



SPECIAL CITY COUNCIL MINUTES 20-017

12:02 p.m.
August 13, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Mayor F. Eisenberger – Personal; Councillor T. Whitehead – City Business; Councillor J. Farr – Personal.

Acting Mayor Wilson called the Special meeting of City Council 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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

3. PRIVATE & CONFIDENTIAL

3.1 Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake Process Update (FCS19080(a)) (City Wide)

Pursuant to Section 8.1, Sub-section (h) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (h) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City by Canada, a province or territory or a Crown agency of any of them.

(Nann/Danko)

That the agenda for the August 13, 2020 meeting of Council be approved, as amended.

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

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

DECLARATIONS OF INTEREST

There were no declarations of interest.

PRIVATE & CONFIDENTIAL

(VanderBeek/Partridge)

That Council move into Closed Session respecting Items 9.2, 9.3 and 9.4, pursuant to Section 8.1, Sub-section (h) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (h) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City by Canada, a province or territory or a Crown agency of any of them.

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

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

3.1 Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake Process Update (FCS19080(a)) (City Wide)

(Nann/VanderBeek)

- (a) That the direction provided to staff in Closed Session, respecting Report FCS19080(a), Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake Process Update, be approved; and,
- (b) That Report FCS19080(a) and it's Appendix, respecting Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake Process Update, remain confidential and not be released as a public document until such time as the City is advised of the approval of the projects by the Government of Canada under the Investing in Canada Infrastructure Program, Community, Culture and Recreation Stream.

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

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

BY-LAWS

(Pearson/Clark)

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 By-law 17-225, a By-law to Establish a System of Administrative Penalties effective immediately.

Result: Motion CARRIED on 2/3 Majority vote of 13 to 0, as follows:

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

(Pearson/Clark)

That Bill No. 20-164, **be amended**, by adding sub-section (j) to read as follows:

(j) any other person who is exempt from this requirement under provincial or federal legislation.

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

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

(Pearson/Clark)

That Bills No. 20-164 **as amended**, and 20-165, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 20-164 A By-law to promote and regulate physical distancing in the City of Hamilton and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties
- 20-165 To Confirm the Proceedings of City Council

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

NO – Acting 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
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
NOT PRESENT - 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 - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Nann)

That, there being no further business, Special City Council be adjourned at 12:49 p.m.

YES – Acting 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
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
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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 - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Acting Mayor M. Wilson

Andrea Holland
City Clerk