Committee of the Whole
MINUTES

9:30 a.m.
July 12, 2006
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present:
Mayor L. DiIanni
Councillors B. Bratina, P. Bruckler,
C. Collins, T. Jackson, B. Kelly, M. McCarthy,
D. Mitchell, S. Merulla, B. Morelli, M. Pearson, T. Whitehead,
A. Samson

Absent with regrets:
Councillor M. Ferguson – Illness
Councillor D. Braden – Out of Town
Councillor McHattie – Out of Town

Also Present:
G. Peace, City Manager
P. Barkwell, City Solicitor
K. Christenson, City Clerk
M. Gallagher, Coordinator

COMMITTEE OF THE WHOLE PRESENTS REPORT 06-016 AND RESPECTFULLY
RECOMMENDS:

That consent Items 4.1 to 4.8 be approved. CARRIED.

1. To Incorporate Certain City Land Into Various Streets by By-law
(PW06002(e) (Affects Wards 7, 9 and 11) (Item 4.1)

(a) That the following City land be incorporated into the following streets:

<table>
<thead>
<tr>
<th>Street</th>
<th>Parts/Plan/Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candlewood Drive</td>
<td>Parts 4 and 5, Plan 62R-11998</td>
<td>9</td>
</tr>
<tr>
<td>Fulmar Way</td>
<td>Part 3, Plan 62R-17514</td>
<td>11</td>
</tr>
<tr>
<td>Hampton Brook Way</td>
<td>Parts 5, 6, 7, and 8, Plan 62R-17514</td>
<td>11</td>
</tr>
</tbody>
</table>
Hollybank Way  
Part 1  
Plan 62R-17514  
Ward 11

Pebble Valley Avenue  
Part 3  
Plan 62R-17522  
Ward 11

Rosebury Way  
Part 2  
Plan 62R-17514  
Ward 11

Springstead Avenue  
Part 2  
Plan 62R-17522  
Ward 11

Tanglewood Drive  
Blocks 106, 107  
108, 109, and 112  
Plan 62M-1016  
Ward 11

Thames Way  
Parts 4, 9, 10, and 11  
Plan 62R-17514  
Ward 11

Theodore Drive  
Parts 5, 6, 7, 8, 9, and 10  
Plan 62R-13766  
Parts 3 and 6  
Plan 62R-17313  
Ward 7

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;

(c) That the General Manager, Public Works, be authorized and directed to register the By-Laws.

2. Red Hill Valley Project Financial Status Report – May 2006 (FCS06004f/PW06004f) (City Wide) (Item 4.2)


3. Intersection Control List (PW06001(e)) (Item 4.3)

That the appropriate By-law be presented to Council to provide traffic control as follows:
### Committee of the Whole

#### Minutes

**Intersection** | **Stop Direction** | **Location / Comments / Petition** | **Ward**
--- | --- | --- | ---
(a) Midanbury Way | Thames Way | N/C | E/B Stop | N. of White Church, W. of Up. James | 11
(b) Midanbury Way | Hollybank Way | N/C | W/B Stop | N. of White Church, W. of Up. James | 11
(c) Rosebury Way | Thames Way | N/C | E/B Stop | N. of White Church, W. of Up. James | 11
(d) Thames Way | Provident Way | N/C | N/B Stop | N. of White Church, W. of Up. James | 11
(e) Wills Cres. (N. leg) | Tanglewood Dr. | N/C | W/B Stop | N. of Binbrook, E of Hwy 56 | 11
(f) Wills Cres. (S. leg) | Tanglewood Dr. | N/C | W/B Stop | N. of Binbrook, E of Hwy 56 | 11
(g) Wilbur Dr. (S. leg) | Wills Cres. | N/C | S/B Stop | N. of Binbrook, E of Hwy 56 | 11
(h) Wilbur Dr. (N. leg) | Wills Cres. | N/C | N/B Stop | N. of Binbrook, E of Hwy 56 | 11
(i) Maggie Johnson Dr. | Tanglewood Dr. | N/C | E/B Stop | N. of Binbrook, E of Hwy 56 | 11
(j) Green Brook Dr. | Owen Pl. | N/C | E/B Stop | W. of Centennial, N. of King St. E | 5
(k) Overdale Ave. | Sunycroft Ct. | N/C | E/B Stop | S. of Hwy 5, E of Hwy 6 | 15
(l) Ray St. South | George St. | E/B & W/B | All Way | S. of King St. W, W. of Queen | 1

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4. **McMaster Graduate Students Association – University Transit Pass (PW06085) (Item 4.4)**

That Council authorize the Mayor and the City Clerk to execute the University Transit Pass Extension Agreement between McMaster Graduate Students Association, McMaster University, and the City for the period September 1, 2006, to August 31, 2007.

5. **Permanent Closure of Walkway between 72 and 73 Glenview Place, Hamilton (PW06090/PED06221) (Ward 8) (Item 4.5)**

That the application of 1639142 Ontario Inc. to permanently close the public walkway between 72 and 73 Glenview Place, Hamilton and transfer the lands to the abutting owners, be approved, subject to the following conditions:

(a) That the City Solicitor be authorized and direct to prepare a By-law to permanently close the walkway;

(b) That the appropriate By-law be introduced and enacted by Council;

(c) That the Development & Real Estate Division of the Planning and Economic Development Department, be authorized and directed to sell the closed walkway to the owners of 72 and 73 Glenview Place, in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299;
(d) That the City Solicitor be authorized and directed to register a certified copy of the By-law permanently closing the walkway in the proper Land Registry Office;

(e) That the By-law permanently closing the walkway not take effect until a certified copy of the By-law is registered in the proper Land Registry Office.

6. Monthly Status Report of Tenders and Requests for Proposals for May 17, 2006 to June 20, 2006 (FCS06016(d) (City Wide) (Item 4.6)

That Report FCS06016(d) respecting Monthly Status Report of Tenders and Requests for Proposals for May 17, 2006 to June 20, 2006, be received.

7. Tenant Advisory Committee meeting of April 21, 2006 (Item 4.7)

That the April 21, 2006 minutes of the Tenant Advisory Committee meeting, be received.

8. Tenant Advisory Committee meeting of May 12, 2006 (Item 4.8)

That the April 28, 2006 minutes of the Tenant Advisory Committee meeting, be received.

9. Agriculture Action Plan – Phase One – Margaret Walton, Consultant, Planscape (Item 5.1) (No Copy) (McCarthy/Mitchell)

(a) That the presentation on the Agriculture Action Plan – Phase One be endorsed;

(b) That Council continue to support the project’s vision, goals, objectives and criteria for success in their next phase of work. CARRIED.

10. Sewer Use By-law 04-150 Review – Phase 2 and Phase 3 (PW04050b) (City Wide) (Item 5.2) (McCarthy/Pearson)

(a) That the discharge limits for the treatable parameters identified under Phase 2 of the Sewer Use By-law Limit Discharge Review and as described in Report PW04050b remain unchanged in Sewer Use By-law 04-150, as amended (“Sewer Use By-law 04-150”);

(b) That the inclusion of organic compounds and the associated discharge limits recommended for all non-treatable parameters under Phase 3 of the Sewer Use By-law Limit Discharge Review, as described in Report PW04050b be incorporated in Sewer Use By-law 04-150;
(c) That Sewer Use By-law 04-150 be amended to implement the new parameter discharge limits contained in subsection (b), in a form satisfactory to the City Solicitor. CARRIED.

11. Cost to Complete the Red Hill Valley Project (PW06087/FCS06075) (City Wide) (Item 5.3) (Jackson/Collins)

(a) That the General Manager of Public Works be authorized to award contract C11-122-05 for the Contract Growing, Installation and Maintenance of Plant Materials for the Red Hill Valley Project to the Grand River Employment & Training Inc. (GRETI) in the amount of $5.4 Million ($4.4 Million program with a $1 Million contingency);

(b) That the General Manager of Public Works be authorized to award contract PW-06-243(RHV) for the Red Hill Valley Project Mainline Paving – Mud Street Interchange to QEW Interchange to the lowest bidder in the amount of $30,323,391.13;

(c) That the overall Red Hill Valley Project (RHVP) budget be increased from $429,020,000 to $439,015,000 for expenditures required to complete the project (Appendix A summarizes the costs of remaining works which include $3,000,000 in contingencies and $925,000 in related works undertaken on the behalf of others);

(d) That the budget increase of $9,995,000 be funded from the sources of funding identified in Table 2 of report (PW06087/FCS06075) (no levy impact);

(e) That the Acting Director of the RHVP be authorized to negotiate and award the “Growing of Plant Materials for the RHVP Neighbourhood Tree Planting Program” for the provision of 110,000 trees with GRETI;

(f) That Item K, “Native tree nursery initiative” be deleted from the Outstanding Business List of the Public Works, Infrastructure & Environment Committee. CARRIED.

12. Urban Development Corporation - Hamilton Realty Capital Inc. (PD03106(b)/FCS04076(a)) (Item 5.4) (Bratina/Whitehead)

(a) That the Unanimous Shareholders’ Agreement, attached as Appendix ‘A’ as amended, to Report PD03106(b)/FCS04076(a), be endorsed as the governing document regarding the operation of the Urban Development Corporation, which Corporation will be known as the “Hamilton Realty Capital Inc.”, or such other name as the parties to the Agreement may agree, and that the Mayor and Clerk be authorized and directed to execute the Unanimous Shareholders’ Agreement;
(b) That concurrently with the execution of the Unanimous Shareholders’ Agreement, the Mayor and Clerk be authorized and directed to execute the Management Services Agreement which is appended as Schedule “B” as amended to the Unanimous Shareholders’ Agreement attached to Report PD03106(b)/FCS04076(a);

(c) That Council release $2 million from Account # 8200203107 (the “Fund”), originally funded from the Hamilton Future Fund, to the Hamilton Realty Capital Inc. in the form of a loan in accordance with the terms of the Unanimous Shareholders’ Agreement; and,

(d) That Council release the balance of funds, in the approximate amount of $180,000 (the “Operating Grant”), from Account # 8200203107, originally funded from the Hamilton Future Fund, to the Hamilton Realty Capital Inc. to fund the operating costs of the Hamilton Realty Capital Inc. at such time as entitled to receive the funding under the Planning Act. CARRIED.

13. Elected Official Remuneration (CM06016) (City Wide) (Item 6.1)
(Jackson/Bruckler)
(a) That the expenditure of up to $10,000 from the Tax Stabilization Fund be approved to engage an independent external expert to conduct a review of the base remuneration, including the one-third tax free portion, for elected officials and the method for determining the annual increase in elected officials’ remuneration;

(b) That Human Resources receive the results of the review and submit them to the next Council with recommendations as to base remuneration, the one-third tax free portion and the method for determining the annual increase in elected officials’ remuneration. CARRIED.

14. 2006 Tax and Rate Operating Variance Report to May 31, 2006 (FCS06059)
(Item 6.2)
(Jackson/Whitehead)
(a) That the 2006 Tax and Rate Operating Budget Variance Report to May 31, 2006 be received;

(b) That, if required, a department head must submit to Council requests to exceed their 2006 Departmental Budget and provide Council with mitigation options. CARRIED.

15. Tax Appeal Settlement - Jackson Square (FCS06071) (City Wide) (Item 6.3)
(Collins/Whitehead)
That Report FCS06071 respecting Tax Appeal Settlement – Jackson Square, be received. CARRIED.
16. Participation of Elected Officials in Evaluating Bid Submissions (FCS06072) (City Wide) (Item 6.4) (Pearson/McCarthy)
   (a) That Finance and Corporate Services report FCS06072 respecting Participation of Elected Officials in Evaluating Bid Submissions, be received,
   
   (b) That staff be directed to draft a policy for the consideration of the Corporate Administration Committee that would allow participation of Elected Officials in the evaluation of Requests for Proposals in narrowly defined circumstances. CARRIED.

17. Accounts Receivable Write-Offs, June 2006 (FCS06074) (City Wide) (Item 6.5) (Morelli/Pearson)
   (a) That the General Manager, Finance & Corporate Services, be authorized to write-off uncollectible accounts receivable in the amount of $52,986.06 as outlined in Appendix “A” to Report FCS06074.
   
   (b) That the schedule of accounts receivable write-offs (under $1,000) as set out in Appendix “B” to FCS06074 be received for information. CARRIED.

18. Review of Current Purchasing Practices (FCS06073) (City Wide) (Item 6.6) (Pearson/Whitehead)
   That Report FCS06073 respecting Review of Current Purchasing Practices, be received. CARRIED.
   
   Staff will explore further the process of a potential review period for the proponent to meet issues which are not clear with respect to specifications.

19. 2006 Road Capital Funding Reallocation (PW06082) (Wards 11 and 15) (Item 6.7) (Mitchell/Pearson)
   That the General Manager of Public Works be authorized and directed to proceed with the completion of the tender and award of projects approved under the 2006 Road Rehabilitation program utilizing the appropriation adjustments identified on Schedule A. CARRIED.

20. Accessible Transit Services (ATS) Review (PW05075(a)) (City Wide) (Item 6.8) (Whitehead/Merulla)
   (a) That a Task Force be established to review improvements, look for efficiencies and make recommendations quarterly, to the General Manager of Public Works respecting Accessible Transit Services;
   
   (b) That the Accessible Transit Services governance structure attached as Appendix A to Report PW05075(a), be approved for a period of three months at which time the Accessible Transit Services Steering Committee
will reconvene to determine the appropriateness of the new model and/or revise the model based on a report from the Task Force outlining their initial success or further recommendations;

(c) That the above results be incorporated into a competitive RFP process which will be compiled in 2007 with the approved vendor(s) beginning work in 2008;

(d) That the City program be re-branded which, in turn, would allow both DARTS and Vets the opportunity to individually brand their services;

(e) That there are to be no additional costs as a result of any changes made to the program;

(f) That any savings be applied to enhancing the service;

(g) That a Business Analyst (Trapeze software) be hired, subject to acceptance of this review (currently in Budget, awaiting conclusion of review);

(h) That the Director of Transit and the Manager of Transit Fare Administration & ATS be reaffirmed as Public Works staff representatives on the DARTS Board of Directors as non-voting members;

(i) That Transit staff continue to liaise with the Advisory Committee for Persons with Disabilities and the Seniors Advisory Committee to ensure these Advisory Committees have access to City staff regarding the City's paratransit program;

(j) That the report prepared by iTrans Consulting, attached hereto as Appendix B to Report PW05075(a), be received for information;

(k) That Outstanding Business Item M, as listed on the Public Works, Infrastructure & Environment Committee Agenda, be removed. CARRIED.

21. Petition – Upgrade Chester and Chesley Streets (Ward 8) (PW06066) (Item 6.9)  
(Whitehead/Morelli)  
That Report PW06066 respecting Petition – Upgrade Chester and Chesley Streets, be received. CARRIED

22. Request for Traffic Signal at Highway 8 and Winona Road (PW06084)  
(Ward 11) (Item 6.10)  
(Mitchell/Pearson)  
(a) That a traffic signal be installed at the intersection of Highway 8 and Winona Road as part of the 2007 Traffic Signal Installation Program;
(b) That the estimated installation cost of $100,000 be added to the 2007 Capital Budget for new traffic signals;

(c) That the item relating to the Petition from Winona residents requesting a traffic light at the corner of Highway 8 and Winona Road be removed from the Public Works, Infrastructure & Environment Committee Outstanding Business List. CARRIED.

23. **Train Whistle Cessation – Parkside Drive and CPR Crossing (PW06086) (Ward 15) (Item 6.11)**
   (McCarthy/Collins)
   (a) That the City of Hamilton pass a resolution for train whistle cessation at the Canadian Pacific Railway crossing (Mile 65.67, CPR Hamilton Subdivision) and Parkside Drive in the former town of Flamborough;

   (b) That the City of Hamilton and the Canadian Pacific Railway cost share the insurance premiums for protection from any third party claims;

   (c) That the item relating to Whistle Blowing at Parkside Drive be removed from the Public Works, Infrastructure & Environment Committee Outstanding Business list. CARRIED.

24. **Waste Diversion Ontario (WDO) Funding Shortfall – Budget Mitigation (PW06083) (City Wide) (Item 6.12)**
   (Jackson/Pearson)
   (a) That the $700,000 operating budget shortfall resulting from the reduction in the Waste Diversion Ontario (WDO) funding for the City’s recycling program be financed from the Recycling Program Reserve, Department ID No. 112270;

   (b) That the City of Hamilton appeal the funding allocated by WDO for 2006 at a cost not to exceed $5,000, and that costs associated with the appeal be funded from the Recycling Program Reserve, Department ID No. 112270;

   (c) That the Minister of the Environment be respectfully requested to reconsider funding through Stewardship Ontario in lieu of the in-kind advertising provided by the CNA/OCNA to municipalities. CARRIED.

25. **North Glenbrook Industrial Business Park Class Environmental Assessment Transportation Master Plan (PW06089) (Ward 11 with City Wide Implications) (Item 6.13)**
   (Whitehead/Mitchell)
   (a) That the North Glenbrook Industrial Business Park Transportation Class Environment Assessment Master Plan be endorsed;

   (b) That the General Manager, Public Works Department, be authorized and directed to file the North Glenbrook Industrial Business Park
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Transportation Master Plan Schedule “B” projects with the Municipal Clerk for a forty-five (45) day public review period;

(c) That subject to finalization of the forty-five (45) day review period, the General Manager, Public Works Department, be authorized and directed to proceed with the design and implementation of the North Glenbrook Industrial Business Park Class Environmental Assessment Master Plan Schedule “B” projects. CARRIED.

   (Pearson/McCarthy)
   That the planned improvements to the Winter Control Program be endorsed to increase program effectiveness, efficiency and customer satisfaction. CARRIED.

27. **Conventional Transit Fleet Purchase (PW06092) (City Wide) (Item 6.15)**
   (Collins/Merulla)
   (a) That, for 2006, staff be authorized to:

      (i) Purchase five (5) replacement 40-foot Hybrid (Diesel/Electric) Conventional Transit Low Floor buses from the low bidder, New Flyer Industries, at an upset net unit cost of $553,285 and a total upset net cost to the City of $2,766,425;

      (ii) Purchase seven (7) replacement 60-foot Articulated Hybrid (Diesel/Electric) Conventional Transit Low Floor buses from the low bidder, New Flyer Industries, at an upset net unit cost of $822,634 and a total upset net cost to the City of $5,758,438;

      (iii) Purchase five (5) replacement 40-foot Diesel Conventional Transit Low Floor buses from the low bidder, New Flyer Industries, at an upset net unit cost of $385,840 and a total upset net cost to the City of $1,929,200;

      (iv) Expenditures in the amount of $10,454,063 be directed to the 2006 Capital Project 5300683101 to be funded as follows:

         (aa) $1,960,000 Ontario Transit Vehicle program subsidy approved 2006 Capital;

         (bb) $3,938,000 Transit Fleet Replacement Reserve approved 2006 Capital;

         (cc) $742,500 Development Charges (Articulated bus expansion of Route #10);

         (dd) $3,813,563 “One-time” dedicated Federal Gas tax for Transit Capital;
(v) Undertake a Marketing initiative, at the direction of the Transit Master Plan Steering Committee to re-brand the current Beeline Express, Route #10;

(vi) Draw $150,000 from the Provincial Gas Tax reserve on an ongoing basis to offset the additional operating costs of a 60-foot articulated bus when replacing a single 40-foot bus;

(b) That Council pre-approve the 2007 Capital Budget for the purchase of:

(i) Seventeen (17) replacement 40-foot Diesel Conventional Transit Low Floor buses from the low bidder, New Flyer Industries, at an upset net unit cost of $385,840 and a total upset net cost to the City of $6,559,280;

(ii) Two (2) 35-foot Trolley Replica buses, to replace 2 Conventional Transit buses, on the basis of a “sole-source” negotiation at an upset net unit cost of $550,000 and a total net cost to the City of $1,100,000;

(iii) Draw $50,000 from the Provincial Gas Tax reserve for 2007 only to provide for the re-introduction of the Gore-to-Shore shuttle beginning in 2007;

(iv) Investigate the potential for co-funding the Operating costs of re-instating the Gore-to-Shore shuttle with Tourism Hamilton;

(v) Expenditures in the amount of $7,659,280 be directed to the 2007 Capital Project 5300783101 to be funded as follows:

(aa) $3,938,000 Transit Fleet Replacement Reserve per 2007 Budget;

(bb) $1,500,000 Transit Provincial Gas Tax Reserve (12-year bus life);

(cc) $2,221,280 Federal Gas Tax;

(c) That staff be authorized and directed to enter into negotiations with Clean Energy for a contract to provide maintenance and CNG fuel supply for the Mountain Transit Centre CNG fuelling station and report back to Council;

(d) That an activity-based costing model be established to monitor and measure the operating costs for hybrid transit fleet and articulated bus fleet and that a report be brought back to Council, at least annually, in advance of the annual budget process as a prerequisite to any further hybrid or articulated bus purchases.
(Jackson/Whitehead)

(e) That this be conditional upon the engines being 2007 technology, that 2 - 40 foot CNG buses be substituted for 2 – 40 foot diesel buses and the funding requirements be adjusted accordingly. AMENDMENT CARRIED. MOTION AS AMENDED CARRIED.

28. Hamilton Museum of Steam and Technology – Additional Storage Facility Requirements (CS06010) (Ward 4) (Item 6.16)
(Merulla/Kelly)

(a) That the construction of a storage facility at the Hamilton Museum of Steam & Technology (HMST) be approved at a cost not to exceed $125,000;

(b) That the costs be financed from the following capital, reserve, and operating accounts:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>7100558559</td>
<td>HMST Landscape &amp; Signage Project</td>
<td>$72,000</td>
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<tr>
<td>7100341101</td>
<td>Conservation Centre</td>
<td>$40,000</td>
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<tr>
<td>104080</td>
<td>HMST Reserve</td>
<td>$13,000</td>
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<tr>
<td></td>
<td>Total</td>
<td>$125,000</td>
</tr>
</tbody>
</table>

CARRIED.

29. Grants Sub-Committee Report 06-006 (Item 6.17)
(Kelly/Merulla)

(a) Fee Waiver Request – Hamilton and District Chrysanthemum and Dahlia Society (City Wide) (GRA06005(m))

That the fee waiver in the amount of $1,202 for the Hamilton and District Chrysanthemum and Dahlia Society for the period of September 8, 9 and 10, 2006, to utilize the Main Gymnasium at the Dundas Lions Memorial Community Centre, in order to host their annual show and juried competition, be approved.

(b) Fee Waiver Request – Hamilton Professional Fire Fighters Association (Ward 7) (GRA06005(n))

That the fee waiver in the amount of $290 in rental fees, including insurance fees for a charity baseball tournament at Turner Park on June 25, 2006 for 10 hours, for the Hamilton Professional Fire Fighters Association, be approved.

(c) Fee Waiver Request for Children’s International Games Golf Tournament (Ward 5) (GRA06005(o))

That the golf fees for the Children’s International Games fund raising tournament at King’s Forest Golf Course on June 28th, 2006, be waived.
(d) Fee Waiver Request for Hamilton Regional Indian Centre (Ward 3) (GRA06005(p))
That the fee waiver in the amount of $420.50 be approved for the Hamilton Regional Indian Centre for the period of June 23 and 24, 2006, to utilize Gage Park and the Gage Park Bandshell for the celebration of National Aboriginal Day. CARRIED.

30. Firefighter Survival Training Program HES06007 (City Wide) (Item 6.18) (Merulla/Morelli)
(a) That Council grant Hamilton Emergency Services-Fire (HES-Fire) pre 2007 budget approval to fund the purchase of the required equipment to facilitate the implementation of the mandatory Firefighter Survival Training Program as a Health and Safety requirement,
(b) That HES-Fire enacts Policy 11 through the Purchasing Department for the purchase of the Survival Training Trailer in order to facilitate the implementation of the training by the fourth quarter of 2006;
(c) That the shortfall required to complete the Survival Training Program in the amount of $569,238 be funded from the unallocated Capital Reserve Account #108020. CARRIED.

31. 2006 Community Partnership Program for Special Events – New Applications (City Wide) (GRA06008) (Item 6.19) (Kelly/Jackson)
(a) That the 2006 Community Partnership Program fund the Albion Community Association Inc. in the amount of $7,239.00 as outlined in Appendix “A” to Report GRA06008;
(b) That 2006 Community Partnership Program fund the Ward 8 Citizens Advisory Group in the amount of $3,000.00 as outlined in Appendix “B” to Report GRA06008;
(c) That the $10,239.00 be funded from the unallocated balance in the Special Events stream. CARRIED.

32. Position Paper entitled Improving the Efficiency of the Blue Box Program – an AMO-AMRC Proposal (Item 7.2) (Bruckler/Collins)
That the City of Hamilton supports in principle the position paper entitled “Improving the Efficiency of the Blue Box Program – an AMO-AMRC Proposal”, (AMO being the Association of Municipalities of Ontario AMRC being the Association of Municipal Recycling Coordinators), including the following recommendations:
(a) The Liquor Control Board of Ontario (LCBO) be directed by the Province of Ontario to implement a Deposit-Refund System for alcohol beverage containers sold by the LCBO;

(b) The LCBO be required by the Province of Ontario to source separate, either at their retail outlets or their central warehouses, the alcohol beverage containers into their individual material types, i.e. flint glass, coloured glass, PET bottles, aluminium cans, and aseptic containers, so that the materials can be recycled by the LCBO for the highest and best use and maximizing the revenue earned from the sale of the collecting materials in order to reduce the cost of the Depot-Return system;

(c) The environmental levy already collected by the Province of Ontario from the wine and spirit manufacturers in Ontario be redirected to assist in the implementation of the Deposit-Refund system and to fund any annual short-fall in the operating costs of the deposit-refund system;

(d) The Province of Ontario amend Ontario Reg. 101/94 under the Environmental Protection Act to remove glass beverage bottles from Schedule 1, Part I of Reg. 101/94 so that municipalities are not mandated to collect coloured glass beverage bottles as part of the mandatory blue box management systems under Section 7 of the Regulation;

(e) The Province of Ontario require that all plastic, glass, steel or aluminium food and beverage containers greater than 4 litres in size sold into the Ontario market be permitted only through a deposit-refund system with the manufacturer or first importer responsible for 100% of the cost of managing the recycling of these containers;

(f) The Province of Ontario require the manufacturer or first importer of any new packaging container proposed to be introduced into the Ontario market to commission a life cycle analysis for the new container to determine the environmental and economic impacts of that container on Ontario’s municipal Blue Box Recycling Program and establish remedial measures if the container has detrimental environmental or economic impacts, prior to the introduction of said packaging container;

(g) Copies of this resolution be forwarded to the Association of Municipalities of Ontario (AMO) and the Association of Municipal Recycling Coordinators (AMRC). CARRIED.

33. **Niagara GTA Corridor Economic Impact Analysis Study (Item 7.3)**

(Mitchell/Pearson)

WHEREAS Hamilton City Council, on May 11, 2005, passed the following resolution as subsection (a) of Item 5 of PWIE Report 05008 respecting Niagara - GTA Corridor EA Terms of Reference:
“That the Ministry of Transportation be advised that the City of Hamilton strongly supports the need for sustainable transportation solutions in the Niagara to GTA area to address congestion, economic growth, and the long term land use framework for the City of Hamilton;”

AND WHEREAS the Region of Niagara has requested the City of Hamilton to participate in a joint Economic Impact Analysis Study of the Niagara-GTA Corridor;

AND WHEREAS the Economic Impact Analysis Study would be an important component of the Environmental Assessment for the Niagara GTA Corridor;

THEREFORE BE IT RESOLVED that the City of Hamilton jointly undertake the Niagara GTA Corridor Economic Impact Analysis Study with the Region of Niagara;

AND BE IT FURTHER RESOLVED that the City of Hamilton’s contribution to this study of $100,000 be funded from the City’s Unallocated Capital Reserve No. 108020. CARRIED.

34. Council Sitting as Voting Members on the DARTS Board of Directors (LS06010) (no copy) (Pearson/Morelli)
   (a) That Report LS06010 respecting Council sitting as voting members on the DARTS Board of Directors, be received.

   (b) That Report LS06010 not be released as a public document.

35. Signage on the Northbound and southbound side of Fruitland Road (Pearson/Samson)
    That staff be directed to install the following signage on the Northbound and Southbound sides of Fruitland Road between Barton Street and Highway #8:

    “Please Refrain from Use of Jake Brakes” CARRIED.

FOR THE INFORMATION OF COUNCIL:

Announcement

Councillor Merulla addressed the current flooding problems in Ward 4. He thanked Council and the Public Works staff for their support of the established Task Force. The councillor noted that problems have been identified, plans are in place, work scheduled, however 60 – 80 million dollars in upgrades are required. 2.1 million dollars has been allocated through the budget for the Ottawa and Edgemount area. However the Province and the Federal Government need to recognize and provide additional funding.
The Councillor raised concerns with the City’s Risk Management and announced that he will be launching a class action lawsuit against the City on behalf the residents affected by the storms.

(a) **CHANGES TO THE AGENDA (Item 1)**

The Clerk noted the changes to the agenda.
(Pearson/Mitchell) That the agenda be approved as amended. CARRIED.

(b) **DECLARATIONS OF INTEREST (Item 2)**

None were declared.

(c) **MINUTES (Item 3)**

(i) The Minutes of the special meeting held on June 12, 2006 be adopted as presented.
(Pearson/Kelly) approved as presented. CARRIED.

(ii) That the Minutes of the special meeting held on June 14, 2006 be adopted as presented.
(Jakcson/Pearson) approved as presented. CARRIED.

(d) **PRESENTATIONS**

(i) **Agriculture Action Plan – Phase One**

Sue Coverdale introduced those members in the audience from the Agriculture Community.

Margaret Walton provided a power point presentation highlighting the Agricultural Plan

(ii) **Sewer Use By-law 04-150 Review – Phase 2 and Phase 3 (PW04050b) (City Wide) (Item 5.2)**

Jim Harnum provided a power point presentation highlighting the following elements of Phases 2 and 3:

Study Outline
Objectives
Environmental Background Review
Parameter Review
Treatable parameters, new parameters for organic compounds, Phase 2 and Phase 3

Staff were directed to make a future presentation to the Pesticide Committee with respect to the issues raised in the by-law.
(iii) **Cost to Complete the Red Hill Valley Project (PW06087/FCS06075) (City Wide) (Item 5.3)**

Chris Murray provided an overview and introduced Allan Arthur, Mary Gartshore, and Ken Parker of the Six Nations Ecological Restoration Team.

A power point presentation provided highlights of the following:
- Haudenosaunee – Hamilton Red Hill Agreements
- Six Nations Proposal
- Evaluation of the proposal
- Peer Review Comments

(iv) **Urban Development Corporation - Hamilton Realty Capital Inc. (PD03106(b)/FCS04076(a)) (Item 5.4)**

Ron Marini and Ron Weston of the firm Feltmate Delibato Heagle provided a power point presentation highlighting the following:

- Significant changes since 2004
- Unanimous Share Holders Agreement
- Management Services Agreement

(e) **The following were referred to staff for a report back to Committee of the Whole:**

(Pearson/Jackson)

(i) **Construction of the lay by on Stone Church (Item 7.1)**

Whereas the commercial business at Upper Paradise Road and Stone Church Road West have seen tremendous growth in their customer base over the past few years, causing several traffic and safety related concerns in the neighbourhood;

And Whereas there have been several discussions with numerous area businesses to expedite their clients through the cash register to create a faster turnover in their parking lots in order to minimize the traffic queues on Stone Church Road.

Therefore be it resolved:

(a) That Public Works staff be directed to construct a layby to increase parking capacity in the neighbourhood on the southern part of Stone Church Road, east of Upper Paradise;
(b) That the project be financed from a source to be determined by Finance staff.

(ii) Beasley Park

(Butina/Jackson)
That staff be directed to report back on the clean up the contaminated site at Beasley Park and include in the report possible funding sources to remediate the site.

CARRIED.

(f) The following motion was withdrawn:

(i) Tree removal at 93 Taymall Street (Item 7.4)

(Jackson)
That staff be directed, on compassionate grounds, and for hardship reasons, to remove the public street tree in front of 93 Taymall Street.

(g) PRIVATE AND CONFIDENTIAL

(Butina/Bruckler) the committee moved in camera to deliberate a matter of solicitor/client privilege.

CARRIED.

(Butina/Bruckler) the committee reconvened in Open Session and approved Item 34 of these minutes.

CARRIED.

The meeting adjourned at 3:25 p.m.

Respectfully submitted

Mayor L. Dilanni

M. Gallagher, Co-ordinator
July 12, 2006