Present: Mayor R. Bratina


Mayor Bratina called the meeting to order and called upon Dr. Anne Mackenzie Pearson, a member of the Assembly of the Baha'is of Hamilton, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

   5.1(a) Correspondence from the Honourable Ted McMeekin, Minister of Agriculture, Food and Rural Affairs, in response to December 7, 2011 letter requesting support on behalf of Maple Leaf Foods for funding from the Rural Economic Program.

   Recommendation: Be received
5.7 Additional Letters of Support from the following respecting Wind Turbine Development

(f) Vern Erickson
(g) Darren Green, President – Hamilton Steelworkers Area Council
(h) Malcolm Buchanan, President – Hamilton, Burlington and Oakville Chapter of the Congress of Union Retirees of Canada
(i) David Adames, President and CEO – Hamilton Chamber of Commerce
(j) Bryan Adamczyk
(k) Hank van Bakel, Vice President, Operations – ORTECH Environmental

Recommendation: Be received

5.12 Letters in Support of the current moratorium on Wind Turbine Development

(a) Victoria Frank
(b) Tim & Janette Philips (attachments 5.12 (b)(i) through (viii) included)
(c) Debbie Murphy, Co-Chair Glanbrook Wind Action Group (attachment 5.12 (c)(i))
(d) Anita Merritt
(e) Jane Wilson, President – Wind Concerns Ontario
(f) Louise Jones, Glanbrook Wind Action Group

Recommendation: Be received

5.13 Resolution of the City of Kingston respecting support for formation of a Consortium on Wind Turbines in the Wolfe Island Shoals

Recommendation: Be received

5.14 Correspondence from Suzanne and Bob Wright, Co-founders of Autism Speaks, requesting the City to illuminate landmarks in blue on the evening of Monday, April 2, 2012 in support of UN Autism Awareness Day 2012

Recommendation: Be referred to the General Manager of Public Works for action


Recommendation: Be received
5.16 Correspondence from Ontario Ombudsman’s Office respecting Ombudsman’s Review of the General Issues Committee meeting of June 27, 2011 – McMaster University

Recommendation: Be received

5.17 Correspondence from Sean Finn of the Canadian National Railway Company respecting the Safety of Centennial Parkway bridge

Recommendation: Be received

5.18 Appointment For and Notice of Pre-Hearing between Allusions Hair Studio & Spa for Men and Registrar of Alcohol and Gaming to consider an appeal of a Proposal issued by the Registrar of Alcohol and Gaming

Recommendation: That a representative of the City attend the Pre Hearing for Allusions Hair Studio & Spa for Men on February 13, 2012

2. COMMITTEE REPORTS (TO BE DISTRIBUTED)


6.3 General Issues Committee Report 11-037 – December 13, 2011

3. ADDED PRIVATE & CONFIDENTIAL

10.1 Personnel Matter

10.2 Hamilton Farmers’ Market – Contractual Matter

4. BY-LAW LISTING

(Pearson/Duvall)
That the Agenda for the City Council meeting being held on January 11, 2012, be approved, as amended.

CARRIED

<table>
<thead>
<tr>
<th>DECLARATIONS OF INTEREST</th>
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None.

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<tr>
<th>CEREMONIAL ACTIVITIES/ANNOUNCEMENTS</th>
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None.
APPROVAL OF MINUTES

4.1 December 14, 2011

(Whitehead/Pasuta)
That the Minutes of the December 14, 2011, meeting of Council be approved, as presented.

CARRIED

4.2 December 16, 2011

(Whitehead/Pasuta)
That the Minutes of the December 16, 2011, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Powers/Ferguson)
That Council Communications 5.1 to 5.18 be approved, as follows:

5.1 Correspondence from Mayor B. Bratina to the Honourable Ted McMeekin, Minister of Agriculture, Food and Rural Affairs, expressing support on behalf of Maple Leaf Foods for funding from the Rural Economic Program.

Recommendation: Be received.

5.1 (a) Correspondence from the Honourable Ted McMeekin, Minister of Agriculture, Food and Rural Affairs, in response to December 7, 2011 letter requesting support on behalf of Maple Leaf Foods for funding from the Rural Economic Program.

Recommendation: Be received.

5.2 Correspondence from the Honourable Kathleen Wynne, Minister of Municipal Affairs and Housing, advising of total three-year national funding allocation for the City of up to $16,874,982 from the new Investment in Affordable Housing for Ontario (IAH) Program

Recommendation: Be received.

5.3 Correspondence from the Honourable Jim Flaherty, Minister of Finance, in response to Council’s resolution respecting the municipal tax burden

Recommendation: Be received.
5.4 Correspondence from the following members of the Hamilton Literacy Council respecting the City’s gift certificate program to assist low-income citizens to eat healthier:

(a) Jeremy Katz  
(b) Zenaba Mahamet  
(c) Ian Haskett  
(d) Jessica Ransberry  
(e) Peggy Belmore  
(f) Antonia Flores

Recommendation: Be received.

5.5 Correspondence from Brock Carlton, Chief Executive Officer, FCM, respecting payment to the City of Hamilton in the amount of $28,076.22 which constitutes the second and final contribution toward the Green Municipal Fund Study Grant Agreement

Recommendation: Be received.

5.6 Correspondence from Jim Commerford, Chair, Hamilton Immigration Partnership Council, respecting Immigration Strategy for the City of Hamilton

Recommendation: Be received.

5.7 Letters of Support from the following respecting Wind Turbine Development

(a) Bill Thompson, Co-ordinator, Blue Green Canada  
(b) Gord McNeil, Director, Business Development McKeil Marine Limited  
(c) Ian D. Baines, P.Eng., President, Windstream Energy Inc.  
(d) Gregory Kern, P.Eng., General Sales Manager, Walter’s Inc.  
(e) Simon Granat, Student Representative – Social Science, and Chris Erl, Student Representative – Humanities, McMaster Student Union  
(f) Vern Erickson  
(g) Darren Green, President – Hamilton Steelworkers Area Council  
(h) Malcolm Buchanan, President – Hamilton, Burlington and Oakville Chapter of the Congress of Union Retirees of Canada  
(i) David Adames, President and CEO – Hamilton Chamber of Commerce  
(j) Bryan Adamczyk  
(k) Hank van Bakel, Vice President, Operations – ORTECH Environmental

Recommendation: Be received.
5.8 Resolution from the Municipality of Clarington respecting Special Provincial Funding to cover Municipal Deficits

Recommendation: Be received.

5.9 Resolution from the City of Waterloo respecting the Municipal Property Assessment Corporation (MPAC) and Supplementary and Omitted Assessments

Recommendation: Be endorsed.

5.10 Correspondence from Joe Minor respecting Experimental PFOS Remediation Plan for Hamilton International Airport

Recommendation: Be referred to the General Manager of Planning and Economic Development for appropriate action.

5.11 Appointment For and Notice of Pre-Hearing between 1837949 Ontario Inc. o/a Oceano Restaurant and Bar and Registrar of Alcohol and Gaming to consider an appeal of the process issued by the Registrar of Alcohol and Gaming

Recommendation: That a representative of the City attend the Pre-Hearing for the Oceano Restaurant and Bar on January 13, 2012

5.12 Letters in Support of the current moratorium on Wind Turbine Development

(a) Victoria Frank
(b) Tim & Janette Philips (attachments 5.12 (b)(i) through (viii) included)
(c) Debbie Murphy, Co-Chair Glanbrook Wind Action Group (attachment 5.12 (c)(i))
(d) Anita Merritt
(e) Jane Wilson, President – Wind Concerns Ontario
(f) Louise Jones, Glanbrook Wind Action Group

Recommendation: Be received

5.13 Resolution of the City of Kingston respecting support for formation of a Consortium on Wind Turbines in the Wolfe Island Shoals

Recommendation: Be received
5.14 Correspondence from Suzanne and Bob Wright, Co-founders of Autism Speaks, requesting the City to illuminate landmarks in blue on the evening of Monday, April 2, 2012 in support of UN Autism Awareness Day 2012

Recommendation: Be referred to the General Manager of Public Works for action


Recommendation: Be received

5.16 Correspondence from Ontario Ombudsman’s Office respecting Ombudsman’s Review of the General Issues Committee meeting of June 27, 2011 – McMaster University

Recommendation: Be received

5.17 Correspondence from Sean Finn of the Canadian National Railway Company respecting the Safety of Centennial Parkway bridge

Recommendation: Be received

5.18 Appointment For and Notice of Pre-Hearing between Allusions Hair Studio & Spa for Men and Registrar of Alcohol and Gaming to consider an appeal of a Proposal issued by the Registrar of Alcohol and Gaming

Recommendation: That a representative of the City attend the Pre-Hearing for Allusions Hair Studio & Spa for Men on February 13, 2012

CARRIED

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 11-031(b)

(Bratina/Partridge)
That Report 11-031(b) of the General Issues Committee be adopted and the information section received.

CARRIED
Item 10  Illegal Dumping, Litter and Escaped Waste (PW11052(b)) (City Wide) (Item 8.1(a))

Item 10, sub-section (c), CARRIED on the following vote:

Yeas: Whitehead, Collins, Morelli, Farr, Pearson, Ferguson, Powers, Pasuta, Bratina, Partridge, Clark, Merulla, McHattie and Jackson, Duval
Total: 15
Nays: Johnson
Total: 1
Absent: None
Total: 0

Item 12  Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints (LS12001) (City Wide) (Item 12.7)

Item 12 was split for voting purposes:

Sub-section (a) CARRIED

Sub-section (b), LOST on the following standing recorded vote:

Yeas: None
Total: 0
Nays: Clark, Whitehead, Collins, Morelli, Farr, Pearson, Ferguson, Powers, Pasuta, Bratina, Partridge, Merulla, McHattie and Jackson, Duval, Johnson
Total: 16
Absent: None
Total: 0

(Clark/Whitehead)
That Item 12 (b) be deleted and replaced with the following:

(b) That report LS12001 be released as a public document.

Amendment CARRIED
Motion as amended CARRIED

Sub-section (c) CARRIED
Item (v) Information Section: Public Health Services Accommodation – McMaster Health Campus (PED1134(b)/FCS11063(b)/BOH11026(b)) (Ward 2) (Item 8.5)

(McHattie/Whitehead)
That Item (v), in the Information Section, be lifted from the table to allow amendment to item (f)(v)(ii)

The motion CARRIED on the following vote:

Yeas: Whitehead, Morelli, Farr, Ferguson, Powers, Pasuta, Bratina, Partridge, Merulla, McHattie and Jackson, Duval

Total: 12

Nays: Clark, Collins, Pearson, Johnson

Total: 4

Absent: None

Total: 0

(Farr/McHattie)
That sub-section (f), Item (v) (ii) respecting negotiating space for the Public Health Services accommodation be amended by adding the following after the word “only” to read as follows:

(ii) Or submit a plan to Council showing complete mitigation of all additional costs associated with any additional leased space.

The motion LOST on the following standing recorded vote:

Yeas: Bratina, Whitehead, Farr, McHattie, Ferguson

Total: 5

Nays: Powers, Duvall, Jackson, Collins, Merulla, Morelli, Clark, Pearson, Johnson, Pasuta, Partridge

Total: 11

Absent: None

Total: 0

(Bratina/Pasuta)
That FIRST Report of the General Issues Committee be adopted, as amended, and the information section received.

CARRIED
(Bratina/Partridge)
That the Thirty-Seventh Report of the General Issues Committee be adopted and the information section received.

CARRIED

(McHattie/Johnson)
That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

None.

NOTICES OF MOTION

Councillor J. Partridge introduced the following Notice of Motion:

8.1 Reconsideration of Motion respecting Request for Moratorium on Industrial Wind Turbine Development (Approved by Council on September 28, 2011)

That the following motion, approved by Council on September 28, 2011, be reconsidered:

Request for Moratorium on Industrial Wind Turbine Development

Whereas the Ontario Green Energy and Green Energy Act removed from the Municipality any planning authority over renewable energy projects within their jurisdiction;

And Whereas significant public concern and opposition to Industrial Wind Turbines has been expressed across the Province, together with seventy Municipal Councils now passing resolutions for a wind turbine moratorium on Industrial Wind Turbine Development.

Now Therefore Be it Resolved:

(a) That the Premier of Ontario be requested to restore local planning approval authority, immediately, to local governments regarding decision on Industrial Wind Turbines;
(b) That a moratorium be placed on the establishment of any new Industrial Wind Turbine developments in Hamilton until a comprehensive, independent and peer-reviewed scientific study, as well as a psycho-social impact study, can confirm that industrial wind energy projects do not pose a risk to the community, the health of its citizens, property values, the rural environment and the affects to wildlife, specifically bees;

(c) That this resolution be forwarded with a request for action to: the Premier’s Office, the Ontario Ministries of Health, Environment and Energy, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Niagara Escarpment Commission (NEC).

**STATEMENT BY MEMBERS**

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

**PRIVATE AND CONFIDENTIAL**

(Jackson/Morelli)
That Council move into Closed Session to discuss confidential matters at 7:48 p.m. pursuant to Section 8.1(a), (b) and(f) of the City’s Procedural By-law and Section 239 of the Municipal Act as the subject matters pertain to:

(a) the security of the property of the municipality or local board;
(b) personal matters about an identifiable individual, including municipal or local board employees; and
(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

(Merulla/Collins)
That Committee reconvene in Open Session at 8:43 p.m.

CARRIED

10.1 Personnel Matter

Pursuant to sub-section 8.1(a) of the City’s Procedural By-law and Section 239.2(a) of the Municipal Act as the subject matters pertained to personal matters about an identifiable individual.

No recommendation to report.
10.2 Hamilton Farmers’ Market – Contractual Matter

Pursuant to sub-sections 8.1(a), (b) and (f) of the City’s Procedural By-law and Sections 239.2(a), (b) and (f) of the Municipal Act as the subject matters pertain to:
(a) the security of the property of the City;
(b) personal matters about an identifiable individual, including City employees; and,
(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

No recommendation to report.

BY-LAWS

(Powers/Ferguson)
That Bills No. 001 to 008 attached hereto, be passed, 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:

By-law No. Bill No.

12-001 001 To Incorporate City Land DESIGNATED as PART 1 ON PLAN 62R-8595 and PART 1 ON PLAN 62R-18678 into WOODWARD AVENUE

12-002 002 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Schedule 8 – No Parking
Schedule 9 – Alternate Side Parking
Schedule 10 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones
Schedule 20 – School Bus Loading Zones

12-003 003 To Rescind By-law 11-294 and To Incorporate City Land Designated As Part 11 ON PLAN 62R-19090 into CHAMBERS DRIVE
City Council  January 11, 2012

By-law No.  Bill No.

12-004  004  To Incorporate City Land
          Designated as Parts 3, 4, and 5 on PLAN 62R-19087 into GEORGE STREET

12-005  005  To Incorporate City Land
          Designated as PART 2 ON PLAN 62R-19087 into CAROLINE STREET

12-006  006  Removal of Part Lot Control
          Blocks 3 and 4, Registered Plan No. 62M-1154, “Summit Park – Stage 5, Phase 2” 234 to 374 Pinehill Drive

12-007  007  Removal of Part Lot Control
          Lots 41 – 49 and 51 – 58, Registered Plan No. 62M-1160, “Summit Park - Phase 5, Stage 3”
          4 to 52 Whitworth Terrace and 178 to 222 Pelech Crescent

12-008  008  To Confirm Proceedings of Council

(Pearson/Ferguson)
That, there being no further business, the City Council meeting adjourned at 8:45 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk
January 12, 2011
General Issues Committee
REPORT 11-031(b)
(as approved by City Council on January 11, 2012)

9:30 a.m.
Friday, December 16, 2011
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor R. Pasuta (Chair)
Mayor B. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, S. Merulla, B. Morelli, T. Jackson, B. Johnson,
J. Partridge, M. Pearson, R. Powers, T. Whitehead

Absent with Regrets: Councillor B. McHattie – Personal

Also Present: C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Planning & Economic Development
J. A. Priel, General Manager, Community Services
Dr. E. Richardson, Medical Officer of Health
C. Biggs, Co-ordinator, Committee Services/Council/Budgets

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 11-031(b) AND RESPECTFULLY RECOMMENDS:

1. 2012 Tax Supported Operating Budget (Item 4.1)

That the staff presentation respecting the 2012 Tax Supported Operating Budget, be received.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

Council – January 11, 2012
ADDED PRIVATE AND CONFIDENTIAL

5.1 Employment Relations and Application of City Policies

5.2 PFOS at John C. Munro/Hamilton International Airport

On a motion, the agenda was approved, as amended.

On a motion, Item 5.1 – Employment Relations and Application of City Policies was discussed before the 2012 Tax Operating Budget.

The Motion CARRIED on the following recorded vote:

Yeas: Bratina, Pasuta, Farr, Morelli, Merulla, Collins, Jackson, Whitehead, Partridge, Powers, Johnson, Pearson

Total Yeas: 12

Nays: Ferguson

Total Nays: 1

Absent McHattie, Duvall, Clark

Total Absent: 3

On a motion, Item 5.2 – PFOS at John C. Munro/Hamilton International Airport was discussed during the same closed session.

The Motion CARRIED on the following recorded vote:

Yeas: Bratina, Pasuta, Farr, Morelli, Merulla, Collins, Jackson, Whitehead, Partridge, Johnson, Pearson

Total Yeas: 11

Nays: Ferguson, Powers

Total Nays: 2

Absent McHattie, Duvall, Clark

Total Absent: 3

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the Minutes of the November 17, 2011 meeting of the General Issues Committee were approved as amended. CARRIED
(d) **PRIVATE & CONFIDENTIAL**

On a motion, the Committee moved into Closed Session at 9:50 a.m. pursuant to subsections 8.1(b), (e) and (f) of the Procedural By-law and Sections 239.2(b), (e) and (f) of the Municipal Act as the subject matters pertain to:

(b) personal matters about an identifiable individual, including City employees;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City; and,

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose respecting Employment Relations and the Application of City Policies and PFOS at John C. Munro/Hamilton International Airport.

On a motion, the Committee reconvened in Open Session at 2:20 p.m.

(i) **Employment Relations and the Application of City Policies** *(Added Item 5.1)*

That the Committee waive its solicitor-client privilege to permit the City Solicitor to repeat in open session the legal advice regarding the consequences of Council altering the employment contract of the Mayor’s Chief of Staff.

(iii) **PFOS at John C. Munro/Hamilton International Airport** *(Added Item 5.2)*

(a) That the City of Hamilton agree to pay one-half of the estimated cost of the initial risk assessment and report for the purpose of PFOS related remediation, the City costs being estimated at $40,000, without prejudice to the rights of the City and Tradeport International Corporation (TradePort) to their remedies and rights under the airport lease;

(b) That pursuant to the Airport Lease Agreement, the City of Hamilton deems that TradePort International Corporation is responsible for the costs of study and remediation on airport property;

(c) That the City agree with TradePort, that the funding of the City’s portion of the expense in (a) be drawn the Airport Joint Marketing Reserve # 112217 established under the airport lease agreement with TradePort;
(d) That City of Hamilton staff report back, and request the attendance of representatives of TradePort and the Ministry of Environment at the General Issues Committee, upon receipt and review of the findings from this Phase 1 study in (a) and consider further analysis of downstream impacts of the PFOS issue;

(e) That staff notify appropriate officials at Transport Canada and Health Canada of the concern and the City’s interest in further information on the historic use of PFOS at the airport, and compensation or funding in respect of future costs of remediation or removal; and,

(f) That Council authorize the City Solicitor and legal representatives of TradePort to document the agreements for cost sharing and obtaining the initial report and analysis, use of the airport marketing reserve, in (a) and (c) above, by exchange of letters.

Staff was directed to contact Mr. Knapper at the Ministry of the Environment to advise that the City is going ahead with the risk assessment.

The recommendations respecting Employment Relations and the Application of City Policies and PFOS at John C. Munro/Hamilton International Airport were forwarded to a special meeting of City Council on Friday, December 16, 2011 for consideration.

(e) PRESENTATION

(i) 2012 Tax Supported Operating Budget

Rob Rossini provided a power point presentation respecting the 2012 Tax Budget, outlining the following:

- Net operating budget
- 2012 draft tax levy changes
- 2012 draft tax impact
- Operating impacts from Capital
- Base budget savings
- Municipal comparison -2011 average tax impacts; 2012 draft average tax impacts

2012 Draft Tax Budget Complement
- 2012 draft complement macro
- Complement notes

2012 Council-Referred Enhancement List
- Council-referred enhancements
Budget Process Update
- Budget and complement control policies (Target: January 9 GIC)
- Timetable

(f) PROCEDURAL MOTIONS

On a motion, the General Issues Committee temporarily recessed at 2:35 p.m. in order to convene a special meeting of Council, and reconvene following the special meeting.

There being no further business, the Committee adjourned at 3:22 p.m.

Respectfully submitted

Councillor R. Pasuta
Deputy Mayor

Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets
December 16, 2011
General Issues Committee
REPORT 11-037
(as approved by City Council on January 11, 2012)
9:30 a.m.
Tuesday, December 13, 2011
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Deputy Mayor R. Pasuta (Chair)
Mayor B. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, B. McHattie, S. Merulla, B. Morelli, T. Jackson,
B. Johnson, J. Partridge, M. Pearson, R. Powers, T. Whitehead

Also Present:
C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Economic Development & Planning
J. A. Priel, General Manager, Social and Community Services
Dr. E. Richardson, Medical Office of Health
H. Tomasik Executive Director Human Resources

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 11-037 AND RESPECTFULLY RECOMMENDS:

1. 2012-2015 Strategic Plan (Item 3.1)

That the presentation respecting the 2012-2015 Strategic Plan, be received.

2. Corporate Organizational Change and Sustainable Efficiencies (CM11018) (City Wide) (Item 5.1)

(a) That Report CM11018 respecting the Corporate Organizational Change and Sustainable Efficiencies, be received for information;

(b) That the contents of Report CM11018 remain confidential.

FOR THE INFORMATION OF COUNCIL:

Council – January 11, 2012
(a) **CHANGES TO THE AGENDA**

**PRIVATE AND CONFIDENTIAL**

5.2 Possible Contravention of Council’s Code of Conduct by a Member of Council

The possible contravention of Council’s Code of Conduct by a Member of Council and e-mail to City Councillors by Mayor Bratina, was received.

The agenda was approved, as amended.

(b) **DECLARATIONS OF INTEREST**

None

(c) **PRESENTATION**

(i) **2012-2015 Strategic Plan (Item 3.1)**

City Manager Chris Murray introduced the matter of the City’s strategic plan, as it relates to the duration of this term of Council. Director of Neighborhood Development Strategies, Paul Johnson was introduced, and gave a presentation to Committee. A copy of the PowerPoint Presentation has been included in the official record. His comments included, but were not limited to the following:

- **Strategic Planning**
  - Mr. Murray proceeded to discuss the strengths and shortcomings of the previous strategic plan. Mr. Murray indicated that the hope is to take the Strategic plan and SMT work plan and combine them into one document. The goal is to focus the work of both staff and Council.

- **Other Guiding Documents**
- **Process Highlights**
- **2012 – 2015 Strategic Plan**
  - Mr. Jonson addressed the Committee and discussed the Vision, Mission and Values of the City moving forward. Council provided input and comment to assist staff in guiding their work.

- **Vision**
- **Mission**
- **Proposed MISSION Statements**
- **Values**
- **Why being a VALUES based organization is important**
- **Draft Values Definitions**
  - Honesty
  - Accountability
General Issues Committee

- Innovation
- Leadership
- Respect
- Excellence
- Teamwork
- Equity

- Strategic Priorities
- What are we bringing forward?
- Measurement

The Committee recess at 1:00 p.m. and reconvene at 1:30 p.m.

(d) MOTIONS

None

(e) PRIVATE AND CONFIDENTIAL

The Committee move In Camera at 1:40 p.m. to deal with item 5.3 Corporate Organizational Change and Sustainable Efficiencies, pursuant to Sub-sections 8.1(b) and (d) of the City’s Procedural By-law and the Municipal Act as the subject matters pertain to personal matters about (b) an identifiable individual(s), including City employees, and (d) labour relations or employee negotiations.

The Committee reconvene in Open Session at 4:30 p.m.

See item 2 of General Issues Report 11-037 for disposition of this item.

(f) ADJOURNMENT

There being no further business, the Committee adjourned at 4:45 p.m.

Respectfully submitted

Councillor R. Pasuta, Deputy Mayor
General Issues Committee

Christopher Newman
Legislative Assistant
December 13, 2011
General Issues Committee
REPORT 12-001
(as amended by City Council on January 11, 2012)
9:30 a.m.
Monday, January 9, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Deputy Mayor R. Powers (Chair)
Mayor B. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
B. McHattie, S. Merulla, B. Morelli, T. Jackson, B. Johnson,
J. Partridge, R. Pasuta, M. Pearson, T. Whitehead

Absent with Regrets:
Councillor L. Ferguson – Vacation

Also Present:
R. Rossini, General Manager, Finance and Corporate Services
B. Goodger, A/General Manager, Public Works
T. McCabe, General Manager, Planning & Economic Development
J. A. Priel, General Manager, Community Services
Dr. E. Richardson, Medical Officer of Health
H. Hale Tomasik, Executive Director, Human Resources
P. Barkwell, City Solicitor
C. Biggs, Co-ordinator, Committee Services/Council/Budgets

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-001 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Police Service Monthly Reports (PSB11-102 and PSB11-106) (Item 5.1)

That Hamilton Police Service Monthly Reports PSB11-102 and PSB11-106 be received.

Council – January 11, 2012
2. Waterdown Business Improvement Area (B.I.A.) Revised Board of Management (PED11013(d)) (Ward 15) (Item 5.2)

That the following individual be appointed to the Waterdown B.I.A.’s Board of Management:

Troy Ganci.

3. Waterdown Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2012 (PED12005) (Ward 15) (Item 5.3)

(a) That the 2012 Operating Budget for the Waterdown B.I.A. (attached as Appendix “A” to Report PED12005) be approved in the amount of $102,668.00;

(b) That the levy portion of the Operating Budget for the Waterdown B.I.A. in the amount of $102,000.00 be approved;

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2012 Budget as referenced in sub-section (b) above;

(d) That the following schedule of payments for 2012 be approved:

- January $25,500.00
- April $25,500.00
- July $25,500.00
- October $25,500.00

Note: Assessment appeals may be deducted from the levy payments.

4. Stoney Creek Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2012 (PED12004) (Ward 9) (Item 5.4)

(a) That the 2012 Operating Budget for the Stoney Creek B.I.A. (attached as Appendix “A” to Report PED12004) be approved in the amount of $26,400.00;

(b) That the levy portion of the Operating Budget for the Stoney Creek B.I.A. in the amount of $13,816.00 be approved;

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2012 Budget as referenced in sub-section (b) above;
(d) That the following schedule of payments for 2012 be approved:

<table>
<thead>
<tr>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>$3,454.00</td>
</tr>
<tr>
<td>April</td>
<td>$3,454.00</td>
</tr>
<tr>
<td>July</td>
<td>$3,454.00</td>
</tr>
<tr>
<td>October</td>
<td>$3,454.00</td>
</tr>
</tbody>
</table>

Note: Assessment appeals may be deducted from the levy payments.

5. **Hamilton Downtown Property Improvement Grant Program – 232 Cannon Street East – HDPIGP09/01 (PED12011) (Ward 3) (Item 5.5)**

(a) That the Hamilton Downtown Property Improvement Grant, as detailed within Report PED12011, be applied to 232 Cannon Street East as the development of the property is complete and the terms and conditions of the Program have been satisfied.

(b) That the Mayor and City Clerk be authorized and directed to execute the Agreement attached as Appendix “A” to Report PED12011.

6. **Community Policing Centre/Patrol Officer Office Relocation to the Hamilton Technology Centre in Flamborough (PSB11-112(a))**

(a) That a Lease Agreement be entered into between the Police Services Board (Tenant) and the City of Hamilton (Landlord) for the purposes of providing a location for the HPS to operate a Community Policing Centre (CPC)/Patrol Officer office at the Hamilton Technology Park, 7 Innovation Drive, Flamborough, subject to the following terms and conditions:

   **Area:** The lease is for two (2) suites. Suite #235 is approximately 278 square feet and is to be used as a patrol officer area. Suite #240 is approximately 706 square feet and is to be used as a Community Policing Centre.

   **Term:** A period of one (1) year, commencing on December 1, 2011 and expiring November 30, 2012.

   **Rental Rate:** The rental rate will be $0.00 (zero dollars) per year.

(b) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement and any and all ancillary documents in a form satisfactory to the City Solicitor.
7. Community Policing Centre Relocation: Ottawa Street to Centre Mall (PSB11-111(a)) (Item 5.7)

(a) That a Lease Agreement be entered into between the City of Hamilton (Tenant) and Redcliff Management Inc. (Landlord) for the purposes of providing a location for the Hamilton Police Service to operate a Community Policing Centre (CPC) located at 1275 Barton Street East, Unit U 03, Hamilton, subject to the following terms and conditions:

Area: Approximately 1,500 square feet of space for use as a Community Policing Centre/Crime Prevention Training Centre.


Rental Rate: $9,000 per annum plus HST and utilities. The payments will be made from Account #55358-376614.

(b) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement and any and all ancillary documents in a form satisfactory to the City Solicitor.

8. Collective Bargaining – Amalgamated Transit Union Local 107 (Item 12.6)

That the staff update with respect to Collective Bargaining – Amalgamated Transit Union Local 107, be received.

9. Ron Neumann, Innovation Factory, respecting Request for $50,000 in Operational Funding (Item 6.2)

That the presentation from Ron Neumann, Innovation Factory, respecting request for $50,000 in operational funding, be received.

10. Illegal Dumping, Litter and Escaped Waste (PW11052(b)) (City Wide) (Item 8.1(a))

(a) That Report PW11052b respecting Illegal Dumping, Litter and Escaped Waste, be received;

(b) That additional one-time resources to undertake spring clean-up activities, monitoring and follow-up in inaccessible areas at an upset cost of $30,000 to be funded from the 2010 Waste Management Research & Development Capital Project ID 5121055137, be approved;
(c) That waste collection amnesty days where up to 3 containers of waste may be set out be held the last full week of each month in addition to the weeks following Victoria Day, Thanksgiving Day and New Year’s Day from April 2012 to March 2013;

(d) That the item referring to the Illegal Dumping, Litter and Escaped Waste, recommendation (b) of Item 4 be removed from the Public Works Committee Outstanding Business List.


(i) Integrated Standards Sub-Committee Report – November 9, 2011

(aa) That the request for a representative of the Advisory Committee for Persons with Disabilities to be appointed to sit on any working groups regarding the increased demand for EMS services be received;

(bb) That the Director of Emergency Management Services be directed to attend a future meeting of the Advisory Committee for Persons with Disabilities to hear their concerns and advice.

(ii) Built Environment Sub-Committee Report – December 5, 2011

That every park and heartland (conservation and natural areas) that is built or reconstructed be made accessible to all persons, and in all cases where full accessibility cannot be achieved through use of the Barrier Free Design Guidelines 2006, staff consult with the Advisory Committee for Persons with Disabilities.

(iii) Snow Removal Request

That Municipal Law Enforcement and Public Works staff be directed to send a representative to an upcoming Advisory Committee for Persons with Disabilities meeting to assist in a discussion on snow clearing.

12. Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints (LS12001) (City Wide) (Item 12.7)

(a) That Report LS12001 respecting Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints, be received;
Subsection (b) was deleted in its entirety and replaced with the following in lieu thereof:

(b) That Report LS12001 be made public immediately.

(b) That the contents of Report LS12001 remain confidential as it contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(c) That the two letters of correspondence from the Ombudsman’s Office dated December 28, 2011 respecting McMaster University and Hamilton Entertainment and Convention Facilities Inc. (File No. 242820-001) be referred to the City Clerk with the direction that they be included in the January 11, 2012 Council agenda.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

ADDED CONSENT ITEMS

(i) Community Policing Centre/Patrol Officer Office Relocation to the Hamilton Technology Centre in Flamborough (PSB11-112(a)) (Added as Item 5.6)

(ii) Community Policing Centre Relocation: Ottawa Street to Centre Mall (PSB11-111(a)) (Added as Item 5.7)

DELEGATION POSTPONED

(iii) David Stephens respecting Relocation of Brian Timmis Stadium

ADDED PRIVATE AND CONFIDENTIAL

(iv) Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints (LS12001) (City Wide) (Added as Item 12.7)

(v) Hamilton Farmers’ Market – Contractual Matter (Added as Item 12.8) (No Copy)

On a motion, the agenda was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

None

c) APPROVAL OF PREVIOUS MINUTES (Item 3)

On a motion, the Minutes of the December 12, 13 and 16, 2011 meetings of the General Issues Committee were approved as presented.

d) PUBLIC HEARINGS/DELEGATIONS (Item 6)

Ron Neumann, Innovation Factory

Ron Neumann, Executive Director of Innovation Factory, appeared before the Committee to request funding in the amount of $50,000 for each of the next two years to assist with maximizing the work of the Innovation Factory. The Committee was distributed with a power point presentation which addressed the following:

- Who, What, Where and How
- Board of Directors and Partners
- Mission
- Program Resource Availability
- Key Relationships
- Tech Ecosystem
- Economic Gardening
- Clients and Map of Clients
- Other Statistics
- Working with SBEC
- What Other RIC’s get
- Funding
- Innovation Factory Value Proposition Summary

A copy of the power point presentation is available for viewing on the City of Hamilton website.

On a motion, the request for funding from Innovation Factory in the amount of $50,000 on an annualized basis for each of the next two years was referred to the Planning Department for a report back as part of the budget process, such report to include, but not be limited to:

(i) source of funding
(ii) audited financial statements
(iii) governance information, both with Innovation Factory and other jurisdictions with similar concepts;
(iv) Conflict of Interest information

Council – January 11, 2012
(v) annual reports on outcomes and activities of Innovation Factory.

(e) PRESENTATION

(i) Public Health Services Accommodation – McMaster Health Campus (PED11134(b)/FCS11063(b)/BOH11026(b)) (Ward 2)

Chris Phillips acknowledged and thanked all of the staff behind the scenes who have been working on this project to bring the issue to this point.

Mr. Phillips and Mike Zegarac, Director of Financial Planning and Policy, presented a power point presentation respecting the Public Health Services Accommodation which provided an overview and financial analysis, and included the following:

- Objectives and identification of critical issues
- Issues addressed at the August 9 2011 GIC meeting
- Impact of the McMaster Health Campus
- Public Health Accommodation
- McMaster Health Campus Critical Timelines – August 2011 to September, 2013
- Public Health Services Lease – 110 King Street West
- Real Estate Assessment – 110 King Street West
- HWDSB “swing-space” Leveraging Option
- Summary of Recommendations

- Financial Analysis Objectives
- Public Health Services Current Accommodations and Costs
- Approved Accommodation Option
- Updated Assumptions
- Operating Cost Impact
- Rent Escalation
- One-time Capital Cost Impact
- Municipal Property Tax Rebate
- Financials Summary
- Mitigating Measures.

On a motion, the staff presentation respecting Public Health Services Accommodation was received.
On a motion, consideration of the recommendations contained in Report PED11134(b)/FCS11036(b)/BOH11026(b) respecting Public Health Services Accommodation – McMaster Health Campus, was deferred pending the receipt of an update from the City Solicitor in closed session respecting the City’s litigation with Yale Properties.

(f) DISCUSSION AGENDA

(i) Illegal Dumping, Litter and Escaped Waste (PW11052(b)) (City Wide) (Item 8.1(a))

(ii) Illegal Dumping, Litter and Escaped Waste (PW11127(a)) (City Wide) (Item 8.1(b))

On a motion, Reports PW11052(b) and PW11127(a) respecting Illegal Dumping, Litter and Escaped Waste, were lifted from the table.

(i) Illegal Dumping, Litter and Escaped Waste (PW11052(b)) (City Wide) (Item 8.1(a))

On a motion, sub-section (c) was deleted in its entirety and replaced with the following in lieu thereof:

(c) That waste collection amnesty days where up to 3 containers of waste may be set out be held the last full week of each month in addition to the weeks following Victoria Day, Thanksgiving Day and New Year's Day from April 2012 to March 2013.

The Amendment CARRIED on the following recorded vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Powers, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta, Pearson, Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Yeas</td>
<td>13</td>
</tr>
<tr>
<td>Nays</td>
<td>Johnson</td>
</tr>
<tr>
<td>Total Nays</td>
<td>1</td>
</tr>
<tr>
<td>Absent</td>
<td>Bratina, Ferguson</td>
</tr>
<tr>
<td>Total Absent</td>
<td>2</td>
</tr>
</tbody>
</table>

The Main Motion, as amended, CARRIED on the following recorded vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Powers, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta, Pearson, Clark</th>
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<td>1</td>
</tr>
<tr>
<td>Absent</td>
<td>Bratina, Ferguson</td>
</tr>
<tr>
<td>Total Absent</td>
<td>2</td>
</tr>
</tbody>
</table>
(ii) **Illegal Dumping, Litter and Escaped Waste (PED11127(a)) (City Wide) (Item 8.1(b))**

On a motion, Report PED11127(a) respecting Illegal Dumping, Litter and Escaped Waste, was referred back to the General Managers of Planning and Economic Development and Public Works to discuss options to mitigate costs and additional staff resources and to provide alternate sources to fund up-front costs.

(iii) **Budget Control Policy (FCS12010) (City Wide) (Item 8.2)**

On a motion, Report FCS12010 respecting Budget Control Policy was referred back to staff to take into consideration the concerns expressed by the Committee relative to the transfer of budget resources between divisions within a Department of $250,000, transfer of budget resources within a division and transfer of budget resources from one cost category to another cost category of $250,000 or less within a Department, and report back to the next appropriate meeting of the General Issues Committee.

(iv) **Budgeted Complement Control Policy (FCS12011) (City Wide) (Item 8.3)**

On a motion, Report FCS12011 respecting Budgeted Complement Control Policy was referred back to staff to take into consideration concerns relative to the actions outlined in the Policy which are at the discretion of the General Manager of the respective Department(s), and report back to the next appropriate meeting of the General Issues Committee.

(v) **Public Health Services Accommodation – McMaster Health Campus (PED11134(b)/FCS11063(b)/BOH11026(b)) (Ward 2) (Item 8.5)**

On a motion, Report PED11134(b)/FCS11-63(b)/BOH11026(b) respecting Public Health Services Accommodation – McMaster Health Campus, was referred back to staff with the following direction and report back to the General Issues Committee:

(i) delete the $210,000 tax rebate fees;
(ii) negotiate for 52,300 square feet of space only;
(iii) negotiate a better per foot deal with the Board in terms of the transitional time that they will be occupying space in the Robert Thomson Building.
(vi) Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North, Hamilton – Park Place Real Estate Limited Partnership (PED12013) (Ward 2) (Item 8.6)

On a motion, Report PED12013 respecting Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North, Hamilton – Park Place Real Estate Limited Partnership will be brought back to the Committee in conjunction with Report PED11134(b)/FCS11-63(b)/BOH11026(b) respecting Public Health Services Accommodation – McMaster Health Campus.

(vii) Velodrome Update – Verbal (No Copy) (Item 8.7)

The Committee received an update from Mayor Bratina, who reported that the Campaign Cabinet has been working with possible donors and is of the understanding that the matter is in the hands of that Cabinet and that they will be bringing advice to Committee in the near future.

(g) OTHER BUSINESS

(i) Outstanding Business List

On a motion, the revised due date for the following items was approved:

(ii) Neighbourhood Development Strategy
Due Date: January 9, 2012
Revised Due Date: February 15, 2012

(h) PRIVATE & CONFIDENTIAL

On a motion, the Committee moved into Closed Session pursuant to sub-section 8.1(d) of the City’s Procedural By-law and Section 239.2(d) of the Municipal Act as the subject matter deals with labour relations or employee negotiations respecting the Collective Bargaining with Amalgamated Transit Union Local 107.

On a motion the Committee reconvened at 10:35 a.m.

(i) Collective Bargaining Update – Amalgamated Transit Union Local 107 (Item 12.6)

See Item 8 for the disposition of this item.
(ii) **Closed Session Minutes – December 2, 8, 12, 13 and 16, 2011**

On a motion, the Minutes of the Closed Session Meetings of the General Issues Committee held on December 2, 8, 12 and 13, 2011 and December 16, 2011, as amended, were approved. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On a motion, the Committee moved into Closed Session.

On a motion, the Committee reconvened in Open Session at 6:00 p.m.

(iii) **Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints (Report LS12001) (Item 12.7)**

Pursuant to Sub-section 8.1(f) of the Procedural By-law and Section 239.2(f) the Municipal Act for the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

Peter Barkwell outlined the contents of Report LS12001 respecting the Review of Various Communications from the Ontario Ombudsman respecting Closed Meeting Complaints.

See Item 12 for the disposition of this item.

(iv) **Hamilton Farmers’ Market – Contractual Matter (Item 12.8)**

Pursuant to sub-sections 8.1(a), (b) and (f) of the City’s Procedural By-law and Sections 239.2(a), (b) and (f) of the Municipal Act as the subject matters pertain to:

(a) the security of the property of the City;
(b) personal matters about an identifiable individual, including City employees; and,
(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

On a motion, the update provided by Joe-Anne Priel, General Manager of Community Services, respecting the Hamilton Farmers’ Market – Contractual Matter, was received.

(v) **Litigation with Yale Properties (Item 8.5)**

Pursuant to Sub-section 8.1(f) of the Procedural By-law and Section 239.2(f) of the Municipal Act for the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

On a motion, the verbal update from the City Solicitor with respect to the litigation with Yale Properties, was received.
There being no further business, the Committee adjourned at 6:10 p.m.

Respectfully submitted

Councillor R. Powers
Deputy Mayor

Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets
January 9, 2012