



SPECIAL GENERAL ISSUES COMMITTEE MINUTES 20-006

12:57 p.m.

Thursday, February 13, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Councillors T. Whitehead, L. Ferguson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Chedoke Creek Ministry Order Update (PW19008(g)/LS19004(g)) (City Wide)
(Item 6.1)**

(Eisenberger/Partridge)

- (a) That Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update, be received; and,
- (b) That the Legal Opinion of Rosalind Cooper, attached as Appendix “B” to Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update, regarding the ongoing investigation and potential litigation remain confidential and not be released as a public document.

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

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

2. Chedoke Creek Spill Update (PW19008(f)) (City Wide) (Item 7.1)

(Eisenberger/Pearson)

That Report PW19008(f), respecting the Chedoke Creek Spill Update, be received.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

6. STAFF PRESENTATIONS

- 6.1 Chedoke Creek Ministry Order Update (PW19008(g) / LS19004(g))
(City Wide)

7. DISCUSSION ITEMS

- 7.1 Potential Regulatory Litigation Update (PW19008(f)) (City Wide)

The title for Report PW19008(f) has been changed to better reflect the content, and now reads "**Chedoke Creek Spill Update**" rather than "Potential Regulatory Litigation Update".

10. PRIVATE & CONFIDENTIAL

- 10.1 Appendix "B" to Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update

(Pearson/VanderBeek)

That the agenda for the February 13, 2020 Special General Issues Committee meeting, be approved, as amended.

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

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

There were no declarations of interest.

(c) STAFF PRESENTATIONS (Item 6)

(i) Chedoke Creek Ministry Order Update (PW19008(g) / LS19004(g)) (City Wide) (Item 6.1)

Dan McKinnon, General Manager of Public Works; and, Gord Wicher, of SLR Consultants, provided a PowerPoint presentation respecting Report PW19008(g) / LS19004(g) - Chedoke Creek Ministry Order Update.

(Eisenberger/Partridge)

That the presentation, respecting Report PW19008(g) / LS19004(g) - Chedoke Creek Ministry Order Update, be received.

CARRIED

A copy of the presentation is available on the City's website or through the Office of the City Clerk.

To view the video presentation, please refer to the link below:

<https://youtu.be/RMhGtxJGhul>

(Eisenberger/Pauls)

That consideration of Report PW19008(g)/LS19004(g) - Chedoke Creek Ministry Order Update, be DEFERRED until Committee reconvenes in Open Session.

CARRIED

For disposition of this matter, please refer to Item 1.

(Pauls/Jackson)

That Committee move into Closed Session respecting Item 10.1, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, *as amended*; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act, 2001; as amended*, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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 10 to 0, as follows:

YES - 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 - Deputy Mayor - 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
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

(d) ADJOURNMENT (Item 15)

(Pauls/Pearson)

That there being no further business, the General Issues Committee be adjourned at 4:41 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor J. P. Danko
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk