Present: Mayor L. Dilanni


Absent with regrets: Councillor M. Ferguson – Illness
Councillor B. Kelly – Vacation
Councillor D. Braden – Vacation

Mayor Dilanni called the meeting to order.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED COMMUNICATIONS**

   5.11 Correspondence from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing respecting An Act to Revise the Ontario Municipal Employees Retirement System, 2006

   Recommendation: Be received.

   5.12 Correspondence from Lisa Kondrat respecting Waterdown Transportation Master Plan

   Recommendation: Be received
5.13 Correspondence from Transportation Sub-Committee to the Mayor’s Flamborough Community Council, respecting Phase 2 report of the Waterdown-Aldershot Master Transportation Plan

Recommendation: Be received.

2. REPORTS

Planning and Economic Development Committee Report 06-003

To be amended to reflect the attendance of Councillor Tom Jackson in the “also present” section of the report.

3. PRIVATE & CONFIDENTIAL

10.1 A matter that pertains to a proposed land acquisition by the municipality.

(Pearson/McHattie)
That the Agenda for the City Council meeting being held on March 1, 2006, as mended, be approved.

CARRIED

DECLARATIONS OF INTEREST

There were none declared.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

There were none.

APPROVAL OF MINUTES

(Mitchell/Pearson)
That the Minutes of the City Council Meeting held on February 15, 2006, be approved as presented.

CARRIED

COMMUNICATIONS

(Mitchell/Pearson)
That Council Communications 5.1 to 5.13 be approved, as amended, as follows:

5.1 Correspondence from The Honourable John McKinley, Assistant Deputy Minister respecting extension to the short-term Sustainability Grant Program

Recommendation: Be received
5.2 Correspondence from the Honourable Harinder S. Takhar, Minister of Transportation respecting school crossing guards and the legislative changes in Bill 169, the Transportation statute Law Amendment Act, 2005

Recommendation: Be received

5.3 Correspondence from the Honourable Gerry Phillips, Minister of Government Services respecting the use of casino profits to offset declining revenues for charitable organizations

Recommendation: (Bruckler/Pearson)
Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning and Economic Development Committee

AMENDMENT CARRIED

5.4 Correspondence from the Honourable Dwight Duncan, Minister of Finance respecting education tax rates and municipal flexibility in setting tax policy

Recommendation: Be received

5.5 Correspondence from Christopher Ward, President, Ward Health Strategies advising Council that March 6-12 is “Pharmacy Awareness Week in the City of Hamilton

Recommendation: Be received

5.6 Correspondence from the Honourable Mike Goodale, Acting Assistant Deputy Minister, Ministry of Transportation respecting Highway 6 North winter maintenance

Recommendation: (Mitchell/Pearson)
Be received and referred to the General Manager of Public Works for a report to the Public Works, Infrastructure and Environment Committee

AMENDMENT CARRIED

5.7 Correspondence from Ed Cooper, Chair, Government Relations Committee, Realtors Association respecting changes to sign by-law

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning and Economic Development Committee

5.8 Correspondence from Michael A. Reader, Executive Director, Ontario Federation of Anglers and Hunters respecting Canada-Ontario Agreement on the Great Lakes Basin
Recommendation:  (McHattie/Whitehead)
Be received and referred to the General Manager of Public Works for a report to the Public Works, Infrastructure and Environment Committee

AMENDMENT CARRIED

5.9 Correspondence from Cathy Vincelli, Executive Director, Paralympics Ontario respecting hosting the 2007 Ontario Paralympic Summer Championships

Recommendation:  (Whitehead/Jackson)
Be received and referred to the Sport Hamilton for a recommendation to the Community Services Committee.

AMENDMENT CARRIED

5.10 Correspondence from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing respecting extending the length of the term of office for municipal councillors and school trustees

Recommendation:  Be received

5.11 Correspondence from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing respecting An Act to Revise the Ontario Municipal Employees Retirement System, 2006-02-27

Recommendation:  Be received.

5.12 Correspondence from Lisa Kondrat respecting Waterdown Transportation Master Plan

Recommendation:  Be received. The Mayor to forward a letter to the Minister of Municipal Affairs and Housing requesting a formal response to Council’s resolution, passed on August 12, 2004, respecting petitioning the Province to provide legislative framework to establish a provincially appointed Conflict of Interest Commissioner.

5.13 Correspondence from Transportation Sub-Committee to the Mayor’s Flamborough Community Council, respecting Phase 2 report of the Waterdown-Aldershot Master Transportation Plan

Recommendation:  Be received.

CARRIED AS AMENDED

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

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

CARRIED

2. Demolition Permit – 260 King Street East (PED06054) (Ward 2) (Item 5.2)

(Merulla/McHattie)
That subsection (a) be removed in its entirety and replaced with:

(a) That in recognition that significant Federal and Provincial funding are in place for this project that a demolition permit be issued, prior to the applicant receiving a building permit;  

AMENDMENT CARRIED

(f) Surplus Hamilton-Wentworth District School Board Lands - Part of James MacDonald School, 200 Chester Avenue, Hamilton (PED06060) (Ward 8) (Item 5.6)

(Pearson/Mitchell)
That the above-mentioned Item, from Planning and Economic Development Committee Report 06-003, be lifted from the Information Section.  

CARRIED

(Pearson/Mitchell)
That the following Item be added to Planning and Economic Development Report 06-003 as Item 21:

21. Surplus Hamilton-Wentworth District School Board Lands - Part of James MacDonald School, 200 Chester Avenue, Hamilton (PED06060) (Ward 8) (Item 5.6)

(a) That the Real Estate Section of the Development and Real Estate Division be authorized and directed to advise the Hamilton-Wentworth District School Board that the City of Hamilton has no interest in acquiring the lands composed of Parcel A and B that form part of Concession 7, Part of Lot 17, in the former Township of Barton, municipally known as part of 200 Chester Avenue, Hamilton, as shown on Appendix “A” to Report PED06060.

(b) That the Real Estate Section of the Development and Real Estate Division be authorized and directed to advise the Hamilton-Wentworth District
School Board of the City of Hamilton requirements relating to the development of the site.

CARRIED

(Pearson/Mitchell)
That the THIRD Report of the Planning and Economic Development Committee be adopted, as amended, and the information section received.

CARRIED

CORPORATE ADMINISTRATIVE SERVICES COMMITTEE REPORT 06-003

(Samson/Pearson)
That the THIRD Report of the Corporate Services Committee be adopted, and the information section received.

CARRIED

SOCIAL SERVICES COMMITTEE REPORT 06-002

(Bratina/Merulla)
That the SECOND Report of the Social Services Committee be adopted and the information section received.

CARRIED

MOTIONS

7.1 Motion by Councillor Collins respecting Without Cause Severance Packages

(a) That all unbudgeted “without cause” severance packages be presented to Council in the form of a report for their information and consideration.

(b) That, if approved, Finance staff present an appropriate source of funding for Council’s consideration.

(Collins/Bruckler)
That this motion be referred to the City Manager for a report to the Corporate Administration Committee.

CARRIED

NOTICES OF MOTION

8.1 Preparation of Sale of Foods from Private Homes and Churches

(Whitehead/Pearson)
That procedural rule 3.11 be invoked to dispense with the Notice of Motion to permit Item 8.1 to be introduced as a motion.

CARRIED
That the Medical Officer of Health report to the Board of Health on the regulatory issues under the Health Protection and Promotion Act pertaining to the preparation and sale of foods from private homes and churches.  

CARRIED

STATEMENT BY MEMBERS

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

PRIVATE & CONFIDENTIAL

10.1 Repurchase of Industrial Property (PED06090) (City Wide)

(Collins/Bratina)  
That Council move In Camera.  

CARRIED

(Mitchell/Pearson)  
That Council reconvene in Open Session.  

CARRIED

(Pearson/Mitchell)  
(a) That the City Solicitor be authorized and directed to conclude action number 04-15627, commenced in the Superior Court in Hamilton, by way of a consent Judgment including the repurchase by the City of Hamilton of the subject lands, all claims, interest and costs as outlined in Report PED06090.

(b) That the Mayor and City Clerk be authorized and directed to execute any documents required in order to implement the settlement which is set out in Report PED06090 and that the documents be in a form satisfactory to the City Solicitor.

(c) That staff be authorized and directed to resell the subject lands immediately and that the proceeds be deposited to the City's Shared Industrial Land Reserve #110060 which funds future Industrial Park Infrastructure requirements.

CARRIED

Councillors C. Collins and S. Merulla indicated they wished to be recorded as OPPOSED.

BY-LAWS

(Mitchell/Pearson)  
That Bill Nos. 06-038 to 06-054 attached hereto 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 06-025 to 06-054:
By-law No.   Bill No.

06-038   038  To Amend Zoning By-law No. 87-57 (Ancaster); Zoning By-law No. 3581-86 (Dundas); Zoning By-law No. 90-145-Z (Flamborough); Zoning By-law No. 464 (Glanbrook); Zoning By-law No. 6593 (Hamilton); Zoning By-law No. 3692-92 (Stoney Creek) and Zoning By-law No. 05-200 (Downtown Hamilton), Respecting Prohibition of Land without Adequate Services

06-039   039  To Amend By-law No. 03-301, Governing the Proceedings of Council and Committees of Council

06-040   040  To Rescind By-law No. 05-038 and To Incorporate City Land Designated as Blocks 24 and 25 on Plan 62M-1024 into Waterberry Trail

06-041   041  To Incorporate City Land Designated as Part 8 on Plan 62R-12372 and Part 2 on Plan 62R-12403 into Duncairn Crescent

06-042   042  To Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-10161 into Citino Drive

06-043   043  To Incorporate City Land Designated as Parts 3, 4, and 5 on Plan 62R-10269 into Forbes Street

06-044   044  To Incorporate City Land Designated as Part 1 on Plan 62R-17384 into Raymond Road

06-045   045  To Incorporate City Land Designated as Part 3 on Plan 62R-10269 into Fortissimo Drive

06-046   046  To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:

  Schedule 5 – Parking Meters
  Schedule 6 – Time Limit Parking
  Schedule 8 – No Parking Zones
  Schedule 10 – Alternate Side Parking
  Schedule 12 – Permit Parking Zones
  Schedule 13 – No Stopping Zones
  Schedule 14 – Wheelchair Parking Zones
  Schedule 15 – Commercial Vehicle Loading Zones
  Schedule 16 – Taxi Zones
  Schedule 20 – School Bus Loading Zones

06-047   047  To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs

06-048   048  To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located within Part of Lot 51, Concession 3
06-049 049  To Amend By-law No. 01-084, To Appoint Municipal Law Enforcement Officers

06-050 050  To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 880 South Service Road

06-051 051  To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 3087 Highway No. 56

06-052 052  To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Described as being Part of Lot 30, Concession 5 (Beverly), In the former Town of Flamborough, now in the City of Hamilton

06-053 053  Respecting Removal of Part Lot Control, Lots 1 to 24 inclusive, Registered Plan 62M-1049 (Owen Place)

06-054 054  To Confirm the Proceedings of City Council

(Jackson/Bruckler)
The City Council meeting adjourned at 9:05 p.m.

Respectfully submitted,

Larry DiIanni
Mayor

Rose Caterini
Deputy Clerk/Manager of
Legislative Services and Records
March 1, 2006