



BOARD OF HEALTH MINUTES 20-002

9:30 a.m.

Friday, February 21, 2020

Council Chambers

Hamilton City Hall

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Communications (Added Items 5.1 and 5.2)

(Pearson/Nann)

That the following Communications be endorsed:

- (i) Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury and Districts, respecting a Resolution Supporting a Universal Publicly Funded Healthy School Food Program (Added Item 5.1)
- (ii) Correspondence from the Windsor–Essex County Board of Health, respecting their Resolution on The Children Count Pilot Project (Added Item 5.2)

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

YES - Vice-Chair - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NOT PRESENT - Ward 3 Councillor Nrinde 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 - Chair - 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. Hamilton Drug Strategy Year End Report (BOH20006) (City Wide) (Item 7.1)

(VanderBeek/Pearson)

That Report BOH20006 respecting the Hamilton Drug Strategy Year End Report, be received.

CARRIED

3. 2020 Annual Service Plan and Budget (BOH20008) (City Wide) (Item 9.1)

(Pearson/Nann)

That Appendix "A" to Report BOH20008, being the 2020 Annual Service Plan and Budget Submission, be approved by the Board of Health, and submitted to the Ministry of Health.

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

YES - Vice-Chair - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - 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

4. Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places (Added Item 11.1)

(Jackson/Merulla)

WHEREAS the City of Hamilton has shown leadership in the past to protect residents from the harms of exposure to second-hand smoke;

WHEREAS smoking of non-tobacco combustible substances in public places creates enforcement complexities when determining compliance with the *Smoke-Free Ontario Act, 2017*;

WHEREAS smoking of non-tobacco combustible substances such as the use of herbal products in water-pipes is more popular among youth and young adults in Hamilton;

WHEREAS there is significant evidence of the harmful health effects of water-pipe use including to workers and the general public related to second-hand smoke exposures;

WHEREAS waterpipe smoking, in general, negatively affects indoor air quality for indicators including carbon monoxide and particulate matter, which are closely related to potential impacts on human health;

WHEREAS smoking of non-tobacco combustible substances in public spaces undermines the progress made by local smoke-free regulations and the *Smoke-Free Ontario Act, 2017* to protect people from second-hand smoke; and

WHEREAS the *Municipal Act, 2001*, and particularly sections 9, 10, 11 and 115, authorize the City of Hamilton to pass by-laws respecting these matters;

THEREFORE BE IT RESOLVED

That the City of Hamilton Public Health Services report back to the Board of Health with recommendations for implementation of a by-law to regulate the smoking of non-tobacco combustible substances in public places and work places by June 2020.

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

YES - Vice-Chair - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Mayor Fred Eisenberger
NOT PRESENT - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury and Districts, respecting a Resolution Supporting a Universal Publicly Funded Healthy School Food Program.

Recommendation: Be endorsed.

- 5.2 Correspondence from the Windsor–Essex County Board of Health, respecting their Resolution on The Children Count Pilot Project

Recommendation: Be endorsed.

- 5.3 Correspondence from David. C. Williams, Chief Medical Officer of Health, respecting Response to the City of Hamilton's request for a Seamless Provincial Immunization Registry

Recommendation: Be received.

- 5.4 Correspondence from the Association of Location Public Health Agencies respecting Registration for the Winter 2020 alPHa Symposium and Section Meetings

Recommendation: Be received.

- 5.5 Correspondence from Cynthia St. John, Chief Executive Officer, Southwestern Public Health, respecting Public Health Modernization Team Meeting

Recommendation: Be received.

- 5.6 Correspondence from the Association of Local Public Health Agencies, respecting the 2020 Annual General Meeting and Conference on June 7-9, 2020

Recommendation: Be received.

- 5.7 Correspondence from Peterborough Public Health respecting their Board of Health's Position Paper on the Modernization of Public Health

Recommendation: Be received.

12. NOTICES OF MOTION

- 12.1 Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places

(Pearson/Danko)

That the agenda for the February 21, 2020 Board of Health be approved, as amended.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Vice-Chair - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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 - Chair - Mayor Fred Eisenberger
YES - 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

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) January 13, 2020 (Item 4.1)

(Pearson/Wilson)

That the Minutes of the January 13, 2020 meeting of the Board of Health be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Vice-Chair - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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 - Chair - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeeck
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

(e) COMMUNICATIONS (Item 5)

(Nann/Pearson)

That the following Communication Items be received:

5. COMMUNICATIONS

- (i) Correspondence from David. C. Williams, Chief Medical Officer of Health, respecting Response to the City of Hamilton's request for a Seamless Provincial Immunization Registry (Added Item 5.3)
- (ii) Correspondence from the Association of Local Public Health Agencies respecting Registration for the Winter 2020 aLPHa Symposium and Section Meetings (Added Item 5.4)
- (iii) Correspondence from Cynthia St. John, Chief Executive Officer, Southwestern Public Health, respecting Public Health Modernization Team Meeting (Added Item 5.5)
- (iv) Correspondence from the Association of Local Public Health Agencies, respecting the 2020 Annual General Meeting and Conference on June 7-9, 2020 (Added Item 5.6)
- (v) Correspondence from Peterborough Public Health respecting their Board of Health's Position Paper on the Modernization of Public Health (Added Item 5.7)

CARRIED

(f) CONSENT (Item 7)

(i) Hamilton Drug Strategy Year End Report (BOH20006) (City Wide) (Item 7.1)

(Merulla/Partridge)

That staff be directed to provide a comparison on the impacts of psychoactive substances in Hamilton, and report back to an upcoming Board of Health meeting.

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

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

For further disposition of this matter, refer to Item 2.

(ii) Food Advisory Committee Minutes – November 19, 2019 (Item 7.1)

(Johnson/Pauls)

That the Food Advisory Committee Minutes of November 19, 2019, be received.

CARRIED

(g) STAFF PRESENTATIONS (Item 9)

(i) 2020 Annual Service Plan and Budget (BOH20008) (City Wide) (Item 9.1)

Dr. Richardson, Medical Officer of Health, addressed the Board with an overview of the 2020 Annual Service Plan and Budget (BOH20008), with the aid of a PowerPoint presentation.

(VanderBeek/Pearson)

That the presentation respecting the 2020 Annual Service Plan and Budget (BOH20008), be received.

CARRIED

For further disposition of this matter, refer to Item 3.

The presentation is available at www.hamilton.ca and through the Office of the City Clerk.

(h) NOTICE OF MOTION (Item 12)

(i) Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places (Added Item 12.1)

Councillor Jackson introduced a Notice of Motion respecting the Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places.

(Merulla/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places.

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

YES - Vice-Chair - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - 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 of this matter, refer to Item 4.

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

(Pearson/VanderBeek)

That the following Due Dates be revised:

2015-A: Review of the City of Hamilton's Pest Control By-law
November 16, 2015, (Item 9.1) Due Date: January 2020
Revised Due Date: September 2020

Goals and Areas of Focus for Climate Mitigation & Adaptation
REFERRED FROM: December 4, 2019 GIC 19-027 (Item 4)
Due Date: December 2020

2020-E: City of Hamilton Licensing (No. 07-170) By-law
Schedule 20 Residential Care Facilities Inspections (BOH20005) (City
Wide)
January 13, 2020: BOH 20-001 (Item 14.1)
Due Date: April 2020

2016-A: Hamilton Airshed Modelling System (BOH18016) (City
Wide)
April 16, 2018, 18-004 (Item 7.1)
Due Date: TBD
Revised Due Date: December 2020 for sub-sections (b) to (d)

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

YES - Vice-Chair - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Mayor Fred Eisenberger
NOT PRESENT - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(j) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 13, 2020 (Item 14.1)

(Danko/Nann)

That the Closed Session Minutes of January 13, 2020, be approved and remain confidential.

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

YES - Vice-Chair - 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
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Mayor Fred Eisenberger
NOT PRESENT - 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
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(k) ADJOURNMENT (Item 15)

(VanderBeek/Pearson)

That, there being no further business, the Board of Health be adjourned at 11:05 a.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk