Mayor Eisenberger called the meeting to order.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED COMMUNICATION**

   5.4 Correspondence from Peter O’Hagan respecting Pan Am Facilities, Overall Plan

2. **ADDED REPORTS**

   6.6 Committee of the Whole Report 10-021, July 7, 2010
   6.7 Hamilton Licensing Tribunal Report 10-005, July 7, 2010
3. **NOTICES OF MOTION**

   8.1 Request for All-way Stop at Astra Street and Paramount Drive, Hamilton

4. **PRIVATE AND CONFIDENTIAL**

   10.1 Collective Bargaining Update – The City of Hamilton and The United Brotherhood of Carpenters and Joiners of America, Local 18 (HUR10010) (Distributed under separate cover) (Referred from July 7, 2010 Committee of the Whole meeting.)

   (Ferguson/Jackson)
   That the Agenda for the City Council meeting being held on July 8, 2010, be approved, as amended. **CARRIED**

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**DECLARATIONS OF INTEREST**

Councillor Ferguson declared a conflict of interest for a Notice of Motion that may be brought forward on Taxi Licensing

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**CEREMONIAL ACTIVITIES/ANNOUNCEMENTS**

None

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**APPROVAL OF MINUTES**

(Pearson/Mitchell)
That the Minutes of the June 23, 2010 meeting of Council be approved, as presented. **CARRIED**

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**COMMUNICATIONS**

(Bratina/McHattie)
That Council Communications 5.1 to 5.3 be approved, as follows:

5.1 Correspondence from J. W. Tiernay, Ontario Good Roads Association respecting contribution to the Minimum Maintenance Standards Litigation Fund

   Recommendation: Be referred to the Public Works Committee
5.2 Correspondence from the Honourable Carol Mitchell, Minister of Agriculture, Food and Rural Affairs respecting $100,000,000 for funding Woodward Avenue Wastewater Treatment Plant Upgrades

Recommendation: Be received

5.3 Correspondence from the Honourable Bruce McCuaig, Deputy Minister, Ministry of Transportation respecting transfer of $8,736,478 for replacing municipal transit buses

Recommendation: Be received

5.4 Correspondence from Peter O’Hagan respecting Pan Am Facilities and Overall Plan

Recommendation: Be received

CARRIED as amended

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

CARRIED

COMMITTEE OF THE WHOLE REPORT 10-018

Item 1 2010 Council Strategic Capital Allocation (FCS10040) (City Wide) (Item 6.1)

(McHattie/Jackson)
That sub-section (d) of Item 1 of Committee of the Whole Report 10-018 respecting funding for the Creative Catalyst Project be referred back to staff for a Report back to the Committee of the Whole for further consideration.

(Bratina/McHattie)
That the EIGHTEENTH Report of the Committee of the Whole be adopted, as amended, and the information section received.

CARRIED
Information Item (d)  Potential Disposition of City Property

(Clark/Merulla)
That Information Item (d) subsection (a) of the Committee of the Whole Report 10-019 be amended by deleting the Pan Am Stadium from discussions with Katz Entertainment Holdings.

The amendment was DEFEATED on the following standing vote:

Yeas:       Bratina, Clark, Jackson, Merulla, Morelli and Mitchell
Total:      6
Nays:       Eisenberger, Duvall, Ferguson, McHattie, Pasuta, Pearson and Powers
Total:      7
Absent:     Collins, McCarthy, Whitehead
Total:      3

(Bratina/McHattie)
That the NINETEENTH Report of the Committee of the Whole be received.

CARRIED

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE 10-015

Item 7  Ontario Realty Corporation (ORC) Surplus Land - Project 8093 - Located at 1831 Rymal Road East / 99 Highland Road West, Described as Part of Lots 33 and 34, Concession 8, Former Township of Saltfleet, now City of Hamilton (PED10149) (Ward 9) (Item 5.7)

(Ferguson/Pearson)
That Item 7 of Economic Development and Planning Committee Report 10-015 respecting Ontario Realty Corporation (ORC) Surplus Land - Project 8093 - Located at 1831 Rymal Road East / 99 Highland Road West, Described as Part of Lots 33 and 34, Concession 8, Former Township of Saltfleet, now City of Hamilton (PED10149) (Ward 9) be referred back to the Economic Development and Planning pending the stadium needs analysis.

CARRIED
Item 10  
Sale of City Surplus Lands - 4 Fifth Avenue, Hamilton Beach (PED10154) (Ward 5) (Item 5.10)

(Merulla/McHattie)
That Item 10 of Economic Development and Planning Committee Report 10-015 respecting Sale of City Surplus Lands – 4 Fifth Avenue, Hamilton Beach (PED10154) (Ward 5), be referred back to the August 9, 2010 meeting of the Economic Development and Planning to allow the Ward Councillor and residents to appear as a delegation at that meeting.

CARRIED

Item 13  
Application for an Amendment to the Town of Dundas Official Plan and Zoning By-law No. 3581-86 for the Lands Located at 365 Park Street West and 397 King Street West (Dundas) (PED10142) (Ward 13) (Item 6.3)

(Bratina/McHattie)
That Item 13 of Economic Development and Planning Committee Report 10-015 be amended as follows;

(a)  By deleting and replacing the existing Subsection (b) (i) with the following;

(i)  That the draft By-law, attached as Appendix “C” be amended to permit an ingress to the property from King Street West, and the draft by-law attached as Appendix “D” to Report PED10142, both of which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b)  By the addition of new Subsection as follows;

(c)  That the changes being made to the by-law are minor in nature, not affecting the intent of Report PED10142, as approved by the Economic Development and Planning Committee on July 5, 2020, and that no further Public Meeting is deemed necessary, pursuant to Section 34(17) of The Planning Act.

CARRIED

(Bratina/McHattie)
That the FIFTEENTH Report of the Economic Development and Planning Committee be adopted, as amended, and the information section received.

CARRIED
COMMITTEE OF THE WHOLE REPORT 10-020

Item 11  Facility Naming Sub-Committee Report 10-002, June 9, 2010 (Item 8.6)

(Pearson/Clark)
That subsection (b) of Item 11 of Committee of the Whole Report 10-020 be amended in the following way;

That “John” be added to the name of the Park Site in Ward 10 currently known as Plateau Park so that the amended name be “John Santarelli Plateau Park”

Item 14  Land Acquisition (PSB10039) (Item 11.1)

(Bratina/McHattie)
That the following be added as subsection (c) to Item 14 of Committee of the Whole Report 10-020:

(c) That the Mayor be directed to forward a letter to the Hamilton Mosque to advise them of the potential land acquisition and reiterating the City’s interest in working with the Mosque to locate a suitable property

CARRIED

(Bratina/McHattie)
That the TWENTIETH Report of the Committee of the Whole be adopted, as amended, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 10-006

(Powers/Jackson)
That Section 5.6(2) of the City’s Procedural By-law which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council be waived in order to consider Board of Health Report 10-006, dated Tuesday, July 7, 2010.

CARRIED

Item 4  Healthy Babies, Healthy Children 2010 Budget BOH10018 (City Wide) (Item 8.1)

The question was divided for voting purposes

(a) That the 2010 Healthy Babies, Healthy Children (HBHC) Program budget which is 100% funded by the Ministry of Children and Youth Services (MCYS) be approved, including a reduction of 0.5 FTE Public Health Nurse (PHN).

CARRIED
(b) That a letter be written to the Minister of Children and Youth Services, to be sent along with the budget submission, outlining the inherent impact of zero base increases for 2009 and 2010, as well as the potential impact of subsequent budget reductions on the effective integration of HBHC services as part of the provincial Best Start Child and Family Service Model.

CARRIED

(c) That staff be directed to investigate and report back on possible alternatives to ensuring that the Healthy Babies, Healthy Children Program remain at its current service levels.

Subsection (c) of this Item was DEFEATED on the following standing vote:

Yeas: Eisenberger, Bratina, Duvall, McHattie, Merulla and Morelli
Total: 6
Nays: Clark, Ferguson, Jackson, Pasuta, Pearson, Mitchell and Powers
Total: 7
Absent: Collins, McCarthy, Whitehead
Total: 3

(Bratina/McHattie)
That the SIXTH Report of the Board of Health be adopted as amended and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 10-021

(Powers/Jackson)
That Section 5.6(2) of the City’s Procedural By-law which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider Committee of the Whole Report 10-021, dated Wednesday, July 7, 2010.

CARRIED

1. International Event Opportunities – 2015 Pan Am Games Update (CM09006(e)) (City Wide) (Item 4.2)

(Clark/Mitchell)
That Item 1(b) of the Committee of the Whole Report 10-021 respecting 2015 Pan Am Games be amended by deleting the words: “in addition to the West Harbour Precinct” following the words “to evaluate” in the first line.

Councillors Clark and Mitchell withdrew the motion
(Eisenberger/Jackson)
That Item 1 of Committee of the Whole Report 10-021 be amended by adding the following as subsection (g) as follows;

(g) That Michael Fenn be retained by the City of Hamilton and the Hamilton Tiger Cats on a cost-shared basis similar to what was previously agreed, in a significant role in the evaluation process to be negotiated with Michael Fenn

CARRIED

This amended Item CARRIED on the following standing vote:

Yeas: Eisenberger, Bratina, Clark, Duvall, Ferguson, Jackson, Merulla, Morelli, Pasuta, Pearson, Mitchell, Powers and Whitehead
Total: 13
Nays: McHattie
Total: 1
Absent: Collins, McCarthy
Total: 2

Item 3 That the following be added as Item 3 to Committee of the Whole Report 10-021;

(Powers/Pearson)
Collective Bargaining Update – The City of Hamilton and The United Brotherhood of Carpenters and Joiners of America, Local 18 (HUR10010) (10.1)

CARRIED

(Merulla/Powers)
That Council Move into Closed Session at 11:40 a.m. regarding Item 3 of Committee of the Whole Report 10-021, Collective Bargaining Update – The City of Hamilton and The United Brotherhood of Carpenters and Joiners of America, Local 18, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 03-301, and Section 239, Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations and negotiations.

CARRIED

As shown in the Closed Session Minutes, Council reconvened in Open Session at 12:19 p.m.

Council provided the following recommendations in Open Session
10.1 Collective Bargaining Update – The City of Hamilton and The United Brotherhood of Carpenters and Joiners of America, Local 18 (HUR10010)

(Powers/Pearson)

(a) That staff be directed to proceed to conciliation as a result of the impasse reached between the City and the United Brotherhood of Carpenters and Joiners, Local 18, as it relates to the renewal memorandum of settlement agreements for both the heavy engineering and residential sectors of the construction industry.

(b) That staff be directed to amend the labour relations approach for ICI (Industrial, Commercial and Institutional) related projects as it relates to the Carpentry Work components of such construction projects.

(c) That the contents of Report HUR10010 remain Confidential.

(d) That the original subsection (c) be referred back to Committee.  

CARRIED

(Bratina/McHattie)

That the TWENTY-FIRST Report of the Committee of the Whole be adopted, as amended, and the information section received.  

CARRIED

HAMILTON LICENSING TRIBUNAL REPORT 10-005

(Powers/Jackson)

That Section 5.6(2) of the City’s Procedural By-law which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider Hamilton Licensing Tribunal Report 10-005, dated Wednesday, July 7, 2010.  

CARRIED

(Duvall/Pasuta)

That the FIFTH Report of the Hamilton Licensing Tribunal be adopted, and the information section received.  

CARRIED

(Bratina/McHattie)

That the Committee of the Whole rise and report.  

CARRIED
7.1 **Amendment to Truck Route – Fruitland Road, from Barton Street East to Highway 8**

**(Mitchell/Pearson)**
Whereas trucks on Fruitland Road are a continuous problem for local residents;

And Whereas the ability to completely resolve the truck issue with a by-pass is premature at this time;

And Whereas there is a current need to give residents some peace from the continuous truck traffic;

And Whereas it is recognized that trucks still need access and use of Fruitland Road.

Therefore be it resolved:

(a) That Fruitland Road, from Barton Street East to Highway 8, be designated a non-truck route from 7 p.m. to 7 a.m. (19:00 hours to 07:00 hours inclusive), seven days a week; and until such time as a new by-pass route is constructed.

(b) That By-law 01-215, as amended, being a by-law to regulate traffic, be amended accordingly.

**(Mitchell/Pearson)**
That Motion 7.1 Subsection (a) be amended as follows:

By deleting the words: “and until such a time as a new by-pass is constructed “and replacing with the following words in lieu thereof; “on a trial basis for 18 months when staff will then report back to the Public Works Committee”

The Amended Motion CARRIED on the following votes:

Yeas: Eisenberger, Bratina, Clark, Duvall, McHattie, Jackson, Merulla, Morelli, Pasuta, Pearson, Mitchell, Powers and Whitehead  
Total: 13

Nays: Ferguson  
Total: 1

Absent: Collins, McCarthy  
Total: 2
7.2  Motion in support of application of Ridge Road Estate Winery to serve/sell wine by the glass for consumption

(Mitchell/Pearson)
That the Council of the City of Hamilton supports the application of Ridge Road Estate Winery located at 1205 Ridge Road, Hamilton (Stoney Creek) to obtain “By the Glass” Manufacturers Limited Liquor Sales Licenses to sell and serve their wine to patrons for consumption in single servings at their manufacturing site.  
CARRIED

NOTICES OF MOTION

Councillor B. Clark put forward the following Notice of Motion:

8.1  Request for All-way Stop at Astra Street and Paramount Drive, Hamilton (Ward 9)

(a)  That an all-way stop control be implemented at the intersection of Astra Street and Paramount Drive, Hamilton;

(b)  That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed.

(Clark/Pearson)
That the rules of order be waived in order to allow for the introduction of a motion respecting the implementation of an all-way stop control at the intersection of Astra Street and Paramount Drive, Hamilton.  
CARRIED

(Clark/Pearson)

7.3  Request for All-way Stop at Astra Street and Paramount Drive, Hamilton (Ward 9)

(a)  That an all-way stop control be implemented at the intersection of Astra Street and Paramount Drive, Hamilton;

(b)  That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed.  
CARRIED

Councillor Bratina put forward the following Notice of Motion:

8.2  Issuance of Taxicab Owner Licences

(a)  That Adnan Shedhadeh be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.

(b)  That Sharon Bellamy be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.
(c) That Daniel L. Bernier be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.

(Bratina/McHattie)
That the Rules of Order be waived in order to introduce a motion respecting the Issuance of Taxi Cab Owner Licences.

CARRIED

7.4 Issuance of Taxicab Owner Licences
(Bratina/McHattie)
(a) That Adnan Shedhadeh be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.

(b) That Sharon Bellamy be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.

(c) That Daniel L. Bernier be issued a Taxicab Owner Licence from the approved 2009 Taxicab Priority List.

CARRIED

Councillor Pearson put forward the following Notice of Motion:

8.3 Facility Naming Sub-Committee Report 10-002, June 9, 2010 (Item 8.6)

That subsection (b) of Item 11 of Committee of the Whole Report 10-020 be amended in the following way;

That “John” be added to the name of the Park Site in Ward 10 currently known as Plateau Park so that the amended name be “John Santarelli Plateau Park”

(Pearson/Powers)
That the Rules of Order be waived in order to introduce a motion respecting Item 11 of the Committee of the Whole Report 10-020.

CARRIED

For further disposition on this Item refer to Item 11 in the above Committee of the Whole Report 10-020

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.
Item 10.1 Collective Bargaining Update – The City of Hamilton and The United Brotherhood of Carpenters and Joiners of America, Local 18 (HUR10010)(Referred from July 7, 2010 Committee of the Whole meeting.)

For disposition on this Item refer to above Item 3 of Committee of the Whole Report 10-021

BY-LAWS

(Bratina/McHattie)
That Bill Nos. 010-067 to 010-080, attached hereto, be passed, that the Corporate seal be affixed thereto, and that the By-laws be signed by the Mayor and the City Clerk and read as follows:

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-167</td>
<td>167</td>
<td>To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Control</td>
</tr>
<tr>
<td>10-169</td>
<td>169</td>
<td>Respecting Removal of Part Lot Control, Block 29, Registered Plan No. 62M-1109, “Marina Point on Baseline”</td>
</tr>
<tr>
<td>10-170</td>
<td>170</td>
<td>Respecting Removal of Part Lot Control, Block 1, Registered Plan No. 62M-1133 and Block 4, Plan No. 62M-1083</td>
</tr>
<tr>
<td>10-171</td>
<td>171</td>
<td>To Amend By-law No. 03-020, To Regulate Noise</td>
</tr>
</tbody>
</table>
By-law No. 10-172  Bill No. 172
To Permanently Close a Portion of Main Street North at Centre Road, Flamborough, being Part of Lot 7, Concession 4 and Part of Road Allowance between Lots 7 and 8, in the geographic township of East Flamborough, and Part of Block “A”, Registered Plan 1310 designated as Part 1 on Reference Plan 62R-18769, City of Hamilton

By-law No. 10-173  Bill No. 173
To Adopt Official Plan Amendment No. 20 to the former Town of Dundas Official Plan, Respecting 397 King Street West and 365 Park Street West

By-law No. 10-174  Bill No. 174
To Remove a Portion of the Lands from and to Amend Zoning By-law No. 05-200, Respecting Lands Located at 397 King Street West (Dundas)

By-law No. 10-175  Bill No. 175
To Amend Zoning By-law No. 3581-86 (Dundas), Respecting Lands Located at 397 King Street West

By-law No. 10-176  Bill No. 176

By-law No. 10-177  Bill No. 177
Respecting Removal of Part Lot Control, Block 93 of Plan No. 62M-1131, “Aspen Ridge Homes”

By-law No. 10-178  Bill No. 178
Respecting Removal of Part Lot Control, Block 97 of Plan No. 62M-1131, “Aspen Ridge Homes”

By-law No. 10-179  Bill No. 179

By-law No. 10-180  Bill No. 180
To Confirm the Proceedings of City Council

(Powers/Pearson)
There being no further business, the City Council meeting adjourned at 12:38 p.m.

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

R. Caterini
City Clerk
July 8, 2010