Mayor Bratina called the meeting to order, and called upon Pastor Dwayne Cline of Hughson St. Baptist Church, to lead Council in prayer.

The Mayor recognized members of the Bishop Ryan Sign Language Club; the Educational Assistant of the Club, Jutta Custodio, and the students Chester Lazar, Lukasz Orzel and Riley Kisel, who were in attendance to sign the National Anthem. The group performs at school assemblies, talent shows, Masses and other special events. They have signed for both the Canadian and the American National Anthems at Bulldogs games and on December 14th will be signing for the Toronto Raptors.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED COMMUNICATIONS**

   5.7 Correspondence from Earl D. Basse, Integrity Commissioner respecting a Complaint against Councillor Russ Powers

      Recommendation: Be received.
5.8 Correspondence from the Honourable Jim Bradley, Minister of the Environment respecting remediation of Randle Reef, upgrades to the Woodward Waste Water Treatment Plant, remediation of the Perfluorooctane sulfonate (PFOS) contamination at the Hamilton International Airport and urban forestry pests

Recommendation: Be received.

2. ADDED REPORT

6.8 General Issues Committee Report 12-024(b), December 11, 2012

3. NOTICES OF MOTION

8.2 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.

(Pearson/Johnson)
That the agenda for the December 12, 2012 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Presentation by Linda Shuker, President of the Winona Peach Festival

Linda Shuker, President of the Winona Peach Festival, provided the City of Hamilton with a cheque, in the amount of $13,000 toward the payment of the Peach Festival’s loan to the City.

3.2 Presentation by Argyll and Sutherland Highlanders of Canada to the City of Hamilton

Lieutenant Colonel Lawrence Hatfield, Commanding Officer of the Argyll and Sutherland Highlanders of Canada, presented the City with the Argyll and Sutherland Highlanders Diamond Jubilee gift; a bust of Her Majesty Queen Elizabeth II, by Christian Cardel-Corbett.
APPROVAL OF MINUTES

4.1 November 28, 2012

(Johnson/Pearson)
That the Minutes of the November 28, 2012, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Morelli/Farr)
That Council Communications 5.1 through 5.8 be approved, as amended, as follows:

5.1 Correspondence from David Adames, President and CEO of the Hamilton Chamber of Commerce respecting complete streets and one-way conversion – research needed for an evidence based decision.

Recommendation: (Farr/Morelli) Be received and referred to the One-Way to Two-Way Study Group.

5.2 Correspondence from Reverend Aaron Gerrard, on behalf of the Churches of the Ancaster Ministerial Association expressing their opposition to any proposals to bring a casino into downtown Hamilton.

Recommendation: (Ferguson/Powers) Be received and referred to the Gaming Facility Proposal Sub-Committee.

5.3 Memo from Dan Mathieson, Chair, MPAC Board of Directors, respecting Update from MPAC

Recommendation: (Pearson/Powers) Be received.

5.4 E-mail correspondence from Ryan McGreal respecting backyard hens.

Recommendation: (Morelli/Farr) Be received.

5.5 Correspondence from Catherine Burden respecting backyard hens.

Recommendation: (Ferguson/Powers) Be received.
5.6 Correspondence from Cathie Mason, Regional Manager, Services and Operation, CNIB Hamilton, respecting City Council’s decision to eliminate the transit subsidy provided to CNIB card holders who are blind or partially sighted.

Recommendation: (Pearson/Powers) Be received.

5.7 Correspondence from Earl D. Basse, Integrity Commissioner respecting a Complaint against Councillor Russ Powers

Recommendation: (Ferguson/Farr) Be received.

5.8 Correspondence from the Honourable Jim Bradley, Minister of the Environment respecting remediation of Randle Reef, upgrades to the Woodward Waste Water Treatment Plant, remediation of the perfluorooctane sulfonate (PFOS) contamination at the Hamilton International Airport and urban forestry pests

Recommendation: (Johnson/Pearson) Be received.

CARRIED

(Collins/Morelli)
That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-014

(Ferguson/Powers)
That the FOURTEENTH Report of the Public Works Committee be adopted, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 12-010

(Bratina/Partridge)
That the TENTH Report of the Board of Health be adopted, and the information section received.

CARRIED
9. **2013 Tariff of Fees (PED12231) (City Wide) (Item 7.1)**

(Clark/Pearson)
That Item 9 of the Planning Committee Report 12-019, respecting 2013 Tariff of Fees, be amended by adding subsection (e) as follows:

(e) That for the purposes of the Tariff of Fees By-law a 'Routine Variance' shall mean "All singles, duplexes, and semis, not including conversions to other uses or proposed additional uses."

Item 9, as amended, CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Collins, Merulla, Farr, McHattie, Clark, Pearson, Johnson, Powers, Partridge, Morelli

Total: 13

Nays: Ferguson, Pasuta

Total: 2

Absent: Jackson

Total: 1

13. **Keeping of Chickens in Urban Areas (PED12247/BOH212039) (City Wide) (Item 8.9)**

(Farr/McHattie)
That Item 13 of the Planning committee Report 12-019, respecting the Keeping of Chickens in Urban Areas, be referred back to the Planning Committee.

The above motion was withdrawn.

(Powers/Clark)
That, for the purpose of voting on each matter separately, the recommendation in Item 13 be split into subsections (a) and (b), to read as follows:

(a) That Information Report PED12247/BOH12039, respecting the Keeping of Chicken in Urban Areas, be received;

(b) That no further action be taken.
Sub-section (a) above was approved on the following vote:

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

Sub-Section (b) above was approved on the following vote:

Yeas: Bratina, Whitehead, Duvall, Collins, Morelli, Pearson, Johnson, Ferguson, Partridge
Total: 9
Nays: Merulla, Farr, McHattie, Clark, Powers, Pasuta
Total: 6
Absent: Jackson
Total: 1

(Clark/Pearson)
That the NINETEENTH Report of the Planning Committee be adopted, as amended, and the information section received.
CARRIED

GENERAL ISSUES COMMITTEE 12-035

(h) MOTIONS

(i) Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Court House (Item 9.2)

(Duvall/Whitehead)
That the recorded vote for the amendment made to sub-section (c) be amended by deleting the name “Whitehead” from the Yeas section; and, by adding the name “Duvall” to the Yeas section.
CARRIED

(Bratina/Partridge)
That the THIRTY-FIFTH Report of the General Issues Committee be adopted, as amended, and the information section received.
CARRIED
GENERAL ISSUES COMMITTEE 12-031(a)

(Bratina/Powers)
That Report 12-031(a) of the General Issues Committee be adopted, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 12-010

22. Wireless Hamilton Wi-Fi Project (FCS09028(a)) (City Wide) (Item 8.8)

(Collins/Whitehead)
That Item 22 of AF&A Report 12-010 be amended by adding sub-section (b) to read as follows:

(a) That the Wireless Hamilton infrastructure implemented in 2007 be dismantled and all public facing Wi-Fi established through this initiative be discontinued at an estimated one-time cost of $30,000 funded from existing capital project 2050757701.

(b) That staff be directed to report back to the Audit, Finance & Administration Committee with a plan that seeks to address Wi-Fi capabilities in Municipal buildings and regional parks.

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

(Johnson/Pearson)
That the TENTH Report of the Audit, Finance & Administration Committee be adopted, as amended, and the information section received.

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 12-011

(Partridge/Merulla)
That the ELEVENTH Report of the Emergency & Community Services Committee be adopted, and the information section received.

CARRIED

(Bratina/Johnson)
That the rules of order respecting the passing of 48 hours for the consideration of a Standing Committee Report be suspended, pursuant to Section 5.6(3) of the City’s Procedural By-law in order to permit the introduction of General Issues Committee Report 12-024(b).

CARRIED
(Bratina/Pearson)
That Report 12-024(b) of the General Issues Committee be adopted, and the Information section received.

CARRIED

(Merulla/Collins)
That the Committee of the Whole Rise and Report.

CARRIED

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**MOTIONS**

7.1 The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15)

(Whitehead/Duvall)
That Item 7.1, a motion respecting the Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193), be tabled to the January 23, 2013 meeting of Council.

CARRIED

7.2 Council Meeting Start Time

(Powers/Ferguson)
That Council meeting start time be confirmed to commence at 5:00 p.m.

Item 7.2 CARRIED on the following vote:

Yeas: Bratina, McHattie, Morelli, Merulla, Duvall, Clark, Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge
Total: 12
Nays: Farr, Collins, Whitehead
Total: 3
Absent: Jackson
Total: 1

7.3 Federation of Canadian Municipalities’ (FCM) Caribbean Local Economic Development (CARILED) Program

(Duvall/Whitehead)
Whereas on November 19, 2012, the City of Hamilton’s Planning and Economic Development Department was selected to the resource pool of Canadian municipalities that will offer their expertise as part of the Federation of Canadian
Municipalities’ (FCM) CARILED program in the Caribbean over the next five (5) years;

And whereas Hamilton’s selection was based on the Planning and Economic Development Department organizational model that has been recognized nationally and internationally as a best practise in service delivery; and the fact that senior staff within the Planning and Economic Development Department have previously participated in FCM’s local economic development programs in the Czech Republic, Namibia and Malawi;

And whereas Hamilton’s Planning and Economic Development Department has a diverse and experienced staff in a number of disciplines including; small business development, business attraction, building services, Geographic Information System (GIS), urban renewal, planning, growth management, by-law services, business licensing, and tourism and culture;

And whereas the CARILED Program will help develop the mechanisms, expertise, information and other resources needed to local Caribbean authorities to facilitate and co-ordinate local economic development and to create tools and management models that will, in turn, be disseminated throughout the entire Commonwealth Caribbean region.

And whereas Hamilton staff will share their expertise, advice and best practises to support an improved enabling environment for local economic development in Caribbean countries that are members of the British Commonwealth;

And whereas FCM will cover all participant travel, accommodation and meal expenses related to these missions through funding from the Canadian International Development Agency (CIDA).

Therefore Be It Resolved;

(a) That City Council endorse the participation of the City of Hamilton in the FCM CARILED program for a period of 5 years;

(b) That the assignment of municipal staff to specific projects in the Caribbean and/or the hosting of delegations to Canada on a periodic basis be authorized and approved;

(c) That staff report back annually to the General Issues Committee on the results and value of their participation in this humanitarian FCM program.

CARRIED
7.4 Reconsideration of Transit Fare Parity, AODA Integrated Standard (PW03128(e)) (City Wide)

(Merulla/Collins)
That sub-sections (a) and (b) of item 5 of Public Works Committee Report 12-011, approved by Council on October 30, 2012 be amended by deleting the words “January” and replacing them with the words “April”, to read as follows:

5. Transit Fare Parity, AODA Integrated Standard (PW03128(e)) (City Wide) (Item 7.1)

(a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective April 1, 2013, in accordance with the Transportation Standards regulations made under the Accessibility for Ontarians with Disabilities Act, 2005;

(b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated effective April 1, 2013;

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

7.5 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.

(Powers/Pasuta)
That Hamilton City Council has no objection to the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc. in the locations outlined in the attached Appendix "A".

CARRIED

NOTICES OF MOTION

Councillor Merulla introduced the following Notice of Motion:

8.1 Reconsideration of Transit Fare Parity, AODA Integrated Standard (PW03128e) (City Wide)

That Item subsection (b) to 5 of Public Works Committee Report 12-011, approved by Council on October 30, 2012, be reconsidered:

5. Transit Fare Parity, AODA Integrated Standard (PW03128e) (City Wide) (Item 7.1)
(a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective January 1, 2013, in accordance with the Transportation Standards regulations made under the Accessibility for Ontarians with Disabilities Act, 2005;

(b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated effective January 1, 2013;

(c) (i) That a Senior Monthly Bus Pass, equivalent to 10% of the Senior Annual Pass and a Senior single ride equivalent to the Student Ticket fare be introduced on PRESTO only (anticipated to occur in 2013);

(ii) That the brochure “For Safety’s Sake: Safe Travel Tips for HSR’s Senior Customers”, which will include the notice of the senior bus fare rates, be circulated widely;

(d) That staff be directed to pursue implementation of a PRESTO solution on the ATS service in coordination with Metrolinx;

(e) That a comprehensive public Communications Plan, as outlined in Appendix D to Report 12-011, be developed and implemented;

(f) That the current paper media accepted on HSR also be accepted on DARTS and outstanding DARTS tickets be refunded from the HSR Ticket Float Account #23109 – 006100.

(Merulla/Collins)
That the rules of order be waived to allow the Notice of Motion respecting the reconsideration of Sub-section (b) to Item 5 of Public Works Committee Report 12-011 to proceed as Motion.

The reconsideration was replaced with an amendment outlined in Item 7.4..
Councillor Powers introduced the following Notice of Motion:

**8.2 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.**

*(Powers/Pasuta)*
That Hamilton City Council has no objection to the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc. in the locations outlined in the attached Appendix "A".

*(Powers/Pasuta)*
That the rules of order be waived to allow the introduction of a Motion respecting the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc.

**CARRIED**

**STATEMENT BY MEMBERS**

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

**PRIVATE AND CONFIDENTIAL**

**(Morelli/Merulla)**
That the Bill List for the November 28, 2012 meeting of Council be amended by adding the following as Bills 288, 289, 290, 291 and 292 (attached hereto) and renumbering the balance:

**Bill No.**

- **288** To Amend the Waterworks By-law No. R84-026, and Implement the 2013 Water Fees and Charges
- **289** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2013 Fees and Charges
- **290** To Amend the Sewer Use By-law No. 04-150, and Implement the 2013 Sewer Use Fees and Charges
- **291** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2013 Fees and Charges
- **292** To Establish the 2013 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

**AMENDMENT CARRIED**
(Morelli/Merulla)
That Bills No. 268 to 293 attached hereto be passed, as amended, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

Bill No.

268  To Amend By-law No. 01-215, To Regulate Traffic: Schedule 18 – Bicycle Lanes

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

270  To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: 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 Loading Zones  
        Schedule 15 – Commercial Vehicle Loading Zones  
        Schedule 20 – School Bus Loading Zones

271  To Incorporate City Land Designated as Parts 1, 4 and 6 on Plan 62R-6407 and Part 1 on 62R-4920 into Rymal Road East

272  To Repeal By-law No. 12-225 and To Incorporate City Land Designated as Block 125 on Plan 62M-1128 into Country Fair Way

273  To Repeal By-law No. 12-223 and To Incorporate City Land Designated at Block 126 on Plan 62M-1128 into Hitching Post Ridge

274  Being a By-law To Permanently Close a Portion of Penny Lane being Block 108, Plan 62M-1172, City of Hamilton

275  Being a By-law To Permanently Close a Portion of Jessica Street, being Parts 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 27, 30, 34, 38 & 46 on 62R-19312, City of Hamilton

276  Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989 "Chappel East Estates"

277  Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989, "Chappel East Estates"

278  Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989, "Chappel East Estates"

279  Respecting Removal of Part Lot Control, Part of Block 13, Registered Plan No. 62M-989, "Chappel East Estates"

280  To Repeal By-law No. 12-199 and To Remove Part Lot Control from Block 172 (Parts1-3) of Plan No. 62M-1159 and Block 311 (Parts 4-6) of Plan No. 62M-1158
Bill No.

281 To Amend By-law No. 08-161, A By-law Respecting Building Permits and Related Matters

282 Respecting Tariff of Fees

283 To Adopt Official Plan Amendment No. 172 to the Former Stoney Creek Official Plan Respecting: 1925 Rymal Road East

284 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1925 Rymal Road East

285 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 438, 444, 446, and 450 Concession Street and 18 East 18th Street, in the City of Hamilton

286 To Remove Lands from Zoning By-law No. 05-200, Respecting Lands Located at 450 Concession Street, Hamilton

287 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 586 Beach Road (Hamilton)

288 To Amend the Waterworks By-law No. R84-026, and Implement the 2013 Water Fees and Charges

289 To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2013 Fees and Charges

290 To Amend the Sewer Use By-law No. 04-150, and Implement the 2013 Sewer Use Fees and Charges

291 To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2013 Fees and Charges

292 To Establish the 2013 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

293 To Confirm the Proceedings of City Council

CARRIED

(Pearson/Johnson)
That, there being no further business, the City Council meeting be adjourned at 8:35 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

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