Corporate Administration Committee

MINUTES

9:30 a.m.

Wednesday, January 18, 2006

Council Chambers

Hamilton City Hall

71 Main Street West, Hamilton

Present:
Councillor A. Samson (Chair)
Councillor C. Collins (Vice Chair)
Councillors D. Braden, P. Bruckler, M. Pearson

Absent with Regrets:
Councillor M. Ferguson – Illness

Also Present:
Councillors B. McHattie, M. McCarthy, T. Whitehead
G. Peace – City Manager
J. Rinaldo – General Manager, Finance and Corporate Services
C. Graham – General Manager, Human Resources
S. Stewart – General Manager, Public Works, Infrastructure and Environment
D. Logan – Director, Employment and Labour Relations
R. Male – Director, Financial Services
L. Friday – Director, Taxation
T. Tollis – Director, Budgets and Finance
C. Biggs – Legislative Assistant, City Clerk’s

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. Monthly Status Report of Tenders and Requests for Proposals for November, 2005 (FCS05023(i)) (City Wide) (Item 5.1)

(Pearson/Braden)
That Report FCS05023 respecting Monthly Status Report of Tenders and Requests for Proposals for November, 2005, be received. CARRIED
   (FCS06004/PW06004) (City Wide) (Item 5.2)

   *(Pearson/Braden)*
   **CARRIED**

3. **2006 Interim Levy and Temporary Borrowing By-laws (FCS06005) (City Wide) (Item 5.3)**

   *(Pearson/Braden)*
   That the following by-laws be passed and enacted:

   (a) By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2006.

   (b) By-law to Authorize an Interim Tax Levy for 2006.  
   **CARRIED**

4. **Accounts Receivable Write-Offs 2005 (FCS06006) (City Wide) (Item 5.4)**

   *(Pearson/Braden)*
   (a) That the General Manager, Finance & Corporate Services, be authorized to write-off uncollectible accounts receivable in the amount of $140,203.13 as outlined in Appendix “A” attached hereto;

   (b) That the schedule of accounts receivable write-offs (under $1,000) as set out in Appendix “B” attached hereto be received for information.  
   **CARRIED**

5. **2005 Treasurer’s Write-Off of Taxes after Failed Tax Sale (FCS06008) (City Wide) (Item 5.5)**

   *(Pearson/Braden)*
   That the Treasurer, under Section 354 (3) of the Municipal Act (2001), write-off taxes as uncollectible due to failed tax sales in the amount of $167,860.61 as referred to in Schedule “C” attached hereto.  
   **CARRIED**
6. **Apportionment of Taxes Pursuant to Section 356 of the Municipal Act, 2001, S.O. 2001, c.25 for various properties in Hamilton (Wards 2, 8); Stoney Creek (Wards 10, 11); Glanbrook Ward 11); Dundas (Ward 13); Flamborough (Ward 15) (FCS06001) (Item 5.6)**

**(Pearson/Braden)**

(a) That the land taxes levied against Roll #2518 020 155 08490 (35 Murray Street East, Hamilton) for the 2004 and 2005 tax years, be apportioned in the amount of $3,975.87 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(b) That the land taxes levied against Roll #2518 020 162 04420 (414 Mary Street, Hamilton) for the 2004 and 2005 tax years, be apportioned in the amount of $1,807.84 and split amongst the six newly created parcels as set out in Appendix “D” attached hereto;

(c) That the land taxes levied against Roll #2518 080 971 02410 (129 Chesley Street, Hamilton) for the 2005 tax year, be apportioned in the amount of $2,992.76 and split amongst the three newly created parcels as set out in Appendix “D” attached hereto;

(d) That the land taxes levied against Roll #2518 081 081 11000 (11 Southside Place, Hamilton) for the 2004 and 2005 tax years, be apportioned in the amount of $3,077.00 and split amongst the five newly created parcels as set out in Appendix “D” attached hereto;

(e) That the land taxes levied against Roll #2518 003 250 31400 (124 Peachwood Crescent, Stoney Creek) for the 2004 and 2005 tax years, be apportioned in the amount of $3,211.49 and split amongst the seven newly created parcels as set out in Appendix “D” attached hereto;

(f) That the land taxes levied against Roll #2518 003 010 03553 (35 Northamption Boulevard, Stoney Creek) for the 2005 tax year, be apportioned in the amount of $2,076.35 and split amongst the seven newly created parcels as set out in Appendix “D” attached hereto;

(g) That the land taxes levied against Roll #2518 003 010 03554 (3 Northamption Boulevard, Stoney Creek) for the 2005 tax year, be apportioned in the amount of $1,814.07 and split amongst the seven newly created parcels as set out in Appendix “D” attached hereto;

(h) That the 2005 land taxes levied in the amount of $3,441.86 against the properties listed below, be apportioned amongst the six newly created parcels as set out in Appendix “D” attached hereto:

Roll #2518 902 510 07862 - 81 Marion Street, Glanbrook
Roll #2518 902 510 07864 - 83 Marion Street, Glanbrook
Roll #2518 902 510 07866 - 85 Marion Street, Glanbrook
(i) That the 2005 land taxes levied in the amount of $17,538.53 against the properties listed below, be apportioned amongst the twelve newly created parcels as set out in Appendix “D” attached hereto:

- Roll #2518 902 510 16800 – 73 Strathearne Place, Glanbrook
- Roll #2518 902 510 17000 – 65 Strathearne Place, Glanbrook
- Roll #2518 902 510 17400 – 55 Strathearne Place, Glanbrook
- Roll #2518 902 510 17600 – 49 Strathearne Place, Glanbrook
- Roll #2518 902 510 17800 – 43 Strathearne Place, Glanbrook
- Roll #2518 902 510 19400 – 3392 Homestead Drive, Glanbrook

(j) That Roll #2518 902 510 17200 (59 Strathearne Place, Glanbrook) for the 2005 tax year, be apportioned in the amount of $2,977.96 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(k) That Roll #2518 260 260 29000 (70 Hopkins Court, Dundas) for the 2005 tax year, be apportioned in the amount of $3,332.66 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(l) That Roll #2518 303 330 23416 (45 Overdale Drive, Flamborough) for the 2005 tax year, be apportioned in the amount of $1,940.21 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(m) That Roll #2518 303 330 23414 (56 Goldenview Court, Flamborough) for the 2005 tax years, be apportioned in the amount of $1,940.21 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(n) That Roll #2518 303 330 23444 (31 Goldenview Court, Flamborough) for the 2005 tax year, be apportioned in the amount of $1,856.47 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto;

(o) That Roll #2518 303 910 23400 (426 10th Concession Road East, Flamborough) for the 2005 tax year, be apportioned in the amount of $2,721.26 and split amongst the two newly created parcels as set out in Appendix “D” attached hereto.

7. **2006 Advance Payments to External Boards and Agencies (FCS06002) (City Wide) (Item 5.7)**

(Pearson/Braden)

(a) That commencing January 1, 2006, an advancement of funds be provided to the external boards and agencies, in the specified amount and on the specific dates as shown in Table One attached as Appendix “E” hereto;
(b) That any outstanding arrear(s) due to the City of Hamilton, by any Boards or Agencies, be paid with approved grant funding, including advances, until the debt is satisfied, at which point the organization will receive payment.

CARRIED

8. Arts Hamilton Presentation (Item 6.1)

(Bruckler/Pearson)
(a) That the presentation by Arts Hamilton be received;

(b) That a Community Partnership Program advance in the amount of $15,000 be paid to Arts Hamilton;

(c) That this advance be funded through the Tax Stabilization Reserve and repaid by reducing the approved Community Partnership Program grant to Arts Hamilton by $5,000 in each of the years 2006, 2007 and 2008.

CARRIED

9. Return to Work/Work Accommodation (HUR06002) (City Wide) (Item 7.1)

(Collins/Braden)
That Report HUR06002 respecting Return to Work/Work Accommodation, be received.

CARRIED

10. Tax Sale of 1633 Highway 6 North, Flamborough (FCS06009) (Ward 14, City Wide) (Item 8.1)

(Collins/Pearson)(Braden)
(a) That staff be directed to execute the agreement of purchase and sale in a form satisfactory to Corporate Counsel, for the 17.70 acre parcel of land known municipally as 1633 Highway 6 North, to 1685486 Ontario Inc c/o Bill Panagiotakopoulos, for the purchase price of Sixty One Thousand Dollars ($61,000.00);

(b) That the Treasurer be authorized to cancel the outstanding tax arrears of $490,830.27, of which $368,529.45 is to be charged to the City Allowance for Doubtful Accounts, and $122,300.82 would be charged back to various School Boards,

(c) That 1633 Highway 6 North be declared surplus.

CARRIED
11. Hamilton Conservation Authority - $75,000 Grant for Completion of Lakeland Centre (FCS06010) (City Wide) (Item 8.2)  

(Collins/Pearson)  
That a grant in the amount of $75,000 be provided to the Hamilton Conservation Authority for the completion of the Lakeland Centre project, to be funded from the Hamilton Beach Park Reserve 108037.  
CARRIED

12. Off-Site Council Meetings (CL06001) (City Wide) (Item 8.3)  

(Collins/Bruckler)  
(a) That Report CL06001 respecting Off-Site Council Meetings, be received;  
(b) That this item be removed from the Outstanding Business List of the Corporate Administration Committee.  
CARRIED

13. City of Hamilton Development Charge Credits - Transition Policy regarding Spencer Creek Village (50 Hatt Street) (FCS06011) (City Wide) (Item 8.4)  

(Pearson/Bruckler)  
That the City of Hamilton's Development Charge Demolition Credit Policy, as outlined in Section 29 of By-law 04-145 regarding permit issuance date, be interpreted as the initial permit issuance date when dealing with multi-phase developments.  
CARRIED

14. Employee and Family Assistance Program (HUR06000) (City Wide) (Item 8.5)  

(Braden/Collins)  
That Report HUR06000 respecting Employee and Family Assistance Program, be received.  
CARRIED

15. Faustini Fatality – Implementation of Coroner’s Inquest Recommendations (HUR05021/PW05144) (City Wide) (Item 8.6)  

(Pearson/Collins)  
That the Compliance Action Plan described in Report HUR0521/PW05144 be endorsed for submission to the Chief Coroner.  
CARRIED
16. Report 06-001 of the Grants Sub-Committee (Item 8.7)

(a) Cactus Festival: Transfer of Services-in-Kind Funding (GRA05012) (City Wide)

(Braden/Pearson)
That, upon submission of their receipts, $4,044.16 of the Services in Kind funding from the Community Partnership Program be transferred to the event organizers to reimburse Sidan Traffic Control Services for services rendered to the 2005 Dundas Cactus Festival. CARRIED

(b) 2005 Tabled Grants Update (Social and Public Health Services Stream) (GRA05013) (City Wide)

(Collins/Braden)
(i) That the 2005 Community Partnership Program recommendation of $7,502 for Senior Activation Maintenance — Ancaster Expansion be returned to the 2005 CPP Grants contingency;

(ii) That the 2005 Community Partnership Program recommendations currently tabled for the Schizophrenia Society (Information & Referral--$2,478, Counseling--$1,645, and Health Education--$1,645) be returned to the 2005 CPP Grants contingency;

(iii) That the final installments of the 2005 Community Partnership Program recommendations for the Family Services Credit Counseling Program ($5,166.66) and the Family Services Second Stage Services Program ($12,133.33) be accrued for these programs pending the organizations ability to continue to operate these programs and comply with current funding conditions;

(iv) That the 2005 Community Partnership Program recommendation for Jewish Social Services be increased by $3,873 in order to restore the organization’s funding back to its 2004 funding level while the organization’s status as an Elderly Persons Centre is determined by June 30, 2006. CARRIED

(c) Request for Advance Community Partnership Program Payments (GRA05016) (City Wide)

(Collins/Bruckler)
(i) That commencing January 2006, staff be authorized to provide advance monthly payments, until approval of the 2006 Community Partnership Program, to 2006 Community Partnership Program applicants as per Table One to GRA05016, “Request for Advance Community Partnership Program Payments”, based upon 2005 funding levels;
(ii) That any outstanding arrears due to the City of Hamilton, by any of the grant organizations listed in Table One to GRA05016, "Request for Advance Community Partnership Program Payments", be paid with approved advance funding until the debt is satisfied, at which point, the group will receive payment. CARRIED

17. Appointment of Citizens – Advisory Committee for Persons with Disabilities (New Business) (Item 9)

(Collins/Pearson)

(a) That the following citizens be appointed to the Advisory Committee for Persons with Disabilities:

   Sandi Bell          Aznive Mallett
   Margaret Metson    Kim Nolan
   Robert Semkow      Marlene Thomas;

(b) That the appointments be in effect for the balance of this term of Council, or until such time as their successors are appointed;

(c) That Item 6(a) of Corporate Administration Committee Report 04-008 approved by Council on May 12, 2004, respecting the appointment of citizens to various citizen committees, be amended accordingly. CARRIED

18. Part-Time Wage Rates (HUR06003) (Item 12.1)

(Braden/Bruckler)

(a) That the wage administration program for part-time non-unionized staff as described in Report HUR06003 be approved, effective February 1, 2006;

(b) That the contents of Report HUR06003 respecting part-time wage rates remain confidential as it contains information related to labour relations and employee negotiations. CARRIED

19. Appointment to Corporate Administration Committee

(Braden/Bruckler)

That Councillor T. Whitehead be appointed as a member of the Corporate Administration Committee for the balance of this term of Council. CARRIED
FOR THE INFORMATION OF THE COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(I) Motion respecting appointment of citizens to the Advisory Committee for Persons with Disabilities

(Braden/Pearson)
That the agenda be approved, as amended. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(Bruckler/Pearson)
That the Minutes of the December 7, 2005 meeting of the Corporate Administration Committee be received and adopted as presented. CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Bruckler/Pearson)
That the following delegation requests be approved to speak at today’s meeting respecting Union Certification – Carpenters Local 18:

(i) Mr. Philip Besseling, President of Besseling Mechanical Inc. and of the Open Shop Contractors Association (Added Item 4.1);
(ii) Mr. Andrew Regnerus, Ontario Representative, Christian Labourers’ Association of Canada (Added Item 4.2).

(Collins/Braden)
That the rules of order be waived to allow the opportunity for Jeff Pigott of Kenaiden Contracting Ltd. to address the Committee with respect to Union Certification – Carpenters Local 18. CARRIED

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Arts Hamilton (Item 6.1)

Messrs. P. de Courcy, Interim Executive Director, appeared before the Committee and acknowledged Board members in attendance.
In his presentation, Mr. de Courcy outlined the return on investment with respect to funds approved to Arts Hamilton in December, 2005, Arts Hamilton leadership role, purpose, results and opportunities.

Arts Hamilton requested the Committee’s consideration in making an investment of $15,000 by way of a loan for further strategy implementation, with repayment commencing in fiscal year 2006-07 of $5,000 taken annually from existing Community Partnership Program funds, and with the right to pay out the loan ahead of schedule.

(ii) Mr. Philip Besseling, President of Besseling Mechanical Inc. and of the Open Shop Contractors Association

Mr. Philip Besseling, President of Besseling Mechanical Inc. and of the Open Shop Contractors Association appeared before the Committee to speak against the certification of Carpenters, and the impacts that the certification will have on the City and members of the Open Shop Contractors Association.

Copies of Mr. Besseling’s remarks were distributed to the Committee, and a copy has been retained in the files of the Office of the Clerk.

(Pearson/Collins)
That the presentation by Mr. Philip Besseling be received. CARRIED

(iii) Mr. Andrew Regnerus, Ontario Representative, Christian Labourers’ Association of Canada

Mr. Andrew Regnerus, Ontario Representative, Christian Labourers’ Association of Canada appeared before the Committee to speak to the adverse affects of Carpenters’ Certification.

Copies of Mr. Regnerus’ remarks were distributed to the Committee, and a copy has been retained in the files of the Office of the Clerk.

(Pearson/Collins)
That the presentation by Mr. Andrew Regnerus be received. CARRIED

(iv) Mr. Jeff Pigott, Vice President, Field Operations, Kenaiden Contracting Ltd.

Mr. Jeff Pigott, Vice President of Field Operations, Kenaiden Contracting Ltd., appeared before the Committee, to speak on behalf of his company and as a taxpayer in the City of Hamilton. In his remarks, Mr. Pigott expressed concern with respect to the effects of the Carpenters’ actions in binding the City to a construction agreement. As a taxpayer, he expressed his concern that the City will no longer be able to obtain the best value when spending citizen’s hard-earned tax dollars.
Copies of Mr. Pigott's remarks were distributed to the Committee, and a copy has been retained in the files of the Office of the Clerk.

(Pearson/Collins)
That the presentation by Mr. Jeff Pigott be received.  CARRIED

(f) PRIVATE AND CONFIDENTIAL (Item 12)

(Pearson/Collins)
That the Committee move In Camera to discuss two issues related to labour relations/employee negotiations.  CARRIED

(Braden/Pearson)
That the Committee reconvene in Open Session.  CARRIED

(g) CITY OF HAMILTON – UNION CERTIFICATION – CARPENTERS LOCAL 18

The Committee received a verbal update from staff with respect to the Union Certification – Carpenters Local 18, and gave direction to staff in camera.

(h) STAFF PRESENTATIONS (Item 7)

(i) Return to Work/Work Accommodation (HUR06002) (City Wide) (Item 7.1)

David Logan, Director of Employment and Labour Relations, gave a power point presentation respecting “Return to Work/Work Accommodation” case studies, the labour market re-entry program, the City’s legal obligations, and the applicable sections of the Ontario Human Rights Code and the Workplace Safety and Insurance Act which address work accommodation.

Copies of the presentation were distributed and a copy has been retained in the files of the Office of the Clerk.

(i) Tax Sale of 1633 Highway 6 North, Flamborough (FCS06009) (Ward 14, City Wide) (Item 8.1)

(Braden/Pearson)
That sub-section (a) be amended to insert the words, “1685486 Ontario Inc c/o” prior to the name of the owner.  CARRIED
(j) Relinquishing of Chair

Councillor Samson relinquished the Chair in order to speak to the item respecting Cactus Festival – Transfer of Services-in-Kind.

(k) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business Item K – Seniors’ Tax Increase Deferral (Due Date: January 18, 2006) (No Copy)

Staff advised that a report on this matter will be presented to the Committee of the Whole during budget deliberations. As a result, the Committee agreed to remove this item from the Outstanding Business List of the Corporate Administration Committee.

(ii) Outstanding Business Item Q – Comparison of number of front-line workers in Operations and Maintenance – June 1, 1998 to Present (Due Date: December, 2005) (No Copy)

Staff advised that a report on this matter will be presented to the Committee of the Whole during budget deliberations. As a result, the Committee agreed to remove this item from the Outstanding Business List of the Corporate Administration Committee.

(iii) Union Certification – Carpenters Local 18

Councillor T. Whitehead requested that copies of the City’s submission and the Union’s submission to the Labour Board be provided to him and members of the Committee.

(iv) Committee Memberships – Vacancies

Councillor Braden requested that the issue of membership on Standing Committees be added to a future agenda of the Governance Review Sub-Committee as a result of current temporary vacancies.

(v) Leases for Municipal Facilities

Councillor Bruckler requested information with respect to lease arrangements with various groups/organizations that use municipal facilities for recreational purposes and if the leases are based on market value. The City Manager requested Councillor Bruckler to provide specific information to staff for follow up.
There being no further business, the Committee adjourned at 1:00 p.m.

Respectfully submitted

Councillor A. Samson  
Chairman  
Corporate Administration Committee

Carolyn Biggs  
Legislative Assistant  
January 18, 2006