



CITY COUNCIL MINUTES 20-021

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

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

Absent: Councillor S. Merulla - Personal

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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

- 4.11 Correspondence from Abbie Roberts respecting the mandating the use of masks in Hamilton.

Recommendation: Be received and referred to the consideration of Item 2 of Board of Health Report 20-005.

- 4.12 Correspondence respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member (Item 4.8):

(a) Victoria Daniels

- (b) Liz Jackson
- (c) Lyla Miklos
- (d) Lauren Stephen
- (e) Lauren Stephen
- (f) Maureen McDougall
- (g) Chris Erl
- (h) Haley Reap
- (i) Tanya Ritchie
- (j) Amy Hondronicols
- (k) Rachel Cuthill
- (l) Noelle Allen
- (m) Jason Allen
- (n) Doreen Stermann
- (o) Michael Hutchings
- (p) Jessica Claus
- (q) Lauren Stephen
- (r) Craig Burley
- (s) Sarah Kovacs
- (t) Amanda Ayer
- (u) Sienna DiGiuseppe
- (v) Dana Hansen
- (w) Ashley Daniels

Recommendation: Be received and referred to the consideration of Item 4.8.

- 4.13 Correspondence from Deborah Tomlinson-Veit respecting street safety neglected at Main Street and Sherman Avenue.

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

9. PRIVATE & CONFIDENTIAL

- 9.2 Encampment Litigation Update (LS20023(c)) (City Wide)

(Pearson/Clark)

That the agenda for the September 30, 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
- NOT PRESENT - 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
- 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 - Deputy Mayor - 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 of Planning Committee Report 20-010 respecting a Request for Direction to Proceed with Appeal of Committee of Adjustment Consent Applications AN/B-20:30, AN/B-20:31 and AN/B-20:32 for the Properties Located at 822 Book Road W, 914 Book Road W, and 1276 Shaver Road (Ancaster) (PED20160) (Ward 12), due to his son's business interest with Sergio Manchia.

Councillor Clark declared an interest to Item 5 of Planning Committee Report 20-010 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-16-18) and Township of Glanbrook Zoning By-law No. 464 Amendment Application (ZAC-16-051) for Lands Located at 3033, 3047, 3055, 3063 Binbrook Road (Glanbrook) (LS19003(b)/PED19031(b)) (Ward 11), due to his son's business interest with Sergio Manchia.

Councillor Pauls declared an interest to Item 4.8, respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member, as her son is employed with the Hamilton Police Service.

Councillor Pearson declared an interest to Item 3 of Planning Committee Report 20-010 respecting Second Dwelling Units – Options to Increase Housing Supply in Hamilton's Existing Low Density Housing Stock (PED20093) (City Wide), as she is a landlord.

Councillor VanderBeek declared an interest to Item 3 of Planning Committee Report 20-010 respecting Second Dwelling Units – Options to Increase Housing Supply in Hamilton's Existing Low Density Housing Stock (PED20093) (City Wide),, as she is a landlord.

Councillor Pauls declared an interest to Item 9 respecting the Hamilton Police Service Budget Process PSB 20-061, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 10 respecting the Hamilton Police Service Response regarding the Use of Force Inquiries ("8 Can't Wait") PSB 20-062, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 11 respecting the Hamilton Police Service Year End Report – Use of Force 2019 PSB 20-043, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 12 respecting the Hamilton Police Services Equity, Diversity and Inclusion Plan PSB 20-060, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 13 respecting the Hate Prevention and Mitigation Initiative Update (LS19031 / PW19068(c) / CM19006(c)), as her son is employed with the Hamilton Police Service.

APPROVAL OF MINUTES OF PREVIOUS MEETING
--

3. September 16, 2020 (Item 3.1)

(Ferguson/Partridge)

That the Minutes of the September 16, 2020 meeting of Council be approved, as presented.

Result: Motion CARRIED by a vote of 15 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
 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

Jeff Abrams of Principles Integrity provided Council with an overview of Item 4.8 respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member.

(Whitehead/Clark)

That having been found to have breached the Hamilton Advisory Committee/Task Force Code of Conduct as per Item 4.8, respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that Cameron Kroetsch be and is hereby formally reprimanded as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

Result: Motion CARRIED by a vote of 12 to 2, 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

NO - Ward 5 Councillor Chad Collins
NO – Ward 6 Councillor Tom Jackson
CONFLICT - 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Farr/Jackson)

That Item 4.8, respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, be received.

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
CONFLICT - Ward 7 Councillor Esther Pauls
NO - 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Johnson/Pearson)

That Council Communications 4.1 to 4.7; 4.9 to 4.13 be approved, as presented as follows:

- 4.1 Correspondence from Loyalist Township requesting support for their resolution requesting that the Ministry of Transportation support the Canadian Ferry Association's request that ferries be considered part of the local transit system and that lost revenue be eligible for reimbursement.

Recommendation: Be received.

- 4.2 Correspondence from the Wollaston Township requesting support for their resolution requesting that the Minister of Municipal Affairs and Housing review the Municipal Elections Act and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities; to provide clearer, stronger wording, to assist

municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list; to ensure that there is a clear and accessible way to report election fraud and to ensure that the rules described in the *Municipal Elections Act* are actually enforceable even if there is not current case law.

Recommendation: Be received.

- 4.3 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Parkland Dedication, Development Charges and the Community Benefits Charges Authority.

Recommendation: Be received.

- 4.4 Correspondence from the Ministry of the Solicitor General respecting the Enforcement and Amendments under the Reopening Ontario Act, 2020.

Recommendation: Be received.

- 4.5 Correspondence from Porshca Sinanan respecting a request to do better!! Need more testing centers and better hours.

Recommendation: Be received.

- 4.6 Correspondence from the Honourable Ahmed Hussen, Minister of Families, Children and Social Development in response to the Mayor's letter respecting concerns with homelessness funding for Hamilton during the COVID-19 pandemic.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

- 4.7 Correspondence from James Lof, Chairman and Bernie Harsevoort, Clerk on behalf of the Council of Cornerstone Canadian Reform Church concerning the inclusion of places of worship as a comparable to places of business and entertainment venues which challenges the current and historical status held by places of worship in Canada.

Recommendation: Be received.

- 4.9 Correspondence from Rev. Fr. Puscaru of The Holy Resurrection Romanian Orthodox Church respecting Zoning By-law Amendment No. ZAC-18-037 for Lands located at 282 MacNab Street North.

Recommendation: Be received and referred to Item 2 of Planning Committee Report 20-010.

- 4.10 Correspondence from Health Canada in response to the Mayor's letter respecting concerns with vaping.

Recommendation: Be received and referred to the Medical Officer of Health for appropriate action.

- 4.11 Correspondence from Abbie Roberts respecting the mandating the use of masks in Hamilton.

Recommendation: Be received and referred to the consideration of Item 2 of Board of Health Report 20-005.

- 4.12 Correspondence respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member (Item 4.8):

- (a) Victoria Daniels
- (b) Liz Jackson
- (c) Lyla Miklos
- (d) Lauren Stephen
- (e) Lauren Stephen
- (f) Maureen McDougall
- (g) Chris Erl
- (h) Haley Reap
- (i) Tanya Ritchie
- (j) Amy Hondronicols
- (k) Rachel Cuthill
- (l) Noelle Allen
- (m) Jason Allen
- (n) Doreen Stermann
- (o) Michael Hutchings
- (p) Jessica Claus
- (q) Lauren Stephen
- (r) Craig Burley
- (s) Sarah Kovacs
- (t) Amanda Ayer
- (u) Sienna DiGiuseppe
- (v) Dana Hansen
- (w) Ashley Daniels

Recommendation: Be received and referred to the consideration of Item 4.8.

- 4.13 Correspondence from Deborah Tomlinson-Veit respecting street safety neglected at Main Street and Sherman Avenue.

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

Result: Motion on the balance of the Communications CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Johnson/Partridge)

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

Result: Motion CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

HAMILTON STREET RAILWAY COMPANY SHAREHOLDER ANNUAL GENERAL MEETING - REPORT 20-001

(Johnson/VanderBeek)

That the Hamilton Street Railway Company Shareholder Annual General Meeting Report 20-001, being the meeting held on Monday, September 14, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Street Railway Company Shareholder Annual General Meeting Report 20-001, CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING - REPORT 20-001**

(Johnson/Pauls)

That the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 20-001, being the meeting held on Monday, September 14, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 20-001, CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

That Council recess at 12:00 p.m.

Council reconvened at 12:30 p.m.

SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-013

(Johnson/Clark)

That Special General Issues Committee Report 20-013, being the meeting held on Monday, September 14, 2020, be received.

CARRIED

BOARD OF HEALTH REPORT 20-005**(Johnson/Wilson)**

That Board of Health Report 20-005, being the meeting held on Monday, September 21, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 20-005, CARRIED by a vote of 15 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
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-008**(Danko/Ferguson)**

That Public Works Committee Report 20-008, being the meeting held on Monday, September 21, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 20-008, CARRIED by a vote of 15 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
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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-010

(Farr/Ferguson)

That Planning Committee Report 20-010, being the meeting held on Tuesday, September 22, 2020, be received and the recommendations contained therein be approved.

Due to declared conflicts, Item 3 was voted on separately as follows:

Result: Motion on Item 3 of the Planning Committee Report 20-010, CARRIED by a vote of 11 to 2, 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
- YES - Ward 5 Councillor Chad Collins
- NO – Ward 6 Councillor Tom Jackson
- NO - 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
- CONFLICT - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- CONFLICT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 4 was voted on separately as follows:

Result: Motion on Item 4 of the Planning Committee Report 20-010, 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
- 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 - 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

CONFLICT - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 5 was voted on separately as follows:

Result: Motion on Item 5 of the Planning Committee Report 20-010, CARRIED by a vote of 11 to 3, 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
- 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
- NO - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NO - Ward 12 Councillor Lloyd Ferguson
- NO - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- CONFLICT - Ward 9 Councillor Brad Clark

The Motion on the balance of the Planning Committee Report 20-010, CARRIED

GENERAL ISSUES COMMITTEE REPORT 20-014

(Johnson/Clark)

That General Issues Committee Report 20-014, being the meeting held on Wednesday, September 23, 2020, be received and the recommendations contained therein be approved.

(Ferguson/Partridge)

That the recommendation of Item (i)(i) of the General Issues Committee Report 20-014 respecting LaSalle Park Disposition Review (PED20156) (City Wide) be amended to change the date from October 7, 2020 to October **21**, 2020, as follows:

(i) LaSalle Park Disposition Review (PED20156) (City Wide) (Item 13.4)

That Report PED20156, respecting the LaSalle Park Disposition Review, was DEFERRED to the October **21**, 2020 General Issues Committee.

Result: Motion on Amended Item (i)(i) of the General Issues Committee Report 20-014, CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Due to declared conflicts on Items 9 to 13, they were voted on separately as follows:

Result: Motion on Items 9 to 13 of the General Issues Committee Report 20-014, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- CONFLICT - 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

The Motion on the balance of the General Issues Committee Report 20-014, CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-007

(Wilson/Clark)

That Audit, Finance and Administration Committee Report 20-007, being the meeting held on Thursday, September 24, 2020, be received and the recommendations contained therein be approved.

CARRIED

EMERGENCY AND COMMUNITY SERVICES REPORT 20-007

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-007, being the meeting held on Thursday, September 24, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Emergency & Community Services Committee Report 20-007

CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY REPORT 20-005
--

(Nann/Danko)

That the Mayor's Task Force on Economic Recovery Report 20-005, being the meeting held on Friday, September 25, 2020, be received.

Result: Motion on the Mayor's Task Force on Economic Recovery Report 20-005,

CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Johnson/Partridge)

That the Committee of the Whole Rise and Report.

Result: Motion CARRIED by a vote of 15 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
- 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 - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

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 – September 16, 2020

(Pearson/Jackson)

That the Closed Session Minutes dated September 16, 2020 be approved, as presented, and remain confidential.

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
- NOT PRESENT - 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
- YES - 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- Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Whitehead/Danko)

That Council move into Closed Session respecting Items 9.2, 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*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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
 NOT PRESENT - 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
 YES - 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- Deputy Mayor - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

9.2 Encampment Litigation Update (LS20023(c)) (City Wide)**(Ferguson/Partridge)**

- (a) That the direction provided to staff in Closed Session respecting Report LS20023(c), the Encampment Litigation Update, be approved; and,
- (b) That Report LS20023(c) and Appendix 'A', respecting the Encampment Litigation Update, remain confidential, except as provided in the LOU.

Result: Motion CARRIED by a vote of 12 to 2, 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
 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 - 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
NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Farr/Ferguson)

That the direction provided to staff in Closed Session respecting the Communications Strategy on the Encampment Litigation Update, be approved.

Result: Motion CARRIED by a vote of 12 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - 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 - 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
NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BY-LAWS

(Jackson/Pearson)

That Bills No. 20-202 to No. 20-206 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:

- 20-202 A By-law to Amend By-law No. 20-155, a By-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces
Ward: City Wide

- 20-203 A By-law to amend Zoning By-law No. 05-200 with respect to lands located at 2004 Glancaster Road, Ancaster
ZAR-18-050
Ward: 12

20-204 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 Zones)
Schedule 10 (Alternate Side Parking – April-November)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 4, 6, 7, 10, 15

20-205 A By-law to Adopt and Maintain a Procurement Policy for the City of Hamilton
Ward: City Wide

20-206 To Confirm the Proceedings of City Council

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
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 - 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
NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Danko/Collins)

That, there being no further business, City Council be adjourned at 4:29 p.m.

Result: Motion CARRIED by a vote of 11 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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 - 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
NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk