Committee of the Whole

MINUTES

9:30 a.m.
April 1, 2009
Albion Room
Hamilton Convention Centre

Present:
Mayor F. Eisenberger

Absent with regrets:
Councillor R. Powers – City Business

Also Present:
C. Murray, City Manager
T. Tollis, Acting General Manager, Finance and Corporate Services
G. Davis, Acting General Manager, Public Works
J. Kay, General Manager/Chief, Hamilton Emergency Services
T. McCabe, General Manager, Planning and Economic Development
J.A. Priel, General Manager, Community Services
P. Barkwell, City Solicitor
M. Gallagher, Co-ordinator, Council and Committee of the Whole/Budgets

THE FOLLOWING WAS REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. CHANGES TO THE AGENDA

(Pasuta/Collins)
That the agenda be adopted as amended. CARRIED.
Deletion of March 9th minutes
Added Private and Confidential Items 8.1 and 8.2 – HSR Contractual issue and Labour Relations Matter

2. DECLARATIONS OF INTEREST

5.4 2009 Tariff of Fees (PED09032(b)) (City Wide)

Councillors Mitchell declared an interest as he owns agricultural land and vacated the room on Item 5.4

Councillor Pasuta declared an interest as his father may own agricultural land and vacated the room on Item 5.4

3. ADOPTION OF MINUTES

3.1 March 9, 2009 deleted

4. PRESENTATION

4.1 Budget Update

Tony Tollis provided an update on the 2009 Budget and also provided information on Multi-Residential Property Taxation.

5. DISCUSSION ITEMS

5.1 Multi-Residential Property Taxation Sub-Committee Report 09-001
(Clark/Whitehead)
That Item 1 be received and Item 2 be approved as follows:

1. Multi-Residential Property Taxation

Whereas other municipalities have reduced the Multi-Residential Tax Rate to the Commercial Tax Ratio (i.e. Windsor, Halton, Niagara, Durham, Toronto and others);

Whereas the ability to pay for tenants in Hamilton is lower than any other City in Ontario;

Whereas, notwithstanding the recommendation to target the multi-residential tax rate to the commercial tax rate, the
Multi-Residential Property Taxation Sub-Committee continues to believe that the multi-residential and residential tax rates be at 1.00;

Therefore, be it resolved.

That the Multi-Residential Tax Ratio be reduced to 1.99 (Hamilton’s 2009 Commercial Tax Ratio) and that the reduction be phased in.

2. Information for Tenants respecting Services and Taxes

(a) That correspondence continue to be forwarded to tenants on an annual basis, to educate tenants on average taxes paid per unit, ratio percentages, and municipal services provided by the City of Hamilton;

(b) That a draft of the correspondence be reviewed by the Sub-Committee prior to its release;

(c) That the Sub-Committee re-affirm its request for the commissioning of a report which reviews municipal services for tenants in Hamilton in comparison to services received by home owners (i.e. Property standards, garbage collection etc)

(d) That an appropriate budget allocation be provided to execute the directions noted in recommendations (a) and (c);

(e) That a meeting of the Multi-Residential Property Taxation Sub-committee be convened to review the commissioned report when received.

CARRIED.

5.2 Multi-Residential Property Taxation: Staff Response to the Multi-Residential Sub-Committee Recommendations (FCS09031) (City Wide) (McHattie/Merulla)

a) That, for the 2009 taxation year, the Multi-Residential tax ratio be maintained at the Provincial Threshold of 2.74 and thus allowing the Multi-Residential property class to receive the full benefit of the 2009 assessment-related tax reduction;
b) That Item F “Multi-Residential Tax Ratio - Options” be removed from the Committee of the Whole Outstanding Business List.

c) That staff be directed to report back to COW on the methodology and funding source for the municipal services review.

(McHattie/Merulla)

d) That correspondence be forwarded to the Province to discuss feasibility for changes to tax legislation to introduce fairness for multi-residential property tax payers.

AMENDMENT CARRIED.
MOTION AS AMENDED CARRIED.

5.3 Employer Commuter Pass Program
(McHattie/Merulla)

That the General Manager, Public Works be authorized and directed to expand the Employer Commuter Pass Program for City of Hamilton employees to include 50% reimbursement of Burlington Transit and GO Transit passes for eligible employees who live outside of the City of Hamilton.

Recorded vote: DEFEATED

Yeas: Eisenberger, Merulla, McHattie
Total: 3

Total: 12
Absent: Powers
Total: 1

5.4 2009 Tariff of Fees (PED09032(b)) (City Wide)
(Ferguson/Jackson)

That Appendix “A” of Report PED09032, as amended, being the recommended revised Planning and Engineering Fees for 2009, be further amended as follows:

(a) That a new fee of $2,795.00 be applied to applications for Zoning Amendment - Severance of Surplus Farm Dwelling.
(b) That new fees equivalent to one-half (½) of the applicable Site Plan Application fee be applied to Site Plan Applications for Agricultural Uses. \textbf{CARRIED.}

5.5 \textbf{Hamilton Centre for Civic Inclusion – Funding}

\textbf{(Morelli/Merulla)}
That one-time funding in the amount of $260,000 ($130,000 for 2009 and $130,000 in 2010) for Hamilton Centre for Civic Inclusion be approved from the Tax Stabilization Reserve.

Standing Recorded Vote \textbf{CARRIED:}

\textbf{Yeas:} Eisenberger, Bratina, Clark, Collins, Duvall, Ferguson, Jackson, McHattie, Merulla, Morelli, Pearson, Whitehead

\textbf{Total: 12}

\textbf{Opposed:} McCarthy

\textbf{Total: 1}

\textbf{Absent:} Powers, Pasuta, Mitchell

\textbf{Total: 3}

5.6 \textbf{Approval of Levy Recommendations} \\
\textbf{(Merulla/Pearson)}

(a) That the 2009 Tax Supported Levy, as presented in FCS09007 and amended by Schedule A, in the amount of $650,852,300 be approved;

(b) That the Medical Officer of Health be authorized and directed to execute all statutory 2009 Federal and Provincial Program Service Level Funding Agreements and Contracts for Public Health Services. This also includes the authority to authorize the submission of budgets and quarterly/year end reporting;

(c) That the General Manager of Community Services be authorized and directed to execute all statutory 2009 Federal and Provincial Program Service Level Funding Agreements and Contracts for Community Services. This also includes the authority to authorize the submission of budgets and quarterly/year end reporting;

(d) That, for the 2009 taxation year, the Area Rated Levies be approved as identified in Schedule B to report FCS09007;
(e) That, for the 2009 taxation year, the transit area be expanded to include the additional areas in wards 9, 11 and 12 (as identified in Schedule C to report FCS09007) to take into account the 2009 approved enhanced transit service in these areas; and

(f) That the City Solicitor & Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax levy and related tax policies for the 2009 taxation year.

Yeas: Eisenberger, Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Pearson, Whitehead
Total: 13

Nays: Mitchell
Total: 1

Absent: Powers, Bratina
Total: 2

6. MOTIONS

(Clark/Whitehead)
That a service delivery review and analysis be commenced and a report be brought back to council in 2009 for the 2010 budget deliberations

To include cost efficiencies and no point in time that the budget is increased as a result of reviews that take place. CARRIED.

7. NOTICES OF MOTION

Councillor Whitehead presented the following Notice of Motion:

That staff be directed to prepare the following report for Committee of the Whole when it meets to discuss the issue of area rating:

Suggested options for area rated variances being covered by the benefiting community.
8. PRIVATE AND CONFIDENTIAL

(Ferguson/Pearson)
That Committee move into closed session further to sections 8.1(d) and (f) as the two matters relate to labour relations and receiving of legal advice that is subject to solicitor client privilege. CARRIED.

(Pearson/Mitchell)
That Committee move into open Session. CARRIED.

8.1 Non Union Compensation
(Clark/Merulla)

(a) That due to the tough economic times the cost of living increase for the non-union Management and Professional Exempt employees be 0% in 2009, 1.5% in 2010, and 1.5% in 2011, which is also intended to set the tone for upcoming labour negotiations;

(b) That Council is committed to no reductions among the non-union Management and Professional Exempt employees complement in 2009;

(c) That the non-union Management and Professional Exempt group of employees’ salaries be moved to the 50th percentile over a 4 year period commencing January 1, 2010, consistent with Council’s Non-Union Compensation Policy;

(d) That the revised Salary Progression Policy for non-union staff, attached as Appendix “A” be approved;

(e) That staff continue to review and report back on the balance of recommendations contained in the Gazda, Houlne & Associates report and propose any necessary changes to the Non-Union Compensation policies

CARRIED ON A STANDING RECORDED VOTE:

Yeas: Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, McHattie, Merulla, Morelli, Pasuta, Mitchell, Pearson, Whitehead, Eisenberger
Total: 14

Nays: none
Absent: Bratina, Powers
Total: 2

8.2 Contractual relations with a supplier, potential litigation, the receiving of solicitor-client advice (City Wide) (LS09007)

Direction provided in closed session.

There being no further business, the meeting adjourned at 1:41 p.m.

Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher, Co-ordinator
April 1, 2009