



CITY COUNCIL MINUTES 20-022

9:30 a.m.
October 14, 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, S. Merulla, L. Ferguson (Deputy Mayor), A. VanderBeek, T. Whitehead, E Pauls and J. Partridge.

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

4.3. Correspondence in response to Council's decision respecting the Integrity Commissioner's Report at the September 30, 2020 Council meeting:

(d) Lyla Miklos

Recommendation: Be received.

4.15 Report FCS20086(a) respecting the Integrity Commissioner Follow-Up.

Recommendation: Be received.

- 4.16. Correspondence from the Ministry of the Solicitor General and the Ministry of Municipal Affairs and Housing respecting the Enforcement of Orders under the Reopening Act, 2020.

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

7. NOTICES OF MOTION

- 7.1 Reconsideration of the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

(Ferguson/Pearson)

That the agenda for the October 14, 2020 meeting of Council be approved, **as amended**.

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
 YES - 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
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - 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 6 of Planning Committee Report 20-011 respecting an Application for a Zoning By-law Amendment for lands located at 117 Forest Avenue and 175 Catharine Street South, Hamilton (PED20153) (Ward 2), due to his son's business interest with Sergio Manchia.

Councillor Clark declared an interest to Item 4.11 respecting correspondence from the Honourable Doug Downey, Attorney General in response to the Mayor's letter regarding radial separation of authorized cannabis retail stores, due to his son's business interest with Sergio Manchia.

Councillor Clark declared an interest to Item 4.14 respecting Correspondence from the Township of Asphodel-Norwood requesting support for their resolution requesting that the governing body in cannabis production enact legislation to support local governments with land use management and enforcement issues, due to his son's business interest with Sergio Manchia.

Councillor Ferguson declared an interest to Item 5 of Planning Committee Report 20-011 respecting an Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment, for lands located at 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West (PED20142) (Ward 1), as a family member is an owner.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. September 30, 2020 (Item 3.1)

(Pearson/Danko)

That the Minutes of the September 30, 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
 YES - 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
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Ferguson/Johnson)

That Council Communications 4.1 to 4.16 be approved, as **amended** as follows:

- 4.1. Correspondence from the Regional Municipality of York requesting support for their resolution asking the federal and provincial governments for a commitment to fund further, future costs resulting from fare integration in the Greater Toronto and Hamilton Area, as a means of accelerating the required economic and transit ridership recovery following the COVID-19 pandemic.

Recommendation: Be received.

- 4.2. Correspondence from Darren Mullin requesting improvements to the bus service to Ancaster and for bus stops on Garner at Munay Lane, Ancaster.

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

- 4.3. Correspondence in response to Council's decision respecting the Integrity Commissioner's Report at the September 30, 2020 Council meeting:

- (a) Graham Crawford
- (b) Doreen Stermann
- (c) Hugh Tye, Executive Director, Hamilton Community Legal Clinic and Michael Blashko, Project Lead, Queer Justice Project
- (d) Lyla Miklos

Recommendation: Be received.

- 4.4 Correspondence from Joseph Minor respecting big, toxic mess of PFAS/PFOS at the Hamilton International Airport (43.1668 - 79.9398)

Recommendation: Be received.

- 4.5. Correspondence from Selena Visser respecting the debate about de-funding police in the City of Hamilton.

Recommendation: Be received,

- 4.6. Correspondence from the Honourable Sylvia Jones, Solicitor General, Minister Responsible for Anti-Racism respecting the anti-racism initiatives of the Solicitor General and the Anti-Racism Directorate, the regulatory work being done to bring the Community Safety and Policing Act, 2019, into force, new police oversight measures, police training as it related to de-escalation, mental health and diverse communities, mental health and addictions initiatives and investments, Community Safety and Well-Being (CSWB) Planning and the police-hospital transition protocol.

Recommendation: Be received **and forwarded to the Hamilton Police Services Board.**

- 4.7. Correspondence from Danny Kraftcheck M.D. respecting winter washroom facilities.

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

- 4.8. Correspondence from Sheila Drury respecting the Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-Specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (Citywide).

Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 20-011; ***the Planner and the Ward Councillor to provide proper notification to the area residents for any future applications coming forward.***

4.9. Correspondence respecting the Climate Change Declaration:

- (a) Carole Arsenault
- (b) Valerie Cousens
- (c) Glen Brown
- (d) Hibbert "Fawn" Briscoe

Recommendation: Be received and referred to Item 3 of Public Works Committee Report 20-009.

4.10. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Safe Restart Agreement.

Recommendation: Be received.

4.11. Correspondence from the Honourable Doug Downey, Attorney General in response to the Mayor's letter regarding radial separation of authorized cannabis retail stores.

Recommendation: Be received.

4.12. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Helping Tenants and Small Businesses Act, 2020, which received Royal Assent on October 1, 2020.

Recommendation: Be received.

4.13. Correspondence from John Mills requesting that Council press the federal government to make immediate investments in housing and ending homelessness.

Recommendation: Be received.

4.14. Correspondence from the Township of Asphodel-Norwood requesting support for their resolution requesting that the governing body in cannabis production enact legislation to support local governments with land use management and enforcement issues.

Recommendation: ***Be endorsed and forwarded to the local MPP.***

4.15 Report FCS20086(a) respecting the Integrity Commissioner Follow-Up.

Recommendation: Be received.

4.16. Correspondence from the Ministry of the Solicitor General and the Ministry of Municipal Affairs and Housing respecting the Enforcement of Orders under the Reopening Act, 2020.

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

Due to a declared conflict, Items 4.11 and 4.14 were voted on separately as follows:

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
- 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
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- CONFLICT - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Communication Items, as amended, 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 - 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Ferguson/Johnson)

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

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 - 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 VanderBeeck
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-009

(Danko/Merulla)

That Public Works Committee Report 20-009, being the meeting held on Monday, October 5, 2020, be received and the recommendations contained therein be approved.

(Whitehead/Nann)

That the first WHEREAS of Item 3, Hamilton Cycling Committee’s Recommendations for the Development of Cycling Infrastructure be **amended** to read as follows:

WHEREAS, Hamilton has declared a Climate Emergency ***that threatens our city, region, province, nation, civilization, humanity and the natural world on March 27, 2019;***

Result: Motion on Item 3 as Amended, CARRIED by a vote of 15 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - 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
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeeck
- NO - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger relinquished the Chair to Councillor Ferguson to move the following amendment:

(Eisenberger/Pearson)

That Item 5 of Public Works Committee Report 20-009, respecting Proposed City Hall Forecourt Security Enhancements (PW20168), be **amended**, to read as follows:

That the Proposed City Hall Forecourt Security Enhancements contained in Report PW20064, be referred back to staff to review the security issues in order to ensure the safety of those who attend events at the City Hall Forecourt and the budget required to facilitate the security enhancements necessary.

Result: Motion on Item 5, as amended, CARRIED by a vote of 12 to 4, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - 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
NO - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NO - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Mayor Eisenberger assumed the Chair for the remainder of the meeting.

Result: Motion on the balance of the Public Works Committee Report 20-009, 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 - 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-011

(Farr/Collins)

That Planning Committee Report 20-011, being the meeting held on Tuesday, October 6, 2020, be received and the recommendations contained therein be approved.

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

Result: Item 5 of the Planning Committee Report 20-011, 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
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
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 6 was voted on separately as follows:

Result: Item 6 of the Planning Committee Report 20-011, 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
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
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson
CONFLICT - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-011, 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 - 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-015

(Ferguson/Johnson)

That General Issues Committee Report 20-015, being the meeting held on Wednesday, October 7, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the General Issues Committee Report 20-015, 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
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 - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Johnson)

That Council recess at 12:35 p.m.

CARRIED

Council reconvened at 1:05 p.m.

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-008

(Clark/Pearson)

That Audit, Finance and Administration Committee Report 20-008, being the meeting held on Thursday, October 8, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 20-008, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - 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
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES REPORT 20-008

(Nann/Pauls)

That Emergency and Community Services Committee Report 20-008, being the meeting held on Thursday, October 8, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Emergency & Community Services Committee Report 20-008 CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - 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
YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Deputy Mayor - 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 Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Committee Report is presented to Council, be waived in order to consider the Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 20-001 and the Hamilton Utilities Corporation Shareholder Annual General Meeting Report 20-001.

CARRIED on a 2/3rds Majority

<p>HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER ANNUAL GENERAL MEETING REPORT 20-001</p>

(Johnson/Pearson)

That the Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 20-001, being the meeting held on Tuesday, October 13, 2020, be received and the recommendations contained therein be approved.

CARRIED

<p>HAMILTON UTILITIES CORPORATION SHAREHOLDER ANNUAL GENERAL MEETING REPORT 20-001</p>

(Johnson/Pearson)

That the Hamilton Utilities Corporation Shareholder Annual General Meeting Report 20-001, being the meeting held on Tuesday, October 13, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Hamilton Utilities Corporation Shareholder Annual General Meeting Report 20-001, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - 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
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Deputy Mayor - 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 the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

6.1 Demolition Permit and Development Charges Credit Extension for 696, 716, 718 and 720 Barton Street in Stoney Creek

(Pearson/Johnson)

WHEREAS 696, 716, 718 and 720 Barton Street, Stoney Creek is in the Fruitland/Winona Secondary Plan and major development is intended in this area.

WHEREAS the owner is part of a consortium of developers who will be pursuing building intensification on these lands and surrounding lands.

WHEREAS the owner has boarded up the vacant property but continues to have untoward activity at the property that is uninhabitable.

WHEREAS it is not appropriate to pursue repair or restoration of this building as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS the timelines for such development at this point is not finite due to potential delays that may be beyond the developers' control.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 696, 716, 718 and 720 Barton Street, Stoney Creek, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and

That the City Development Charges (DC) demolition credits for 696, 716, 718 and 720 Barton Street in Stoney Creek be extended for a period of up to 10 years to the effect that all demolition credits will expire on or before November 1, 2030.

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

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - 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
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - 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 Demolition Permit and Development Charges Credit Extension for 832 Barton Street, Stoney Creek

(Pearson/Johnson)

WHEREAS 832 Barton Street, Stoney Creek is in the Fruitland/Winona Secondary Plan and major development is intended in this area.

WHEREAS the owner is part of a consortium of developers who will be pursuing building intensification on these lands and surrounding lands.

WHEREAS the owner has boarded up the vacant property but continues to have untoward activity at the property that is uninhabitable.

WHEREAS it is not appropriate to pursue repair or restoration of this building as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS, the timelines for such development at this point is not finite due to potential delays that may be beyond the developers' control.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 832 Barton Street, Stoney Creek, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and

That the City Development Charges (DC) demolition credits for 832 Barton Street in Stoney Creek be extended for a period of up to 10 years to the effect that all demolition credits will expire on or before November 1, 2030.

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - 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
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Reconsideration of the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Councillor Nann introduced the following Notice of Motion:

That the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, and reads as follows, be reconsidered:

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)*.

7.2 Feasibility of a Fee Free Connectivity Service

Councillor Merulla introduced the following Notice of Motion:

WHEREAS, Hamilton Enterprises Holding Corporation is actively researching and developing a City-Wide fee free Connectivity system in partnership with staff and the City Hamilton for use of Hamilton residents;

WHEREAS as a direct result of the COVID 19 pandemic as well as the future necessity to accommodate at home work; and

WHEREAS, the social implications and the affordability of Connectivity networks in some neighborhoods are not equitable.

THEREFORE BE IT RESOLVED:

That staff be directed to study the feasibility of a fee free Connectivity service available to Hamilton city residents

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 30, 2020

(Johnson/Ferguson)

That the Closed Session Minutes dated September 30, 2020 be approved, as presented, and remain confidential.

Result: Motion CARRIED by a vote of 12 to 0, 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
 YES - Ward 5 Councillor Chad Collins
 NOT PRESENT – 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Pearson/Partridge)

That Council move into Closed Session respecting Item 9.2, pursuant to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to the receiving of 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.

CARRIED**9.2 City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (PW20068) (City Wide)****(Ferguson/Pearson)**

That Confidential Report PW20068, respecting the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be received and remain confidential.

Result: Motion CARRIED by a vote of 13 to 0, 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
 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 - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - 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
(Ferguson/Johnson)

That Bills No. 20-207 to No. 20-218 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:

- | | |
|--------|---|
| 20-207 | To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Garner Road West from Hamilton Drive to Approximately 420m Westerly, in the City of Hamilton
Ward: 12 |
| 20-208 | To Amend By-law No. 01-215
Being a By-law to Regulate Traffic
Schedule 31 – Designated Areas – Reduced Speed Limit – 40KM/h Schedule 2 – Speed Limits
Schedule 3 – Flashing School Zones Ward: City Wide |
| 20-209 | To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters |

Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 15 – Commercial Vehicle Loading Zone
Ward: 1,2,3,15

- 20-210 To Amend By-law No. 01-215
Being a By-law To Regulate Traffic
Schedule 2 – Speed Limits
Schedule 3 – Flashing School Zones
Schedule 13 – Designated Traffic Lanes
Schedule 18 – Bike Lanes
Ward: 2,3,6,7,8,9,12,14
- 20-211 Respecting: Removal of Part Lot Control
Block 89 (Parts 1-8), Registered Plan No. 62M-1249 “Empire Caterini, Phase 1”, municipally known as 240, 242, 244, 246, 248, 250, 252 and 254 Kinsman Drive
Ward: 11
- 20-212 To Adopt:
Amendment No. 244 to the City of Hamilton Official Plan Respecting: 282 MacNab Street North, Hamilton
Ward: 2
- 20-213 To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton
Ward: 2
- 20-214 Respecting Temporary Use By-law for Temporary Tents
Ward: City wide
- 20-215 To Amend By-law No. 05-200 As amended by By-law No. 20-181
Respecting an Addition to and an Extension of the
Temporary Use By-law for Outdoor Commercial Patios
Ward: City Wide
- 20-216 To Repeal By-law No. 78-237 and to Amend Zoning By-law No. 6593
Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton
- 20-217 To Designate Land Located at 127 Hughson Street North, City of Hamilton as
Property of Cultural Heritage Value
Ward: 2
- 20-218 To Confirm Proceedings of Council

Result: Motion CARRIED by a vote of 13 to 0, 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
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 - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Pearson/Partridge)

That, there being no further business, City Council be adjourned at 2:23 p.m.

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk