Deputy Mayor B. Clark called the meeting to order and called upon Father Paul Boucher from St. John the Baptist Parish in Hamilton to lead Council in prayer.

**ANNOUNCEMENT**

Deputy Mayor Clark acknowledged the recent passing of Tim Eaton, the Father-in-Law and Father of Councillor Russ and Linda Powers and extended condolences to Margaret Eaton and the family during this difficult time.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

(a) Added Communications:

5.19 Correspondence from The Honourable Lincoln Alexander, Chairman, Ontario Heritage Trust respecting funding for Auchmar Estate
Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning and Economic Development Committee and a copy of the correspondence be forwarded to the LACAC Committee for their information.

5.20 Correspondence from the Honourable Minister of Public Infrastructure and Renewal respecting Municipal Infrastructure Investment Initiative

Recommendation: Be received

(b) Amendment to Item 18 of the Economic Development and Planning Committee Report 08-006 which is item 6.4 on the agenda.

This item is to be deleted as it was dealt with at a special meeting of Council on April 7th, and Item 19 will be renumbered Item 18.

(c) Added Notice of Motion

8.1 - Notice of Motion by Councillor Brian McHattie respecting CBC Radio

(d) Added Private and Confidential Matter

10.1 Matter respecting Labour Relations and Employee negotiations

(Whitehead/Mitchell)
That the Agenda for the City Council meeting being held on April 9, 2008, be approved, as amended. CARRIED

DECLARATIONS OF INTEREST

Councillor Bratina declared an interest in Item 8.1, which is a Notice of Motion by Councillor Brian McHattie respecting CBC Radio, as he is an employee of the broadcasting industry.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Ontario Economic Development Awards

The Deputy Mayor invited Neil Everson, Director of Economic Development, to join him at the podium. He announced that at the Ontario Economic Development Awards which took place on February 7th in Toronto, the City of Hamilton took top honours for their Annual report. The Deputy Mayor and Councillor Whitehead presented the award to Neil Everson and congratulated him.
APPROVAL OF MINUTES

(Ferguson/Duvall)
That the Minutes of the March 26, 2008, meeting of Council be approved, as presented.
CARRIED

COMMUNICATIONS

(Bratina/Jackson)
That Council Communications 5.1 to 5.20, as amended, be approved, as follows:

5.1 Correspondence from The Honourable Minister of Municipal Affairs and Housing, Jim Watson respecting grant in the amount of $5,682,882 for poverty-reduction strategy
Recommendation: Be received

5.2 Correspondence from The Honourable Minister of Municipal Affairs and Housing, Jim Watson respecting Subsidies under the Urban Native Housing Program
Recommendation: Be received

5.3 Correspondence from The Honourable Minister of Municipal Affairs and Housing Jim Watson and The Honourable Minister of Finance Dwight Duncan respecting Capital Grant – Bill 35
Recommendation: Be received

5.4 Correspondence from The Honourable Minister of Transportation Jim Bradley respecting City of Hamilton Transit Investments and funding in the amount of $29,800,000
Recommendation: Be received

5.5 Correspondence from Tim Hudak, MPP, Niagara West-Glanbrook respecting aerial gypsy moth spraying program
Recommendation: Be received

5.6 Correspondence from the Honourable Minister of Finance Dwight Duncan respecting one-time grant of $12 million and other Provincial initiatives
Recommendation: Be received
5.7 Correspondence from the Honourable Deputy Premier and Minister of Health and Long Term Care George Smitherman, respecting Transfer of the Small Drinking-Water Systems program from the Ministry of the Environment to the Ministry of Health

Recommendation: Be received

5.8 Correspondence from the Honourable Minister of Agriculture, Food and Rural Affairs Leona Dombrowsky respecting economic impact of horse racing and slot machine operations at the Flamboro Downs Racetrack

Recommendation: Be received

5.9 Correspondence from Tyler MacLeod, President, Chamber of Commerce respecting the Chamber’s endorsement of the City’s Vision and Mission Statements

Recommendation: Be received

5.10 Correspondence from FCM respecting the City of Hamilton resolutions regarding Threat of Nuclear Weapons and Establishment of a Federal Department of Peace

Recommendation: Be received

5.11 Correspondence from The Honourable Minister of Transportation Jim Bradley respecting funding in the amount of $8,806,309 towards municipal road and bridge capital investment needs

Recommendation: Be received

5.12 Correspondence from the Honourable Minister of Transportation, Jim Bradley respecting Highway 24 Transportation Corridor Planning and Class Environmental Assessment (EA) Study

Recommendation: Be received

5.13 Correspondence from the Deputy Attorney General Murray Segal providing an update on the streamlining review of the Provincial Offences Act

Recommendation: Be received

5.14 Correspondence from The Honourable Minister of Transport, Infrastructure and Communities respecting Needs Assessment Study – Proposed Pickering Airport (Airport Implementation Task Force Report 08-001)

Recommendation: Be received
5.15 Correspondence from Parks and Recreation Ontario respecting “Call for Action – Recreation, Parks and Sport Infrastructure Funding”

Recommendation: Be received and referred to the General Manager of Community Services for a report to the Emergency and Community Services Committee

5.16 Correspondence from Tyler MacLeod, President, Chamber of Commerce respecting the Chamber’s Policy on the Hamilton Street Railway

Recommendation: Be received and referred to the General Manager of Public Works for a report to the Public Works Committee

5.17 Petitions signed by 17 citizens respecting support of a normal retirement age of 60 for Ontario’s paramedics

Recommendation: Be received and referred to the General Manager/Chief of Emergency Services and the Director of Human Resources for a report to the Emergency and Community Services Committee.

5.18 Correspondence from the City of Port Colborne respecting Provincial Funding to Offset Municipal Costs Relating to Compliance with O.Reg. 429/07

Recommendation: Be endorsed.

5.19 Correspondence from The Honourable Lincoln Alexander, Chairman, Ontario Heritage Trust respecting funding for Auchmar Estate

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning and Economic Development Committee and a copy of the correspondence be forwarded to the LACAC Committee for their information.

5.20 Correspondence from the Honourable Minister of Public Infrastructure and Renewal respecting Municipal Infrastructure Investment Initiative

Recommendation: Be received

CARRIED

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

CARRIED
PUBLIC WORKS COMMITTEE REPORT 08-006

Item 3  2008 Gypsy Moth Infestation (PW08028(a)) (Wards 1, 11, 12, 13 and 15) (Item 7.1(a))

(Powers/Pearson)
That sub-section (g) of Item 3 of Public Works Committee Report 08-006 respecting 2008 Gypsy Moth Infestation (PW08028(a)), be deleted in its entirety and replaced with the following in lieu thereof:

“(g) That the Mayor and City Clerk be authorized and directed to execute an Agreement with Zimmer Air Services Inc. as a sole source provider of aerial spray work related to the control program, in a form satisfactory to the City Solicitor.”

Amendment CARRIED
Motion as amended CARRIED

(Powers/Pearson)
That the SIXTH Report of the Public Works Committee be adopted, as amended, and the information section received.

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE 08-005

(Jackson/McCarthy)
That the FIFTH Report of the Emergency & Community Services Committee be adopted and the information section received.

CARRIED

LICENSING COMMITTEE REPORT 08-002

(Whitehead/Powers)
That the SECOND Report of the Licensing Committee be adopted and the information section received.

CARRIED

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE REPORT 08-006

Item 12  Application for a Provisional Certificate of Approval for a Waste Disposal Site (Processing) Ministry of Environment Reference 3815-795K9T, 675 Strathearne Avenue (PED08082) (Ward 4) (Item 8.3)

(Merulla/McHattie)
That Item 12 of the Economic Development and Planning Committee Report 08-006 be amended by deleting the first paragraph in its entirety and inserting the following in lieu thereof:
“That the Ministry of Environment Assessment and Approvals Branch of the Ontario Ministry of the Environment be requested to deny the application CA-008-001, Liberty Energy Resources Inc., Applicant, for a Provisional Certificate of Approval for a waste disposal site (processing) to be located at 675 Strathearn Ave, Hamilton, as shown in Appendix “A” to Report PED08082, but should the Ministry approve the application, that the City Of Hamilton requests the following to be undertaken:”

The motion to amend Item 12 **LOST** on the following standing recorded vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Clark, McCarthy, McHattie, Merulla, Morelli</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Yeas</td>
<td>5</td>
</tr>
<tr>
<td>Nays</td>
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</tr>
<tr>
<td>Total Nays</td>
<td>9</td>
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<tr>
<td>Absent</td>
<td>Eisenberger, Collins</td>
</tr>
<tr>
<td>Total</td>
<td>2</td>
</tr>
</tbody>
</table>

**Item 12 CARRIED** as presented.

(Item 18 of Economic Development and Planning Committee Report 08-006 respecting Losani Homes, Barton Street was deleted as a change to the agenda as it has already been approved by a Special Council and Item 19 was renumbered Item 18.)

**Item 18. 112 King Street East, Hamilton (former Royal Connaught Hotel) (formerly Item 19.)**

*(Ferguson/McCarthy)*

That Item 18 of the Economic Development and Planning Committee Report 08-006 be referred back to staff for a report.

The motion to refer Item 18 **LOST** on the following standing recorded vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Ferguson, McCarthy, Pasuta, Mitchell</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Nays</td>
<td>Bratina, Clark, Duvall, Jackson, McHattie, Merulla, Morelli, Pearson, Powers, Whitehead</td>
</tr>
<tr>
<td>Total Nays</td>
<td>10</td>
</tr>
<tr>
<td>Absent</td>
<td>Eisenberger, Collins</td>
</tr>
<tr>
<td>Total</td>
<td>2</td>
</tr>
</tbody>
</table>
Item 18. 112 King Street East, Hamilton (former Royal Connaught Hotel) (Item 9.1)

(Whitehead/Powers)
That Item 18 of the Economic Development and Planning Committee be amended by deleting the final paragraph and replacing with the following in lieu thereof:

Now therefore be it resolved:

That the request by LACAC to have the former Royal Connaught Hotel, 112 King Street East, Hamilton considered as a priority for future designation under Part IV of the Ontario Heritage Act, be endorsed.

The motion to amend Item 18 CARRIED on the following recorded vote:

Yeas: Bratina, Clark, Duvall, Jackson, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 12
Nays: Ferguson, McCarthy
Total Nays: 2
Absent: Eisenberger, Collins
Total: 2

Item 18, as amended, CARRIED on the following recorded vote:

Yeas: Bratina, Clark, Duvall, Jackson, McHattie, Merulla, Morelli, Pasuta, Pearson, Powers, Whitehead
Total Yeas: 11
Nays: Ferguson, McCarthy, Mitchell
Total Nays: 3
Absent: Eisenberger, Collins
Total: 2

(Whitehead/Powers)
That the SIXTH Report of the Economic Development & Planning Committee be adopted, as amended, and the information section received. CARRIED

COMMITTEE OF THE WHOLE REPORT 08-018

Item 1. International Event Opportunities (PED08091) (City Wide) (Item 6.2)

Item 1 was split for voting purposes:
Sub-section (a) **CARRIED** on the following recorded vote:

**Yeas:**  Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, McHattie, Merulla, Morelli, Mitchell, Pearson, Powers, Whitehead  
Total Yeas:  13  
Nays:  Pasuta  
Total Nays:  1  
Absent:  Eisenberger, Collins  
Total:  2

Sub-section (b) **CARRIED.**

Subsection (c) **CARRIED.**

Subsection (d) **CARRIED** on the following recorded vote:

**Yeas:**  Bratina, Clark, Duvall, Ferguson, Jackson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Whitehead  
Total Yeas:  13  
Nays:  Powers  
Total Nays:  1  
Absent:  Eisenberger, Collins  
Total:  2

Subsection (e) **CARRIED.**

Subsection (f) **CARRIED.**

Item 1 in its entirety **CARRIED** on the following recorded vote:

**Yeas:**  Bratina, Duvall, Ferguson, Jackson, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead  
Total Yeas:  12  
Nays:  Clark, McCarthy  
Total Nays:  2  
Absent:  Eisenberger, Collins  
Total:  2

**Item 3.  Terms of Reference for Council’s Economic Development Advisory Committee and the Jobs Prosperity Collaborative of Hamilton Update (PED08102) (City Wide) (Item 7.3)**  
**(Whitehead/Pearson)**  
That Item 3 of the Committee of the Whole Report 08-018 be referred back to staff for clarification of the terms of reference for “Council’s Economic
Development Advisory Committee” and report back to Committee of the Whole on whether the meetings will be open to the public.

Referral Motion CARRIED

(Bratina/Duvall)
That the EIGHTEENTH Report of Committee of the Whole be adopted, as amended and the information section received.

CARRIED

(Bratina/Duvall)
That the Committee of the Whole rise and report.

CARRIED

MOTIONS

7.1(a) Motion to Waive the Rules of Order

(Whitehead/Powers)
That the Rules of Order be waived to allow the introduction of a motion respecting.

Application for the Sale of Liquor:  THE BANK, 930 Upper Paradise Road, Unit 15, Hamilton (Indoor and Outdoor area)

CARRIED

7.1(b) Application for the Sale of Liquor:  THE BANK, 930 Upper Paradise Road, Unit 15, Hamilton (Indoor and Outdoor area)

(Whitehead/Powers)
That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the Application by THE BANK, 930 Upper Paradise Road, Unit 15, Hamilton for the sale of alcohol (indoor and outdoor area) and objects to the Outdoor sale on the grounds that it will have negative ramifications to the neighbourhood.

CARRIED

7.2(a) Motion to Waive the Rules of Order

(Ferguson/McCarthy)
That the Rules of Order be waived to allow the introduction of a motion respecting Physician Under Serviced Area Program Designation.

CARRIED
7.2(b) Physician Under Serviced Area Program Designation

(Ferguson/McCarthy)
Whereas the City of Burlington has recently received “under serviced” designation, under the provincial Under Serviced Area Program; and,

Whereas the City of Hamilton has not been successful in receiving this same designation by the Province,

Therefore, be it resolved:

(a) That the Mayor correspond with the Minister of Health and Long-Term Care to request clarification regarding the criteria utilized in the process of providing designation, through the Under Serviced Area Program, to municipalities across Ontario.

(b) That based upon the statistics and information, attached as Appendix A, the City hereby requests the Minister of Health and Long-Term Care to reconsider the City’s previous request for designation, through the Under Serviced Area Program.

(c) That copies of the correspondence to the Minister of Health and Long-Term Care, respecting the Under Serviced Area Program, be provided to all local MPPs.

CARRIED

NOTICES OF MOTION

Councillor McHattie presented the following Notice of Motion:

8.1 Federal Heritage Standing Committee Report and Request for a CBC Radio Station in Hamilton

Whereas, the federal Heritage Standing Committee has released its report on the Mandate Review of the CBC, which contains many references to new CBC Radio service for Hamilton, and;

Whereas, the City of Hamilton was the only city to make a presentation to the Heritage Standing Committee during their hearing process, and;

Whereas, for the first time, the Standing Committee has recommended a specific increase in funding for CBC/Radio-Canada, from $33 per capita to $40 per capita, and;

Whereas, the Standing Committee also recommended that "Radio is the best way to ensure affordable local coverage" and said that it supports CBC/Radio-Canada's Radio Plan, and;
Whereas, the Plan recommended the creation of 15 new local stations and production centres to improve local radio service to 8 million Canadians, with four new stations proposed for both BC and southern Ontario, 3 each for Alberta and Quebec, and 1 for Saskatchewan, and;

Whereas, the City of Hamilton has been meeting with CBC Radio for the past four years on acquiring a new station, and;

Whereas, CBC Radio has stated that the city of Hamilton is the number one target for regional expansion in Canada,

Therefore,

(a) The City of Hamilton requests that the Government of Canada respond quickly to the Standing Committee’s report, and commit the necessary funding to establish a new radio station in Hamilton.

(b) That this motion be communicated to all M.P.s

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

(Morelli/Mitchell)
That Council move into closed session at 9:25 p.m. pursuant to Section 239 of the Municipal Act, 2001, and subsection (d) of Section 8.1 of the City’s Procedural By-law to discuss a matter relating to labour relations or employee negotiations respecting Non-Union Management and Professional Exempt Group Market Review.

CARRIED

(Whitehead/Powers)
That Council reconvene in Open Session at 9:35 p.m.

CARRIED

10.1 Non-Union Management & Professional Exempt Group Market Review (HUR08005/FCS08029)

(Whitehead/Morelli)
That the first sentence of section 10.1(d) be amended by removing the words “and staff” so that the motion reads as follows:
“(a) That the non-union salary schedule for the City's full-time Management And Professional Exempt Group be increased by an aggregate of 3% effective January 1, 2007 (net of the 2.5% increase previously provided) and a further 3% effective January 1, 2008 and that individual salaries be adjusted accordingly;

(b) That the benefits provided for the City's full-time Management and Professional Exempt Group be adjusted to be consistent with the Memorandum of Settlement for CUPE Local 5167.

(c) That, in accordance with Recommendation # 2 of Appendix "A" to Report HUR08005/FCS08029, the General Manager of Emergency Services be placed at level 5 in Salary Band 13.

(d) That a Committee be established of members of council to review and recommend a process to:
   (i) implement a Pay-for-Performance process for non-union employees;

Amendment CARRIED

Item 10.1(d)(i) CARRIED on the following recorded vote:

Yeas: Bratina, Duvall, Ferguson, Jackson, McHattie, Morelli, Mitchell, Pearson, Powers, Whitehead
Total Yeas: 10
Nays: Clark, Merulla, Pasuta
Total Nays: 3
Absent: Eisenberger, Collins, McCarthy
Total: 3

(Whitehead/Morelli)
The motion, as amended, CARRIED.

BY-LAWS

(Bratina/Duvall)
That Bill Nos. 08-069 to 08-078 attached hereto be passed, that the corporate seal be affixed thereto and the By-laws be signed by the Mayor and the City Clerk, and numbered as 08-069 to 08-078 as follows:

By-law No. Bill No.
08-069 069 To Permanently Close an Unassumed Portion of Alleyway
abutting 21 Garside Avenue North, established by Registered Plan 491, City of Hamilton, designated as Part 1 on Reference Plan 62R18016

08-070 070 Respecting Gypsy Moth Infestation
08-071 071 Respecting Removal of Part Lot Control, Fifty Road Joint Venture, Phase 3, Block 74, Registered Plan No. 62M-1057
08-072 072 Respecting Removal of Part Lot Control, Fifty Road Joint Venture, Phase 3, Block 79, Registered Plan No. 62M-1057
08-073 073 Respecting Removal of Part Lot Control, Blocks 138-148, Inclusive, Blocks 152-162, inclusive, Registered Plan No. 62M-1101, Upcountry Estates
08-074 074 To Amend Zoning By-law No. 6593 (Hamilton), Respecting 1 Hayden Street
08-075 075 To Amend Zoning By-law No. 6593 (Hamilton), Respecting 1 Hayden Street
08-076 076 To Adopt Official Plan Amendment No. 121 to the former Town of Ancaster Official Plan, Respecting 894 Golf Links Road
08-077 077 To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 894 Golf Links Road
08-078 078 To Confirm the Proceedings of City Council

CARRIED

(Duvall/Morelli)
There being no further business, the City Council meeting adjourned at 9:40 p.m.

CARRIED

Respectfully submitted

Brad Clark
Deputy Mayor

Kevin Christenson
Clerk
April 9, 2008