



CITY COUNCIL MINUTES 19-019

5:00 p.m.
October 23, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor J. Farr – City Business
Councillor T. Jackson - 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 City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

The Mayor called upon Heather Robinson, seminary student at Tyndale Seminary, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. CORRESPONDENCE

- 5.4 Correspondence from Let's Remember Adam - Stop for the School Bus respecting National School Bus Safety Week, from October 21 to 25, 2019.

Recommendation: Be received.

- 5.5 Correspondence respecting the McMaster Student Residence, 1190 Main Street West:

- (a) Krysia Steinberg
- (b) Renate Manthei
- (c) Gord Arbeau

Recommendation: Be received and referred to the consideration of Item 4 of Planning Committee Report 19-016.

- 5.6 Correspondence from Danny Trombetta, 610 South Service Road Inc (Gateway Ice Centre) respecting Development Charge liability for a proposed additional arena at 610 South Service Road, Gateway Sports Complex.

Recommendation: Be received and referred to General Manager of Finance and Corporate Services for appropriate action.

7. MOTIONS

- 7.1 Reconsideration of Item 26 of the General Issues Committee Report 19-002 (Operating Budget) respecting a System-Wide Approach to Public Transit – **Withdrawn**
- 7.2 Amendment to Item 25 of the General Issues Committee Report 19-002 (Operating Budget), respecting Transit Service Levels, Demand and Growth Opportunities by Ward – **Withdrawn**
- 7.3 Amendment to Item 27 of the General Issues Committee Report 19-002 (Operating Budget), respecting Alternative Funding Options for Transit – **Withdrawn**

8. NOTICES OF MOTION

- 8.1 One-Time Grant to Hamilton Food Share

11. BY-LAWS AND CONFIRMING BY-LAW

- 261 To Authorize the Signing of a Transfer Payment Agreement for the Small Business Enterprise Centre (SBEC) Program, between her Majesty the Queen in Right of Ontario, as represented by the Minister of Economic Development, Job Creation and Trade, and the City of Hamilton

(Whitehead/Partridge)

That the agenda for the October 23, 2019 meeting of Council be approved, **as amended**.

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
NOT PRESENT - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Maria Pearson declared an interest to Item 7 of the General Issues Committee – Report 19-020, respecting Barton Kenilworth Tax Increment Grant Program - 301-303 Barton Street East, Hamilton, as she is a rental property landlord.

Councillor Arlene VanderBeek declared an interest to Item 7 of the General Issues Committee – Report 19-020, respecting Barton Kenilworth Tax Increment Grant Program - 301-303 Barton Street East, Hamilton, as she is a rental property landlord.

CEREMONIAL ACTIVITIES

3.1 Celebrating Cable 14's 50th Broadcast Season

Mayor Eisenberger on behalf of City Council recognized the outstanding contributions to the City of Hamilton made by Cable 14, its management, staff, volunteers and its shareholders, Cogeco and Rogers. This Fall marks the beginning of Cable 14's 50th broadcast season.

Cable 14 began in 1970 as Cable 8, which changed to Cable 4 before finally settling in as Cable 14 where it has been for the past 33 years. In the past 50 years, Cable 14 has delivered thousands of hours of local television programming to the residents of Hamilton through the efforts of its staff, volunteers and Community Producers.

Cable 14 is the only local Community Channel with its own Community Programming Network license from the Canadian Radio-Television and Telecommunications Commission (CRTC). It is that uniqueness that allows Cable 14 to operate as an independent specialty channel focused exclusively on serving the residents of Hamilton.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(VanderBeek/Partridge)

That the Minutes of the October 9, 2019 (Item 4.1) and October 16, 2019 (Item 4.2) Council Meetings, be approved, as presented.

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 Ninder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Partridge/Nann)

That Council Communications 5.1 to 5.6 be approved, as presented, as follows:

- 5.1 Correspondence from the City of St. Catharines respecting their resolution respecting Menstrual Products in City Facilities.
- Recommendation: Be received.
- 5.2 A Briefing Note from Demand the Right Coalition of Ontario Municipalities respecting Giving Ontario Municipalities the “Right to Approve” Landfill Developments in Their Own Communities.
- Recommendation: Be received.
- 5.3 Correspondence from the Honourable Raymond Cho, Minister for Seniors and Accessibility respecting the planning of Remembrance Day events and keeping accessibility in mind to ensure everyone can fully participate.
- Recommendation: Be received.
- 5.4 Correspondence from Let’s Remember Adam – Stop for the School Bus respecting National School Bus Safety Week, from October 21 to 25, 2019. (Added Item 5.4)
- Recommendation: Be received.
- 5.5 Correspondence respecting the McMaster Student Residence, 1190 Main Street West:
- (a) Krysia Steinberg
 - (b) Renate Manthei
 - (c) Gord Arbeau

Recommendation: Be received and referred to the consideration of Item 4 of Planning Committee Report 19-016.

- 5.6 Correspondence from Danny Trombetta, 610 South Service Road Inc (Gateway Ice Centre) respecting Development Charge liability for a proposed additional arena at 610 South Service Road, Gateway Sports Complex.

Recommendation: Be received and referred to General Manager of Finance and Corporate Services for appropriate action, and report back to the Audit and Finance and Administration Committee.

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
NOT PRESENT - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - 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

PLANNING COMMITTEE REPORT 19-016

3. Payday Loan Permit for Speedy Money (Item 8.2)

Result: Motion CARRIED by a vote of 11 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. **Applications for an Official Plan Amendment and Zoning By-law Amendment for the lands located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue North, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, Hamilton (PED19186) (Ward 1) (Item 8.3)**

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. **Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 6266 and 6330 Chippewa Road East, Glanbrook (PED19196) (Ward 11) (Item 8.4)**

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

6. Proposed Amendments to the Aggregate Resources Act – Request for Comments (PED19207) (Wards 9, 11-13, 15) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(Pearson/Clark)

That the SIXTEENTH Report of the Planning Committee be adopted, as presented, and the information section received.

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

YES - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 19-020

1. Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake (FCS19080) (City Wide) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

2. Airport Sub-Committee Report 19-004 - September 20, 2019 (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

3. Capital Projects Work-in-Progress Review Sub-Committee Report 19-005 – September 25, 2019 (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. Strategies to Reduce Property Tax Arrears (FCS19081) (City Wide) (Item 10.5)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6. Hamilton Business Centre - Funding Agreement (PED19202) (City Wide) (Item 10.6)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7. Barton Kenilworth Tax Increment Grant Program - 301-303 Barton Street East (PED19192) (Ward 3) (Item 10.7)

Result: Motion CARRIED by a vote of 10 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8. Victoria Day Celebration and Fireworks in Dundas (PED19181) (Ward 13) (Item 10.8)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9. **Hate Related Activities on City of Hamilton Properties (LS19031/PW19068(a)/CM19006(a)) (City Wide) (Item 10.9)**

(Clark/Eisenberger)

WHEREAS an indefinite ban can appear to be procedurally unfair and infringes on constitutional rights;

WHEREAS the definitions of “senior executive person” and “senior staff person” required further refinement to indicate the General Manager or Acting General Manager responsible for the facility or the program area affected by the prohibited conduct and the General Manager or Acting General Manager responsible for facilities or corporate security;

WHEREAS the reference to “any Court” should be replaced with “Council”.

THEREFORE, BE IT RESOLVED:

- (a) That the Trespass By-law, attached as Appendix “D” to Report LS19031/PW19068(a)/CM19006(a), being Item 9 of the General Issues Committee Report 19-020, respecting Hate Related Activities on City of Hamilton Properties, be amended, as follows:
 - (i) by deleting Sections 6 (3) and 8 (2) in their entirety;
 - (ii) by amending the definitions of “senior executive person” and “senior staff person”;
 - (iii) by renumbering Section 8 (3) to 8 (2); and,
 - (iv) by replacing “any Court” with “Council” in Section 10 (6).
- (b) That sub-section (a) to Item 9 of the General Issues Committee Report 19-020, respecting Report LS19031 / PW19068(a) /CM19006(a), Hate Related Activities on City of Hamilton Properties, be amended by adding the words “**as amended**” to read as follows:
 - (a) That the Trespass By-law, **as amended**, attached as Appendix “D” to Report LS19031/PW19068(a)/CM19006(a), which has been prepared in a form satisfactory to the City Solicitor, be approved; and,

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Main Motion as **Amended** to read as follows:

- (a) That the Trespass By-law, **as amended**, attached as Appendix “D” to Report LS19031/PW19068(a)/CM19006(a), which has been prepared in a form satisfactory to the City Solicitor, be approved; and,
- (b) That the updates provided within Report LS19031/PW19068(a)/CM19006(a), be received.

Result: Main Motion as Amended CARRIED by a vote of 11 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
NO - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

10. Red Hill Valley Parkway Enquiry Update (LS19036) (City Wide) (Item 10.10)

Result: Motion CARRIED by a vote of 11 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

11. Potential Regulatory Litigation Update (PW19008(c)/LS19004(c)) (City Wide) (Item 14.2)

Result: Motion CARRIED by a vote of 11 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

12. Material Recycling Facility Request for Proposals (LS19040) (City Wide) (Item 14.5)

(Clark/Eisenberger)

That the consideration of Material Recycling Facility Request for Proposals (LS19040) (City Wide) (Item 12 of the General Issues Committee Report 19-020), be deferred to the Closed Session portion of the agenda.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

HAMILTON STREET RAILWAY COMPANY SHAREHOLDER REPORT 19-002
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1. Appointment of Officer (Item 6.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

2. Approving Transfers of Real Property (Item 7.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Wilson/Nann)

That the SECOND Report of the Hamilton Street Railway Company Shareholder be adopted, as presented, and the information section received.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-015
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3. Tax and Rate Operating Budget Variance Report as at July 31, 2019 - Budget Control Policy Transfers (FCS19055(a)) (City Wide) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. Shoreline Protection Consulting Assignments (FCS19076 / PW19087) (Wards 1, 2, 5 and 10) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. Hamilton Submission to Attorney General Study of Joint & Several Liability (FCS19085) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

6. Funding for CANUSA through the Recreation Division Operating Budget from the City Enrichment Fund (Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(Collins/Merulla)

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

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

YES - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-012

1. **Permission for Sacajawea Non-Profit Homes to Encumber 123 Cathcart Street, Hamilton (HSC19056) (Ward 3) (Item 7.1)**

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

3. **Hamilton Collaborative Partnership Group - Joint Funding Application (HSC19057) (City Wide) (Item 10.2)**

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

**4. Housing Services Administration Position Change (HSC19053) (City Wide)
(Item 10.3)**

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

5. Home for the Holidays Social Housing Program (Added Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Merulla/Nann)

That the TWELFTH Report of the Emergency & Community Services 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
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

BOARD OF HEALTH REPORT 19-010

1. COMMUNICATIONS (Items 5.1 and 5.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

3. Semi-Annual Public Health Services Performance and Monitoring Report (Q1 & Q2 2019) (BOH19030) (City Wide) (Item 7.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

7. Immunization of School Pupils Act Overview (BOH19029) (City Wide) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

8. Seniors Oral Health (BOH19026(a)) (City Wide) (Item 9.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

9. Code Red Presentation to the Board of Health (Added Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

(Eisenberger/Pearson)

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

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Whitehead/Partridge)

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 General Issues Committee Clerk's Report 19-021.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE CLERK'S REPORT 19-021

(Eisenberger/Clark)

That the General Issues Committee Clerk's Report 19-021, be received.

CARRIED

MOTIONS

7.4 Amendment to Item 3 of the Public Works Committee Report 19-004 respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) (Item 8.2)

(Ferguson/Nann)

That Item 3 of the Public Works Committee Report 19-004, be ***amended*** by correcting the address of the Subject Lands from 20 Birch Avenue to 651 Wilson Street, as follows:

3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting ~~20 Birch Avenue~~ 651 Wilson Street, Hamilton (PW19028) (Ward 3) (Item 8.2)

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:

- (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of ~~20 Birch Avenue~~ **651 Wilson Street**, Hamilton, as described in Report PW19028, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of ~~20 Birch Avenue~~ **651 Wilson Street**, Hamilton, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office; and,
 - (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection; and,
- (e) That the City of Hamilton retain any necessary road widenings to the satisfaction of the Manager, Geomatics and Corridor Management, in accordance with the City of Hamilton Official Plan.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.5 Delegation of Authority to Hear Complaints Respecting the Payment of Development Charges

(Collins/Merulla)

WHEREAS, the City of Hamilton has received a complaint from Harvey Armstrong Ltd. with respect to payment of Development Charges, pursuant to Section 20 of the *Development Charges Act, 1997*, in respect of development of the property municipally known as 2400 Regional Road 56, Binbrook;

WHEREAS, the City of Hamilton has 60 days from the date of the complaint, which was submitted on October 11, 2019, to hear the matter;

WHEREAS, the City of Hamilton historically has heard complaints respecting Development Charge by-laws before the Audit, Finance & Administration Committee; and,

WHEREAS, the Audit, Finance & Administration Committee does not currently have delegated authority to hear complaints respecting the payment of Development Charges, pursuant to Section 23.5 the *Ontario Municipal Act*;

THEREFORE BE IT RESOLVED:

- (a) That Council delegates its authority to hold a hearing into the complaint by Harvey Armstrong Ltd, pursuant to Section 20 of the *Development Charges Act, 1997*; to the Audit, Finance & Administration Committee;
- (b) That Council delegates its authority to hold any further hearings; pursuant to any other complaints made pursuant to Section 20 of the *Development Charges Act, 1997*; to the Audit, Finance & Administration Committee; and

- (c) That staff be directed to prepare a report on any complaints to the Audit, Finance & Administration Committee for information.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.6 One-Time Grant to Hamilton Food Share (Added Item 8.2)

(Collins/Nann)

WHEREAS on October 1st, 2019 St. Matthew's House announced that they would no longer be hosting a food bank at their Barton Street East location as of November 1st, 2019;

WHEREAS it is estimated that up to 1,200 families currently access the St. Matthew's House food bank monthly;

WHEREAS other organizations such as Mission Services, Salvation Army, Good Shepherd and Welcome Inn are expected to see increased use of their food banks;

WHEREAS Hamilton Food Share has estimated that the short-term costs (3 months) associated with this increased use at other food banks is \$38,000; and,

WHEREAS the Hamilton Community Foundation has recently approved a one-time grant of \$19,000 to assist with these costs;

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of the Healthy and Safe Communities Department be authorized to provide a one-time grant of \$19,000 to Hamilton Food Share so that they can provide emergency support to agencies affected by the closure of the St. Matthew's House Food Bank;
- (b) That the source of the funding for the one-time grant be the Housing Stability Benefit; and,

- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

8.1 One-Time Grant to Hamilton Food Share (Added Item 8.1)

Councillor Collins introduced a Notice of Motion for a One-Time Grant to Hamilton Food Share.

(Collins/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the One-Time Grant to Hamilton Food Share.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

For further disposition of this matter, see Item 7.6.

STATEMENTS BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 10.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

10.1 Closed Session Minutes – October 9, 2019

(Partridge/Whitehead)

That the Closed Session Minutes dated October 9, 2019 be approved, as presented, and 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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Council determined that discussion of Item 10.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

10.2 Appointments to the Advisory Committee for Persons with Disabilities

(Nann/Pearson)

That the following citizens be appointed to the Advisory Committee for Persons with Disabilities for the remainder of the 2018-2022 Term of Council and until a successor is chosen:

- (a) Patty Cameron
- (b) Michele Dent
- (c) James Kemp
- (d) Paula Kilburn
- (e) Tom Manzuk

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
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Partridge/Pearson)

That Council move into Closed Session to discuss Item 12 of the General Issues Committee Report 19-020, pursuant to Section 8.1, Sub-section (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - 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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 19-020 (CONTINUED)

12. Material Recycling Facility Request for Proposals (LS19040) (City Wide) (Item 14.5)

(Pearson/Whitehead)

- (a) That the **amended** direction provided to staff in Closed Session, respecting Report LS19040, Material Recycling Facility Request for Proposals, be approved; and,
- (b) That Report LS19040, respecting the Material Recycling Facility Request for Proposals, remain confidential.

Result: Motion CARRIED by a vote of 9 to 1, as follows:

NOT PRESENT - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

NOT PRESENT - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

NOT PRESENT - Deputy Mayor - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

NO - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

(Danko/Collins)

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

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr

NOT PRESENT - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins

NOT PRESENT - Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko

YES - Mayor Fred Eisenberger

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

(Whitehead/VanderBeek)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Whitehead/Johnson)

That Bills No. 19-255 to No. 19-262, be passed, **as amended**, 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.

255	Respecting Removal of Part Lot Control, Blocks 205 and 206 within Registered Plan No. 62M-1244, "Waterdown Bay Phase 2", municipally known as 15-33 Riverwalk Drive PLC-19-029 Ward: 15
256	To Repeal By-law No. 19-239 and Removal of Part Lot Control, Block 207, within Registered Plan No. 62M-1238, "Mountainview Heights Phase 2", municipally known as 35, 37, 39, 41, 43 and 45 Riverwalk Drive PLC-19-028 Ward: 15
257	To Amend Zoning By-law No. 05-200 Respecting Lands Located at 6266 and 6330 Chippewa Road East, Glanbrook ZAA-19-042 Ward: 11
258	To Amend City of Hamilton By-law 07-170, Being a By-law to License and Regulate Various Businesses Schedule 11 – Payday Loans Ward: 5
259	To Administer Notices and Other Matters under the Trespass to Property Act Ward: City Wide
260	To Repeal and Replace By-law No. 19-251 for the Removal of Part Lot Control from 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 PLC-19-006 Ward: 9
261	To Authorize the Signing of a Transfer Payment Agreement for the Small Business Enterprise Centre (SBEC) Program, between her Majesty the Queen in Right of Ontario, as represented by the Minister of Economic Development, Job Creation and Trade, and the City of Hamilton Ward: City Wide
262	To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/VanderBeek)

That, there being no further business, City Council be adjourned at 9:21 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk