Minutes
Clean City Liaison Committee

December 17, 2009
11:45am

Back Meeting Room, 2nd Floor
Operations Centre
330 Wentworth Street North

Present: Daniel Rodrigues (Chair)
         Ron Speranzini (Vice Chair)
         Clr. Collins
         John Hawker
         Robin McKee
         Clr Tom Jackson
         Phil Homerski (Staff Liaison)

Guests: Kelly Barnett
        Tony Greco – Hamilton Area BIA Association
        Barry Mungar – Hamilton Police Services

Regrets: Brad Rich
         Vicki Lockhart
         George Zolis

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1. Approval of Agenda
   
   That the meeting agenda be accepted as written

   SPARROW / McKEE                  CARRIED

2. Declarations of Interest
   
   There were no declarations of interest

3. Minutes of Previous meeting

3.1. Business Arising
   
   There was no business arising from the minutes

3.2. Approval of minutes

   That the November 19, 2009 minutes for the Clean City Liaison Committee
   meeting be accepted as written

   COLLINS / HAWKER                  CARRIED
4. Subcommittee Reports

4.1. Litter Reduction
R. Speranzini reported that the Clean Up Hamilton subcommittee has been meeting to plan the 2010 event. April 19 – 25, 2010 has been set for Clean Up Hamilton Week with an official launch being planned for the week prior to help promote the week. The committee will be working more closely with the education sector and, to this end, have had meetings with the Catholic School Board’s Paul Beaudette and will be meeting with representatives of the Public School Board next week. The Clean Up Hamilton Web site will be live by mid-January to allow for earlier promotion and event registration. Work on sponsorships is in progress.

4.2. Beautification & Community Improvement
No report.

4.3. Business & Retail Waste Diversion
The date for the next Clean & Green Business Workshop has been tentatively set for March 25, 2010. Suggestions for a keynote speaker included the new Chief of Police, Glenn De Caire. Discussion on the theme centered on graffiti issues for businesses. Promotion of the event will include a presentation to HABIA and Hamilton Rotary. Suggestions to encourage more business owners/managers to participate included a stronger link with the Chamber of Commerce, invitations through Municipal Law Enforcement to businesses served Notice, inviting Canada Post and utilities to participate. An outline of the promotional presentation will be ready for the January CCLC meeting.

4.4. Marketing
Copies of the CCLC brochure were provided to members in attendance. The brochures are available at all Municipal Service Centres. R. McKee suggested some brochures be provided to the Dundurn McDonalds for its information rack (D. Rodrigues to deliver).

R. Speranzini reported that P. Homerski has created a draft design for a banner across Main Street and is soliciting input from various stakeholders.

That an amount of no more than $600 be budgeted for the production of a banner across Main Street.

SPERANZINI / HAWKER CARRIED

4.5. Council Committees
J. Hawker reported that the 2010 Chair of Public Works Committee will be Councillor Sam Merulla and Vice Chair is Councillor Tom Jackson. There have been no meetings of the Public Works Committee in December.
5. **Keep Hamilton Beautiful (KAB)**

P. Homerski reported that correspondence from KAB had recently been received indicating that they had received the 2009 Annual Report and fulfilled all accompanying requirements to maintain Keep Hamilton Beautiful (Clean City Liaison Committee) in good standing, earning Hamilton the 2009 Presidents’ Circle Recognition Award. A framed certificate will be forwarded in the New Year.

6. **Staff and Stakeholder Reports**

6.1. **City Departments**

P. Homerski indicated that Public Works management is working through the implementation of the new organizational structure. The restructuring will provide more opportunities for collaboration between the Clean City Liaison Committee and the newly formed Operations and Waste Management division.

K. Barnett reported that the City Graffiti Working Group is working with local utilities and the City’s GIS section on streamlining the reporting, identification of graffiti’d assets and rapid removal. She also indicated that the Municipal Law Enforcement section is working with Legal Services on a standalone graffiti By-law for future consideration by Council. In the meantime, amendments to the Yard Waste By-law that will provide enforcement staff with greater latitude to impose quicker clean-up orders of graffiti. The CGWG is also preparing a poster campaign for City recreation facilities that will educate parents on signs of potential graffiti involvement in their children.

6.2. **Hamilton Police Service**

Sgt. Mungar shared a draft of a pamphlet for the Safeguard program for residential property owners. Information and tips on graffiti have been included in the program and on the pamphlet. HPS Graphics Services will undertake the creative and layout.

*That the Clean City Liaison Committee contributes up to $750 to the printing costs of the Safeguard program pamphlet, with the Clean & Green logo included.*

**COLLINS / HAWKER**

**CARRIED**

Sgt. Mungar provided an overview of how the judicial system deals with graffiti offenders in answer to questions Clr. Jackson had posed at a previous meeting.

Sgt. Mungar indicated that Police and Crown’s abilities to disclose information are restricted by the limitations imposed by the Youth Criminal Justice Act (YCJA). Section 119 of the Act imposes guidelines that restrict and prohibit the release of information to the public. Section 42 instructs that the purpose of sentencing is to hold a young person accountable for an offence through the imposition of “just” sanctions (sanctions that have meaningful consequences for the young person and that promote his or her rehabilitation and reintegration into society, thereby contributing to the long term protection of the public).

The general rule is that a Youth Justice Court must not impose a custody sentence unless the court has considered all alternatives to custody at the time of sentencing.
Furthermore, there is a presumption against pre-trial detention based on the sentencing principles of the YCJA. If the offence is one that does not involve violence, there is no history of failing to comply with conditions, and the offence is not one for which the young person would receive a custodial sentence, then release (PTA/Undertaking) is the most appropriate action.

Sgt. Mungar stressed that sentences of incarceration must be supported in law. The reality is that the majority of graffiti charges are against minors and are not serious in nature. Jail sentences for graffiti are not the norm, rather: probation, community service, restitution or other judicial sanctions. He noted that YCJA legislation also requires that police must consider alternatives prior to laying a charge. As a result, graffiti can be handled through an appropriate, alternative means such as a police caution, or a referral to an agency such as the John Howard Society.

Clr. Jackson commended Sgt. Mungar on his thorough response to the Councillor’s questions and asked that the information be included in the minutes. In answer to M. Sparrow question of whether a diversion program was in place in Hamilton, K. Barnett indicated that discussions between Public Works, Hamilton Police and the John Howard Society have already been initiated.

6.3. Hamilton Association of Business Improvement Areas (HABIA)
T. Greco invited CCLC representatives to make a presentation to HABIA at its February 9, 2010 meeting to promote the 2nd annual Business Workshop and present the role of the CCLC.

R. Speranzini reported that the WRTF’s work on the review of the Blue Box program is in progress.

6.5. Other Public
There were no delegations present.

7. New Business

7.1. Earth Day Waste Watchers Program
D. Rodrigues reported that Laurel Harrison of the Earth Day Hamilton Coordinating Committee is looking for volunteers to assist with the Waste Watchers program on the Earth Day Educational Eco Festival, April 21 and 22, 2010. Volunteers will help educate the student participants on appropriate choices for waste diversion. Volunteers should indicate their interest to D. Rodrigues, J. Hawker or R. Speranzini.

8. Adjournment
Meeting was adjourned at 1:20pm

Next Meeting: Thursday, January 21, 2010, 11:45 am – 2:00 pm, Back Meeting Room, 2nd Floor, 330 Wentworth Street North, Hamilton.