODRAP, as required.

That Councillors Jackson, Pearson, Collins, Kelly and Mayor DiIanni be appointed to the Committee. CARRIED.
NOTICES OF MOTIONS

Councillor McHattie presented the following Notice of Motion:

Re: Establishment of a Hamilton Triple Bottom Line - Business Attraction Task Force

Whereas, the City of Hamilton has been recognized by the United Nations and others as a Model Community for Sustainability; and

Whereas, the City of Hamilton has adopted Vision 2020 and is using the triple bottom line approach to administering municipal operations;

Whereas, it is critical to secure jobs for Hamiltonians by attracting businesses who create value across all three bottom lines to enhance the social, economic and environmental well-being of the community;

Whereas, there is a need for a strategy to guide the pursuit of triple bottom line companies in Hamilton; and

Whereas, employment lands in business parks, brownfields, downtown locations, and other vacant lands represent highly significant economic development opportunities for the City of Hamilton; and

Therefore Be it Resolved:

(a) That a Hamilton Triple Bottom Line Business Criteria Task Force be established with the mandate to develop a strategy to attract companies to Hamilton’s employment lands that demonstrate a commitment to the triple bottom line, in line with the City’s Vision 2020 principles, and to provide information and develop community partnerships that will assist existing Hamilton companies to fulfill triple bottom line business practices

(b) That the Task Force be comprised of three City Councillors, City staff from the Planning and Economic Development department, and three representatives from recognized Hamilton triple bottom line companies including but not limited to Dofasco Inc. (i.e., given their clearly stated commitment to Vision 2020, the triple bottom line, and the community)

STATEMENT BY MEMBERS

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

Condolences were expressed on the passing of Bob Sweenor

Announced the Renaming of Riverdale Community Centre to the Dominic Agostino Riverdale Recreation Centre scheduled for November 18th at 11:00 a.m. at the Centre
BY-LAWS

(Jackson/Ferguson)
That Bill Nos. 05-333 to 05-344 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 05-333 to 05-344:

05-333 To Amend Zoning By-law No. 3581-86 (Dundas), as amended, Respecting Lands Located at 310 Governor’s Road

05-334 To Amend Zoning By-law No. 6593, Respecting Lands Located at 264 Concession Street

05-335 To Amend Zoning By-law No. 87-57 (Ancaster), as amended, Respecting Lands Located at 121 Fiddler’s Green Road (Ancaster)

05-336 To Adopt a By-law to Allow for the Entry of Adjoining Property for Maintenance Purposes

05-337 To Amend By-law No. 01-21, To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
  Schedule 8 – No Parking Zones
  Schedule 12 – Permit Parking Zones
  Schedule 13 – No Stopping Zones
  Schedule 14 – Wheelchair Loading Zones
  Schedule 15 – Commercial Vehicle Loading Zones

05-338 To Amend By-law No. 01-215, To Regulate Traffic:
  Schedule 2 – Speed Limits

05-339 To Amend Fireworks By-law No. 02-285, as amended, To Temporarily Provide an Extended Sale Period

05-340 To Confirm the Proceedings of City Council

CARRIED.

The City Council meeting adjourned at 3:15 p.m.

Respectfully submitted,

Deputy Mayor B. Kelly

Kevin Christenson, Clerk
November 17, 2005