



CITY COUNCIL MINUTES 19-021

5:00 p.m.
November 27 & 28, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor J. Partridge – City Business

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 Peter Giokas, of the Canadian Baptist of Ontario and Quebec, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS (Item 5)

5.5 Correspondence from Art Quinn respecting Bi Weekly Garbage Collection

Recommendation: Be received and referred to the consideration of Item (j)(i) of Public Works Committee Report 19-016.

6. COMMITTEE REPORTS (Item 6)

6.4 General Issues Committee (Budget) Report 19-025 – November 25, 2019

8. NOTICES OF MOTION (Item 8)

- 8.1 Verbal Updates at Committee and Council Meetings
- 8.2 Distribution of Federal and/or Provincial Ministry or Provincial Officer Orders
- 8.3 Reconsideration of Item 26 of General Issues Committee Report 19-001, which was approved by Council on January 23, 2019 and Item 9 of General Issues Committee Report 19-012, which was approved by Council on June 26, 2019 respecting the Potential Regulatory Litigation
- 8.4 Reconsideration of Item 9 of General Issues Committee Report 19-015, which was approved by Council on September 11, 2019 and Item 11 of General Issues Committee Report 19-020, which was approved by Council on October 23, 2019 respecting the Potential Regulatory Litigation

10. PRIVATE AND CONFIDENTIAL (Item 10)

- 10.3 Potential Regulatory Litigation Update (PW19008(e)/LS19004(e))
- 10.4 ATU Bargaining Update

11. BY-LAWS AND CONFIRMING BY-LAW (Item 11)

- 288 To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2020 Fees and Charges
Ward: City Wide
- 289 To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2020 Fees and Charges
Ward: City Wide
- 290 To Amend the Waterworks By-law No. R84-026 and Implement the 2020 Fees and Charges
Ward: City Wide
- 291 A By-law to Establish the 2020 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
Ward: City Wide

(Clark/Pearson)

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

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

YES - Deputy Mayor - 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
 NOT PRESENT - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 NOT PRESENT - 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 L. Ferguson declared an interest to Item (e)(ii) of Planning Committee Report 19-018 respecting a delegation from Angela Riley regarding a Request for a Taxi Stand, as he is an investor in the taxi industry.

Councillor B. Johnson declared an interest to Item 2 of Audit, Finance, and Administration Committee Report 19-012 respecting Orientation for Hearing of Complaints Made Pursuant to Subsection 20(1) of the *Development Charges Act, 1997* (LS19043), as she has prior knowledge and has advocated for the applicant at this hearing.

CEREMONIAL ACTIVITIES

3.1 Business Appreciation Awards (Wards 9 to 12, 14 and Part of 15)

Mayor Eisenberger, on behalf of City Council, recognized and thanked businesses in Wards 9 – 12, Ward 14 and one business from Ward 15 for their continued contribution and sacrifices to the broader community. Each business celebrated has shown outstanding achievement in growth, innovation, or leadership, and has had a positive impact on Hamilton. Many individuals here accepting the awards are residents of Hamilton, and all are outstanding corporate citizens.

- | | |
|---------|--|
| Ward 9 | <ul style="list-style-type: none"> - Punch Bowl Market and Bakery - Symposium Café Restaurant and Lounge |
| Ward 10 | <ul style="list-style-type: none"> - Kenworth Truck Centres - Dutchman Florist |
| Ward 11 | <ul style="list-style-type: none"> - O'Neils Farm Equipment - John C. Munro Hamilton International Airport |
| Ward 12 | <ul style="list-style-type: none"> - Stoneridge Insurance Brokers - Bennetts Apples & Cider |
| Ward 14 | <ul style="list-style-type: none"> - Lemongrass Restaurant - Westcliffe Home Hardware |

Ward 15 - Excel Heating & Air Conditioning

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4.1 November 13, 2019

(Clark/Johnson)

That the Minutes of the November 13, 2019 meeting of Council be approved, as presented.

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

YES - Deputy Mayor - 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 - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - 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

COMMUNICATIONS

(Wilson/Nann)

That Council Communications 5.1 to 5.5 be approved, as presented, as follows:

- 5.1 Correspondence from the Township of Ramara to the Honourable Jeff Yurek, Minister of Environment, Conservation and Parks respecting a request for a Conservation Authority Exit Clause within any new Conservation Authority Act.

Recommendation: Be received.

- 5.2 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a summary of number of announcement the Ministry has made recently.

Recommendation: Be received.

- 5.3 Correspondence from Giles Gherson, Deputy Minister, Small Business and Red Tape Reduction, Ministry of Economic Development, Job Creation and Trade respecting the Province of Ontario's launch of the Job Site Challenge.

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

- 5.4 Correspondence from Hydro One Networks Inc. respecting an Update for Class Environmental Assessment: Proposed Westover to Copetown Temporary Transmission Line Project.

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

- 5.5 Correspondence from Art Quinn respecting Bi Weekly Garbage Collection

Recommendation: Be received and referred to the consideration of Item (j)(i) of Public Works Committee Report 19-016.

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

YES - Deputy Mayor - 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 - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - 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

(Ferguson/Johnson)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 19-016

6. **Alleyway Management Strategy - Classification System (PW17008(a)) (City Wide) (Item 9.2)**

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

7. 2020 Volunteer Committee Budget - Keep Hamilton Clean and Green Committee (PW19093) (City Wide) (Item 10.2)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

8. City of Hamilton Watermain Fire Flow Requirement Design Guidelines Policy (PW19096) (City Wide) (Outstanding Business List Item) (Item 10.3)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

9. Connected & Autonomous Vehicles Test Bed (PW19097) (City Wide) (Item 10.4)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

10. Cootes Paradise and Borer's Falls-Rock Chapel Land Management Plans – Cootes to Escarpment EcoPark System (PW19099) (Wards 1, 13 and 15) (Item 10.5)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

**12. PRESTO Equipment Supplier Renewal Extension (PW17033(c)) (City Wide)
(Item 10.7)**

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

13. Truck Route Sub-Committee Report 19-002 - November 1, 2019 (Item 10.8)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

**14. Removal of a City-Owned Tree at 107 First Street North, Hamilton (Ward 5)
(Item 11.2)**

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

15. Mountain Bike Facility Study (City Wide) (Item 11.3)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

16. Sam Lawrence Park Winter Seasonal Display Program (Ward 7) (Item 11.4)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

17. Increase in the Minimum Vehicle Fee at the City's Transfer Stations and Community Recycling Centres (City Wide) (Item 11.5)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

18. Road Resurfacing Projects in Ward 5 (Item 11.6)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

19. Feasibility of an Active Transportation Connection (Ward 14) (Item 11.7)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

20. Modification of the Waste Collection Services Request for Proposal to Remove Winter Collection of Leaf and Yard Waste (City Wide) (Item 11.8)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

(Danko/Nann)

That Item (j)(i) respecting Modification of the Waste Collection Services Request for Proposal to Include Options for Bi-Weekly Collection of Landfill Waste, be lifted from the Information Section of the Public Works Committee Report 19-016 and added as Item 21.

CARRIED

(Collins/Merulla)

That the question respecting Modification of the Waste Collection Services Request for Proposal to Include Options for Bi-Weekly Collection of Landfill Waste, be called.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

21. Modification of the Waste Collection Services Request for Proposal to Include Options for Bi-Weekly Collection of Landfill Waste (City Wide) (Item 11.1)

Result: Motion DEFEATED by a vote of 8 to 7, as follows:

NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - 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

(Ferguson/VanderBeek)

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

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

BOARD OF HEALTH REPORT 19-011

1. Communications (Items 5.1-5.6)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

2. Declaration of an Opioid Crisis in the City of Hamilton (Added Item 11.1)

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

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 1 Councillor Maureen Wilson

YES - Mayor Fred Eisenberger
NOT PRESENT - 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

4. Child and Adolescent Services Budget (BOH19036) (City Wide) (Item 10.1)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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 ELEVENTH Report of the Board of Health be adopted, as presented, and the information section received.

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

YES - 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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

PLANNING COMMITTEE REPORT 19-018

1. Administrative Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED19211) (City Wide) (Item 7.1)

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

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 1 Councillor Maureen Wilson

YES - Mayor Fred Eisenberger

NOT PRESENT - 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

2. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 280 Wilson Street East (Ancaster) (PED19217) (Ward 12) (Item 8.2)

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

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 1 Councillor Maureen Wilson

YES - Mayor Fred Eisenberger

NOT PRESENT - 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

3. The Housing for Hamilton Community Improvement Plan for the Roxborough Mixed Income/Tenure Demonstration Project (PED19208) (Ward 4) (Item 8.3)

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

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 1 Councillor Maureen Wilson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - 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
NOT PRESENT - Ward 9 Councillor Brad Clark

5. 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) (Referred from the October 9th Council meeting) (Item 10.1)

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

YES - 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
NO - Deputy Mayor - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - 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
NOT PRESENT - Ward 9 Councillor Brad Clark

6. New Site Alteration By-law (PED19201) (City Wide) (Outstanding Business List Item) (Item 10.2)

(Johnson/Clark)

That the Draft By-law attached to Report PED19201 as Appendix "A" be amended by adding wording as follows:

(i) Section 7(2)

- (c) for the purpose of maintaining existing granular driveways, roads, farm field access roads, or parking areas with appropriate imported granular material including native granular, recycled aggregate, recycled asphalt or recycled concrete provided that previously existing grades are being re-instated **and provided the material is obtained from a commercial supplier.**

(ii) Section 25

No person shall transport fill **or topsoil** to a site from any other source site that is located outside the City of Hamilton.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

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

YES - 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 - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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. On Street Parking Permits – Wellington Street North (PED19187) (Ward 2)
(Outstanding Business List Item) (Item 10.3)**

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

YES - 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 - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

8. Parking Fee Review (PED19238) (City Wide) (Item 10.4)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

10. Feasibility of Glanbrook Sports Park Being Included in the Binbrook Village Urban Boundary (Item 11.2)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

(Farr/Collins)

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

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

YES - 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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
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

GENERAL ISSUES COMMITTEE REPORT 19-024

1. Revised Ottawa Street Business Improvement Area (BIA) Board of Management (PED19214) (Wards 3 and 4) (Item 7.1)

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

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
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 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

2. Revised International Village Business Improvement Area (BIA) Board of Management (PED19215) (Ward 2) (Item 7.2)

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

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
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 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. West Harbour Development Sub-Committee Report 19-003, October 22, 2019 (Item 10.1)

(Farr/Collins)

- (a) That Appendix “A” to Report PW19090 - West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works, being Appendix “B” to the West Harbour Development Sub-Committee Report 19-003, which is Item 4(c) of the General Issues Committee Report 19-024, be amended by adding the words “**of stormwater infrastructure within the existing public right-of-way**”, to read as follows:

Pier 8 Greenway - Defer from 2021 to 2023 and future years and reduce scope ***of stormwater infrastructure within the existing public right-of-way.***

- (b) That Item 4(c)(ii) of the General Issues Committee Report 19-024, being the West Harbour Development Sub-Committee Report 19-003, respecting Report PW19090 – West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works, be amended by adding the words ***"as detailed in Appendix "A" to Report PW19090 - Recommended Changes to West Harbour Capital"***, to read as follows:

- (ii) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022, ***as detailed in Appendix "A" to Report PW19090 - Recommended Changes to West Harbour Capital***; and,

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

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

4. West Harbour Development Sub-Committee Report 19-003, October 22, 2019 (Item 10.1)

(c) West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) (Item 10.3)

- (i) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:

- (1) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and,
- (2) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (ii) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022, ***as detailed in Appendix “A” to Report PW19090 - Recommended Changes to West Harbour Capital***; and,
- (iii) That construction of the permanent Macassa Bay Police Marine Unit facility be deferred to 2022+ in order to allow the City to optimize the value of the investment made in the temporary structure.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

5. GRIDS 2 and Municipal Comprehensive Review – Consultation Update and Employment Land Review (PED17010(f)) (City Wide) (Item 10.2)

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

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 1 Councillor Maureen Wilson

YES - Mayor Fred Eisenberger
NOT PRESENT - 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

6. Open for Business Sub-Committee Report 19-003 (Item 10.3)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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. Maintenance Services at Macassa and Wentworth Lodges (CONFIDENTIAL HSC19062/PW19092) (Wards 7 and 13) (Item 14.2)

(Ferguson/VanderBeek)

That Item sub-section (a) to Item 7 of the General Issues Committee Report 19-024, respecting Report HSC19062/PW19092 - Maintenance Services at Macassa and Wentworth Lodges, be deleted in its entirety and replaced with the following in lieu thereof:

~~(a) That the direction provided to staff in Closed Session, respecting Report HSC19062/PW19092 - Maintenance Services at Macassa and Wentworth Lodges, be approved and remain confidential until approved by Council; and,~~

(a) That the City Manager be authorized and directed to transfer 7 FTEs from the Maintenance Services units of the Long Term Care Division of the Healthy and Safe Communities Department with the associated funding streams, as shown below, for a total amount of \$4,086,430 to the Energy, Fleet and Facilities Management Division of the Public Works Department, effective January 1, 2020:

- (i) ***Macassa Lodge Dept ID 636035, Building Maintenance in the amount of \$2,213,813 net levy funds (4 FTEs);***
- (ii) ***Wentworth Lodge Dept ID 632035 Building Maintenance in the amount of \$925,443 net levy funds (3 FTEs); and,***
- (iii) ***Lodges Infrastructure Reserve #110042 in the amount of \$947,174.***

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

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

**7. Maintenance Services at Macassa and Wentworth Lodges
(CONFIDENTIAL HSC19062/PW19092) (Wards 7 and 13) (Item 14.2)**

- (a) ***That the City Manager be authorized and directed to transfer 7 FTEs from the Maintenance Services units of the Long Term Care Division of the Healthy and Safe Communities Department with the associated funding streams, as shown below, for a total amount of \$4,086,430 to the Energy, Fleet and Facilities Management Division of the Public Works Department, effective January 1, 2020:***
 - (i) ***Macassa Lodge Dept ID 636035, Building Maintenance in the amount of \$2,213,813 net levy funds (4 FTEs);***
 - (ii) ***Wentworth Lodge Dept ID 632035 Building Maintenance in the amount of \$925,443 net levy funds (3 FTEs); and,***
 - (iii) ***Lodges Infrastructure Reserve #110042 in the amount of \$947,174.***
- (b) That Report HSC19062/PW19092 - Maintenance Services at Macassa and Wentworth Lodges, remain confidential.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

8. Potential Regulatory Litigation Update (CONFIDENTIAL Item 14.3)

Deputy Mayor Wilson relinquished the Chair to Councillor Whitehead to introduce the following amendment:

(Wilson/Nann)

That Item 8 of the General Issues Committee Report 19-024, be **amended** by adding the following subsections, to read as follows:

- (c) *That the City of Hamilton issue a formal apology to the residents of Hamilton for the failure to publicly disclose the volume and duration of the discharge of storm water runoff and sanitary sewage into Chedoke Creek when it first became known to authorities;***
- (d) *That staff be directed to compile and release publicly any Consultant reports related to the discharge of storm water runoff and sanitary sewage into Chedoke Creek, including:***
 - (i) *submissions by the City of Hamilton to the Ministry of the Environment Conservation and Parks and/or Ministry of the Environment Conservation and Parks Investigations & Enforcement Branch, as part of the investigation;***
 - (ii) *an inventory and summary of all water samples collected and retained by the City of Hamilton, from January 2014 to present;***
- (e) *That the Mayor of the City of Hamilton write to the Ontario Minister of the Environment, Conservation and Parks to:***

- (i) request that the scope of the investigation address concerns raised by the local Indigenous community about waste materials found along the shorelines since Autumn 2015; and,*
 - (ii) insist and seek assurance that the investigation be fully impartial and all results be made public;*
- (f) That Public Health be directed to immediately identify, assess and report back on:*
 - (i) any health-related incidents associated with exposure to contaminated waterways in the Chedoke Creek and Cootes Paradise; and,*
 - (ii) hospital and clinic data and public health notifications for any unusual illnesses reported since January 2014 that may be the result of bacterial contamination related to the discharge storm water runoff and sanitary sewage into Chedoke Creek and Cootes Paradise;*
- (g) That staff be directed to report back on the governance, collection and reporting model regarding water sample collection;*
- (h) That staff send a copy of this motion to ask the Hamilton Conservation Authority, and the Ministry of Environment, Conservation and Parks to release an inventory and summary of all water samples collected and retained related to Chedoke Creek and Cootes Paradise from January 2014 to present;*
- (i) That Public Works and Communications staff prepare a document that details the dates when the Mayor and members of Council were apprised of the situation at Chedoke Creek and Cootes Paradise and the method of reporting (Committee or Council; type of report (confidential, public, verbal update, etc.); media releases; correspondence (emails, letters, etc.); presentations, etc.) from January 2014 to present;*
- (j) That staff be directed to publicly release Report PW18076/LS18049 respecting Chedoke Creek Contamination considered by Council on August 13, 2018; and,*
- (k) That staff report back publicly on the environmental impacts of the discharge.*

(Merulla/Jackson)

That Deputy Mayor Wilson be provided with additional time in order to complete her statement.

CARRIED

(Jackson/Merulla)

That Councillor Nann be provided with additional time in order to complete her statement.

CARRIED

(Jackson/Nann)

That Councillor Merulla be provided with additional time in order to complete his statement.

CARRIED

(Jackson/Pearson)

That Councillor Clark be provided with additional time in order to complete his statement.

CARRIED

(Pauls/Collins)

That Councillor Ferguson be provided with additional time in order to complete his statement.

CARRIED

(Jackson/Nann)

That Councillor Whitehead be provided with additional time in order to complete his statement.

CARRIED

(Nann/Collins)

That Councillor Clark be provided with additional time in order to complete his statement.

CARRIED

(Eisenberger/Whitehead)

That consideration of Item 8 of the General Issues Committee Report 19-024, including the amendment above, respecting a Potential Regulatory Litigation Update, be deferred until after the Closed Session portion of the agenda in order to receive legal advice.

Result: Motion CARRIED by a vote of 10 to 5, as follows:

NO - 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
NO - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Deputy Mayor Wilson assumed the Chair.

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-017
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1. Workplace Pet Policy and Procedure (HUR19023) (City Wide) (Item 10.1)

Result: Motion CARRIED by a vote of 8 to 7, as follows:

NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - 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
NO - Deputy Mayor - Ward 1 Councillor Maureen Wilson
NO - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

3. Budgeting and Forecasting (CONFIDENTIAL FCS19066(a)) (City Wide) (Item 14.2)

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

(Danko/Nann)

That Item (e)(i) respecting Methodology for Infrastructure Master Plans to Support Future Calculation of Variable Development Charges, be lifted from the Information Section of the Audit, Finance and Administration Committee Report 19-017 and added as Item 4.

Result: Motion CARRIED by a vote of 10 to 5, as follows:

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

4. Methodology for Infrastructure Master Plans to Support Future Calculation of Variable Development Charges (Item 11.1)

(Danko/Nann)

That the following Motion, respecting Methodology for Infrastructure Master Plans to Support Future Calculation of Variable Development Charges, be deferred until such time as a consultant cost can be determined, or until the Consultant can be in attendance at a future ~~Audit, Finance & Administration~~ **General Issues** Committee **(2020 Budget)** meeting to answer questions of Committee:

WHEREAS, at the June 12, 2019 meeting, City Council repealed Development Charges (DC) By-law 14-153 and enacted a new 2019 DC By-law effective June 13, 2019;

WHEREAS, the DC By-law is a result of compiling the City's infrastructure Master Plans;

WHEREAS, the *Development Charges Act, 1997* requires a process to be followed which results in a calculated DC;

WHEREAS, the adoption of variable DC rates must be predicated on either a defined and defensible methodology calculation or by policy (such as providing a partial exemption to the calculated DC rate);

WHEREAS, the City's 2019 DC By-law reflects the results of such a review for water and wastewater services, and as a result includes a variable approach in calculating the 2019 DC By-law rate for stormwater services;
WHEREAS, all other services are calculated on a city-wide basis;

WHEREAS, the *More Homes, More Choice Act, 2019* (Bill 108) will remove the discounted (soft) services from the *Development Charges Act, 1997* once proclaimed into force and provides a defined list of services that will remain in the *Development Charges Act, 1997*; and,

WHEREAS, the City's current GRIDS 2 process will ultimately identify growth allocations by traffic zone throughout the city to 2041;

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the ~~Audit, Finance & Administration~~ **General Issues Committee (2020 Budget)** on methodology options including an assessment of the financial impacts for future updates to the Transportation Master Plan (including transit services); 10-year Fire Service Delivery Plan; and Waste Services Master Plan; that will provide the basis for a variable rate calculation as part of the next Development Charges (DC) By-law update should Council wish to take a variable rate approach.

Result: Motion DEFEATED by a vote of 8 to 7, as follows:

NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NO - 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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

(Collins/Merulla)

That the SEVENTEENTH Report of the Audit, Finance & Administration Committee be adopted, **as amended**, and the information section received.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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 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 (2020 Rate Budget) Report 19-025.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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 (2020 RATE BUDGET) REPORT 19-025
--

**2. 2020 Recommended Water, Wastewater and Stormwater Budget (FCS19070)
(City Wide) (Item 8.2)**

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

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 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - 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

(Clark/Jackson)

That Item (d)(ii)(1) (b), (c), and (d) respecting Enhanced Inspections and Monitoring - Hamilton Water and Wastewater, be lifted from the Information Section of the General Issues Committee (2020 Rate Budget) Report 19-025 and added as Item 3.

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

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 1 Councillor Maureen Wilson
 YES - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - 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. Enhanced Inspections and Monitoring - Hamilton Water and Wastewater

(Clark/Jackson)

- (b) That staff be directed to report back to the Public Works Committee 1 (one) year after implementation of the additional 5 FTEs, for the maintenance of the water and wastewater facilities/equipment and water quality control, with information regarding the program improvements and the associated benefits that have been realized;

- (c) That staff be directed to include, in the new real time public notice protocol, the 14 monitored CSO overflow points for discharge to the natural environment; and,
- (d) That staff be directed to report back to the Public Works Committee in 6 months with a matrix, stakeholder / partnership arrangements and testing locations, as it relates to enhanced inspections and monitoring for Hamilton water and wastewater.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

(Ferguson/Johnson)

That the TWENTY-FIFTH Report of the General Issues Committee (2020 Rate Budget) be adopted, **as amended**, and the information section received.

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

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 1 Councillor Maureen Wilson
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

MOTIONS

7.1 Reconsideration of Item 7.5 of the September 11, 2019 Council Minutes respecting the Integrity Commissioner / Lobbyist Registrar Appointment**(Whitehead/Clark)**

That Item 7.5 of the September 11, 2019 Council Minutes respecting the Integrity Commissioner / Lobbyist Registrar Appointment, which was approved by Council on September 11, 2019, and reads as follows, be reconsidered:

7.5 Integrity Commissioner / Lobbyist Registrar Appointment

- (a) That Council extend the existing contract with Principle Integrity as the City of Hamilton's Integrity Commissioner and Lobbyist Registrar to November 30th, 2019;
- (b) That a 'Request for Proposal' (RFP) in the position of Integrity Commissioner and Lobbyist Registrar be initiated;
- (c) That a staff committee of the City Manager, City Solicitor, City Clerk and Executive Director of Human Resources conduct the initial evaluation of the qualified firms; and,
- (d) That the Governance Review Sub Committee conduct the interviews and recommend the preferred candidate for the position of Integrity Commissioner / Lobbyist Registrar along with terms and conditions of the appointment to City Council for approval.

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

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

(Whitehead/Clark)

- (a) That Council extend the existing contract with Principle Integrity as the City of Hamilton's Integrity Commissioner and Lobbyist Registrar to November 30th, 2019;
- (b) That a 'Request for Proposal' (RFP) in the position of Integrity Commissioner and Lobbyist Registrar be initiated;
- (c) That a staff committee of the City Manager, City Solicitor, City Clerk and Executive Director of Human Resources conduct the initial evaluation of the qualified firms; and,
- (d) That the Governance Review Sub Committee conduct the interviews and recommend the preferred candidate for the position of Integrity Commissioner / Lobbyist Registrar along with terms and conditions of the appointment to City Council for approval.

(Whitehead/Clark)

WHEREAS, the temporary appointment of Principle Integrity expires on November 30, 2019;

THEREFORE, BE IT RESOLVED:

That Item 7.5 of the September 11, 2019 Council Minutes respecting the Integrity Commissioner / Lobbyist Registrar Appointment, which was approved by Council on September 11, 2019, be amended by deleting sub-section (d) in its entirety and **amending** sub-sections (a) and (c), to read as follows:

7.5 Integrity Commissioner / Lobbyist Registrar Appointment

- (a) That Council extend the existing contract with Principle Integrity as the City of Hamilton's Integrity Commissioner and Lobbyist Registrar to ~~November 30, 2019~~ **February 28, 2020**;
- (b) That a 'Request for Proposal' (RFP) in the position of Integrity Commissioner and Lobbyist Registrar be initiated;
- (c) ~~That a staff committee of the City Manager, City Solicitor, City Clerk and Executive Director of Human Resources conduct the initial evaluation of the qualified firms; and~~ **That Proposals received in response to the RFP be evaluated by a staff committee of the City Manager, City Solicitor, City Clerk and Executive Director of Human Resources and report back with a recommendation of a preferred candidate to the Governance Sub-Committee.**
- ~~(d) That the Governance Review Sub Committee conduct the interviews and recommend the preferred candidate for the position of Integrity Commissioner / Lobbyist Registrar along with terms and conditions of the appointment to City Council for approval.~~

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

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

7.2 Amendment to Item 19 of the General Issues Committee Report 15-025, respecting Report PW15086 - Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season

(Jackson/Merulla)

WHEREAS, in 2017, Council approved the operating funds for the permanent tobogganing program within the Public Works Department and formalized four designated tobogganing hills; with one of the approved sites being the Martin Course Hole #10 at Chedoke Golf Course;

WHEREAS, Recreation staff have extended the opportunity to play golf at Chedoke Golf Course for the winter months, with a daily decision to open or close the golf course dependent on the evidence of unfavourable weather conditions and more specifically the accumulation of snow;

WHEREAS, Golf staff have deemed that the Martin Course is more appropriate for winter golfing, and as the Martin Course, Hole #10 is currently designated as an approved tobogganing hill, to implement winter golfing, staff are recommending moving the tobogganing hill to the Beddoe Course, Hole #1;

WHEREAS, moving the tobogganing hill at Chedoke Golf Course from the Martin Course, Hole #10 to the Beddoe Course, Hole #1 is not a significant change and from a participant perspective, and provides the same amount of enjoyment; and,

WHEREAS, the required site materials, established inspection plans and operational processes for the tobogganing program will not change with the movement to the Beddoe course; and, an on-site review of both locations by Recreation, Parks and Risk Management staff did not yield any concerns with the proposed change;

THEREFORE, BE IT RESOLVED:

That Item 19 of the General Issues Committee Report 15-025, respecting Report PW15086 - Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season, which was approved by Council on December 8, 2015, be amended by deleting the word "Martin" and replacing it with the word "**Beddoe**"; and, by deleting the number "10" and replacing it with the number "**1**", to read as follows:

19. Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season (PW15086) (City Wide) (Item 8.15)

- (a) That the General Manager of Public Works or his designate be authorized and directed to implement a pilot program to identify tobogganing sites for the 2015-2016 season, whereas the Garth Street Reservoir, Kings Forest Golf Course (Hole #1 - Tee and Hole #9 - below the Green), and the Chedoke Golf Course (~~Martin~~ **Beddoe** Course, Hole #1) as further described will be the piloted sites;
- (b) That \$64,400 from the Tax Stabilization Reserve #110046 be utilized in preparing and inspecting the Garth Street Reservoir, Kings Forest Golf Course (Hole #1 - Tee and Hole #9 - below the Green), and the Chedoke Golf Course (~~Martin~~ **Beddoe** Course, Hole #1) as tobogganing sites for the pilot program within the 2015- 2016 winter season; and,
- (c) That staff be directed to review the feasibility of preparing Waterdown Memorial Park as a tobogganing site for January of the 2015/2016 Winter season and report back to the General Issues Committee as soon as possible.

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

NOT PRESENT - Deputy Mayor - 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
NOT PRESENT - 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

7.3 Feasibility of Accelerated Lead Water Service Line Replacement Options (City Wide)

(Merulla/Collins)

WHEREAS, Health Canada in March 2019 revised its guidelines for the safe level of lead content in drinking water from 10 microgrammes per litre, to 5 microgrammes per litre;

WHEREAS, Health Canada has warned that lead is linked to numerous health problems, including high blood pressure and kidney problems in adults, as well as complications in pregnancy and behavioural disorders or a loss of IQ in children; WHEREAS, in the City of Hamilton, homes built before 1955 have the greatest potential of having a lead water pipe connecting their home to the municipal water supply, and;

WHEREAS, within the City it is estimated there remains active approximately 20,000 lead private water services that will at current replacement rates take 25 years to fully replace;

WHEREAS, the City established in 2007 one of the first municipal loan programs for the replacement of lead water services that has supported more than 20% of all lead service replacements with over 2,000 loans issued providing over \$3 million in financial assistance over the past 12 years;

WHEREAS, the City as of November 2018, has implemented the proactive use of orthophosphate to create a protective barrier inside pipes to reduce the release of metals, such as lead and copper from household plumbing at a capital construction cost of approximately \$6 million with annual operating costs of over \$500,000;

WHEREAS, the City's objective is to increase awareness of the presence of private lead water services, in May 2019, the Mayor, on behalf of City Council, submitted a request to the Province, seeking that legislative and regulatory enactments be made as part of implementation of the Home Inspection Act, 2017, to prescribe the requirement of testing water services to identify the presence of lead water service lines;

WHEREAS, many property owners have chosen not to replace the private lead water services on their own property even where the City has replaced the public portion of the lead water service; and,

WHEREAS, the City of Montreal has recently announced its Action Plan 2019 to proactively address the presence of lead in water including such measures to accelerate public lead water service line replacements and to impose the obligation to replace the private portion of lead water service lines;

THEREFORE, BE IT RESOLVED:

- (a) That staff bring forward a feasibility report for further potential proactive measures for City Council's consideration including:
 - (i) Implementation of a by-law to impose the obligation to replace the private portion of lead water service lines where the public portion of a lead water service line replacement has occurred or is to be replaced; and,

- (ii) Options to accelerate the replacement of the public portion of all known lead services inclusive of a financing strategy for the City, with costs estimated to exceed \$100 million.

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

YES - Deputy Mayor - 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
NOT PRESENT - 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

7.4 Verbal Updates at Committee and Council Meetings

(Wilson/Nann)

WHEREAS, Council has no record of the content of a verbal update;

THEREFORE, BE IT RESOLVED:

That staff be directed to discontinue the practice of providing verbal updates at Committee and Council Meetings without an accompanying summary document which outlines the points covered.

(Whitehead/Ferguson)

That the Motion, respecting Verbal Updates at Committee and Council Meetings, be referred to the Governance Review Sub-Committee.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

YES - Deputy Mayor - 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
NO - Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

NOT PRESENT - 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 Distribution of Federal and/or Provincial Ministry or Provincial Officer Orders

(Clark/Jackson)

That staff be directed to develop a policy and/or protocol for approval by Council that when any federal and/or provincial ministry or provincial officer orders are received by management/staff, the actual orders or copies of the orders are to be immediately forwarded to City Council and such orders or copies of orders are to be displayed in a prominent place on the City web site and at the site of the incident.

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

YES - Deputy Mayor - 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
NOT PRESENT - 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 Verbal Updates at Committee and Council Meetings

(Wilson/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Verbal Updates at Committee and Council Meetings.

Result: Motion CARRIED by a 2/3's majority vote of 10 to 4, as follows:

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
NO - 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
NOT PRESENT - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - 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

For further disposition of this matter, refer to Item 7.4.

8.2 Distribution of Federal and/or Provincial Ministry or Provincial Officer Orders

(Clark/Jackson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Distribution of Federal and/or Provincial Ministry or Provincial Officer Orders.

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

YES - Deputy Mayor - 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
NOT PRESENT - 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, refer to Item 7.5.

8.3 Reconsideration of Item 26 of General Issues Committee Report 19-001, which was approved by Council on January 23, 2019 and Item 9 of General Issues Committee Report 19-012, which was approved by Council on June 26, 2019 respecting the Potential Regulatory Litigation

(Wilson/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Reconsideration of Item 26 of General Issues Committee Report 19-001, which was approved by Council on January 23, 2019 and Item 9 of General Issues Committee

Report 19-012, which was approved by Council on June 26, 2019 respecting the Potential Regulatory Litigation.

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

YES - Deputy Mayor - 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
NOT PRESENT - 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, refer to Item 7.6.

8.4 Reconsideration of Item 9 of General Issues Committee Report 19-015, which was approved by Council on September 11, 2019 and Item 11 of General Issues Committee Report 19-020, which was approved by Council on October 23, 2019 respecting the Potential Regulatory Litigation

(Danko/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Reconsideration of Item 9 of General Issues Committee Report 19-015, which was approved by Council on September 11, 2019 and Item 11 of General Issues Committee Report 19-020, which was approved by Council on October 23, 2019 respecting the Potential Regulatory Litigation.

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

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

For further disposition of this matter, refer to Item 7.7.

STATEMENTS BY MEMBERS

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

PRIVATE & 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 - November 13, 2019

(Ferguson/Pearson)

That the Closed Session Minutes dated November 13, 2019 be approved, as presented, and remain confidential.

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

NO - Deputy Mayor - 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 - Mayor Fred Eisenberger
NOT PRESENT - 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

(Clark/Pearson)

That Council move into Closed Session to discuss Items 10.2, 10.3, 10.4, Item 8 of the General Issues Committee Report 19-024 and the amendment to Item 8 of the General Issues Committee Report 19-024, pursuant to Section 8.1, Sub-sections (d), (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d), (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations; 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 13 to 2, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 19-024 (CONTINUED)

8. Potential Regulatory Litigation Update (CONFIDENTIAL Item 14.3)

(Wilson/Nann)

That Item 8 of the General Issues Committee Report 19-024, be **amended** by adding the following subsections, to read as follows:

- (c) ***That the Mayor and members of Council issue a formal apology to the residents of Hamilton for the failure to publicly disclose the volume and duration of the discharge of storm water runoff and sanitary sewage into Chedoke Creek when it first became known to the Council in 2018 and at any subsequent Committee and Council meetings;***
- (d) ***That staff be directed to publicly release the following documents which responded to Provincial Orders:***

APPENDIX "A" to Report PW19008(e)/LS19004(e) – Calder Engineering Chedoke Creek Inspection Report – July 19, 2018

APPENDIX "C" to Report PW19008(e)/LS19004(e) – Quantification of Volume and Contaminant Loadings – Hatch, September 28, 2018

APPENDIX "D" to Report PW19008(e)/LS19004(e) – Chedoke Creek Natural Environment and Sediment Quality Assessment and Remediation Report – Wood, January 24, 2019

APPENDIX “E” to Report PW19008(e)/LS19004(e) – Implementation and Costing Report – Wood, January 24, 2019

APPENDIX “F” to Report PW19008(e)/LS19004(e) – Peer Review Report – SLR Consulting (Canada) Ltd. – May 15, 2019

APPENDIX “G” to Report PW19008(e)/LS19004(e) – Wood response to the SLR Peer Review Report – Wood – May 23, 2019

APPENDIX “H” to Report PW19008(e)/LS19004(e) – CSO Facilities Inspection Report – Hatch, November 30, 2018

APPENDIX “I” to Report PW19008(e)/LS19004(e) – CSO Facilities Operations and Maintenance Plan – Hatch, January 31, 2019

APPENDIX “J” to Report PW19008(e)/LS19004(e) – Ministry of Environment, Conservation and Parks Order #1-J25YB, August 2, 2018

APPENDIX “K” to Report PW19008(e)/LS19004(e) – Ministry of Environment, Conservation and Parks Order #1-J3XAY, November 14, 2019

- (e) ***That the above documents be forwarded to the City of Burlington, Halton Region; Royal Botanical Gardens; Bay Area Restoration Council; Halton Conservation Authority; Hamilton Conservation Authority and Environment Hamilton;***
- (f) ***That staff be directed to compile and release publicly an inventory and summary of all water samples collected and retained by the City of Hamilton, from January 2014 to present;***
- (g) ***That the City seek to reconcile with Indigenous Water Walkers to come into right relations on the concerns raised about waste materials in Hamilton Harbour and Cootes Paradise;***
- (h) ***That Public Health be directed to immediately identify, assess and report back on:***

 - (i) ***any health-related incidents associated with exposure to contaminated waterways in the Chedoke Creek and Cootes Paradise; and,***
 - (ii) ***hospital and clinic data and public health notifications for any unusual illnesses reported since January 2014 that may be the result of bacterial contamination related to the discharge storm water runoff and sanitary sewage into Chedoke Creek and Cootes Paradise;***
- (i) ***That staff be directed to report back on the governance, collection and reporting model regarding water sample collection;***
- (j) ***That staff send a copy of this motion to ask the Hamilton Conservation Authority, and the Ministry of Environment, Conservation and Parks, to***

release an inventory and summary of all water samples collected and retained related to Chedoke Creek and Cootes Paradise from January 2014 to present;

- (k) That Public Works and Communications staff prepare a document that detail the chronology of when the Mayor and members of Council were apprised of the situation at Chedoke Creek and Cootes Paradise and the method of reporting (Committee or Council; type of report (written or verbal) and media releases from July 2018 to present;*
- (l) That staff report back publicly on the environmental impacts of the discharge; and,*
- (m) That the City recommit to the water quality objectives in the Remedial Action Plan process.*

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

YES - Deputy Mayor - 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
NOT PRESENT - 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

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

8. Potential Regulatory Litigation Update (Item 14.3)

- (a) That the direction provided to staff in Closed Session respecting the Potential Regulatory Litigation Update, be approved;
- (b) That the update and the direction provided in Closed Session, respecting the Potential Regulatory Litigation Update, remain confidential;
- (c) ***That the Mayor and members of Council issue a formal apology to the residents of Hamilton for the failure to publicly disclose the volume and duration of the discharge of storm water runoff and sanitary sewage into Chedoke Creek when it first became known to the Council in 2018 and at any subsequent Committee and Council meetings;***

- (d) *That staff be directed to publicly release the following documents which responded to Provincial Orders:*

APPENDIX “A” to Report PW19008(e)/LS19004(e) – Calder Engineering Chedoke Creek Inspection Report – July 19, 2018

APPENDIX “C” to Report PW19008(e)/LS19004(e) – Quantification of Volume and Contaminant Loadings – Hatch, September 28, 2018

APPENDIX “D” to Report PW19008(e)/LS19004(e) – Chedoke Creek Natural Environment and Sediment Quality Assessment and Remediation Report – Wood, January 24, 2019

APPENDIX “E” to Report PW19008(e)/LS19004(e) – Implementation and Costing Report – Wood, January 24, 2019

APPENDIX “F” to Report PW19008(e)/LS19004(e) – Peer Review Report – SLR Consulting (Canada) Ltd. – May 15, 2019

APPENDIX “G” to Report PW19008(e)/LS19004(e) – Wood response to the SLR Peer Review Report – Wood – May 23, 2019

APPENDIX “H” to Report PW19008(e)/LS19004(e) – CSO Facilities Inspection Report – Hatch, November 30, 2018

APPENDIX “I” to Report PW19008(e)/LS19004(e) – CSO Facilities Operations and Maintenance Plan – Hatch, January 31, 2019

APPENDIX “J” to Report PW19008(e)/LS19004(e) – Ministry of Environment, Conservation and Parks Order #1-J25YB, August 2, 2018

APPENDIX “K” to Report PW19008(e)/LS19004(e) – Ministry of Environment, Conservation and Parks Order #1-J3XAY, November 14, 2019

- (e) *That the above documents be forwarded to the City of Burlington, Halton Region; Royal Botanical Gardens; Bay Area Restoration Council; Halton Conservation Authority; Hamilton Conservation Authority and Environment Hamilton;*
- (f) *That staff be directed to compile and release publicly an inventory and summary of all water samples collected and retained by the City of Hamilton, from January 2014 to present;*
- (g) *That the City seek to reconcile with Indigenous Water Walkers to come into right relations on the concerns raised about waste materials in Hamilton Harbour and Cootes Paradise;*
- (h) *That Public Health be directed to immediately identify, assess and report back on:*

- (i) any health-related incidents associated with exposure to contaminated waterways in the Chedoke Creek and Cootes Paradise; and,*
- (ii) hospital and clinic data and public health notifications for any unusual illnesses reported since January 2014 that may be the result of bacterial contamination related to the discharge storm water runoff and sanitary sewage into Chedoke Creek and Cootes Paradise;*
- (i) That staff be directed to report back on the governance, collection and reporting model regarding water sample collection;*
- (j) That staff send a copy of this motion to ask the Hamilton Conservation Authority, and the Ministry of Environment, Conservation and Parks, to release an inventory and summary of all water samples collected and retained related to Chedoke Creek and Cootes Paradise from January 2014 to present;*
- (k) That Public Works and Communications staff prepare a document that detail the chronology of when the Mayor and members of Council were apprised of the situation at Chedoke Creek and Cootes Paradise and the method of reporting (Committee or Council; type of report (written or verbal) and media releases from July 2018 to present;*
- (l) That staff report back publicly on the environmental impacts of the discharge; and,*
- (m) That the City recommit to the water quality objectives in the Remedial Action Plan process.*

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

YES - Deputy Mayor - 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
NOT PRESENT - 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

(Ferguson/Johnson)

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

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - 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
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

(Ferguson/VanderBeek)

That the Committee of the Whole Rise and Report.

CARRIED

PRIVATE & CONFIDENTIAL (CONTINUED)

10.2 Potential Regulatory Litigation Update (PW19008(d)/LS19004(d)) (City Wide)

10.3 Potential Regulatory Litigation Update (PW19008(e)/LS19004(e)) (City Wide)

(Wilson/Nann)

That Reports PW19008(d)/LS19004(d) and PW19008(e)/LS19004(e) and Appendix "B" to Report PW19008(e)/LS19004(e), respecting Potential Regulatory Litigation Update, be received and remain confidential.

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

NO - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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

NOT PRESENT - 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

10.4 ATU Bargaining Update (no copy)

(Nann/Jackson)

That the information, respecting the ATU (Amalgamated Transit Union) Bargaining Update, be received and remain confidential.

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - 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
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

MOTIONS (CONTINUED)

7.6 Amendments to Item 26 of General Issues Committee Report 19-001, which was approved by Council on January 23, 2019 and Item 9 of General Issues Committee Report 19-012, which was approved by Council on June 26, 2019 respecting the Potential Regulatory Litigation

Councillor Wilson WITHDREW the following Motion:

That Item 26 of General Issues Committee Report 19-001, which was approved by Council on January 23, 2019 and Item 9 of General Issues Committee Report 19-012, which was approved by Council on June 26, 2019 respecting the Potential Regulatory Litigation, be **amended**, to reads as follows:

Item 26 of General Issues Committee Report 19-001 (January 16, 2019), which was approved by Council January 23, 2019:

26. Potential Regulatory Litigation (CONFIDENTIAL PW19008/LS19004) (City Wide) (Item 14.8)

- (a) That Report PW19008/LS19004, respecting Potential Regulatory Litigation, be received; and,
- (b) That Report PW19008/LS19004, respecting Potential Regulatory Litigation, ***be released publicly***.

Item 9 of General Issues Committee Report 19-012 (June 19, 2019), which was approved by Council June 26, 2019:

9. Potential Regulatory Litigation Update (CONFIDENTIAL PW19008(a)/LS19004(a)) (City Wide) (Item 14.2)

That Report PW19008(a)/LS19004(a), respecting a Potential Regulatory Litigation Update, ***be released publicly***.

7.7 Amendment to Item 9 of General Issues Committee Report 19-015, which was approved by Council on September 11, 2019 and Item 11 of General Issues Committee Report 19-020, which was approved by Council on October 23, 2019 respecting the Potential Regulatory Litigation

Councillor Danko WITHDREW the following Motion:

That Item 9 of General Issues Committee Report 19-015, which was approved by Council on September 11, 2019 and Item 11 of General Issues Committee Report 19-020, which was approved by Council on October 23, 2019 respecting the Potential Regulatory Litigation, be ***amended***, to read as follows:

Item 9 of General Issues Committee Report 19-015 (September 4, 2019), which was approved by Council September 11, 2019:

9. Potential Regulatory Litigation Update (CONFIDENTIAL PW19008(b)/LS19004(b)) (City Wide) (Item 14.5)

- (a) That the direction provided to staff in Closed Session, respecting Report PW19008(b)/LS19004(b), regarding the Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PW19008(b)/LS19004(b), respecting Potential Regulatory Litigation Update, ***be released publicly***.

Item 11 of General Issues Committee Report 19-020 (October 16, 2019), which was approved by Council October 23, 2019:

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

- (a) That the direction provided to staff in Closed Session respecting Report PW19008(c)/LS19004(c) – Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PW19008(c)/LS19004(c), respecting a Potential Regulatory Litigation Update, ***be released publicly***.

BY-LAWS

(Wilson/Farr)

That Bills No. 19-280 to No. 19-291, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

- 19-280** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 31 (Designated Areas – Reduced Speed Limit – 40km/h Neighbourhoods)
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Ward: City Wide
- 19-281** Respecting Removal of Part Lot Control, Block 1, Registered Plan No. 62M-1256 “Victory Ridge – Phase 3”, municipally known as 2, 4, 6, 8, 10, 12 and 14 Utter Place
Ward: 9
PLC-19-030
- 19-282** Respecting Removal of Part Lot Control, Block 2, Registered Plan No. 62M-1256 “Victory Ridge – Phase 3”, municipally known as 1, 3, and 5 Allcroft Court
Ward: 9
PLC-19-031
- 19-283** Respecting Removal of Part Lot Control, Block 3, Registered Plan No. 62M-1256 “Victory Ridge – Phase 3”, municipally known as 7, 9, and 11 Allcroft Court
Ward: 9
PLC-19-032
- 19-284** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Schedule 20 (School Bus Loading Zones)
Ward: 1, 2, 3, 4, 5, 8, 13
- 19-285** To Adopt the Housing for Hamilton Community Improvement Plan (2019)
Ward: 4

- 19-286** To Repeal and Replace By-law No. 03-126, Being a By-law for the Prohibiting and Regulating the Alteration of Property Grades, the Placing or Dumping of Fill, and the Removal of Topsoil
Ward: City Wide
- 19-287** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 5 (Parking Meters)
Schedule 13 (No Stopping)
Ward: 2
- 19-288** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2020 Fees and Charges
Ward: City Wide
- 19-289** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2020 Fees and Charges
Ward: City Wide
- 19-290** To Amend the Waterworks By-law No. R84-026 and Implement the 2020 Fees and Charges
Ward: City Wide
- 19-291** A By-law to Establish the 2020 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
Ward: City Wide
- 19-292** To Confirm the Proceedings of City Council

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

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson
YES - 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
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - 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

(Ferguson/Pearson)

That, there being no further business, City Council be adjourned at 3:37 a.m. on November 28, 2019.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk