



CITY COUNCIL MINUTES 19-017

5:00 p.m.
October 9, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor M. Pearson – Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

The Mayor called upon Jamie Wood, of the Living Hope Church, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. CORRESPONDENCE

- 5.10 Correspondence from Paul Dubé, Ombudsman Ontario respecting the Final Report on the investigation into complaints about closed meetings held by the City of Hamilton on February 9 and 23, 2019.

Recommendation: Be received ***and referred to the City Clerk for appropriate action.***

8 NOTICE OF MOTION

- 8.2 Implementation of a Temporary Lane Restriction on the North West Curb Lane of Wellington Street

10. PRIVATE AND CONFIDENTIAL

10.1 Sub-lease Negotiations for the John C. Munro International Airport (PED19137(a))

11. BY-LAWS AND CONFIRMING BY-LAW

251 Removal of Part Lot Control Lots 1-24, Registered Plan No. 62M-1244, "Victory Ridge Phase 5A and 5B" municipally known as, 22, 26,30,34,38 and 42 Hargrove Way, 147, 151, 155, 159, 163, and 167 Bradshaw Drive, 3,7,11,15, 19 Hargrove Way, and 4, 8, 12, 16, 20, 24, and 28 Midhurst Heights.
Ward: 9

CHANGE TO THE ORDER OF ITEMS

Item 8.1, a Notice of Motion to Reconsider Item 26 of the General Issues Committee Report 19-002 (Operating Budget), respecting a System-Wide Approach to Public Transit, is to be moved up and considered immediately following Item 7.4.

(Ferguson/Jackson)

That Item 7.7, respecting Removal of Private Ash Tree at 85 Fiddlers Green Road, Ancaster (Ward 12), be heard immediately following Item 5.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- NOT PRESENT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Partridge/Clark)

That the agenda for the October 9, 2019 meeting of Council be approved, ***as amended***.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Clark declared a conflict with respect to Item 9 of the Planning Committee Report 19-015, respecting Report PED19176, Accessory Dwelling Units (Pilot Project) – Temporary Use By-Law for City of Hamilton Zoning By-Law No. 6593 (Wards 1 and 8) for a non-pecuniary indirect apparent conflict as he has a previous relationship with the Hamilton District Apartment Association as a former client, as he wrote “Promoting Code Compliant, Affordable, Safe, Clean and Healthy Rental Housing”.

Councillor Merulla declared an interest to Item 4 of the General Issues Committee Report 19-019, respecting Report PED19178/HSC19052, Financial Incentive Program Amendments regarding the Potential Tenant Displacement, as he and his wife are rental property landlords.

Councillor Merulla declared a conflict with respect to Item 9 of the Planning Committee Report 19-015, respecting Report PED19176, Accessory Dwelling Units (Pilot Project) – Temporary Use By-Law for City of Hamilton Zoning By-Law No. 6593 (Wards 1 and 8), as he and his wife are rental property landlords.

Councillor VanderBeek declared an interest to Item 4 of the General Issues Committee Report 19-019, respecting Report PED19178/HSC19052, Financial Incentive Program Amendments regarding the Potential Tenant Displacement, as she is a rental property landlord.

Councillor VanderBeek declared a conflict with respect to Item 9 of the Planning Committee Report 19-015, respecting Report PED19176, Accessory Dwelling Units (Pilot Project) – Temporary Use By-Law for City of Hamilton Zoning By-Law No. 6593 (Wards 1 and 8), as she is a rental property landlord.

Councillor Danko declared an interest to Item 7 of the General Issues Committee Report 19-019, respecting Report 19-002, September 20, 2019, School Board Properties, as his wife is Vice Chair of the Hamilton-Wentworth District School Board.

CEREMONIAL ACTIVITIES

3.1 Presentation of the Office of the Governor General - Sovereign's Medal for Volunteers

Mayor Eisenberger on behalf of City Council congratulated Geneviève Rees on receiving the Sovereign's Medal for Volunteers. This is a special honour recognizing the exceptional volunteer achievements of Canadians from across the country in a wide range of fields.

Geneviève Rees has been a volunteer first responder since 2009 with organizations such as McMaster University Emergency First Response Team, Queen's First Aid Campus Response Team and Peer Health Educators. Part of a team that responds to a variety of situations, she has educated others and served as a role model of responsible behaviours, as well as a mentor for new team members.

3.2 The 2019 Monarch Awards

Mayor Eisenberger on behalf of City Council, presented this year's Monarch Awards. The Monarch Awards recognize gardens and gardeners in Hamilton for their contribution to a biodiverse, sustainable environment. The 2019 Monarch Award recipients are:

- Melissa Creasey (Sherman neighbourhood in Hamilton)
- Kate Geroux (Albion Falls neighbourhood in Stoney Creek)
- James Honey and Alex Stewart (Gibson & Landsdown neighbourhood in Hamilton)
- Janet Mackey (Yorkshire Heights neighbourhood in Dundas)
- Ann Martin (Downtown Core neighbourhood in Waterdown)

The Caterpillar Awards are for novice gardeners, new gardens, and gardens in tiny spaces. The 2019 Caterpillar Award recipients are:

- Michael Albanese
- Deborah Boyd
- Laurie Brady
- Tina Cooper
- Lucy Dubeckyj
- Lorraine Moss
- Kevin Wydysz

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4.1 September 25, 2019**(Ferguson/VanderBeek)**

That the Minutes of the September 25, 2019 meeting of Council be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Partridge/Whitehead)

That Council Communications 5.1 to 5.10 be approved, ***as amended***, as follows:

- 5.1 Correspondence from the Ministry of Natural Resources and Forestry respecting the Proposed Changes to the Aggregate Resources Act.

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

- 5.2 Correspondence from Nancy Smith, Executive Director, Interval House of Hamilton respecting the Be More Than a Bystander (BMTB) program and requesting that the Hamilton sign be lit in purple and grey during the month February of 2020.

Recommendation: Be ***approved and referred to Mayor's Office***.

- 5.3 Correspondence from the Township of Springwater to the Ministry of Attorney General in response to the Ministry's letter respecting Joint and Several Liability Consultation.

Recommendation: Be received.

- 5.4 Correspondence from Daryl Vaillancourt, Chief, Humane Programs and Community Outreach, Ontario SPCA and Humane Society respecting Provincial animal welfare legislation, which is in the midst of a significant transition.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development; ***the Hamilton Police Service and the Hamilton Police Services Board for appropriate action***.

- 5.5 Correspondence from the Regional Municipality of Durham to the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs respecting the Golden Horseshoe Food and Farming Alliance Funding Renewal Request (2019-EDT-14).

Recommendation: Be received.

- 5.6 Correspondence from the Ministry of Transportation respecting a Gas Tax Program Review Survey to be completed by November 4, 2019.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.7 Correspondence from Michael Ronney requesting that City Council undertake a review of the Parking By-law No. 01-218.

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

- 5.8 Correspondence and a petition containing 273 signatures from Jonathan Lambert requesting the immediate upgrade of Glancaster Road (between Twenty and Rymal) in order to provide safe pedestrian access to nearby amenities.

(A copy of the petition is available for viewing in the Office of the City Clerk)

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.9 Correspondence from the Honourable Todd Smith, Minister of Children, Community and Social Services respecting important updates to the social assistance in Ontario.

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

- 5.10 Correspondence from Paul Dubé, Ombudsman Ontario respecting the Final Report on the investigation into complaints about closed meetings held by the City of Hamilton on February 9 and 23, 2019.

Recommendation: Be received and referred to the City Clerk for appropriate action.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger

YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MOTIONS

7.7 Removal of Private Ash Tree at 85 Fiddlers Green Road, Ancaster (Ward 12)

(Ferguson/Jackson)

WHEREAS, the elderly homeowner of 85 Fiddlers Green Road, Ancaster needs to have a dying Ash tree removed from their property under the City of Hamilton's Emerald Ash Borer Management Program;

WHEREAS, the Ash tree located at 85 Fiddlers Green Road, Ancaster was probably planted by the Town of Ancaster's tree planting program; and,

WHEREAS, the property line at 85 Fiddlers Green Road is not easy to follow.

THEREFORE, BE IT RESOLVED:

That staff be directed to remove the one Ash tree in front of 85 Fiddlers Green Road, Ancaster, as part of the Emerald Ash Borer Management Program and that the costs for removal, stumping and replacement be funded from Project ID 4451153001, Emerald Ash Borer (EAB) Management Plan.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Whitehead/Partridge)

That Council move into Committee of the Whole for consideration of the reports.

CARRIED

SPECIAL GENERAL ISSUES COMMITTEE REPORT 19-018

(Eisenberger/Johnson)

That the EIGHTEENTH Report of the General Issues Committee be received for information.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 19-014

2. Beach Boulevard Community Stormwater Ponding Study (PW19084) (Ward 5) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

3. Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger

YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. Operations and Maintenance of the Material Recycling Facility Request for Proposals C11-12-19 Selection of Successful Proponent (PW19086) (City Wide) (Item 10.2)

(Ferguson/Merulla)

(a) That Report PW19086, respecting Operations and Maintenance of the Material Recycling Facility Request for Proposals C11-12-19 Selection of Successful Proponent, be received; and

(b) That the City Solicitor be directed to report back with legal advice and on options to the October 16, 2019 General Issues Committee.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. DARTS 2018 Variance Funding (PW19088) (City Wide) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6. Central Park Remediation Project (Ward 2) (Item 11.1)

Result: Motion CARRIED by a vote of 12 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. Installation of Speed Cushions on London Street South, Hamilton, between King Street East and Main Street East (Ward 4) (Item 11.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

8. Capital Improvement Projects (Ward 2) (Added Item 11.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9. 35 Market Street, Dundas (CONFIDENTIAL LS19009(c)/PW19020(c)/HSC19054) (City Wide) (Outstanding Business List Item) (Item 14.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(VanderBeek/Whitehead)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 19-015

- 1. To Rename a Portion of Upper Mount Albion Road to Columbus Gate (PED19161) (Ward 9) (Item 7.1)**

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

- 2. Sign Variance Appeal SV-19-002 for the Property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) (Item 7.2)**

(Collins/Farr)

That consideration of Report PED19195, respecting Sign Variance Appeal SV-19-002 for the Property known as 1147 Garner Road West, Ancaster, Denied by

the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12), be referred back to the Planning Committee for further discussion.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. Agriculture and Rural Affairs Advisory Committee Report 19-004 (Item 7.4)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. Prohibiting the Importing of Fill (Added Item 11.4)

(Clark/Johnson)

That Item 5 of Planning Committee Report 19-015 be DEFERRED until after Council rises from Closed Session.

CARRIED

6. **Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 2274 Powerline Road West, Ancaster (PED19171) (Ward 12) (Item 8.2)**

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. **Application for Zoning By-law Amendment for Lands Located at 560-580 Highland Road West (Hamilton) (PED19182) (Ward 6) (Item 8.3)**

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8. **Provincial Policy Statement Review – City of Hamilton Comments (PED1988) (City Wide) (Item 10.1)**

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9. Accessory Dwelling Units (Pilot Project) – Temporary Use By-law for City of Hamilton Zoning By-law No. 6593 (PED19176) (Wards 1 and 8) (Deferred from the September 17th meeting) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

10. Electric Vehicle Charging Stations in New Developments (Item 11.1)

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

11. Use of Surplus Parking Spaces by Third Parties in Downtown Hamilton (Item 11.2)

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

12. Construction Hoarding (Item 11.3)

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

13. Closed Session Minutes – September 17, 2019 (Item 14.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 19-019

1. Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (PW19083/FCS18048(a)) (City Wide) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

2. Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Outstanding Business List Item) (Item 10.1)

At the request of Councillor Clark, the recommendations were voted on as follows:

- (a) That the strategy outlined within the “City of Hamilton Entertainment Venues Review”, attached as Appendices “A” and “B” to Report PED18168(b), be received;

Result: Motion CARRIED by a vote of 9 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

- (b) That the recommendations outlined in confidential Appendix “C”, as amended, to Report PED18168(b), be approved;
- (c) That Appendices “A” and “B” to Report PED18168(b), help to inform any Host City facilities strategy that staff consider when assessing the feasibility and potential benefits of a Hamilton bid for the 2030 Commonwealth Games; and,
- (d) That the entirety of Appendices “B” “C” as amended, and “E” to Report PED18168(b) remain confidential and not be released as public documents.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger

YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

3. Barton Kenilworth Tax Increment Grant Program - 302 James Street North/4 Barton Street East, Hamilton (PED19193) (Ward 2) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. Financial Incentive Program Amendments Respecting Potential Tenant Displacement (PED19178/HSC19052) (City Wide) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. West Harbour Development Sub-Committee Report 19-002, September 9, 2019 (Item 10.4)

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6. Business Improvement Area Advisory Committee Report 19-009, September 10, 2019 (Item 10.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. School Board Properties Sub-Committee Report 19-002, September 20, 2019 (Item 10.6)

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8. Advisory Committee for Persons with Disabilities Report 19-008, September 10, 2019 (Item 10.7)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9. To Provide Free On-Street Parking on Concession Street for the 2019 Fallfest (Item 11.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

10. Sports, Entertainment and Convention Venues Review (Appendices “B”, “C” and “E” to Report PED18168(b)) (City Wide) (Item 14.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

11. Transfer of Assets from the Hamilton Street Railway Company to the City of Hamilton - 2200 Highway #6, Glanbrook, and 2650 Barton Street East, Hamilton (PED19172) (Ward 11 and Ward 5) (Item 14.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek

NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

12. Sports, Entertainment and Convention Proposal Review (LS19039) (City Wide) (Item 14.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Danko/Jackson)

That Item (i) Sub-section (iii) be lifted from the Information Section of General Issues Committee Report 19-019 for electronic vote.

CARRIED

(i) MOTIONS

(iii) Feasibility of Locating a New Arena on the Hamilton Mountain (Limeridge Mall) (Item 11.4)

(Danko/Jackson)

That staff be directed to review the feasibility of locating a new arena sites on the Hamilton mountain (Limeridge Mall), internally and without the use of a consultant and at no additional cost to the City, and report back to the General Issues Committee.

Result: Motion CARRIED by a vote of 9 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Eisenberger/VanderBeek)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
NO - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

HAMILTON RENEWABLE POWER INC. SHAREHOLDER REPORT 19-001
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1. Hamilton Renewable Power Inc. Board Resolutions, September 16, 2019 (Item 4.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge

YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

2. Special Resolution of the Sole Shareholder of Corporation – Number of Directors (Item 5.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Eisenberger/Whitehead)

That the FIRST Report of the Hamilton Renewable Power Inc. Shareholder be adopted, as presented, and the information section received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-014

6. Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. Employee Code of Conduct Updates (HUR19022 / AUD19009) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8. Parkland Dedication Reserve Status Report as of December 31, 2018 (FCS19072) (City Wide) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9. City-Wide Cash Handling Policy and Guideline Revisions (FCS19067) (City Wide) (Item 14.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

10. Appeals of the Development Charge By-laws 19-141 and 19-142 (LS19034/ FCS19071) (City Wide) (Item 14.3)

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Collins/Merulla)

That the FOURTEENTH 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 - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

MOTIONS (CONTINUED)

7.1 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street

Item 7.1, respecting Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street will be considered at a future Council meeting, to allow the Councillor to meet with respective staff.

7.2 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours

Item 7.2, respecting Levels of Congestion on Garth Street and Scenic Drive at Peak Hours will be considered at a future Council meeting, to allow the Councillor to meet with respective staff.

7.3 Review of Position of Director, Physician Recruitment

(VanderBeek/Whitehead)

WHEREAS, the meeting of the Board of Health did not achieve quorum on September 16, 2019, where the Physician Recruitment and Retention Steering Committee Report 19-001, was to be considered; and

WHEREAS, the Working Group to review the position of the Director, Physician Recruitment is scheduled for October 7, 2019.

THEREFORE BE IT RESOLVED:

That the General Manager, Finance and Corporate Services; the General Manager, Healthy and Safe Communities, and the Executive Director, Human Resources and Organizational Development, or their designates, be invited to participate in the meetings of the Working Group of the Physician Recruitment and Retention Steering Committee to review the position of Director, Physician Recruitment.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- NOT PRESENT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

7.4 City Enrichment Fund 2020 Budget Enhancement Request for the Concession Street BIA

(Jackson/Pauls)

- (a) That an enhancement of an additional \$1,178 (from \$2,822 to \$4,000) for the Concession Street BIA – Sidewalk Sounds base budget, be referred to the 2020 Operating Budget process (GIC) for consideration; and,

- (b) That an enhancement of an additional \$1,550 (from \$6,450 to \$8,000) for the Concession Street BIA – Streetfest base budget, be referred to the 2020 Operating Budget process (GIC) for consideration.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

7.5 Amendment to Item 25 of the General Issues Committee Report 19-002 (Operating Budget), respecting Transit Service Levels, Demand and Growth Opportunities by Ward

Item 7.5, Amendment to Item 25 of the General Issues Committee Report 19-002 (Operating Budget), respecting Transit Service Levels, Demand and Growth Opportunities by Ward, which was approved by Council on March 27, 2019, will be considered at the October 23, 2019 Council meeting.

7.6 Amendment to Item 27 of the General Issues Committee Report 19-002 (Operating Budget), respecting Alternative Funding Options for Transit

Item 7.6 Amendment to Item 27 of the General Issues Committee Report 19-002 (Operating Budget), respecting Transit Service Levels, Demand and Growth Opportunities by Ward, which was approved by Council on March 27, 2019, will be considered at the October 23, 2019 Council meeting.

7.8 Implementation of a Temporary Lane Restriction on the North West Curb Lane of Wellington Street (Added Item 8.2)

(Farr/Nann)

WHEREAS, potential safety concerns have been raised respecting the implementation of the Cannon Cycle Track at Wellington Street; and

WHEREAS, in order to enhance the safety of cyclists and pedestrians it is recommended that a physical separation between the cycle track and the roadway be introduced on the at the South West corner.

THEREFORE BE IT RESOLVED:

- (a) That Staff be directed to install a raised concrete barrier on Cannon Street at Wellington Street on the west side between the cycle track and the roadway.
- (b) That staff in conjunction with the reopening of the Cannon Cycle Track implement a temporary lane restriction on the north west curb lane of Wellington Street (at Cannon), with the intention of designing and implementing permanent measure in 2020; and
- (c) That staff to amend any contracts to enable these the enhancement(s) and that it be funded by the ward 2 area rating capital account #108052 up to a maximum of 15k or as needed.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

7.9 Appointments to the Transit Area Rating Review Sub-Committee (Added Item 8.3)

(Partridge/Johnson)

That the following members of Council be appointed to the Transit Area Rating Review Sub-Committee, for the balance of the 2018 to 2022 term of Council.

Rural (three required):

- (1) Judi Partridge
- (2) Lloyd Ferguson
- (3) Brad Clark

Urban (three required):

- (1) Esther Pauls
- (2) Terry Whitehead
- (3) Chad Collins

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

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

8.1 Reconsideration of Item 26 of the General Issues Committee Report 19-002 (Operating Budget) respecting a System-Wide Approach to Public Transit

Councillor Danko introduced a Notice of Motion respecting the Reconsideration of Item 26 of the General Issues Committee Report 19-002 (Operating Budget) respecting a System-Wide Approach to Public Transit, as follows:

That sub-sections **(a)** and **(b)** to Item 26 of the General Issues Committee Report 19-002 (Operating Budget), respecting a system-wide approach to public transit, which was approved by Council on March 27, 2019, and reads as follows, be reconsidered:

26. A System-Wide Approach to Public Transit (Item 7.1)

WHEREAS, transportation and public transit continue to be significant and important public policy matters;

WHEREAS, public transit (known as HSR) in the City of Hamilton remains a priority for Council;

WHEREAS, public transit is currently apportioned to residents based on geographic area and service levels; and,

WHEREAS, Council has stated on numerous occasions, that it supports a system-wide approach to public transit, which includes enhancing service levels;

THEREFORE, BE IT RESOLVED:

- (a) That a Transit Area Rating Review Sub-Committee be established, to be comprised of 6 members of Council; (3) three urban and (3) three suburban Councillors, to evaluate options for rebalancing area rating for transit, based on an urban and rural split, and to make recommendations to the General Issues Committee in a fair and equitable way in order to rebalance transit area rating for the 2020 budget process;
- (b) That staff be directed to report back to the General Issues Committee with a Terms of Reference and guiding principles for the Transit Area Rating Review Sub-Committee, prior to the first meeting of the Sub-Committee;
- (c) That staff be directed to report back to the Transit Area Rating Review Sub-Committee with an area rating analysis for transit for the 2020 Operating budget process, with respect to a public transit system that supports a system-wide approach, with that report to include enhanced service levels that align with the overall City Transit Strategy; and,
- (d) That staff be directed to review the possibility of the area rating net benefit to Wards 1 to 8 being used for public transit city-wide and report to the Transit Area Rating Review Sub-Committee.

8.2 Implementation of a Temporary Lane Restriction on the North West Curb Lane of Wellington Street

Councillor Farr introduced a Notice of Motion respecting the Implementation of a Temporary Lane Restriction on the North West Curb Lane of Wellington Street (Added Item 8.2)

(Farr/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Implementation of a Temporary Lane Restriction on the North West Curb Lane of Wellington Street.

Result: Motion CARRIED by a 2/3's vote of 14 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, see Item 7.8.

STATEMENTS BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

(Whitehead/Partridge)

That Council move into Closed Session to discuss Items 10.1 and Item 5 of the General Issues Committee Report 19-019, pursuant to Section 8.1, Sub-section (a), (c), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (a), (c), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the security of the property of the City; a proposed or pending acquisition or disposition of land for City purposes; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

10.1 Sub-lease Negotiations for the John C. Munro International Airport (PED19137(a))

(Whitehead/Partridge)

- (a) That the direction provided to staff in Closed Session, respecting Report PED19137(a) - Sub-lease Negotiations for the John C. Munro International Airport, be approved; and,
- (b) That Report PED19137(a) and its Appendix, respecting the Sub-lease Negotiations for the John C. Munro International Airport, remain confidential.

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

- YES - Ward 1 Councillor Maureen Wilson
- NOT PRESENT - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- NOT PRESENT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 09-015 (CONTINUED)

5. Prohibiting the Importing of Fill (Added Item 11.4)

(Johnson/Clark)

That the legal advice provided in Closed Session, respecting Item 5 of the Planning Committee Report 19-015, respecting Prohibiting the Importing of Fill, be received.

CARRIED

(Johnson/Clark)

WHEREAS in order to regulate or to implement a moratorium to prohibit the importing of fill from outside the geographical boundaries of the City of Hamilton, is by way of a by-law;

THEREFORE BE IT RESOLVED:

That Item 5 of the Planning Committee Report 19-015 respecting Prohibiting the Importing of Fill, be **amended** by deleting the recommendation in its entirety and replacing it with the following:

~~That a moratorium be implemented immediately to prohibit the importing of fill from outside the geographical boundaries of the City of Hamilton.~~

- (a) *That staff be directed to amend the current by-law to include a moratorium to prohibit the importing of fill from outside the geographical boundaries of the City of Hamilton to be implemented and applied immediately to new and existing regulations and permits in force under the City By-laws;*
- (b) *That staff bring the amending By-law to the October 15, 2019 meeting of the Planning Committee; and,*
- (c) *That a Special Council meeting on October 16, 2019 be held after the General Issues Committee meeting to enact the Amending By-law.*

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Collins/Wilson)

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

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Whitehead/VanderBeek)

That the Committee of the Whole Rise and Report.

CARRIED

NOTICES OF MOTION (CONTINUED)

8.3 Appointments to the Transit Area Rating Review Sub-Committee (Added Item 8.3)

Councillor Partridge introduced a Notice of Motion respecting Appointments to the Transit Area Rating Review Sub-Committee.

(Partridge/VanderBeek)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Appointments to the Transit Area Rating Review Sub-Committee.

Result: Motion CARRIED by a 2/3's vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, see Item 7.9.

BY-LAWS

(Partridge/VanderBeek)

That Bills No. 19-246 to No. 19-252, 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.

	Regulate On-Street Parking Schedule 6 – Time Limit Schedule 8 – No Parking Schedule 13 – No Stopping Ward: 1,2,3,8
247	To rename a portion of Upper Mount Albion Road to Columbus Gate Ward: 9
248	To Amend Zoning By-law No. 05-200 with respect to lands located at 2274 Powerline Road West, Ancaster Ward: 12
249	To Amend Zoning By-law No. 05-200, Respecting Lands Located at 560-580 Highland Road West, Hamilton Ward: 6
250	To Permanently Close and Sell a portion of the public unassumed alleyway abutting the east side of 195 Emerald Street South, Hamilton, Ontario, namely Part of the Alley on Registered Plan 248 in the City of Hamilton, Designated as Parts 1 and 2 on Plan 62R-21003, being part of PIN 17175-0217 (LT); City of Hamilton. Ward: 2
251	Removal of Part Lot Control Lots 1-24, Registered Plan No. 62M-1244, "Victory Ridge Phase 5A and 5B" municipally known as, 22, 26,30,34,38 and 42 Hargrove Way, 147, 151, 155, 159, 163, and 167 Bradshaw Drive, 3,7,11,15, 19 Hargrove Way, and 4, 8, 12, 16, 20, 24, and 28 Midhurst Heights. Ward: 9
252	To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Deputy-Mayor - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Wilson/Nann)

That, there being no further business, City Council be adjourned at 9:04 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk