



CITY COUNCIL MINUTES 19-004

5:00 p.m.
February 27, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger
Councillors C. Collins (Deputy Mayor), B. Clark, J.P. Danko, J. Farr,
Ferguson, T. Jackson, S. Merulla, N. Nann, E. Pauls, M. Pearson, A.
VanderBeek, T. Whitehead and M. Wilson

Absent with
Regrets: Councillor B. Johnson and J. Partridge - Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Diane Elms to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

- 5.6 Correspondence from the Honourable Sylvia Jones, Ministry of Community Safety and Correctional Services respecting resources to support municipalities as they begin to undertake the community safety and well-being planning process.

Recommendation: Be received.

- 5.7 Correspondence from the Upper West Side Landowners Group respecting two areas, east and west of the Garth Street corridor that are currently outside of the urban area and are not part of the Airport Employment Growth District (AEGD).

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 19-003.

- 5.8 Correspondence from Environment Hamilton respecting Schedule 5 of Bill 66 - Restoring Ontario's Competitiveness Act.

Recommendation: Be received and referred to the consideration of Item 13 of the General Issues Committee Report 19-004.

- 5.9 Correspondence from Greg Atkinson respecting the Amalaterra Proposal.

Recommendation: Be received and referred to the consideration of Item 4 of the Public Works Committee Report 19-003.

8. NOTICES OF MOTION

- 8.1 Proposals for Waste Management

- 8.2 Fixed and Floating Charge Demand Debenture – Sheraton Hotel – 116 King Street West, Hamilton

10. PRIVATE AND CONFIDENTIAL

- 10.3 Terrapure Stoney Creek Regional Facility EA - Compensation Agreement (LS18045(b) / FCS18072(b)) (Ward 9) - WITHDRAWN

- 10.4 Hamilton Paramedic Service Investigation - Update (no copy)

11. BY-LAWS AND CONFIRMING BY-LAW

- 039 To Amend Hamilton Zoning By-law No. 05-200 for additional setback requirements for Warehouses in Duff's Corner, Ancaster
Ward: 12

(Whitehead/VanderBeek)

That Council move into Closed Session for discussion of Item 13 of Planning Committee Report 19-003 when the matter is before Council for consideration.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
CONFLICT - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Whitehead/Clark)

That the agenda for the February 27, 2019 meeting of Council be approved, ***as amended***.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

DECLARATIONS OF INTEREST

Councillor Clark declared an interest on Item 3 of the Planning Committee Report respecting Terrapure Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019 (PED16184(c)), as he has a pre-existing professional relationship with, and was a client of, Terrapure.

Mayor Eisenberger declared an interest on Item 13 of the Planning Committee Report respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) as he is an investor.

Councillor Wilson declared an interest on Item 1, Section (v), of the Audit, Finance & Administration Committee, respecting Development Charges Stakeholders Sub-Committee Report 19-002, as she has a relative working in the affordable housing field.

APPROVAL OF MINUTES OF PREVIOUS MEETING**10.5 Road Infrastructure Litigation Review and Assessment Follow Up (LS19010(a)) (City Wide)****(Clark/Pearson)**

That Sub-section 10.5 (iii) (b) of the February 13/14, 2019 Council minutes, be amended to read as follows:

10.5 Road Infrastructure Litigation Review and Assessment Follow Up (LS19010(a)) (City Wide)

- (iii) (a) That the City Manager in consultation with the City Solicitor be directed to seek outside legal counsel to brief City Council on the process to initiate an investigation pursuant to Ontario Municipal Act Section 274.1.a & b, Investigation by a Judge and the Public Inquires Act Section 33, Inquiries or an Independent External Investigation; and
- (b) That this Independent Legal Counsel be directed to provide the following information to City Council on **March 20, 2019**:
 - 1) Provide clarification on the powers of a Investigation under the Municipal Act and the Public Inquiries Act;
 - 2) What is the process for council to request a Judge in the Ontario Superior Court to undertake such an investigation;
 - 3) Who sets the parameters or scope of the investigation;
 - 4) Could evidence uncovered in the inquiry be used by third parties in criminal or civil litigation;
 - 5) What would the projected time frames and costs be?
 - 6) Could the final report address i.e. who knew, when did they know, why didn't they share the report, etc;
 - 7) Could the investigation final report assign blame or responsibility to any person, persons or corporations; and
 - 8) Could the investigation provide recommendations to the City Council on policy changes, protocols, changes in governance process or practices.

Result: Amendment CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Clark/VanderBeek)

That the February 13 & 14, 2019 Council Minutes 19-003, be approved, ***as amended.***

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

COMMUNICATIONS

(Collins/Merulla)

That Council Communications 5.1 to 5.9 be approved, as presented, as follows:

- 5.1 Correspondence from Enbridge Gas Inc. respecting a Notice of public information session for Enbridge Gas Inc. proposed 2021 Kirkwall-Hamilton Project.

Recommendation: Be received.

- 5.2 Correspondence from Paul Dube, Ombudsman Ontario respecting the Final Report on the investigation into whether prior to a June 26, 2018 meeting of the Governance Review Sub-Committee, members of Council held a meeting over email that did not comply with the open meeting rules in the Municipal Act, 2001, and whether the City's General Issue Committee held a meeting that did not comply with the open meeting rules on July 9, 2018.

Recommendation: Be received.

- 5.3 Correspondence from the City of Toronto respecting Protecting the City of Toronto against potential impacts of the Government of Ontario's Bill 66.

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

- 5.4 Correspondence from Deborah Tomlinson-Veit respecting the Waterdown Overpass.

Recommendation: Be received.

- 5.5 Correspondence from Deborah Tomlinson-Veit respecting the Redhill Valley Expressway.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Sylvia Jones, Ministry of Community Safety and Correctional Services respecting resources to support municipalities as they begin to undertake the community safety and well-being planning process.

Recommendation: Be received.

- 5.7 Correspondence from the Upper West Side Landowners Group respecting two areas, east and west of the Garth Street corridor that are currently outside of the urban area and are not part of the Airport Employment Growth District (AEGD).

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 19-003.

- 5.8 Correspondence from Environment Hamilton respecting Schedule 5 of Bill 66 - Restoring Ontario's Competitiveness Act.

Recommendation: Be received and referred to the consideration of Item 13 of the General Issues Committee Report 19-004.

- 5.9 Correspondence from Greg Atkinson respecting the Amalatterra Proposal.

Recommendation: Be received and referred to the consideration of Item 4 of the Public Works Committee Report 19-003.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Merulla/Collins)

That Council move into Committee of the Whole to consider the Committee Reports.

CARRIED

CITY MANAGER RECRUITMENT STEERING COMMITTEE REPORTS 19-002 and 19-003
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(Eisenberger/Eisenberger)

That the SECOND and THIRD Reports of the City Manager Recruitment Steering Committee be received for information.

CARRIED

SELECTION COMMITTEE REPORTS 19-003, 19-004 and 19-005

(Nann/Merulla)

That the THIRD, FOURTH AND FIFTH Reports of the Selection Committee be received for information.

CARRIED

PLANNING COMMITTEE REPORT 19-003

3. Terrapure Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019 (PED16184(c)) (Ward 9) (Item 7.3)

(Pearson/Collins)

WHEREAS Revolution Landfill LP, operating as Terrapure Environmental (Terrapure), operates Stoney Creek Regional Facility (SCRF), a landfill located at the northwest corner of Mud Street and Upper Centennial Parkway in the former City of Stoney Creek;

WHEREAS Terrapure has submitted the final Environmental Assessment (EA) to the MECP seeking to expand the capacity of SCRF;

WHEREAS the submission of the EA commenced a 7 week review period for stakeholders, including the City, which expires March 1, 2019;

WHEREAS at its meeting on February 19, 2019, the Planning Committee approved Item 3 of the Planning Committee Report 19-003 which included a direction to the Director, Planning and Chief Planner to forward a Letter of Comment, attached as Appendix “A” to Report PED16184(c) to the Ministry of Environment, Conservation and Parks (MECP) outlining the City’s comments respecting the SCRF EA;

WHEREAS a comment from Corporate Services Department, Legal Services, on page 6/6 of Appendix “A” to Report PED16184(c) anticipated that negotiations of existing City Compensation Agreement would occur and new terms could be forwarded to the MECP for consideration as part of the conditions of approval; and

WHEREAS a meeting was scheduled to discuss revised terms to the Compensation Agreement but was re-scheduled by Terrapure to a date in March that falls after the expiry of the City’s commenting period on the EA to the MECP necessitating an amendment of the corresponding comment to the MECP;

THEREFORE BE IT RESOLVED:

That Item 3 (b) of the Planning Committee Report 19-003, ***be amended*** as outlined below:

- (a) That the City of Hamilton remain opposed to the expansion and reconfiguration of the Terrapure Stoney Creek Regional Facility landfill; and,
- (b) That Council endorse, authorize and direct the Director, Planning and Chief Planner to forward ***the amended*** Letter of Comment, ***attached hereto, as Appendix “A”, which replaces the comment of Corporate Services***

Department, Legal Services staff on Page 6 of 6 with the following, to the Ministry of Environment, Conservation and Parks (MECP) outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019":

Council of the City of Hamilton authorized staff to discuss revised terms to the City of Hamilton 1997 Compensation Agreement with Revolution Landfill LP, operating as Terrapure Environmental. Although a meeting was scheduled between the parties for February 25, 2019, it was re-scheduled by Terrapure. A date in early March of 2019 is now being canvassed.

City of Hamilton requests that should the MECP approve the undertaking proposed in the Environmental Assessment, the Ministry require Terrapure to enter into good faith negotiations and ultimately, a subsequent agreement with the City of Hamilton, with the view of updating and improving the host community compensation terms currently contained in the City of Hamilton Compensation Agreement dated February, 1997.

Result: Amendment CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion, As Amended, CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

4. Applications to Amend the Urban Hamilton Official Plan and Town of Dundas Zoning By-law No. 3581-86 for Lands Located at 264 Governor's Road (PED19029) (City Wide) (Item 8.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

5. Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (PED19033) (City Wide) (Item 9.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson

YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Councillor Clark wished to be recorded as OPPOSED to Sections (c) (viii), (d) (iii) (iv) (v) (viii) and (g) (v).

6. Demolition Permit 255 Wellington Street North (PED19044) (Ward 2) (Item 10.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

7. Demolition Permit 257 Wellington Street North (PED19045) (Ward 2) (Item 10.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Amendments to By-law 18-199 Being a By-law to Prohibit Driving School Instructing in the Restricted Areas (PED17179(b)) (Ward 5) (Item 10.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. On Street Parking Permits – Wellington Street North (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

10. Puddicombe Cider Company Connection to Municipal Water System (Added Item 11.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

11. 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building (Added Item 11.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

12. To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton (Added Item 11.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PRIVATE & CONFIDENTIAL

(Whitehead/VanderBeek)

That Council move into Closed Session for Item 13 of Planning Committee Report 19-003, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the Ontario *Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PLANNING COMMITTEE REPORT 19-003 CONTINUED

13. Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) (Item 14.1)

Sub-sections (a) and (b) were divided and voted on separately, as follows:

(a) Result: Motion DEFEATED by a vote of 7 to 6, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
NO - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(b) Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Whitehead/Clark)

That the recommendation in Report LS19006 respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal, be approved.

(Ferguson/Farr)

That the motion to approve the recommendation contained in Report LS19006, respecting Local Planning Appeal Tribunal Appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – Settlement Proposal, be deferred to provide the Ward Councillor with an opportunity to discuss the implications of approving the recommendation prior to the March 5, 2019 Pre-Hearing Conference.

Result: Motion CARRIED by a vote of 7 to 6, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

14. Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 8.3)

That Item (i)(iii)(a)(i) respecting Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 8.3) of Planning Committee Report 19-003, be lifted from the Information Section, and added as Item 14, as follows:

- (a) That approval in part be given to City Initiative CI-18-J, for modifications and updates to the City of Hamilton By-law No. 05-200 on the following basis:
 - (i) That Zoning By-law No. 05-200 for the lands zoned Arterial Commercial (C7) Zone and located in the area west of Mason Drive to Shaver Road and north and south of Wilson Street West be amended to provide that, notwithstanding subsection 10.7.3 a), the Minimum Building Setback from a Street line for a Warehouse or Self Storage Facility shall be 250.00 m.
 - (ii) That a by-law be prepared, in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That, pursuant to subsection 34(17) of the Planning Act, no further notice is determined to be necessary; and

- (c) That the balance of the consideration of City Initiative CI-18-J be deferred to the March 19, 2019 Planning Committee meeting.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Pearson/Clark)

That the THIRD Report of the Planning Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

GENERAL ISSUES COMMITTEE REPORT 19-004

1. Barton Village Business Improvement Area (BIA) Revised Board of Management (PED19037) (Wards 2 and 3) (Item 7.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

2. Residential Special Event Parking Plan for the 2019 Canadian Open Golf Tournament (PED19047) (Ward 12) (Item 7.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

4. 2019 Electric City Annual Event – Fee Waiver (Item 8.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

6. Capital Projects Work-in-Progress Sub-Committee Report 19-001, January 28, 2019 (Item 10.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Utilization of the Hamilton Amazon Bid Package (PED19017) (City Wide) (Item 10.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. Ottawa Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment (PED19038) (Wards 3 and 4) (Item 10.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

**10. Ontario's Main Street Revitalization Initiative Program Update
(PED19039/PW19017) (City Wide) (Item 10.5)**

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

**12. Proposed Amalgamation of Hamilton Port Authority and Oshawa Port Authority
(PED19065) (City Wide) (Item 10.7)**

Result: Motion CARRIED by a vote of 13 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

**13. Bill 66 - Restoring Ontario's *Competitiveness Act*, 2018 (LS19011) (City Wide)
(Item 10.8)**

(Wilson/Nann)

WHEREAS Ontarians are exposed to hundreds of chemicals every day through the air we breathe, the food and water we consume and the things we handle;

WHEREAS that some of these chemicals in industrial and manufacturing activity have the potential to cause adverse health effects and may play a role in the development of chronic diseases such as cancer;

WHEREAS Hamilton is a city with a heavy industrial core and extensive base of manufacturing;

WHEREAS Hamilton residents have used the Toxics Reduction Act to increase openness and transparency of information regarding risks and challenges associated with what industrial neighbours are doing which impact Hamiltonians living near the industrial core;

WHEREAS that the Ontario Government is seeking to repeal the Toxics Reduction Act (2009) by December 31, 2021 as part of its omnibus bill; specifically, section 5 of Bill 66;

WHEREAS that the Toxics Reduction Act, 2009 plays a critical role in pollution prevention and the protection of public health by reducing the use and creation of toxic substances and informing Ontarians about toxic substances;

WHEREAS that the Ontario Government is suggesting that the repeal of the Toxic Reduction Act will remove unnecessary duplication given the existence of the federal chemical management plan under the Canadian Environmental Protection Plan (CEPA) and reduce the reporting and compliance burdens of Ontario industries;

WHEREAS that in so doing, the Ontario Government is proposing to defer the regulation of all Ontario toxic substances to the federal government;

WHEREAS that the Toxics Reduction Program implemented elements beyond what is currently provided by the Federal Government's Chemical Management Plan;

WHEREAS that the Toxics Reduction Act requires regulated facilities to report on the use, creation and release of regulated substances and to prepare Toxic Reduction Plans and that regulated facilities are required to make this information publicly available;

WHEREAS that the Toxics Reduction Program achieved significant results in reducing the creation, use and release of toxic substances in Ontario. According to the 2017 Minister's Annual Report, there was a 6% decrease in use of toxic substances, a 2% decrease in creation of toxic substances, a 9% decrease in the amount of toxic substances contained in product, a 2% decrease of substances released to air, land and water, a 3% decrease in the levels of carcinogens being released to the environment;

THEREFORE, BE IT RESOLVED:

That Item 13 of the General Issues Committee Report 19-004, be amended to add section (b), as follows:

- (a) That Report LS19011, respecting Bill 66 - Restoring Ontario's *Competitiveness Act, 2018*, be forwarded to the Minister of Economic Development as the City of Hamilton's comments on Bill 66, with the exception of Schedule 10, which was addressed in Report PED19027; and
- (b) ***That the City of Hamilton formally express its opposition to Schedule 5 of Bill 66 and advise the Government of Ontario of this position as soon as possible, with a copy of the correspondence being forwarded to the Association of Municipalities of Ontario for consideration.***

Result: Amendment CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion as amended CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge

NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

14. Waterfront Lease Update (LS18053(a)) (Ward 2) (Item 14.2)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

15. Bill 66: Schedule 9 'Non-Construction Employer' (LS19011(a)) (City Wide) (Item 14.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

(Eisenberger/Whitehead)

That the FOURTH Report of the General Issues Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-003
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1. Development Charges Stakeholders Sub-Committee Report 19-002 (Item 10.1)

Result: Motion CARRIED by a vote of 12 to 0, as follows:

CONFLICT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

2. Grants Sub-Committee Report (Added Item 10.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

(Wilson/Farr)

That the FOURTH Report of the Audit, Finance & Administration Committee be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-001

1. **Fire Department Establishing & Regulating By-Law and Appointments of Fire Chief, Deputy Chiefs, and Provincial Fire Co-ordinator (HSC19005) (City Wide) (Item 7.1)**

Result: Motion carried by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

4. **Renewal of the Licence Agreement with the Copetown Lions Club for Copetown Hall (HSC19009) (Ward 12) (Item 10.2)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

6. Social Infrastructure Funding for 30 Sanford Avenue Computer Lab and Classes (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

7(a) Establishing a Gender and Equity Lens on Housing Services (Item 11.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

7(b) Equity, Diversity, and Inclusion Lens Framework

(Eisenberger/Wilson)

WHEREAS, the City of Hamilton currently has a number of important initiatives that support equity, diversity and inclusion;

WHEREAS, in 2005 Council approved the funding for the development of an Equity and Inclusion Policy;

WHEREAS, in 2010 Council adopted an Equity & Inclusion Policy;

WHEREAS, inequities persist as highlighted by numerous studies, including Hamilton's low ranking in the Canadian Centre for Policy alternatives report "The Best and Worst Places to Be a Women in Canada" and the highest ranking of police reported hate crimes in the Country as reported in a 2018 Statistics Canada study;

WHEREAS, the Government of Canada, cities of Edmonton, Toronto, Ottawa and Halifax have implemented gender, diversity and inclusion goals and framework at an operational level;

WHEREAS, dedicated effort is required to continue to reduce barriers and advance equity, diversity and inclusion in a holistic manner across the City;

WHEREAS, the development and implementation of an equity and inclusion lens was originally recommended in 2010 and remains outstanding; and,

WHEREAS, an equity, diversity and inclusion lens is an analytical tool that helps ensure City policies, programs and services result in equitable outcomes for all residents, removing systemic barriers for both employees and residents to facilitate the full participation of everyone.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to prepare a report on the steps that would be required to implement an equity-diversity-and-inclusion lens framework to City policy and program development, practices, service delivery, budgeting, business planning and prioritization, and report back to the General Issues Committee no later than Q3 2019;
- (b) That, implementation of the equity, diversity and inclusion lens begin in the City's Housing & Homelessness Strategy and service delivery;
- (c) That the attached draft Equity, Diversity & Inclusion toolkit, developed to support existing work by staff, be reviewed, edited and revised as required following consultations with internal and external stakeholders and made available as a resource to City staff and the community;
- (d) That the City Manager, in partnership with the various Volunteer Advisory Committees representing equity seeking groups, be directed to plan and execute an Equity, Diversity and Inclusion Summit through which members of Council and the public can hear directly from subject matter experts and the

community on equity practices and how an equity, diversity and inclusion lens could be integrated and incorporated into public policy and service delivery;

- (e) That the costs associated with the Hamilton Equity, Diversity and Inclusion Summit be funded from the Mayor's Office, up to a maximum of \$5,000;
- (f) That as part of ongoing efforts to develop and advance the equity, diversity and inclusion analysis, staff participate in relevant, provincial and federal equity, diversity and inclusion related initiatives; and
- (g) That the City's Internal Audit services conduct an Equity, Diversity and Inclusion (EDI) Audit, city-system wide, to establish the baseline as it relates to City policy, program development, hiring and staff development practices, service delivery, budgeting, business planning and prioritization by which to measure progress annually.

Result: Motion as amended CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Hill Park Pickleball Courts Renovation (Item 11.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead

YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. Hamilton Housing Summit (Added Item 11.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

10. Church of the Nativity Community Garden (Ward 4) (Added Item 11.5)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

11. Expanding Housing and Support Services for Women *and Transgender Community* (Added Item 11.6)

(Merulla/Collins)

That Item 11 (d) of the Emergency and Community Services Committee Report 19-001, ***be amended*** by renumbering subsection (d) to subsection (e) and by adding subsection (d) as follows:

- (a) That the City of Hamilton investigate increasing the capacity of local women's ***and Transgender Community's*** housing and support services to fulfill the short, medium and long term need for increased services for women ***and Transgender Community***;
- (b) That City staff report back on the feasibility of implementing non discrimination policies and practices in emergency shelters that protects people on the basis of gender identity or expression;
- (c) That a Sub-Committee of Council (Expanding Housing and Support Services for Women ***and Transgender Community*** Sub-Committee) be formed to address the supply and provision of women's ***and transgender community's*** housing and support services; and,
- (d) ***That staff be directed to prepare a Terms of Reference for the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee and report back to the Emergency & Community Services Committee; and,***
- (e) That the Sub-Committee report back to the Emergency and Community Services Committee prior to the 2020 Capital and Operating Budget processes with recommendations that seek to address service level shortfalls.

Result: Amendment CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion, *As Amended*, CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Merulla/Nann)

That the FIRST Report of the Emergency and Community Services Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PUBLIC WORKS COMMITTEE REPORT 19-003

1. Intersection Control List (PW19001) (Wards 2, 3, 8, 9, 10, and 12) (Item 7.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

2. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton (PW19016) (Ward 2) (Item 8.2)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

3. Proposed Permanent Closure and Sale of a Portion of Vansitmart Avenue, Hamilton (PW19018) (Ward 4) (Item 8.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

4(a) Blue Box Recyclable Materials Alternate Technologies (Added Item 8.4)

Result: Motion DEFEATED by a vote of 13 to 0, as follows:

NO - Councillor Maureen Wilson
NO - Councillor Jason Farr
NO - Councillor Nrinder Nann
NO - Councillor Sam Merulla
NO - Councillor Tom Jackson
NO - Councillor Esther Pauls
NO - Councillor John-Paul Danko
NO - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Lloyd Ferguson
NO - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(b) (Eisenberger/Jackson)

That Council reiterate its support for the *Waste-Free Ontario Act*, with a copy of the correspondence to the Premier of Ontario, appropriate Ministries, local area MPPs and the Association of Municipalities of Ontario.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

5. Appropriation Transfer of Funds for Parkdale Ave N & Steel City Court - 2019 Reconstruction Project (PW19019) (Ward 4) (Item 10.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

6. New All-way Stop Controls – Simcoe Street East at Catharine Street North and Simcoe Street East at Mary Street (Ward 2) (Item 11.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

7. Additional Report on Vision Zero (Item 11.2)

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

8. **Speed Cushions on Robinson St. (between Hess St. S. & Caroline St. S.) and Guise St. E. (between James St. N. & John St. N.) and a Type B Pedestrian Crossover at the Intersection of Charlton Ave. W. & Park St. S. (Ward 2) (Item 11.3)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

9. **Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2) (Added Item 11.4)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

10. Appointments to the Hamilton Cycling Committee (Added Item 14.1)**(Merulla/Pauls)**

That the recommendation of Item 10 of Public Works Committee Report 19-003 respecting the Appointments to the Hamilton Cycling Committee be deleted in its entirety and the following be inserted therein:

~~That the recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Hamilton Cycling Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Jeff Axisa**
- 2. Kate Berry**
- 3. Joachim Brouwer**
- 4. Roman Caruk**
- 5. Sharon Gibbons**
- 6. Yaejin Kim**
- 7. Kevin Love**
- 8. Ann McKay**
- 9. Linda Meerveld**
- 10. Jessica Merolli**
- 11. Cora Muis**
- 12. William Oates**
- 13. Chris Ritsma**
- 14. Cathy Sutherland**
- 15. Kevin Vander Meulen**
- 16. Christine Yachouh**

Result: Motion, as amended, CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

11. Appointments to the Keep Hamilton Clean and Green Committee (Added Item 14.2)**(Merulla/Nann)**

That the recommendation of Item 11 of Public Works Committee Report 19-003 respecting the Appointments to the Keep Hamilton Clean and Green Committee be deleted in its entirety and the following be inserted therein:

~~That the recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Keep Hamilton Clean and Green Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Heather Donison**
- 2. Brenda Duke**
- 3. Danielle Hudson**
- 4. Richard Lipsitt**
- 5. Allan Mills**
- 6. Lennox Toppin**
- 7. Felicia Van Dyk**

Result: Motion, As Amended, CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Ferguson/Whitehead)

That the THIRD Report of the Public Works Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

BOARD OF HEALTH REPORT 19-002

3. 2019 Annual Service Plan and Budget (BOH19006) (City Wide) (Item 10.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

4. Appointments to the Food Advisory Committee (Added Item 14.1)

(Merulla/Nann)

That the recommendation of Item 4 of Board of Health Report 19-002 respecting the Appointments to the Food Advisory Committee be deleted in its entirety and the following be inserted therein:

~~That recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Food Advisory Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Maria Biasutti**
- 2. Elly Bowen**
- 3. Jennifer Dalinchan**
- 4. Krista D'Aoust**
- 5. Jordan Geertsma**
- 6. Vicky Hachey**
- 7. Drew Johnston**
- 8. Diniam Mehretab**
- 9. Laurie Nielsen**
- 10. Mary Ellen Scanlon**
- 11. Barbara Stares**
- 12. Frank Stinellis**
- 13. Kyle Swain**
- 14. Andrew Sweetman**
- 15. Brian Tammi**
- 16. Vivien Underdown**
- 17. Edward Whittall**

Result: Motion *As Amended* CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Eisenberger/Whitehead)

That the SECOND Report of the Board of Health be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla

YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Collins/Merulla)

That the Committee of the Whole Rise and Report.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

MOTIONS

7.1 Changing the Time of Council Meetings

(Ferguson/Pearson)

WHEREAS, Council does feel at present that the Council meetings held at 5:00 p.m., should be moved to an earlier time;

WHEREAS, an amendment to the time of Council meetings would constitute an amendment to the By-law to Govern the Proceedings of Council and Committees of Council;

WHEREAS, an amendment to the By-law to Govern the Proceedings of Council and Committees of Council requires that public notice be placed in the newspaper a minimum of 14 days prior to the Committee meeting; and

WHEREAS, Council has mandated the Governance Review Sub-Committee the task of making recommendations on matters pertaining to governance structure and the governing proceedings of Council and its' committees.

THEREFORE, BE IT RESOLVED:

That the following motion be referred to the Governance Review Sub-Committee for consideration:

- (a) That Section 3.2 of the By-law to Govern the Proceedings of Council and Committees of Council **be amended** to reflect a **9:30 a.m.** start time as follows:

3.2 Regular Council Meeting Times

- (1) Unless otherwise decided by Council, Regular Council meetings shall be held:

- (a) in January:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (b) in February, April, May, June, September, October and November:

every second and fourth Wednesday of each month, commencing at **9:30 a.m.**, unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (c) in March:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (d) in July and August:

on a Friday of each month (one meeting per month), commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternate day and time;

(e) in December:

on the second Wednesday of the month, commencing a 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternative day and time; or

(f) in accordance with the schedule approved by Council.

(b) That the regular meetings of the City Council for the remainder of 2019, be held at 9:30 a.m.;

(c) That, from time to time, there may be a need for Special Council Meeting at 5:00 p.m. to accommodate a Ceremonial Activity where the individuals being recognized are unable to attend a meeting during the day;

(d) That the required notice be placed in the newspaper a minimum of 14 days prior to the Audit, Finance & Administration Committee meeting when the amendment is to be considered;

(e) That staff be directed to launch a 30 day commenting period in advance of the Governance Review Sub-Committee's consideration of the motion to change the time of Council meetings; and

(f) That the Clerk be directed to obtain comments from Cable 14 on the proposed time change of Council meetings.

Result: Motion As Amended CARRIED by a vote of 10 to 3, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

7.2 Proposals for Waste Management

(Danko/Pauls)

WHEREAS, the mandate of the Waste Management Advisory Committee shall be to: give overall guidance and direction during the preparation of the City's long-term Solid Waste Management Master Plan and advise Council through the Public Works Committee of the study progress and to receive feedback, advice and direction as appropriate.

THEREFORE BE IT RESOLVED:

- (a) That all proposals for waste management including diversion, conventional treatment, thermal treatments or alternative technologies from companies or individuals interested in doing business with the City of Hamilton or modifying or creating waste management policy be referred to the Waste Management Advisory Committee for consideration; and
- (b) ***That the Waste Management Advisory Committee prepare a report for the Public Works Committee on all proposals for waste management.***

(Danko/Merulla)

That the motion respecting Proposals for Waste Management be referred to staff for a report to the Public Works Committee.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark:

7.3 Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton**(Farr/Merulla)**

- (a) That the Mayor and Clerk be authorized and directed to execute an Agreement with Coast Capital Saving Federal Credit Union, Hamilton 116 King Street West Inc., Vrancor Hotel Group Inc., 6992854 Canada Inc., Darivoj Vranich, and the City of Hamilton respecting the replacement of the existing DUCA Financial Services Credit Union Ltd. Mortgage on the leasehold estate and General Security Agreement for the Sheraton Hotel property on King Street West with a new Fixed and Floating Charge Demand Debenture and a General Security Agreement in favour of Coast Capital Saving Federal Credit Union with the new financing paying out the existing mortgage and increases the loan amount and credit facility subject to review by the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor and to agreement on terms and content that are satisfactory to the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor, including but not limited to retaining sufficient equity in the Leasehold Estate, ensuring the new financing arrangement is still subject to the City's ownership and Landlord Interest under the Ground Lease and includes the Corporate and Personal Guarantees of Vrancor Hotels Group Inc., 6992854 Canada Inc. and the Darivoj Vranich; and
- (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement referenced in sub-section (a) and all ancillary documents that may be necessary to enable the completion of the re-financing in a manner that protects the City's interests, provided such documentation is in a form and content satisfactory to the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

NOTICES OF MOTION

8.1 Proposals for Waste Management

(Danko/Jackson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Proposals for Waste Management.

Result: Motion CARRIED by a 2/3's majority vote of 10 to 2, as follows:

YES - Councillor Maureen Wilson
NO - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

For disposition of this matter, refer to Item 7.2

8.2 Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton

Councillor Farr introduced a Notice of Motion respecting Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton.

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton.

Result: Motion CARRIED by a 2/3's majority vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

For disposition of this matter, refer to Item 7.3

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL CONTINUED

10.1 Closed Session Minutes - February 13 & 14, 2019

(Collins/Pearson)

That the Closed Session Minutes of February 13 & 14, 2019, be approved as presented, and remain confidential.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

10.2 Appointments to Various City of Hamilton Agencies, Boards and Committees for the 2018-2022 Term

(Collins/Merulla)

- (a) That the following citizens be appointed to the Cleanliness and Security in the Downtown Core Task Force for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Maddison Hampel
 - 2. Stu Laurie
 - 3. Steve Sutherland
- (b) That the following citizens be appointed to the Fence Viewers for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Shane Clair
 - 2. Ron Jones
 - 3. Robert Kominar
- (c) That the following citizens be appointed to the Glanbrook Landfill Coordinating Committee for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Allan Freeman
 - 2. Brian Smit
 - 3. Nigel Warren
- (d) That the following citizen be appointed to the Grand River Conservation Authority for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Marcus Adili

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Pearson/Nann)

That Council move into Closed Session for Item 10.4 respecting a Hamilton Paramedic Services Investigation – Update, pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

10.4 Hamilton Paramedic Service Investigation - Update**(Pearson/Wilson)**

That the verbal update respecting the Hamilton Paramedic Service Investigation, be received.

CARRIED

BY-LAWS

(Collins/Merulla)

That Bills No. 19-030 to No. 19-040, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

- 030 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Ward: 11, 15

- 031 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking Zones)
Schedule 8 (No Parking Zones)
Schedule 10 (Alternate Side Parking Zones – April-November)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 7, 8, 12
- 032 To Amend By-law No. 01-218, as amended, being a By-law to Regulate On-Street Parking
Schedule 4 (Special Event Parking Zones)
Ward: 12
- 033 A By-law to Amend By-law No. 18-199, being a By-law to Prohibit Driving School Instructing in the Restricted Areas
Ward: 4, 5
- 034 To Establish, Maintain and Operate Hamilton Fire Department and to Repeal By-law No. 68-34, as amended, of The Corporation of the City of Hamilton; By-law No.1915-85 of The Corporation of the City of Stoney Creek; By-law No. 2023, as amended, of The Corporation of the Town of Ancaster; By-law No. 4341-97 of The Corporation of the Town of Dundas; By-law No. 77-89-F of The Township of Flamborough; and By-law No. 341-87, as amended, of The Township of Glanbrook
Ward: City Wide
- 035 Being a By-law to Appoint a Fire Chief, Deputy Fire Chief, and Provincial Fire Co-ordinator pursuant to the Hamilton Fire Department Establishing and Regulating By-law No. 19-034
Ward: City Wide
- 036 Being a By-law to Amend By-law No. 17-120, Authorizing the Execution of the Public Transit Infrastructure Fund Phase One (Ontario) Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation for the Province of Ontario to Receive Funding Under the Public Transit Infrastructure Fund
Ward: City Wide
- 037 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2, 3, 8, 9, 10, 12
- 038 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2
- 039 To Amend Hamilton Zoning By-law No. 05-200 for additional setback requirements for Warehouses in Duff's Corner, Ancaster
CI-18-J
Ward: 12

040 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Farr/Nann)

That, there being no further business, City Council be adjourned at 9:46 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk