



CITY COUNCIL MINUTES 19-008

5:00 p.m.
April 24, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead - 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 the Revered Father Andrew Quarshie the Parish Priest of St. Eugene and St. John the Baptist Parishes, to provide the invocation.

The Mayor called for a moment of silence to remember the victims of the Rwandan Genocide, as April 7th marked 15th anniversary where an estimated one million Rwandans were slaughtered.

The Mayor extended condolences on the passing of Alan Rousseaux on April 10, 2019. Alan was a sensational staff member of the City of Hamilton, with 25 years of service in the Public Works Department. Alan worked as a Waste Collections Operator.

CEREMONIAL ACTIVITIES

Mayor Eisenberger welcomed and congratulated the 2019 Women of Distinction Nominees and Award Winner. YWCAs from across Canada join in the celebration each year, honouring the achievements of women across the country who have made an impact on their respective communities. Three City employees were nominated for the 2019 Women of Distinction Award, Pike Krpan, Firefighter, Healthy and Safe Communities; Carolynn Reid, Business Development Consultant, Planning and Economic Development; and Tammy Hwang, Business Development Officer Global Hamilton, Planning and Economic Development who was awarded the 2019 Women of Distinction Award.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS (Item 5)

5.7 Correspondence from Lakewood Beach Community Council respecting 310 Frances Avenue, Planning Committee Delegations - April 16, 2019

Recommendation: Be received and referred to Item (f)(iii) of Planning Committee Report 19-006.

2. MOTIONS (Item 7)

Councillor Whitehead wished to defer the consideration of his motion to the next meeting of Council as he was unable to attend.

7.1 Removal of the Stop Sign at Atkins Drive & Golfwood Drive

3. NOTICES OF MOTION (Item 8)

8.1 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group)

(Pearson/VanderBeek)

That the agenda for the April 24, 2019 meeting of Council be approved, as amended.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

DECLARATIONS OF INTEREST

Councillor Clark declared an interest to Item 10.1(c), respecting Appointments to the Rental Housing Sub-Committee for the 2018-2022 Term, as he has a previous professional relationship with an appointee.

Councillor Merulla declared an interest to Item 10.1(c), respecting Appointments to the Rental Housing Sub-Committee for the 2018-2022 Term, as he owns rental properties.

Councillor Pearson declared an interest to Item 10.1(c), respecting Appointments to the Rental Housing Sub-Committee for the 2018-2022 Term, as she owns rental properties.

Councillor VanderBeek declared an interest to Item 10.1(c), respecting Appointments to the Rental Housing Sub-Committee for the 2018-2022 Term, as she owns rental properties.

Councillor Pauls declared an interest to Item 10.1(c), respecting Appointments to the Rental Housing Sub-Committee for the 2018-2022 Term, as she owns rental properties.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4.1 April 10, 2019**(Clark/Partridge)**

That the Minutes of the April 10, 2019 meeting of Council be approved.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

COMMUNICATIONS

(Clark/Pearson)

That Council Communications 5.1 to 5.7 be approved, ***as amended***, as follows:

- 5.1 Correspondence from York Region regarding their initial resolution from February 28, 2019 respecting Proposed Amendment 1 to the Growth Plan.

Recommendation: Be received.

- 5.2 Correspondence from the Ministry of Community Safety and Correctional Services respecting providing emergency response assistance to First Nations Communities located in the Province through an agreement with the Government of Canada.

Recommendation: Be received ***and referred to the General Manager of Healthy and Safe Communities for appropriate action.***

- 5.3 Correspondence from Cameron Kroetsch respecting the process that was recently used to select a citizen representative to sit on the Hamilton Police Services Board.

Recommendation: Be received.

- 5.4 Correspondence from Renu Mandhane, Chief Commissioner, Ontario Human Rights Commission urging all municipalities in Ontario to engage Indigenous communities about the use of Indigenous-themed logos and team names in their sports arenas.

Recommendation: Be received ***and referred to the General Manager of Healthy and Safe Communities for appropriate action.***

- 5.5 Correspondence from Enbridge Gas Inc., respecting a Notice of Second Information Session Kirkwall-Hamilton Pipeline Project.

Recommendation: Be received.

- 5.6 Correspondence from the City of Brantford requesting support for their resolution respecting Single-Use Plastic Straws.

Recommendation: Be received.

- 5.7 Correspondence from Lakewood Beach Community Council respecting 310 Frances Avenue, Planning Committee Delegations - April 16, 2019

Recommendation: Be received and referred to Item (f)(iii) of Planning Committee Report 19-006.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

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

(Jackson/Pauls)

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

CARRIED

BOARD OF HEALTH 19-004

- 1. Correspondence from the Windsor Essex County Health Unit in support of Peterborough Health Unit's Support for Increased Actions to the Opioid Crisis (Item 5.1)**

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

(Eisenberger/Partridge)

That the FOURTH Report of the Board of Health be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

PLANNING COMMITTEE REPORT 19-006

1. Hamilton Municipal Heritage Committee Report 19-002 (Item 7.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

4. To Incorporate City Lands into Soho Street By By-law (PED19079) (Ward 9) (Item 7.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

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

5. To Incorporate City Lands into Upper Mount Albion Road by By-law (PED19080) (Ward 9) (Item 7.5)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

6. To Incorporate City Lands into Columbus Gate by By-law (PED19081) (Ward 9) (Item 7.6)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

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

7. **Applications to Amend the Urban Hamilton Official Plan, Zoning By-law Nos. 3692-92 and 05-200, and Approval of a Draft Plan of Subdivision “Midtown” for lands located at 1809, 1817, 1821 Rymal Road East, Stoney Creek (PED19030) (Ward 9) (Item 8.1)**

The Deputy Mayor relinquished the Chair to the Mayor to introduce the following amendment to the Information Section:

(Clark/Collins)

That Item (f)(i)(a) of the Planning Committee Report 19-006, respecting Applications to Amend the Urban Hamilton Official Plan, Zoning By-law Nos. 3692-92 and 05-200, and Approval of a Draft Plan of Subdivision “Midtown” for lands located at 1809, 1817, 1821 Rymal Road East, Stoney Creek (PED19030) (Ward 9) be amended by adding the words “at the Applicant’s expense” which further amends Appendix “G” to Report PED19030 to read as follows:

19. That staff be directed to retain an independent firm, **at the Applicant’s expense**, to conduct a Peer Review of the Hydrogeological and Geotechnical studies of the natural spring as SP3 which includes; Monitoring Plan, Karst Management Protection, Buffering and Implementation.

Result: Amendment CARRIED by a vote of 15 to 0, as follows:

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

(Clark/Collins)

That Item 7(d)(i) of the Planning Committee Report 19-006, respecting Applications to Amend the Urban Hamilton Official Plan, Zoning By-law Nos. 3692-92 and 05-200, and Approval of a Draft Plan of Subdivision "Midtown" for lands located at 1809, 1817, 1821 Rymal Road East, Stoney Creek (PED19030) (Ward 9) be amended by adding the word "further" to the amendment of Appendix "G" to read as follows:

- (d) That Draft Plan of Subdivision Application 25T-201609 by Losani Homes Limited (Owner), to establish a Draft Plan of Subdivision known as "Midtown", on lands located at 1809, 1817 and 1821 Rymal Road East, Stoney Creek, as shown on Appendix "F" to Report PED19030, be approved, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision "Midtown", 25T-201609, prepared by MHBC and certified by D. McLaren, O.L.S., dated November 16, 2018, consisting of one block for multiple dwellings and street townhouses including karst spring SP-3 (Block 1), one block for commercial development (Block 2), and one block for the purpose of a right of way widening along Rymal Road East (Block 3), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, attached as Appendix "G", as **further** amended, to Report PED19030.

Result: Main Motion, as amended CARRIED by a vote of 15 to 0, as follows:

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

8. Durand Neighbourhood Character Study Review (PED19017) (Ward 2) (Item 10.1) (Deferred from the March 19, 2019 meeting)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

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

(Pearson/Clark)

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

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 19-008

3. Office Tenancy Assistance Program - 286 Sanford Avenue North, 2nd Floor, Hamilton (PED19020) (Ward 3) (Item 10.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson

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

4. Office Tenancy Assistance Program - 286 Sanford Avenue North, 3rd Floor, Hamilton (PED19021) (Ward 3) (Item 10.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

5. Airport Sub-Committee Report 19-002, March 29, 2019 (Item 10.5)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. 2019 Tax Policies and Area Rating (FCS19022) (City Wide) (Item 10.8)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

9. Open for Business Sub-Committee Report 19-001, February 27, 2019 (Item 10.9)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

10. Advisory Committee for Persons with Disabilities Report 19-002, March 12, 2019 (Item 10.10)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

11. Interview Sub-Committee (to the General Issues Committee) Report 19-001, March 29, 2019 (Item 10.12)

(a) Appointment of Chair and Vice Chair (Item 1)

- (i) That Councillor B. Clark, be appointed as Chair of the Interview Sub-Committee (to the General Issues Committee) for the balance of the 2018 to 2022 term of Council; and,
- (ii) That Councillor J. Farr, be appointed as Vice Chair of the Interview Sub-Committee (to the General Issues Committee) for the balance of the 2018 to 2022 term of Council; and, General Issues Committee April 17, 2019 Report 19-008 Page 9 of 15 Council – April 24, 2019

(b) Arts Advisory Commission Citizen Member Appointments (Item 4.1)

- (i) ***That the following citizen appointments to the Arts Advisory Commission, be approved for the balance 2018 to 2022 term of Council or until successors are appointed by Council:***

- (1) Monolina Bhattacharyya-Ray***
- (2) Elizabeth Jayne Cardno***
- (3) Monika Ciolek***
- (4) Lisa La Rocca***
- (5) Janna Malseed***
- (6) Annette Paiement***
- (7) Steve Parton***
- (8) Eileen Reilly***

- (ii) That, upon approval of Council, the names of the citizen appointments to the Arts Advisory Commission, as outlined in Private & Confidential Appendix "A" to Report 19-001 to the Interview Sub-Committee, be released to the public; and,
- (iii) That the Terms of Reference for the Arts Advisory Commission be amended, by changing the composition from "up to 8 members" to "up to 9 members".

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

12. Judicial Investigation Red Hill Valley Parkway (LS19017) (City Wide) (Item 10.14)

Result: Motion CARRIED by a vote of 13 to 2, as follows:

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

14. Disposition of Real Estate in the Barton-Tiffany Area (PED19063(a)) (Ward 2) (Item 14.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

15. Strathearne Avenue North Monitoring - Potential Regulatory Litigation (PW19036 / LS19016) (Ward 4) (Item 14.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

(Eisenberger/Partridge)

That the EIGHTH Report of the General Issues Committee be adopted, as presented, and the information section received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

(Jackson/Pauls)

That Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Audit, Finance & Administration Committee Report 19-006, dated Thursday, April 18th, 2019.

Result: Motion CARRIED by a 2/3's majority vote of 15 to 0, as follows:

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

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-006
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5. Tax and Rate Operating Budget Variance Report as at December 31, 2018 – Budget Control Policy Transfers (FCS18067(b)) (City Wide) (Item 9.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

6. Governance Review Sub-Committee Report 19-002 – March 25, 2019 (Item 10.1)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

7. Terrapure Environmental - Heritage Green Community Trust Indenture (LS19013 / FCS19034) (Ward 9) (Item 10.2)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

8. Lead Water Service Replacement Loan Program Amendments (FCS19025) (City Wide) (Outstanding Business List Item) (Item 10.3)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

9. Development Charges Stakeholders Sub-Committee Report 19-003 (Item 10.4)

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr

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

(Collins/Merulla)

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

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

(Jackson/Pauls)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

- 7.1 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group)**

(Eisenberger/Merulla)

WHEREAS, the City of Hamilton underwent the “External Audit Review of HECFI Operations” with the assistance of KPMG in 2011;

WHEREAS, upon completing the “External Audit Review of HECFI Operations” in 2013, Council directed and authorized staff to enter into a Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and into a Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen’s Group;

WHEREAS, the initial 5-year terms of the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen’s Group were set to expire on December 31, 2018;

WHEREAS, at the July 13, 2018 Council Meeting, Council approved a report titled “Downtown Entertainment Assets Operating Agreements CM19013 (City Wide)”, which authorized 6-month extensions of both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen’s Group, while staff initiated a competitive renewal process;

WHEREAS, at the January 23, 2019 Council Meeting, and with the consent of Global Spectrum and Carmen’s Group, Council approved a motion directing staff to forgo the competitive renewal process and negotiate 5-year extensions of the existing Management Agreement between the City of Hamilton and Global Spectrum and the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen’s Group and report back to General Issues Committee;

WHEREAS, staff are currently in the process of finalizing their negotiation of 5-year extensions with Global Spectrum and Carmen’s Group; and,

WHEREAS, both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen’s Group contain a right of extension in favour of the City, which right must be exercised at least 60 days prior to expiry of the term;

THEREFORE BE IT RESOLVED:

- (a) That the Mayor and City Clerk be authorized and directed to execute an amendment to the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) as amended by Extension Agreement dated as of August 3, 2018, to reduce the notice period by which the City of Hamilton must exercise its right to extend the Management Agreement from 60 days to any time prior to expiry of the Management Agreement; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute an amendment to the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group) as amended by Extension Agreement dated as of August 3, 2018, to reduce the notice period by which the City of Hamilton must exercise its right to extend the Facility Operating Agreement from 60 days to any time prior to expiry of the Facility Operating Agreement.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

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

NOTICES OF MOTION

8.1 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.(Global Spectrum) and to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group)

(Eisenberger/Merulla)

That the Rules of Order be waived in order to allow for the introduction of a Motion respecting the amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group).

Result: Motion CARRIED by a 2/3’s majority vote of 15 to 0, as follows:

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

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

For disposition of this matter, refer to Item 7.1.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

(Johnson/Nann)

- (a) That the following citizens be appointed to the Waste Management Advisory Committee, for a term commencing April 24, 2019, and until a successor is chosen:
 - 1. Kevin Hunt
 - 2. Lynda Lukasik

- (b) That the following citizens be appointed to the Hamilton Future Fund Board of Governors, for a term commencing April 24, 2019, and until a successor is chosen:
 - 1. Piero Cherubini
 - 2. Tara Crugnale
 - 3. Gerry Davis
 - 4. Anthony Frisina
 - 5. John Kirkpatrick
 - 6. Anthony Macaluso
 - 7. Sonja Macdonald
 - 8. Evelyn Myrie
 - 9. Cam Galindo
 - 10. Sherry Parsley
 - 11. Marie Scime
 - 12. Thomas Weisz
 - 13. Megan Dickson

- (c) That the following citizens be appointed to the Rental Housing Sub-Committee, for a term commencing April 24, 2019, and until a successor is chosen:
 - 1. Sandra Bedawed
 - 2. Sherry Parsley

3. Nigel Warren

Result: Motion CARRIED by a vote of 9 to 0, as follows:

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

BY-LAWS

(Clark/Pearson)

That Bills No. 19-077 to No. 19-089, 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.

- 19-077** 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: 1, 9, 13
- 19-078** To Establish City of Hamilton Land Described as Part of Block 54 on Plan 62M-1199 as Part of Morrissey Boulevard Ward: 9
- 19-079** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 612 Harvest Road (Flamborough) ZAH-19-024 Ward: 13
- 19-080** To Adopt Official Plan Amendment No. 241 to the City of Hamilton Official Plan, respecting 80 and 92 Barton Street East and 245 Catharine Street North, Hamilton Ward: 2
- 19-081** To Amend Zoning By-law No. 05-200 Respecting Lands Located at 80 and 92 Barton Street East, and 245 Catharine Street North, Hamilton ZAC-17-090/OPA-17-041 Ward: 2

- 19-082** To Adopt Official Plan Amendment No. 121 to the Urban Hamilton Official Plan Respecting 1809, 1817 and 1821 Rymal Road East, Stoney Creek
Ward: 9
- 19-083** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1809, 1817 and 1821 Rymal Road East (Stoney Creek)
ZAC-16-064
Ward: 9
- 19-084** To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1809, 1817 and 1821 Rymal Road East, Stoney Creek
ZAC-16-064
Ward: 9
- 19-085** To Establish City of Hamilton Land Described as Part 7 of 62R-20860, as Part of Columbus Gate
Ward: 9
- 19-086** To Establish City of Hamilton Land Described as Parts 1, 2 and 4 of 62R-20860; and, Part 2 of Plan 62R-21053, as Part of Soho Street
Ward: 9
- 19-087** To Establish City of Hamilton Land Described as Parts 6 and 8 of 62R-20860, as Part of Upper Mount Albion Road
Ward: 9
- 19-088** To Amend By-law no. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 4, 13
- 19-089** To Confirm the Proceedings of City Council

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

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

(Pearson/Danko)

That, there being no further business, City Council be adjourned at 6:41 p.m. on April 24, 2019.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk