Mayor R. Bratina called the meeting to order and called upon Dr. Peter Marshall, Pastor of Victory and Faith International Churches, to lead Council in prayer.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED CORRESPONDENCE**

   5.10 Correspondence from Steven A. Zakem, Aird & Berlis LLP, on behalf of DiCenzo Construction Company Limited, respecting Applications for Approval of a Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Sonoma Homes Inc.), 1155 West 5th Street, Hamilton, ON

   Recommendation: Be received.

   5.11 Correspondence from John Paul Millar, of Millar, Alexander, on behalf of 1804487 Ontario Inc., respecting Applications for Rezoning, Plan of Subdivision, and Plan of Condominium, Sonoma Homes, 1155 West 5th Street, Hamilton Ontario

   Recommendation: Be received.
3. ADDED NOTICES OF MOTION

8.2 Complaint to the Integrity Commissioner

8.3 Nomination for Election to Federation of Canadian Municipalities (FCM) Board of Directors

(Pearson/Partridge)
That the agenda for the May 8, 2013 meeting of Council be approved, as amended. CARRIED

DECLARATIONS OF INTEREST

Mayor Bratina declared an interest with respect to Item 8.1 regarding a Complaint to the Integrity Commissioner as he is referenced in the motion.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None.

APPROVAL OF MINUTES

4.1 April 24, 2013

(Pearson/Pasuta)
That the Minutes of the April 24, 2013, meeting of Council be approved, as presented. CARRIED

COMMUNICATIONS

(Whitehead/Duvall)
That Council Communications 5.1 through 5.11 be approved, as amended, as follows:

5.1 Petition from the Residents of Ofield Road North, Dundas respecting the Dangerous Conditions of Ofield Road North, Dundas, Ontario.

Recommendation: Be received and referred to the General Manager of the Public Works Department for a report back to the Public Works Committee. (Partridge/Pasuta)

5.2 Correspondence from Mayor Bill Vrebosch, Municipality of East Ferris, respecting the Feed in Tariff Program council to support.

Recommendation: Be received. (Pearson/Whitehead)
5.3 Correspondence from John Vesprini, respecting Poor Drainage on Lake Avenue Drive.

Recommendation: Be received and referred to the General Manager of the Public Works Department for a report back to the Public Works Committee. (Powers/Ferguson)

5.4 Correspondence from the Honourable Kathleen Wynne, Premier of Ontario, respecting the Canada-European Comprehensive Economic and Trade Agreement

Recommendation: Be received. – (Partridge/Pearson)

5.5 Correspondence from the Municipality of Kincardine, respecting Off Road Vehicles on Highways

Recommendation: Be referred to the Agriculture and Rural Affairs Committee. (Ferguson/Partridge)

Item 5.5 CARRIED on the following votes:

Yeas: Bratina, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie, Clark, Ferguson, Powers, Pasuta, Partridge
Total: 13
Nays: Whitehead, Pearson
Total: 2
Absent: Johnson
Total: 1

5.6 Correspondence from Kurt Mungal, Manager of Events and Communications, respecting a Proclamation Request for “Freezie Fun Day” on June 14th

Recommendation: Be received. (Partridge/Duvall)

5.7 Correspondence from Debbie White, Founding Board Member, World Oceans Day Canada, respecting a Proclamation Request for “World Oceans Week”, June 1st to 8th

Recommendation: Be received. (Jackson/Whitehead)

5.8 Correspondence from Rod Phillips, President and CEO of the Ontario Lottery and Gaming Corporation, respecting a Proposed Gaming Facility

Recommendation: Be received. (Powers/Pearson)

5.9 Correspondence from Kathy Baker, respecting her Resignation from the Hamilton Library Board
Recommendation: Be received. \textit{(Duvall/Pearson)}

5.10 Correspondence from Steven A. Zakem, Aird & Berlis LLP, on behalf of DiCenzo Construction Company Limited, respecting Applications for Approval of a Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Sonoma Homes Inc.), 1155 West 5\textsuperscript{th} Street, Hamilton, ON

Recommendation: Be received. \textit{(Whitehead/Ferguson)}

5.11 Correspondence from John Paul Millar, of Millar, Alexander, on behalf of 1804487 Ontario Inc., respecting Applications for Rezoning, Plan of Subdivision, and Plan of Condominium, Sonoma Homes, 1155 West 5\textsuperscript{th} Street, Hamilton Ontario

Recommendation: Be received. \textit{(Jackson/Farr)}

\textbf{MOTION AS AMENDED CARRIED}

\textit{(Ferguson/Powers)}

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

\textbf{CARRIED}

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\textbf{PLANNING COMMITTEE REPORT 13-007} \\
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\textbf{Item 8} Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)

\textit{(Farr/Morelli)}

That Item 8 of the Planning Committee Report 13-007, respecting "Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction, be deleted in its entirety and replaced with the following in lieu thereof:

\begin{enumerate}
\item That Report LS13011 remain confidential, but that the appendices be made public in the event that a settlement is reached with the appellant;
\item That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13011 be approved as the basis of a settlement of the appeal of the Urban Official Plan by Gino and Olindo DalBello as identified in Appendix "A" to Report LS13011; and,
\end{enumerate}
(c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Gino and Olindo DalBello have settled the DalBellos' appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13011.

**Amendment CARRIED**

**Main Motion as amended CARRIED**

**Item 9** Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)

(Farr/Morelli)

That Item 9 of the Planning Committee Report 13-007, respecting, Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian, be deleted in its entirety and replaced with the following in lieu thereof:

(a) That Report LS13012 remain confidential, but that Appendix "A" to Report LS13012, be made public in the event that a settlement is reached with the appellant;

(b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13012 be approved as the basis of a settlement of Norman Vartanian's appeal; and,

(c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Norman Vartanian have settled the Vartanian appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13012.

**Amendment CARRIED**

**Main Motion as amended CARRIED**

**Item 10** Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12) (Item 12.4)

(Farr/Morelli)

That Item 10 of the Planning Committee Report 13-007, respecting Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon), be deleted in its entirety and replaced with the following in lieu thereof:

(a) That Report LS13016 remain confidential, but that Appendix "A" to Report LS13016 be made public in the event that a settlement is reached with the appellant;
(b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13016 be approved as the basis of a settlement of Family Practice (Dixie) Ltd.'s appeal of Official Plan Amendment 43, the Ancaster Wilson Street Secondary Plan; and,

(c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Family Practice (Dixie) Ltd. have settled the Family Practice (Dixie) Ltd. appeal of Official Plan Amendment 143, the Ancaster Wilson Street Secondary Plan, on the basis of the recommendations contained in Appendix "A" to Report LS13016.

Amendment CARRIED
Main Motion as amended CARRIED

(Farr/McHattie)
That the SEVENTH Report of the Planning Committee be adopted, as amended, and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 13-010

Item 4 Metrolinx – Regional Funding Tools (FCS13002) (City Wide) (Item 7.1)

This Item CARRIED on the following votes:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morelli, Farr, Clark, Pearson, Ferguson, Powers, Pasuta, Partridge
Total: 14
Nays: McHattie
Total: 1
Absent: Johnson
Total: 1

(Pearson/Clark)
That Item 6 of the General Issues Committee Report, which reads as follows, be referred back to the General Issues Committee:

6. Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)

That Report PED12228 respecting Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek, be received.

CARRIED
(Bratina/Partridge)
That the TENTH Report of the General Issues Committee be adopted, as amended, and the information section received.

CARRIED

MOTIONS

7.1 Special Occasion Permit – Saving Second Base

(Duvall/Jackson)
WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Saving Second Base Organization that they wish to obtain a Special Occasion Permit to sell alcohol during games on July 13, 2013 and July 14, 2013;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton hereby deems the games of the Second Base Organization, being held at Turner Park, 344 Rymal Road East, Hamilton, on July 13, 2013 from 11:00 a.m. to 10:00 p.m.; and, on July 14, 2013 from 11:00 a.m. to 6:00 p.m. as municipally significant; and,

(b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.2 Special Occasion Permit – Wentworth Adult Mixed Slo-Pitch League

(Duvall/Jackson)
WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Wentworth Adult Mixed Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during their scheduled games;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:
(a) That the City of Hamilton hereby deems the games of the Wentworth Adult Mixed Slo-Pitch League, being held at Turner Park, 344 Rymal Road East, Hamilton, on the following dates and times as municipally significant:

(i) June 21, 2013 from 5:00 p.m. to 11:00 p.m.,
(ii) June 22, 2013 from 11:00 a.m. to 11:00 p.m.
(iii) June 23, 2013 from 11:00 a.m. to 7:00 p.m.
(iv) August 23, 2013 from 5:00 p.m. to 11:00 p.m.
(v) August 24, 2013 from 11:00 a.m. to 11:00 p.m.
(vi) August 25, 2013 from 11:00 a.m. to 7:00 p.m.

(b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.3 Special Occasion Permit – Ancaster Men’s Slo-Pitch – Heritage Tournament

(Ferguson/Powers)
WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Ancaster Men’s Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during games on June 7, 2013 and June 8, 2013;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton hereby deems the Ancaster Men’s Slo-Pitch League – Heritage Tournament, being held at Ancaster Community Centre, 385 Jerseyville Road West, Ancaster, on June 7, 2013 and on June 8, 2013 from 11:00 a.m. to 9:00 p.m. each day as municipally significant; and,

(b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.4 Special Occasion Permit – Ancaster Men’s Slo-Pitch – Year End Tournament

(Ferguson/Powers)
WHEREAS, City Council has received Notice (attached as Appendix “A” hereto) from the Ancaster Men’s Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during games on September 7, 2013, September 8, 2013, September 14, 2013 and September 15, 2013;
AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton hereby deems the Ancaster Men’s Slo-Pitch League – Year End Tournament, being held at Ancaster Community Centre, 385 Jerseyville Road West, Ancaster, on September 7, 2013, September 8, 2013, September 14, 2013 and September 15, 2013 from 11:00 a.m. to 9:00 p.m. each day as municipally significant; and,

(b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.5 Objection to Liquor Licence Application Good Life Deli, 943 King Street East, Hamilton, Ontario

(Morelli/Farr)
WHEREAS, Good Life Deli located at 943 King Street East, Hamilton, Ontario has applied for a Liquor Licence;

AND WHEREAS, pursuant to sub-section 7.1(1) of the Liquor Licence Act, R.S.O. 1990, c. L.19, they shall consider a resolution of Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause sub-section 6(2)(h) of the Act;

THEREFORE BE IT RESOLVED:

(a) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton wishes to object to the Liquor Licence application, attached hereto Appendix “A”, for Good Life Deli located at 943 King Street East, Hamilton, Ontario as the issuing of the licence would not be in the best interest of the public; and,

(b) That should the Alcohol & Gaming Commission of Ontario deem that a Tribunal Hearing be held, that Legal Services be authorized and directed to represent the City of Hamilton at the scheduled Hearing.

CARRIED
7.6 Consent to TradePort International Corporation to Permit the Holding and Staging of the 2013 Air Show at the John C. Munro Hamilton International Airport

(Ferguson/Powers)
WHEREAS, by a lease dated July 19, 1996 (the "Lease"), the City of Hamilton, as landlord, leased to Tradeport International Corporation, as tenant, certain premises for the operation and management of the Hamilton International Airport (the "Airport");

AND WHEREAS, Tradeport International Corporation, through its subsidiary Hamilton International Airport Limited, wishes to license the Airport to The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2013 (the "Licence");

AND WHEREAS the Lease requires Tradeport International Corporation to obtain the consent of the City, as landlord, prior to entering into the Licence;

THEREFORE BE IT RESOLVED:

(a) That consent be granted to the Licence, between Hamilton International Airport Limited and The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2013; provided that Tradeport International Corporation, Hamilton International Airport Limited and/or The Canadian Warplane Heritage Museum supply insurance in favour of the City, in a form satisfactory to the City; and,

(b) That the General Manager, of the Planning and Economic Development Department, be authorized and directed to execute any necessary documents in connection with the Licence, between Hamilton International Airport Limited and The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2013 in a form satisfactory to the City Solicitor.

CARRIED

7.7 Re-Affirmation of Council’s Position respecting Rapid Transit with Light Rail Transit (LRT) in the Eastgate to McMaster corridor as the Preferred Option (Report PW08043D)

(McHattie/Ferguson)
WHEREAS, City of Hamilton staff and City Council have been working on a detailed rapid transit plan, including LRT in the Eastgate to McMaster corridor, for several years in partnership with Metrolinx and the Province of Ontario;

AND WHEREAS, the Eastgate to McMaster rapid transit corridor is in the top 15 priorities for the Province of Ontario’s Big Move Next Wave Projects;
AND WHEREAS, Hamilton City Council has been consistent in their support for LRT, subject to 100% funding;

AND WHEREAS on February 27, 2013, City Council voted unanimously to request 100% funding from the Province of Ontario for rapid transit with LRT, as the preferred option;

AND WHEREAS, City Council has previously provided direction to City staff to pursue LRT design in the Eastgate to McMaster corridor, in accordance with the Province’s Big Move priority projects; having invested some $10 million in planning, engineering and design;

AND WHEREAS the Chamber of Commerce’s Light Rail Transit Task Force (members including Councillors Farr, Ferguson, McHattie, and Mayor Bratina) have been working diligently to promote LRT, in support of Council’s position, and in conjunction with many other individuals and organizations in Hamilton;

AND WHEREAS, there are a variety of important transit investments that must be made in Hamilton, including implementing a fully-functioning A-Line transit service and expanding existing routes;

AND WHEREAS, in support of all these transit improvements, the City of Hamilton has submitted our comprehensive “Rapid Ready” report highlighting all of the City’s Transit needs to the Province of Ontario;

THEREFORE BE IT RESOLVED:

(a) That Council’s February 27, 2013 decision, requesting 100% provincial funding from the Province of Ontario for LRT, be re-affirmed;

(b) That the Mayor be directed to represent City Council’s position on LRT to other government agencies and the private sector;

(c) That the Mayor be directed to include Councillors Farr, Ferguson and McHattie when communicating on Council transit priorities with the Province of Ontario;

(d) That a copy of Council’s February 27, 2013 resolution respecting a B-Line LRT along the Eastgate to McMaster corridor, and a copy of this motion, be forwarded to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Glen Murray, Minister of Transportation, and Hamilton area M.P.P.’s.

This Item CARRIED on the following votes:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie, Clark, Pearson, Ferguson, Pasuta, Partridge

Total: 14

Nays: Powers
7.8 Personal Matter respecting an Identifiable Individual

Councillor Merulla withdrew his motion regarding the personal matter respecting an identifiable individual.

Mayor Bratina abstained from discussing and voting on the following matter and exited the Chambers.

7.9 Complaint to the Integrity Commissioner

(Merulla/Collins)
WHEREAS on April 24, 2013, during a meeting of City Council, the Mayor stepped away from his place at the table and approached the City Manager and said something to him while Council was debating Motion 7.2, respecting the Re-Affirmation of Council’s Position regarding the B-Line Light Rail Transit on King Street;

AND WHEREAS, Sections 13.2 and 17.1 of the Code of Conduct for members of Council, being Appendix “H” of the City of Hamilton’s Procedural By-law 10-057, as amended, may have been contravened;

THEREFORE BE IT RESOLVED:

That, pursuant to Section 8 of By-law 08-154, as amended, a By-law to establish the Office of the Integrity Commissioner, a complaint concerning the verbal exchange between Mayor Bratina and the City Manager at the Council meeting of April 24, 2013, regarding the alleged misconduct of Mayor Bratina in bullying City Manager Chris Murray, be referred to the Integrity Commissioner for review.

(McHattie/Ferguson)
That the question be called.

Item 7.9 CARRIED on the following votes:

Yeas: Whitehead, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie, Pearson, Ferguson, Pasuta, Partridge, Powers
Total: 13
Nays: Clark
Total: 1
Absent: Johnson
Total: 1
Abstained: Bratina
Total: 1

CARRIED
7.10 Nomination for Election to Federation of Canadian Municipalities (FCM) Board of Directors

(Collins/Merulla)

(a) That the Council of the City of Hamilton endorse Councillor Terry Whitehead to stand for election on the Federation of Canadian Municipalities’ Board of Directors and/or Advisory Committees;

(b) That all associated costs, regarding Councillor Whitehead’s attendance at the Federation of Canadian Municipalities’ Board of Directors and/or Advisory Committee meetings, be charged to the General Legislative 300100 account.

CARRIED

NOTICES OF MOTION

Councillor S. Merulla introduced the following Notice of Motion:

8.1 HAMILTON POLICE SERVICE BOARD GOVERNANCE

WHEREAS under the Police Services Act, the City of Hamilton is mandated to provide for adequate and effective police services;

AND WHEREAS the standards for Police operations and Police behaviour are established by the Province, and there are legislative protections ensuring oversight by the Province and recourse to Ontario Police Services Commission;

AND WHEREAS the Police Services budget constitutes a significant component of the City’s annual operating budget, for which the public holds Hamilton City Council accountable;

AND WHEREAS following the model used for public health and emergency services (fire and ambulance), Hamilton City Council believes that the governance of the Police Service Hamilton should align to more accurately reflect this accountability;

AND WHEREAS under the current statutory regime, the Hamilton Police Service is governed by a 7-member Police Services Board comprised 3 members of Council, one Council-appointed citizen, and 3 Provincially-appointed citizens;

AND WHEREAS Council believes that a change in the governance of the Police Service is fair, appropriate, accountable and transparent;

AND WHEREAS Council accepts and supports the key principles for Police Service governance; namely accountability and independence; in particular,
accountability, financially, and operationally to the citizens served, and independence in the carrying out of law enforcement;

AND WHEREAS Council supports a model where the Hamilton Police Service is governed directly by Council, as is the case with a number of Cities in Canada such as Quebec City, Quebec; Fredericton, New Brunswick; and, Charlottetown, Prince Edward Island;

AND WHEREAS Council could, alternatively, support a model where the Police Services Board is comprised exclusively of members of Council (like the Hamilton Board of Health) or, alternatively, some combination of Councillors and citizens appointed by City Council, as is the case with several Cities in Canada such as with the Edmonton, Alberta Police Commission (9 Commissioners, all appointed by City Council; a combination of Councillors and citizens); the Regina, Saskatchewan Board of Police Commissioners (5 Commissioners all appointed by City Council; a combination of Councillors and citizens); and, the St. John, New Brunswick Board of Police Commissioners (7 Commissioners; 6 appointed by Council and a combination of Councillors and citizens and 1 by the Province, a citizen);

AND WHEREAS governance directly by Council or by a Police Services Board comprised of members of Council and/or citizens appointed by Council must, according to law, abide by and not interfere with the principle of independence for the Police Service in terms of law enforcement;

AND WHEREAS in terms of accountability, both financially and operationally, a Police Service should be prepared to answer to Council and to the community in that there are protections for the Police Service beyond a municipal council; namely to the Province and its Ontario Police Services Commission such that any direct governance by City Council or indirect governance by a Police Services Board comprised of members of Council and/or citizens appointed by Council would itself still have oversight from the Province;

AND WHEREAS the amalgamation of the municipalities in the former Region of Hamilton-Wentworth into one City of Hamilton was in part recognition of the maturity and commitment to responsibility that an amalgamated City would have through its City Council;

AND WHEREAS the Province should respect that maturity and sense of responsibility, and allow City Council to provide governance to the Police Service directly through Council or by way of a Police Services Board made up entirely of Council-appointed citizens, or a combination thereof, with such governance to be pursuant to the principles of accountability and independence and pursuant to any provincial regulations regarding the financing and operation of a Police Service.

THEREFORE, BE IT RESOLVED:
(a) That the Province of Ontario be requested to amend the *Municipal Act* and/or the *Police Services Act*, and/or enact special legislation to either:

(i) Enable the Hamilton Police Services Board to be governed directly by Hamilton City Council, or

(ii) Enable the Hamilton Police Services Board to be appointed by Council and comprised entirely of City Councillors, or a combination of Councillors and citizens, as Council may determine;

(b) That a copy of this resolution be forwarded to the Hamilton Police Chief and the Hamilton Police Service, assuring them that City Council will continue to respect and strongly support the Police Service under any form of governance, including abiding by the key principle of independence in law enforcement.

(c) That a copy of this resolution be forwarded to the Premier, The Honourable Kathleen Wynne, and the Minister of Community Safety and Correctional Services, the Honourable Madeleine Meilleur for consideration.

(d) That a copy of this resolution be forwarded to the Leader of the Opposition, Tim Hudak, the Leader of the NDP, Andrea Horwath, all Hamilton area M.P.P.s, and the Association of Municipalities of Ontario (AMO) seeking their endorsement.

Councillor S. Merulla introduced the following Notice of Motion:

### 8.2 Complaint to the Integrity Commissioner

Councillor Merulla presented the following notice of motion:

WHEREAS on April 24, 2013, during a meeting of City Council, the Mayor stepped away from his place at the table and approached the City Manager and said something to him while Council was debating Motion 7.2, respecting the Re-Affirmation of Council’s Position regarding the B-Line Light Rail Transit on King Street;

AND WHEREAS, Sections 13.2 and 17.1 of the Code of Conduct for members of Council, being Appendix “H” of the City of Hamilton’s Procedural By-law 13-301, as amended, may have been contravened;

THEREFORE BE IT RESOLVED:

That, pursuant to Section 8 of By-law 08-154, as amended, a By-law to establish the Office of the Integrity Commissioner, a complaint concerning the verbal exchange between Mayor Bratina and the City Manager at the Council meeting of April 24, 2013, be referred to the Integrity Commissioner for review.
That the Rules of Order be waived in order to allow for the introduction of a motion, respecting a Complaint to the Integrity Commissioner.  

CARRIED

For disposition of this matter, please refer to Item 7.9 above.

Councillor C. Collins introduced the following Notice of Motion:

8.3 Nomination for Election to Federation of Canadian Municipalities (FCM) Board of Directors

(a) That the Council of the City of Hamilton endorse Councillor Terry Whitehead to stand for election on the Federation of Canadian Municipalities' Board of Directors and/or Advisory Committees;

(b) That all associated costs, regarding Councillor Whitehead’s attendance at the Federation of Canadian Municipalities’ Board of Directors and/or Advisory Committee meetings, be charged to the General Legislative 300100 account.

(Collins/Merulla)
That the Rules be waived to allow the introduction of a Motion respecting Election to the Federation of Canadian Municipalities’ Board of Directors.  

CARRIED

For disposition of this matter, please refer to Item 7.10 above.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – April 24, 2013

The following was approved in Open Session:

(Duvall/Whitehead)
(a) That the Closed Session Minutes of the April 24, 2013, meeting of the Council be approved, as presented.

(b) That the Closed Session Minutes of the April 24, 2013 meeting of the Council, remain confidential and restricted from public disclosure.  

CARRIED
10.2 Selection Committee Report 13-003 – April 23, 2013

The following was approved in Open Session:

(Whitehead/Duvall)
1. Resignation from the Hamilton Library Board (Added Item 1(a))

That the resignation from Kathy Baker from the Hamilton Library Board be received.

2. Hamilton Library Board Appointment (Item 4.2)

That Mary Ann Leach be appointed to serve on the Hamilton Library Board for a term commencing on May 9, 2013, and to expire with the current term of Council or until such time as a successor is appointed.

3. Hamilton Police Services Board Appointment (Item 4.3)

That Wlodzimierz Juchniewicz be appointed to serve on the Hamilton Police Services Board for a term commencing on May 9, 2013, and to expire with the current term of Council or until such time as a successor is appointed.

CARRIED

(Whitehead/Duvall)
That the THIRD Report of the Selection Committee be adopted and the information section received.

CARRIED

(Ferguson/Powers)
That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Whitehead/Duvall)
That Bills No. 13-116 to 13-128 be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

By-law No.

116 To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

117 To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control
To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

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 14 – Wheelchair Loading Zones

Being a By-law to Permanently Close a Portion of Gunby Boulevard, being Parts 11, 12 and 13 on Plan 62R-19547, City of Hamilton

Being a By-law to Permanently Close a Portion of Painter Terrace, being Parts 6, 7, 8 and 9 on Plan 62R-19547, City of Hamilton

Being a By-law to Permanently Close a Portion of Rusk Terrace, being Parts 2, 3 and 4 on Plan 62R-19547, City of Hamilton

Respecting Removal of Part Lot Control, Block 111, Registered Plan No. 62M-932 “Glancaster Meadow” (58 Bellstone Lane and 27 Blackburn Lane)

Respecting Removal of Part Lot Control, Lots 1-9 and 12-20, Registered Plan No. 62M-1189, “101 Nash Road North” (Hamilton)

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1365 and 1367 Baseline Road (Stoney Creek)

To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 1155 West 5th Street (Hamilton)

To Amend By-law No. 10-221, A By-law to Prescribe Standards for the Maintenance and Occupancy of Property

To Confirm the Proceedings of City Council

CARRIED

(Pearson/Partridge)
That, there being no further business, the City Council meeting be adjourned at 7:20 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk