



City of Hamilton
**SOLE VOTING MEMBER
OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING
MINUTES 20-001**

11:30 a.m.

September 14, 2020

Due to COVID-19, this meeting was held virtually.

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

Absent: Councillors T. Whitehead, C. Collins – Other City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Financial Statements of the Hamilton Farmers' Market Corporation, year ended December 31, 2019 (Item 5.1)

(Eisenberger/Pearson)

That the Financial Statements of the Hamilton Farmers' Market Corporation, year ended December 31, 2019, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Ninder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor

Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

**2. Resolutions of the Sole Voting Member of the Hamilton Farmers' Market
(Item 7.1)**

(Danko/Merulla)

WHEREAS, the Corporation is a corporation without share capital to which the *Corporations Act*, R.S.O. 1990, c.38 (the "Act") applies;

WHEREAS, by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member");

WHEREAS, by section 5 of the Corporation's By-Law No.1, the Board of Directors shall consist of a minimum of seven (7) and a maximum of thirteen (13) or such other number of Directors as may be determined from time to time by the Sole Voting Member; and,

WHEREAS, by section 15 of the Corporation's By-Law No.1, the City of Hamilton, as the sole voting member, is authorized to or may require the Directors of the Corporation to appoint an auditor;

THEREFORE, BE IT RESOLVED:

(a) NOTICE

That the Sole Voting Member hereby waives its right to receive general or special notice of an annual meeting of the members of the Corporation.

(b) MINUTES OF PREVIOUS ANNUAL MEETING

That the minutes of the annual meeting held July 8, 2019 be approved.

(c) DIRECTORS

That the following persons are affirmed or appointed as Directors of the Corporation and shall hold office until the date specified below, unless further extended as permitted by the by-laws of the Corporation or until their respective successors are elected or appointed subject to the by-laws of the Corporation:

- (i) Councillor Esther Pauls, Council Member - November 14, 2022

- (ii) Eric Miller, Citizen Member & Board Chair - May 13, 2021
- (iii) Shane Coleman, Vendor Member & Vice Board Chair - June 9, 2021
- (iv) Gordon Albini, Citizen Member & Board Treasurer - May 22, 2021
- (v) Ron Jepson – Vendor Member - June 9, 2021
- (vi) Charlie , Vendor Member - June 9, 2021
- (vii) Anne Mille, Vendor Member - August 11, 2023
- (viii) Wilfred Arndt – Citizen Member - December 14, 2020
- (ix) Elly Bowen – Citizen Member - December 14, 2020
- (x) Seth Waterman – Citizen Member - May 22, 2021

EX OFFICIO MEMBERS

- (i) Bill Slowka – Market Manager
- (ii) Sue Bennison – Meridian Credit Union

(d) FINANCIAL STATEMENTS AND AUDITOR'S REPORT

That the financial statements of the Corporation for the fiscal year ended December 31, 2019 together with the auditor's report as prepared by KPMG LLP, be and the same are hereby received and approved.

(e) AUDIT APPOINTMENT

That the undersigned, being the Sole Voting Member, hereby authorizes the Directors of the Corporation to appoint an auditor of the Corporation to hold office until the next following annual meeting at such remuneration as may be fixed by the Directors and the Directors are hereby authorized to fix such remuneration.

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

- Yes - Mayor Fred Eisenberger
- Yes - Ward 1 Councillor Maureen Wilson
- Yes - Ward 2 Councillor Jason Farr
- Yes - Ward 3 Councillor Nrinder Nann
- Yes - Ward 4 Councillor Sam Merulla
- Absent - Ward 5 Councillor Chad Collins
- Yes - Ward 6 Councillor Tom Jackson
- Absent - Ward 7 Councillor Esther Pauls
- Yes - Ward 8 Councillor J. P. Danko
- Yes - Ward 9 Councillor Brad Clark
- Yes - Ward 10 Councillor Maria Pearson
- Yes - Ward 11 Councillor Brenda Johnson, Deputy Mayor
- Yes - Ward 12 Councillor Lloyd Ferguson
- Yes - Ward 13 Councillor Arlene VanderBeek

Absent - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Clark/Ferguson)

That the agenda for the September 14, 2020 Sole Voting Member of the Hamilton Farmers' Market meeting be approved, as presented.

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

Yes - Mayor Fred Eisenberger
Yes - Ward 1 Councillor Maureen Wilson
Yes - Ward 2 Councillor Jason Farr
Yes - Ward 3 Councillor Nrinder Nann
Yes - Ward 4 Councillor Sam Merulla
Absent - Ward 5 Councillor Chad Collins
Yes - Ward 6 Councillor Tom Jackson
Absent - Ward 7 Councillor Esther Pauls
Yes - Ward 8 Councillor J. P. Danko
Yes - Ward 9 Councillor Brad Clark
Yes - Ward 10 Councillor Maria Pearson
Yes - Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes - Ward 12 Councillor Lloyd Ferguson
Yes - Ward 13 Councillor Arlene VanderBeek
Absent - Ward 14 Councillor Terry Whitehead
Absent - Ward 15 Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS (Item 4)

(i) September 18, 2019 (Item 3.1)

(Nann/Partridge)

That the Minutes of the September 18, 2019 meeting of the Sole Voting Member of the Hamilton Farmers' Market be approved, as presented.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) COMMUNICATIONS (Item 4)

(Ferguson/Jackson)

That the Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance (CECRA) Program (Item 4.1), be received and referred to consideration of Item 10.1.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(e) PRESENTATIONS (Item 6)

(i) Hamilton Farmers' Market Board Annual Presentation (Item 6.1)

Eric Miller, Chair of the Hamilton Farmers' Market Board of Directors; and, Gordon Albini, Board Treasurer provided the presentation for Item 6.1.

(Pauls/Farr)

That the presentation, provided by Eric Miller, Chair of the Hamilton Farmers' Market Board of Directors; and, Gordon Albini, Board Treasurer, respecting the Hamilton Farmers' Market Board Annual Presentation, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(f) PRIVATE & CONFIDENTIAL (Item 10)

(Ferguson/Clark)

That Committee move into Closed Session respecting Item 10.1, pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson

Yes	-	Ward 2	Councillor Jason Farr
Yes	-	Ward 3	Councillor Nrinde Nann
Yes	-	Ward 4	Councillor Sam Merulla
Absent	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Absent	-	Ward 15	Councillor Judi Partridge

(Pauls/Ferguson)

That the Sole Voting Member of Hamilton Farmers' Market recess in order to convene the Special General Issues Committee meeting that was to begin at 1:00 p.m. today.

CARRIED

The Sole Voting Member of Hamilton Farmers' Market reconvened in Open Session.

(Pauls/Pearson)

That Committee move back into Closed Session respecting Item 10.1, pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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

(i) Fee Reductions for Hamilton Farmers' Market Vendors During COVID-19 Pandemic (FCS20077) (City Wide) (Item 10.1)

(Ferguson/Pauls)

- (a) That Report FCS20077, respecting the Fee Reductions for Hamilton Farmers' Market Vendors During COVID-19 Pandemic, be DEFERRED to a future Sole Voting Member Hamilton Farmers' Market Special Shareholder meeting, pending the receipt of additional information; and,
- (c) That Report FCS20077, respecting the Fee Reductions for Hamilton Farmers' Market Vendors During COVID-19 Pandemic, remain confidential.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(g) ADJOURNMENT (Item 7)

(Ferguson/Pearson)

That there being no further business, the Sole Voting Member of the Hamilton Farmers' Market be adjourned at 1:55 p.m.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

Respectfully submitted,

Deputy Mayor Brenda Johnson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk