CITY COUNCIL
MINUTES
SPECIAL MEETING
Monday, January 26, 2009
11:45 a.m.
Albion Rooms
Hamilton Convention Centre
One Summer’s Lane
Hamilton, Ontario

Present: Mayor F. Eisenberger
Councillors B. Bratina, B. Clark, C. Collins, L. Ferguson,
T. Jackson, M. McCarthy, B. McHattie, S. Merulla,
D. Mitchell, B. Morelli, M. Pearson, R. Powers and
T. Whitehead

Absent with Regrets: Councillors S. Duvall and R. Pasuta, Vacation

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. Communications

   5.1 Added correspondence from Anthony DiCenzo from Dicenzo & Associates
dated January 23, 2009 respecting Grids and the Rural Official Plan,
respecting Item 7.1 on today’s agenda.

       Recommendation: Be received.

   5.2 Added correspondence from Aldo DeSantis of Multi-Area Developments
Inc. dated January 23, 2009, respecting Grids and the Rural Official Plan,
respecting Item 7.1 on today’s agenda.

       Recommendation: Be received.
2. Committee Reports

6.1 Added Committee of the Whole Report 09-003, referred from the January 22, 2009 Committee of the Whole Meeting to today’s Special Council Meeting.

(Whitehead/Mitchell)
That the Agenda for the City Council meeting being held on January 26, 2009, be approved, as amended.  CARRIED

DECLARATIONS OF INTEREST

There were none declared.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None

APPROVAL OF MINUTES

None

COMMUNICATIONS

(Collins/Clark)
That the dispositions of the Council communications be approved, as follows:


Recommendation: Be received and forwarded to the Ministry of Municipal Affairs and Housing.

5.2 Added correspondence from Aldo DeSantis of Multi-Area Developments Inc. dated January 23, 2009, respecting Grids and the Rural Official Plan, respecting Item 7.1 on today’s agenda.

Recommendation: Be received and forwarded to the Ministry of Municipal Affairs and Housing.

Amendment CARRIED
Motion as Amended CARRIED

(Pearson/Mitchell)
That Council move into Committee of the Whole to consider the Committee Report.

CARRIED
COMMITTEE OF THE WHOLE REPORT 09-003

(Pearson/Powers)
That the THIRD Report of Committee of the Whole be adopted as presented, and the information section received. CARRIED

(Pearson/Mitchell)
That the Committee of the Whole rise and report. CARRIED

MOTIONS

(Clark/Jackson)
That Council move into Closed Session at 11:50 a.m. pursuant to Section 239 of the Municipal Act, 2001 to receive legal advice on matters respecting litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. CARRIED

(McHattie/Merulla)
That Council reconvene in Open Session at 12:50 p.m. CARRIED

(Clark/Whitehead)
That the question be put. CARRIED

7.1 Appeal respecting the Rural Official Plan

(Clark/McHattie)
(a) That the City of Hamilton appeal the following modification to the Rural Hamilton Official Plan, identified in the Ministry of Municipal Affairs and Housing Notice of Decision (25-OP-2006 on January 7, 2009), since this modification does not implement the conclusions of background studies and strategies prepared by the City of Hamilton in support of the development of a new Official Plan:

(i) Modification 33b respecting the land use designations (Ministry modification to the redesignation from Rural to Agriculture) on Schedule D – Rural Land Use Designations, identified on Attachment 4 to the Notice of Decision. CARRIED
That the question be put.  

CARRIED

7.1(a) Appeal respecting the Rural Official Plan - AMENDMENT  

(Whitehead/Pearson)  
That the Main motion be amended by adding a subsection (ii) as follows:  

(ii) Modification Nos. 46 and 49 respecting Special Policy Area B (SPA B) – Future Urban Growth Area (Ministry modification to delete SPA B), identified on Attachment 21 to the Notice of Decision.

This motion LOST on a Standing Recorded vote as follows:  

Yeas: Ferguson, McCarthy, Pearson, and Whitehead  
Total: 4

Nays: Eisenberger, Bratina, Clark, Collins, Jackson, McHattie, Merulla, Morelli, Mitchell, Powers  
Total: 10

Absent: Duvall, Pasuta  
Total: 2

NOTICES OF MOTION

STATEMENT BY MEMBERS

None

PRIVATE AND CONFIDENTIAL

See Item under Motions section.

BY-LAWS

(Pearson/Mitchell)  
That Bill No. 09-007 attached hereto be passed, that the corporate seal be affixed thereto and the By-law be signed by the Mayor and the City Clerk, and numbered as 09-007 as follows:  

By-law No. Bill No.  
09-007 09-007 To Confirm the Proceedings of City Council  

CARRIED
There being no further business, the City Council meeting adjourned at 1:15 p.m.

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk
January 26, 2009