



## CITY COUNCIL MINUTES 20-009

9:30 a.m.  
April 29, 2020  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

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.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

#### **4. COMMUNICATIONS (Item 4)**

4.1 Correspondence respecting concerns with the Urban Hamilton Official Plan (UHOP) changes with respect to about 354 King St W:

(d) George & Peggy Donner

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

- 4.6 Correspondence from the Honourable Sylvia Jones, Solicitor General respecting an extension to the deadline for municipalities to prepare their Community Safety and Well-Being (CWSB) plan.

Recommendation: Be received.

- 4.7 Correspondence from Vivien Underdown, Food Advisory Committee Chair and Elly Bowen, Food Advisory Vice-Chair urging Council to include stakeholders from the food and agriculture industry, across production, processing, distribution, consumption and waste in the Mayor's Task Force on Economic Recovery and they also urge Council to consider how tax increases could impact low to middle-income community members and contribute to worsening food insecurity.

Recommendation: Be received and referred to the consideration of Item 6.3.

## 5. COMMITTEE OF THE WHOLE (Item 5)

### 5.2 PUBLIC HEARINGS / WRITTEN DELEGATIONS

- 5.2 (a) Written Delegation from West End Home Builder's Association on the Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (City Wide) (PED19015(b)) and response from the City to their comments:

- (i) April 23, 2020 – West End Home Builder's Association
- (ii) April 27, 2020 – West End Home Builder's Association
- (iii) April 28, 2020 - Response from City staff

Recommendation: Be received and referred to the consideration of Item 5.4 (b).

- 5.2 (b) Written Delegations respecting Report FCS20023, New Development Water Customer Attachment Billing Policy:

- (i) Larry Freeman
- (ii) Hamilton-Wentworth Federation of Agriculture
- (iii) Mathers Family

Recommendation: Be received and referred to the consideration of Item 5.4 (a).

### 5.4 DISCUSSION ITEMS

- 5.4 (b) Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (PED19015(b)) (City Wide) – **REVISED APPENDIX 'A'**

- 5.4 (e) Metrolinx Transit Initiative Program (PW20027) (City Wide) -  
**WITHDRAWN**

**7. NOTICES OF MOTION**

- 7.1 Hamilton Downtown Mosque and Hamilton Mountain Mosque Call to Prayer Twice Daily During Ramadan, 2020

**(Pearson/Pauls)**

That the agenda for the April 29, 2020 meeting of Council be approved, **as amended**.

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

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

**DECLARATIONS OF INTEREST**

Councillor Clark declared an interest to Item 4.3 respecting correspondence from David Neligan, Aird & Berlis LLP, on behalf of Arbor Developments Inc., respecting GRIDS 2 and the Municipal Comprehensive Review, due to his son's business interest with Sergio Manchia.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**3.1 April 22, 2020 (Item 3.1)**

**(Johnson/Partridge)**

That the Minutes of the April 22, 2020 meeting of Council be approved, as presented.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor Ward 4 Councillor Sam Merulla  
NOT PRESENT - Ward 5 Councillor Chad Collins  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - 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

<b>COMMUNICATIONS</b>
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**(Merulla/Farr)**

That Communication 4.3, be approved, as presented, as follows:

- 4.3 Correspondence from David Neligan, Aird & Berlis LLP, on behalf of Arbor Developments Inc., respecting GRIDS 2 and the Municipal Comprehensive Review.

Recommendation: Be received and referred to the Director of Planning / Chief Planner for appropriate action.

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

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

**(Merulla/Farr)**

That Council Communications 4.1, 4.2 and 4.4 to 4.7 be approved, as presented, as follows:

- 4.1 Correspondence respecting concerns with the Urban Hamilton Official Plan (UHOP) changes with respect to about 354 King St W:

- (a) Denise Minardi
- (b) Aleda O'Connor
- (c) Barbara Ledger
- (d) George & Penny Donner

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

- 4.2 Correspondence from Mark & Helen Hagel respecting suggestions to help with the shortages of municipal funds given the current Corona crisis

Recommendation: Be received.

- 4.4 Correspondence Montreal City Councillor Marvin Rotrand respecting a request for support from the Canadian Urban Transit Association (CUTA) for federal funding to stabilize public transport until the end of the COVID-19 crisis.

Recommendation: Be received.

- 4.5 Petition from Change.org demanding transparency and immediate full public disclosure of the process followed for the demolition of well-known and loved Brandon House (462 Wilson Street East, Ancaster)

Recommendation: Be received and referred to the consideration of Item 6.2 and to the General Manager of Planning and Economic Development for appropriate action.

- 4.6 Correspondence from the Honourable Sylvia Jones, Solicitor General respecting an extension to the deadline for municipalities to prepare their Community Safety and Well-Being (CWSB) plan.

Recommendation: Be received.

- 4.7 Correspondence from Vivien Underdown, Food Advisory Committee Chair and Elly Bowen, Food Advisory Vice-Chair urging Council to include stakeholders from the food and agriculture industry, across production, processing, distribution, consumption and waste in the Mayor's Task Force on Economic Recovery and they also urge Council to consider how tax increases could impact low to middle-income community members and contribute to worsening food insecurity.

Recommendation: Be received and referred to the consideration of Item 6.3.

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

YES - Ward 1 Councillor Maureen Wilson

- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - 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

**(Merulla/Farr)**

That Council move into Committee of the Whole.

**CARRIED**

<b>COMMITTEE OF THE WHOLE</b>
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**5.1 CONSENT ITEMS**

**5.1 (a) Chedoke Creek Ministry Order Update (PW19008(h)) (City Wide)**

**(Ferguson/Merulla)**

That Report PW19008(h) respecting the Chedoke Creek Ministry Order Update, be received.

**Result: Motion CARRIED by a vote of 14 to 1, as follows:**

- NO - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor 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 - Mayor Fred Eisenberger
- YES - 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

**(Nann/Pearson)**

That Consent Items 5.1 (b) and (c), be approved as presented:

**5.1 (b) Barton Village Business Improvement Area (BIA) Revised Board of Management (PED20096) (Ward 3)**

That the following individuals be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Christine Furtado
- (ii) Sophie Dixon
- (iii) Michal Cybin

**5.1 (c) Westdale Village Business Improvement Area (BIA) Revised Board of Management (PED20097) (Ward 1)**

That the following individuals be appointed to the Westdale Village Business Improvement Area (BIA) Board of Management:

- (i) Ron Gabor
- (ii) Anita Shilliday

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**5.2 PUBLIC HEARINGS / WRITTEN DELEGATIONS**

**5.2 (a)** Written Delegation from West End Home Builder's Association on the Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (Clty Wide) (PED19015(b)) (Item 5.4 (b)) and response from the City to their comments:

- (i) April 23, 2020 – West End Home Builder's Association

- (ii) April 27, 2020 – West End Home Builder’s Association
- (iii) April 28, 2020 - Response from City staff

**5.2 (b)** Written Delegations respecting Report FCS20023, New Development Water Customer Attachment Billing Policy (Item 5.4 (a)):

- (i) Larry Freeman
- (ii) Hamilton-Wentworth Federation of Agriculture
- (iii) Mathers Family

**(Partridge/Pearson)**

That the Items 5.2 (a) and 5.2 (b), be received and referred to the consideration of the respective agenda items.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**5.4 DISCUSSION ITEMS**

**5.4 (a) New Development Water Customer Attachment Billing Policy (FCS20023) (City Wide)**

**(Partridge/Pearson)**

- (a) That the New Development Water Customer Attachment Billing Policy, attached as Appendix “A” to Report FCS20023, be approved and effective as of May 1, 2020;
- (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws to implement the New Development Water Customer Attachment Billing Policy set out in Recommendation (a) of Report FCS20023;

- (c) That Multi-residential and Industrial / Commercial / Institutional (ICI) properties under construction with active building permits issued prior to May 1, 2020, be required to pay the Unmetered Rates by Meter Size as outlined in Appendix “A” to Report FCS20023 at the time of the plumbing inspection stage where a water meter has not been installed;
- (d) That staff in Financial Planning, Administration and Policy Division coordinate a working group comprised of staff from Growth Management, Building Services, Hamilton Water and Alectra Utilities Corporation to identify the complete population of non-compliant, non-metered water service accounts and transition the accounts to metered service.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**(Johnson/Clark)**

That Written Delegations 5.2 (b) (i) to (iii), referred to the consideration of Item 5.4 (a) New Development Water Customer Attachment Billing Policy (FCS20023) be referred to the Director, Hamilton Water and considered during the preparation of the 2020 report detailing the next steps of the stormwater rate review including potential incentive programs.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins

YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - 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

**5.4 (b) Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (PED19015(b)) (City Wide)**

**(Whitehead/Pearson)**

That Council waive the notice provision within By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice in order for an amendment to be made to User Fees and Charges By-law effective May 1, 2020.

**Result: Motion CARRIED by a 2/3's majority vote of 16 to 0, as follows:**

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

(a) That the 2020 Tariff of Fees for Planning and Engineering Development Applications, attached as **REVISED** Appendix "A" to Report PED19015(b) be approved and incorporated into the User Fees and Charges By-law, effective May 1, 2020;

- (b) That upon written request to the Director of Planning and Chief Planner by the owner / applicant / agent of a Complex Rezoning and / or Site Plan Control Application submitted and deemed complete between January 1, 2020 and May 1, 2020, staff be authorized and directed to refund any fees paid that are higher than the revised fees, provided said request is received prior to July 1, 2020.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**5.4 (c) Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal (PED20053(a)) (Wards 13 and 15)**

**(Danko/Nann)**

WHEREAS, General Issues Committee on February 7, 2020 and then again on February 19, 2020 deferred the consideration of Sub-Section (a) of Report PED20053 respecting the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal; and

WHEREAS, Report PED20053(a) refers to staff's opportunity to discuss the OEB process with the OEB Project Advisor for this file and now recommend that "Intervenor" status be maintained.

THEREFORE BE IT RESOLVED:

That Sub-Section (a) of Report PED20053 respecting Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal, be deleted in its entirety, as follows:

~~(a) That the General Manager of Planning and Economic Development be authorized and directed to advise the Ontario Energy Board that Hamilton withdraws its request for intervenor status for file EB-2019-0159 in respect of the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway and Integrated Resource Planning Proposal.~~

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

- (a) That the General Manager of Planning and Economic Development be authorized and directed to maintain "Intervenor" status with the Ontario Energy Board for file EB-2019-0159 in respect of the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension;
- (b) That it be confirmed that no outside consultants will be retained and therefore no evidence will be submitted in response to Procedural Order #4 of the Ontario Energy Board for file EB-2019-0159 in respect of the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension;
- (c) That the General Manager of Planning and Economic Development be authorized and directed to file interrogatories and respond to any interrogatories in accordance with the deadlines of Procedural Order #4 of the Ontario Energy Board, for file EB-2019-0159 in respect of the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**5.4 (d) To Incorporate City Lands into Upper Sherman Avenue by By-Law (PED20083) (Ward 7)**

**(Pauls/Jackson)**

- (a) That the following City Lands designated as Part 2 on Plan 62R-20462, Parts 1 and 2 on Plan 62R-20143, and Part 2 on Plan 62R-20463, save and except Parts 1 and 2 on Plan 62R-20487, be established as a public highway to form part of Upper Sherman Avenue;
- (b) That the By-Law to incorporate the City lands to form part of Upper Sherman Avenue be prepared to the satisfaction of the City Solicitor and be enacted by Council;
- (c) That the General Manager of Public Works be authorized and directed to register the By-Law.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

- YES - 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

**5.4 (f) Tax and Rate Operating Budget Variance Report as at December 31, 2019 - Budget Control Policy Transfers (FCS19055(b)) (City Wide)**

**(Nann/Ferguson)**

(a) That, in accordance with the “Budgeted Complement Control Policy”, the 2019 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix “C” to Report FCS19055(b), be approved;

(b) That, subject to final audit, the Disposition of 2019 Year-End Operating Budget Surplus / Deficit be approved as follows:

**Table 1**

<b>DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)</b>	<b>\$</b>	<b>\$</b>
<b>Corporate Surplus from Tax Supported Operations</b>		<b>\$ 14,718,163</b>
<b>Disposition to/from Self-Supporting Boards &amp; Agencies</b>		<b>\$ (2,077,958)</b>
Less: Police (Transfer to Police Reserve)	\$(1,425,221)	
Less: Library (Transfer to Library Reserve)	\$ (706,285)	
Add: Farmers Market (Transfer from Hamilton Farmers Market Reserve)	\$ 53,548	
<b>Balance of Corporate Surplus</b>		<b>\$ 12,640,205</b>
Less: Transfer to Unallocated Capital Levy Reserve		\$ (3,527,594)
Add: Transfer from HEF Capital Project Reserve		\$ 203,999
Less: Transfer to Flamborough Capital Reserve		\$ (456,076)
Less: Transfer to Tax Stabilization Reserve		\$ (8,860,534)
<b>Balance of Tax Supported Operations</b>		<b>\$ -</b>
<b>Corporate Surplus from Rate Supported Operations</b>		<b>\$ 10,242,775</b>
Less: Transfer to the Rate Supported Water Reserve		\$ (5,280,315)
Less: Transfer to the Rate Supported Wastewater Reserve		\$ (4,962,460)
<b>Balance of Rate Supported Operations</b>		<b>\$ -</b>

\* -anomalies due to rounding

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann

- YES - Deputy Mayor Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - 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

**5.4 (g) Red Hill Valley Parkway Enquiry Update (LS19036(a)) (City Wide)**

**(Partridge/Ferguson)**

That the consideration of Report LS19036(a) respecting the Red Hill Valley Parkway Enquiry Update, be deferred until after the Closed Session portion of the meeting.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - 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, please refer to Item 5.4 (g) following Closed Session.

<b>MOTIONS</b>
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**6.1 Recognizing Ken Curry**

**(Pearson/Clark)**

WHEREAS, Ken Curry, the last surviving Royal Hamilton Light Infantry (RHLI) Veteran to have fought at Dieppe has passed away;

WHEREAS, Ken Curry was a volunteer firefighter in Stoney Creek; and

WHEREAS, the City of Hamilton recognizes individuals who have made significant contributions to the public life and well-being of the City of Hamilton through the naming of municipal facilities and properties.

THEREFORE, BE IT RESOLVED

That the Facility Naming Sub-Committee include 'Ken Curry' on the list of names for a municipal facility and/or property in Stoney Creek.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**6.2 Properties of Potential Cultural Heritage Interest in Ancaster****(Ferguson/Farr)**

WHEREAS the following properties (henceforth referred to collectively as "the properties" and being 40 in total) located in the Village Core of Ancaster, as defined in Section B.2.8.3 of the of the Ancaster Wilson Street Secondary Plan, from Rousseaux Street to Dalley Drive, are listed on the City's Heritage Inventory but have no formal protection from demolition under the *Ontario Heritage Act*;

WHEREAS the list below includes properties that are identified on the map in Appendix A of the Ancaster Wilson Street Secondary Plan and properties that have been listed since the Ancaster Wilson Street Secondary Plan came into affect on February 18, 2015;

- 490 Old Dundas Rd
- 406 Wilson Street E
- 303 Wilson Street E

- 469 Wilson Street E
- 454 Wilson Street E
- 450 Wilson Street E
- 449 Wilson Street E
- 442 Wilson Street E
- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 412 Wilson Street E
- 400 Wilson Street E
- 380 Wilson Street E
- 370 Wilson Street E
- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 346 Wilson Street E
- 340 Wilson Street E
- 335 Wilson Street E
- 327 Wilson Street E
- 326 Wilson Street E
- 323 Wilson Street E
- 311 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E
- 231 Wilson Street E
- 213 Wilson Street E
- 176 Wilson Street E

WHEREAS there is concern that the properties may be lost to demolition or subject to significant alterations prior to a full assessment of their cultural heritage value;

WHEREAS including the properties on the Municipal Heritage Register as non-designated properties under Section 27(1.2) of the *Ontario Heritage Act* provides the properties with interim, 60-day protection from demolition;

WHEREAS a preliminary evaluation of cultural heritage value or interest of the properties indicate they meet the criteria specified in *Ontario Regulation 9/06*, including but not limited to:

- Historical Associations – Located within the historic village core of Ancaster, these properties are associated with the history, growth and development of the village. Through further research, the properties have the potential to yield additional information which may contribute to an historic or contemporary understanding of the community;
- Physical and Architectural Design – Dating from the 19<sup>th</sup>-century to the mid-20<sup>th</sup> century, the properties can be considered representative examples of a variety of vernacular Ontario architectural types. Through further research, the properties may be found to display high degrees of craftsmanship, artistic merit, or technical achievement; and,
- Contextual Value – These properties are important in defining and maintaining the historic character of the Ancaster Village core. Given their location within the Village core, the properties are physically, visually, and historically linked to their surroundings. Through further research, the properties may be identified as local landmarks that contribute to our understanding of the development of the Ancaster community; and,

WHEREAS including the properties on the Register and staff’s designation work plan supports the policies of the Ancaster Wilson Street Secondary Plan, specifically

Section B.2.8.13 and Appendix A – Character Areas and Heritage Features, being objectives to retain and conserve historical buildings, structures, or features on their original sites and seek adaptive re-use and preservation of existing buildings before new development or redevelopment is considered;

THEREFORE BE IT RESOLVED:

(a) That the following properties be added to the City’s Municipal Heritage Register as non-designated properties, after consultation with the Hamilton Municipal Heritage Committee; and

- 490 Old Dundas Rd
- 469 Wilson Street E
- 454 Wilson Street E
- 450 Wilson Street E
- 449 Wilson Street E
- 442 Wilson Street E
- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 412 Wilson Street E
- 406 Wilson Street E
- 400 Wilson Street E
- 380 Wilson Street E
- 370 Wilson Street E
- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 346 Wilson Street E
- 340 Wilson Street E
- 335 Wilson Street E
- 327 Wilson Street E
- 326 Wilson Street E
- 323 Wilson Street E
- 311 Wilson Street E
- 303 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E
- 231 Wilson Street E
- 213 Wilson Street E
- 176 Wilson Street E

(b) That Cultural Heritage staff in the Development Planning, Heritage and Design Section be directed to add the following properties to staff’s designation work plan and be assigned high priority for completion:

- 490 Old Dundas Rd
- 469 Wilson Street E
- 454 Wilson Street E
- 450 Wilson Street E
- 449 Wilson Street E
- 442 Wilson Street E
- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 412 Wilson Street E
- 406 Wilson Street E
- 400 Wilson Street E
- 380 Wilson Street E
- 370 Wilson Street E
- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 346 Wilson Street E
- 340 Wilson Street E
- 335 Wilson Street E
- 327 Wilson Street E
- 326 Wilson Street E
- 323 Wilson Street E
- 311 Wilson Street E
- 303 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E
- 231 Wilson Street E
- 213 Wilson Street E
- 176 Wilson Street E

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson

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

### 6.3 Mayor's Task Force on Economic Recovery

#### **(Jackson/Ferguson)**

WHEREAS, the COVID-19 pandemic, as much as it is a public health challenge, is also an economic challenge;

WHEREAS, the health and safety of our community remain our primary concern, we also need to begin to look beyond COVID-19 pandemic to ensure our local economy is well-positioned to rebound from this crisis as quickly as possible,

WHEREAS, several short-term measures, including the City of Hamilton's Property Tax Assistance Program, have been initiated to attempt to mitigate some of the impact caused by the pandemic;

WHEREAS, the City of Hamilton has recently completed a Business Impact Survey in conjunction with the Flamborough, Hamilton and Stoney Creek Chambers of Commerce, all thirteen Business Improvement Associations and Workforce Planning Hamilton; and

WHEREAS, the business survey has identified the economic impacts of COVID19 on key industry groups in Hamilton.

THEREFORE BE IT RESOLVED:

- (a) That the Director of Economic Development and Director of Tourism and Culture, develop a Terms of Reference for the creation of a *Mayor's Task Force on Economic Recovery* to position the City of Hamilton for long term economic recovery and report back with a proposed Terms of Reference to Council for approval;
- (b) That the Task Force be comprised of, but not limited to, representatives of local business, industry, labour, and the academic community who will provide advice on solutions to achieve long term economic recovery; and

(c) That Economic Development staff provide Council with a complete report of the Business Impact Survey findings once they have been compiled.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

**6.4 Hamilton Downtown Mosque and Hamilton Mountain Mosque Call to Prayer Twice Daily During Ramadan, 2020**

**(Farr/Jackson)**

WHEREAS, the holy month of Ramadan is underway.

WHEREAS, as a symbolic gesture, the directors at the Hamilton Downtown Mosque and Hamilton Mountain Mosque have requested a call to prayer (adhan) for two occasions of five per day and until Ramadan concludes on May 23, 2020

WHEREAS, Municipal Law Enforcement staff may collaborate with the Hamilton Downtown Mosque and Hamilton Mountain Mosque on an acceptable level to broadcast the adhan twice daily.

THEREFORE BE IT RESOLVED:

That the Hamilton Downtown Mosque and Hamilton Mountain Mosque be permitted to broadcast outside two daily call to prayers (of five) each day until Ramadan's conclusion on May 23, 2020; and

That a Noise Exemption Permit be granted to allow for the two broadcasts lasting approximately 2 minutes each at noon and one half hour prior to sunset.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

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

<b>NOTICES OF MOTION</b>
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**7.1 Hamilton Downtown Mosque and Hamilton Mountain Mosque Call to Prayer Twice Daily During Ramadan, 2020**

**(Farr/Jackson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Hamilton Downtown Mosque and Hamilton Mountain Mosque Call to Prayer Twice Daily During Ramadan, 2020.

**Result: Motion CARRIED by a 2/3's majority vote of 16 to 0, as follows:**

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

YES - Mayor Fred Eisenberger  
YES - 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

Refer to Item 6.4 for further disposition of this item.

**STATEMENTS BY MEMBERS**

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

**PRIVATE & CONFIDENTIAL**

Council determined that discussion of Item 9.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

**9.1 Closed Session Minutes – April 22, 2020**

**(Pauls/VanderBeek)**

That the Closed Session Minutes dated April 22, 2020 be approved, as presented, and remain confidential.

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

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

**(Pearson/Danko)**

That Council move into Closed Session respecting Items 9.2 and 9.3, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, as amended, as the

subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

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

**9.2 Commercial Relationship Between City of Hamilton and RossClair Contractors Inc. (LS20011 / FCS20046) (City Wide)**

**(Partridge/VanderBeek)**

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and RossClair Contractors Inc. that has resulted from construction litigation, staff be directed to reject any current and future bids, proposals or quotations received from RossClair Contractors Inc. or any of its related corporate or individual entities, until April 22, 2025;
- (b) That the City of Hamilton not enter into any contract with RossClair Contractors Inc. or any of their related corporate or individual entities until and including April 22, 2025; and
- (c) That the contents of Report LS20011/FCS20046 remain confidential.

**(Partridge/VanderBeek)**

That the following sub-section be included as sub-section (c) and renumber the remainder of the sub-sections accordingly:

- (c) ***That staff be directed to review RossClair Contractors Inc. 2020 five year ban for possible continuation in March 2025 and report back to Council with recommendations.***

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

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

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

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and RossClair Contractors Inc. that has resulted from construction litigation, staff be directed to reject any current and future bids, proposals or quotations received from RossClair Contractors Inc. or any of its related corporate or individual entities, until April 22, 2025;
- (b) That the City of Hamilton not enter into any contract with RossClair Contractors Inc. or any of their related corporate or individual entities until and including April 22, 2025;
- (c) ***That staff be directed to review RossClair Contractors Inc. 2020 five year ban for possible continuation in March 2025 and report back to Council with recommendations;*** and
- (d) That the contents of Report LS20011/FCS20046 remain confidential.

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

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

YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

<b>COMMITTEE OF THE WHOLE - CONTINUED</b>
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**5.4 DISCUSSION ITEMS - CONTINUED**

**5.4 (g) Red Hill Valley Parkway Enquiry Update (LS19036(a)) (City Wide)**

**(Collins/Clark)**

- (a) That report LS19036(a) respecting the Red Hill Valley Parkway Enquiry Update, be received;
- (b) That the direction to staff in Closed Session as per Confidential Appendix "A", be approved; and
- (c) That Confidential Appendix "A" and Confidential Appendix "B" remain confidential.

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

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

**(Merulla/Farr)**

That the Committee of the Whole Rise and Report.

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

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

**BY-LAWS**

**(Merulla/Farr)**

That Bills No. 20-084 to 20-088, 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:

- 084        Respecting Removal of Part Lot Control, Block 92 (Parts 1-7), Registered Plan No.62M-1249 “Empire Caterini, Phase 1”, municipally known as 316, 318, 320, 322,324, 326, and 328 Pumpkin Pass  
PLC-20-002  
Ward: 11
  
- 085        To Establish City of Hamilton Land Described as Part 1 on Plan 62R-21218 as Part of Inverness Avenue East  
Ward: 8
  
- 086        To Establish City of Hamilton Land Described as Parts 2 & 3 on Plan 62R-21218 as Part of Upper Wellington Street  
Ward: 8
  
- 087        To Establish City of Hamilton Land Described as Part 2 on Plan 62R-20462, Parts 1and 2 on Pan 62R-20143, and Part 2 on Plan 62R-20463, save and except Parts 1and 2 on Plan 62R-20487 as Part of Upper Sherman Avenue  
Ward: 7
  
- 088        To Confirm the Proceedings of City Council

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

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

**(Johnson/Pearson)**

That, there being no further business, City Council be adjourned at 7:03 p.m. on April 29, 2020.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk