



CITY COUNCIL MINUTES 20-026

9:30 p.m.
November 25, 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, A. VanderBeek (Deputy Mayor), E. Pauls and J. Partridge.

Absent: Councillor T. Whitehead – 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

4.13 Correspondence respecting Sidewalk Snow Removal:

- (n) Lauren Stephen
- (o) Ani Chernier

Recommendation: Be received and referred to Item 4 of General Issues Committee Report 20-019.

- 4.21 Correspondence from the Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Closed meeting complaint about a meeting held by the Hamilton Farmers' Market Corporation Board of Directors on September 28, 2020.

Recommendation: Be received.

- 4.22 Correspondence from Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Close meeting held by the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee on October 20, 2020.

Recommendation: Be received.

- 4.23 Correspondence from Denis Page requesting that Council make the wearing of masks mandatory.

Recommendation: Be received.

- 4.24 Correspondence respecting e-bikes banned posted signs in Stoney Creek:

- (a) Lakewood Beach Community Council
- (b) Walter Cairns

Recommendation: Be received.

- 4.25 Correspondence from Ugo Penna respecting cameras for speeding in Hamilton.

Recommendation: Be received.

- 4.26 Correspondence from Lakewood Beach Community Council respecting the Niagara Regional Transit On Demand Pilot Project.

Recommendation: Be received and referred to the consideration of Item 5 of Public Works Committee Report 20-011.

- 4.27 Correspondence from Municipal Property Assessment Corporation (MPAC) respecting MPAC: 2021 Values and COVID-19.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services.

- 4.28 Correspondence from the Hamilton Conservation Authority respecting the Board's concerns with Bill 229: *Protect, Support and Recover from COVID 19 Act (Budget Measures Act) - Schedule 6 - Conservation Authorities Act.*

Recommendation: Be received and referred to the consideration of Item 7.1.

- 4.29 Correspondence from Emily Kulpaka respecting Covid Protocols and City Priorities.

Recommendation: Be received.

- 4.30 Correspondence from Mrs. S. Bonnallie respecting Tents in front of City Hall.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

9. PRIVATE AND CONFIDENTIAL

- 9.3 Potential Regulatory Litigation Update (PW19008(j)/LS19004(j)) (City Wide)

CHANGE TO THE ORDER OF ITEMS

External Counsel will be in attendance during the Closed Session portion of the meeting for Item 9.3, therefore, Item 9.3 has been moved up on the agenda to be dealt with prior to 9.2 when Council moves into Closed Session.

(Johnson/Nann)

That the agenda for the November 25, 2020 meeting of Council be approved, ***as amended.***

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
- 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Danko declared an interest to Item 3 of Planning Committee Report 20-014 respecting the Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11), as his spouse is employed by the Hamilton Wentworth District School Board.

Councillor Danko declared an interest to Item 7 of Planning Committee Report 20-014 respecting the Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook, as his spouse is employed by the Hamilton Wentworth District School Board.

Councillor Merulla declared an interest to Item 6 of Planning Committee Report 20-014 respecting Radon Gas Mitigation Requirements (PED20200) (City Wide) (Item 9.2) as he is a landlord.

Councillor Merulla declared an interest to Item 2 of Board of Health Report 20-007, respecting Radon Prevalence in Hamilton (BOH20022) (City Wide) as he is a landlord.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. November 11, 2020 (Item 3.1)

(Partridge/Clark)

That the Minutes of the November 11, 2020 meetings of Council be approved, as presented.

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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(VanderBeek/Clark)

That Council Communications 4.1 to 4.30 be approved, as ***amended*** as follows:

- 4.1. Correspondence from the Town of Grimsby requesting support for their resolution respecting amendments to Schedule 11 of Bill 108 to remove the powers provided to the Local Planning Appeal Tribunal, retaining the authority for hearing certain appeals by the Conservation Review Board and to return the authority for final decisions to municipal council's as the elected representatives of the communities wherein the property and its features of cultural heritage value exist.

Recommendation: Be received.

- 4.2. Correspondence from the Township of Amaranth requesting support for their resolution respecting rescinding of the proposed changes regarding ranked ballot voting and the nomination period included as part of Bill 218.

Recommendation: Be received.

- 4.3. Correspondence from the Municipality of Meaford requesting support for their resolution respecting Bill 218, Supporting Ontario's Recovery and *Municipal Elections Act*.

Recommendation: Be received.

- 4.4. Correspondence from the Niagara Peninsula Conservation Authority (NPCA) respecting the execution of agreements with partner municipalities to facilitate shared services of Integrity Commissioners for complaints respecting the violation of the NPCA's Code of Conduct.

Recommendation: Be received ***and referred to the City Manager for appropriate action.***

- 4.5. Correspondence from the Township of Garafraxa requesting support for their resolution requesting that the Province work with the Municipal Property Assessment Corporation to address the assessment issues so that aggregate resource properties are assessed for their industrial value.

Recommendation: Be received.

- 4.6. Correspondence from the City of Brantford requesting support for their resolution respecting the proposed changes to the *Municipal Elections Act, 1996* and requesting that the Province delay their decision until the Province has received comments from the Association of Municipalities of Ontario, Large Urban Mayor's Caucus of Ontario, the Federation of Canadian Municipalities and municipalities.

Recommendation: Be received.

- 4.7. Correspondence from the Ministry of Municipal Affairs and Housing respecting the National Disaster Mitigation Program (NDMP).

Recommendation: Be received and referred to the Senior Leadership Team for appropriate action.

- 4.8. Correspondence from Ministry of Municipal Affairs and Housing respecting Enforcement of Orders under the *Reopening Ontario Act, 2020*.

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

- 4.9. Correspondence from Janet Linton respecting Report PW20071/PED20196, Road Safety Review and Appropriate Measures at York Road and Newman Road Intersection, requesting the deferral of the matter until the Niagara Escarpment Commission has made their ruling.

Recommendation: Be received and referred to the consideration of Item (g)(i) of Public Works Committee Report 20-011.

- 4.10. Correspondence from Malwina Szczotka advocating for in-school speech therapy services for her 5 year old son:

- (a) November 16, 2020
- (b) November 19, 2020

Recommendation: Be received.

- 4.11. Correspondence from the Township of Howick requesting support for their resolution requesting that the Ministry of Agriculture, Food and Rural Affairs consider lower the interest rate on Tile Drain Loans.

Recommendation: Be received.

- 4.12. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the second intake for the Audit and Accountability Fund which will further support the City's efforts to find efficiencies, while delivering the services residents and businesses rely on every day.

Recommendation: Be received and referred to the Senior Leadership Team for appropriate action.

- 4.13. Correspondence respecting Sidewalk Snow Removal:

- (a) Maureen McDougall
- (b) Sarah Bayliss
- (c) Shawn Smith

- (d) Alexandra Witek
- (e) Olivia Bozzo
- (f) Sidney Melko
- (g) Nicki Munro
- (h) Paige Hutchinson
- (i) Rachel Smiley
- (j) Frances Murray
- (k) Durand Neighbourhood Association
- (l) Nathalie Bouchard
- (m) Janice Brown and Linda Miocinovich
- (n) Lauren Stephen
- (o) Ani Chernier

Recommendation: Be received and referred to Item 4 of General Issues Committee Report 20-019.

- 4.14. Correspondence from Karl Grotke respecting a 2021 property tax increase.

Recommendation: Be received and referred to the 2021 Budget deliberations.

- 4.15. Correspondence from the Conservation Halton Board Members to the Honourable Doug Ford, Premier of Ontario; the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks and the Honourable Rod Phillips, Minister of Finance respecting their response to the proposed amendment to the *Conservation Authorities Act* (CA Act), contained in Schedule 6, Bill 229.

Recommendation: Be **endorsed**.

- 4.16. Correspondence from Nancy Martire respecting the new Automated Speed Enforcement System.

Recommendation: Be received.

- 4.17. Correspondence from Councillor Lloyd Ferguson, Chair and Lisa Burnside, CAO of the Hamilton Conservation Authority respecting the Hamilton Conservation Authority's preliminary response to the Province's proposed changes to the *Conservation Authorities Act*.

Recommendation: Be **endorsed**.

- 4.18. Correspondence from the Ministry of Municipal Affairs and Housing respecting the *Ontario Rebuilding and Recovery Act*: Accelerating Infrastructure Initiatives Municipal Engagement.

Recommendation: Be received and referred to the Senior Leadership Team for appropriate action.

- 4.19. Correspondence from the City of St. Catharines requesting support for their resolution respecting the proposed changes to the Conservation Authorities in Bill 229.

Recommendation: Be endorsed.

- 4.20. Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health advising the City of Hamilton - Child and Adolescent Services that they will be receiving \$70,000 in one-time funding for the 2020-21 funding year to support community-based child and youth mental health services.

Recommendation: Be received and referred to the General Manager, Healthy and Safe Communities.

- 4.21 Correspondence from the Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Closed meeting complaint about a meeting held by the Hamilton Farmers' Market Corporation Board of Directors on September 28, 2020.

Recommendation: Be received.

- 4.22 Correspondence from Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Close meeting held by the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee on October 20, 2020.

Recommendation: Be received.

- 4.23 Correspondence from Denis Page requesting that Council make the wearing of masks mandatory.

Recommendation: Be received.

- 4.24 Correspondence respecting e-bikes banned posted signs in Stoney Creek:

- (a) Lakewood Beach Community Council
- (b) Walter Cairns

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

- 4.25 Correspondence from Ugo Penna respecting cameras for speeding in Hamilton.

Recommendation: Be received.

- 4.26 Correspondence from Lakewood Beach Community Council respecting the Niagara Regional Transit on Demand Pilot Project.

Recommendation: Be received and referred to the consideration of Item 5 of Public Works Committee Report 20-011.

- 4.27 Correspondence from Municipal Property Assessment Corporation (MPAC) respecting MPAC: 2021 Values and COVID-19.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services.

- 4.28 Correspondence from the Hamilton Conservation Authority respecting the Board's concerns with Bill 229: *Protect, Support and Recover from COVID 19 Act (Budget Measures Act)* - Schedule 6 - *Conservation Authorities Act*.

Recommendation: Be **endorsed** and referred to the consideration of Item 7.1.

- 4.29 Correspondence from Emily Kulpaka respecting Covid Protocols and City Priorities.

Recommendation: Be received.

- 4.30 Correspondence from Mrs. S. Bonnallie respecting Tents in front of City Hall.

Recommendation: Be received.

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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(VanderBeek/Ferguson)

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

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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BOARD OF HEALTH REPORT 20-007

(Wilson/Nann)

That Board of Health Report 20-007, being the meeting held on Monday, November 16, 2020, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 2 was voted on separately as follows:

2. Radon Prevalence in Hamilton (BOH20022) (City Wide) (Item 9.1)

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
CONFLICT - 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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Board of Health Report 20-007, 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
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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-011

(Danko/Merulla)

That Public Works Committee Report 20-011, being the meeting held on Monday, November 16, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Public Works Committee Report 20-011, 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
- 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-014

(Farr/Collins)

That Planning Committee Report 20-014, being the meeting held on Tuesday, November 17, 2020, be received and the recommendations contained therein be approved.

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

- 3. Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11) (Item 7.2)**

Result: Motion on Item 3 CARRIED by a vote of 12 to 1, as follows:

NO - 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
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

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

6. Radon Gas Mitigation Requirements (PED20200) (City Wide) (Item 9.2)

Result: Motion on Item 6 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
CONFLICT - 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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 7 was voted on separately as follows:

7. Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook (Item 10.1)

Result: Motion on Item 7 CARRIED by a vote of 12 to 1, as follows:

NO - 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
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning 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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-019

(VanderBeek/Ferguson)

That General Issues Committee Report 20-019, being the meeting held on Wednesday, November 18, 2020, be received and the recommendations contained therein be approved.

Result: Motion on General Issues Committee Report 20-019, 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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-011

(Wilson/Pearson)

That Audit, Finance and Administration Committee Report 20-011, being the meeting held on Thursday, November 19, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 5 was voted on separately as follows:

5. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee – Budget Expenditure Requests (Added Item 9.4)

Result: Motion on Item 5 CARRIED by a vote of 13 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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance Audit, Finance and Administration 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
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 20-010

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-010, being the meeting held on Thursday, November 19, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Emergency and Community Services Committee Report 20-010, 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
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(VanderBeek/Collins)

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 Sole Voting Member of the Hamilton Farmers’ Market Report 20-002; and the General Issues Committee (Rate Budget) Report 20-020.

CARRIED on a 2/3rds Majority

GENERAL ISSUES COMMITTEE (RATE BUDGET) REPORT 20-020**(VanderBeek/Collins)**

That General Issues Committee (Rate Budget) Report 20-020, being the meeting held on Monday, November 23, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the General Issues Committee (Rate Budget) Report 20-020, 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
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 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 20-002**(VanderBeek/Pearson)**

That Sole Voting Member of the Hamilton Farmers' Market Report 20-002, being the meeting held on Monday, November 23, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 2 was voted on separately as follows:

Result: Motion on Item 2 CARRIED by a vote of 13 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
 NOT PRESENT – 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
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Sole Voting Member of the Hamilton Farmers' Market Report 20-002, CARRIED by a vote of 13 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
- NOT PRESENT – 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(VanderBeek/Partridge)

That the Committee of the Whole Rise and Report.

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
- 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

MOTIONS

6.1 Amendment to sub-sections (c) and (d) to Item 7 of the Audit, Finance and Administration Committee Report 20-001, respecting Use of External Services for Tax Assessment & Appeals (FCS20005) (City Wide)

(Wilson/Merulla)

WHEREAS, a staff report identifying the level of City involvement in Assessment Appeals will be presented to the Audit, Finance and Administration Committee on December 10, 2020;

WHEREAS, due to workloads and other priorities as a result of COVID-19, the modified Request for Proposals for consultancy firms specializing in Tax Assessment and Appeals will not be finalized until late 2020/early 2021; and

WHEREAS, no consulting costs were incurred in 2020.

THEREFORE, BE IT RESOLVED:

That sub-sections (c) and (d) to Item 7 of the Audit, Finance and Administration Committee Report 20-001, respecting Use of External Services for Tax Assessment & Appeals (FCS20005) (City Wide), which was approved by Council on January 22, 2020, be **amended** to amend the dates, as follows:

- (c) That staff report back on actual consulting costs incurred in ~~2020~~ **2021**, to determine if a sustainable funding source is required for ~~2024~~ **2022** and future; and,
- (d) That the consulting costs incurred in ~~2020~~ **2021** be funded from the Tax Stabilization Reserve. (Account number 110046).

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
 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
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

6.2 Amendment to Item 22 of the General Issues Committee Report 14-009, respecting Confidential Report CES14022, Acquisition of Property in Ward 3, which was approved by Council on April 23, 2014

(Nann/Merulla)

WHEREAS, the final real estate transactions for the acquisition of the lands known municipally known as has 39, 43, 45 and 67 - 81 Lloyd Street, Hamilton are complete; therefore, this resolution may be considered in public; and,

WHEREAS, this amendment is required to correct an administrative oversight;

THEREFORE, BE IT RESOLVED:

That Item 22 of the General Issues Committee Report 14-009, respecting Confidential Report CES14022 the Acquisition of Property in Ward 3, be **amended** as follows:

- (a) That sub-section (b)(iii) to Report CES14022, respecting the Acquisition of Property in Ward 3, be amended by deleting the dollar amount of \$3,200,000 and replacing it with the dollar amount of “**\$500,000**”, to read as follows:

(iii) Ward 3 Capital Reserve	\$3,200,000	\$500,000
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- (b) That a new sub-section (vi) be added to sub-section (b) of Report CES14022, respecting the Acquisition of Property in Ward 3, to read as follows:

(vi) Parkland Acquisition Reserve (108050)	\$2,700,000
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Sub-section (b), as **amended**, to read as follows:

- (b) That the revised budget for acquisition, demolition and environmental remediation for the subject properties in the amount of \$12,418,475, be approved as follows:

(i) Capital WIP (Brian Timmis relocation)	\$2,000,000
(ii) Development Charges	\$ 400,000
(iii) Ward 3 Capital Reserve	\$ 500,000
(iv) Parkland Dedication Fee Reserve	\$2,600,000
(v) Area Rated Portion (Wards 1-8)	\$4,218,475
(vi) Parkland Acquisition Reserve (108050)	\$2,700,000

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
- 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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.3 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

(Ferguson/Clark)

WHEREAS, the funding for the Hamilton Conservation Authority (HCA) budget is as follows, with the principal funders of the HCA being the City of Hamilton and self generated revenues with the Province contributing 2%:

- Self generated 58%
- City of Hamilton 37%
- Hamilton Conservation Foundation 2%
- Township of Puslinch 1%
- Province 2%

WHEREAS, Bill 229, will remove the HCA's authority to issue stop work orders when catastrophic damage is occurring in a protected area;

WHEREAS, Bill 229, provides the Minister with the authority to make decisions respecting the watershed, without the HCA's watershed data and expertise;

WHEREAS, Bill 229, proposes to permit applicants to appeal a decision to the Local Planning Appeal Tribunal (LPAT), which are currently appealed to the HCA;

WHEREAS, Bill 229, removes citizen appointees who currently provide valuable expertise that Councillors may not have (legal, communications, and environmental expertise etc.) from HCA's current membership (5 (five) Hamilton Councillors; 5 (five) citizens appointed by Hamilton City Council and 1 (one) member appointed by the Township of Puslinch);

WHEREAS, Bill 229, has Municipal Chairs and Vice Chairs rotating to a different municipality every two years, which will result in the appointee from the Township of Puslinch holding an unelected position on the Board as Chair or Vice Chair in perpetuity, while only contributing 1% of the revenue; and

WHEREAS, Bill 229, will remove the HCA's ability to expropriate lands, which is an important last resort tool the HCA has for land acquisition in our watershed;

THEREFORE, BE IT RESOLVED:

- (a) That the Province of Ontario withdraw Schedule 6 of the *Budget Measures Act* (Bill 229);

- (b) That the Province continue to work with Conservation Authorities to find workable solutions to reduce red tape and create conditions for growth;
- (c) That the Province respect the current Conservation Authority / Municipal relationships;
- (d) That the Province embrace their long-standing partnership with the Conservation Authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role; and
- (e) That this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario; Honourable Rod Phillips, Minister of Finance; Honourable Jeff Yurek, Minister of Environment; Honourable John Yakabuski, Minister of Natural Resources and Forestry; Honourable Steve Clark, Minister of Municipal Affairs and Housing; local MPP's; Ted Arnott, MPP Puslinch; the local Media; Conservation Ontario and Association of Municipalities Ontario (AMO).

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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

(Ferguson/Clark)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Bill 229 - Proposed Changes to the *Conservation Authorities Act*.

Result: Motion CARRIED by a 2/3 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
- 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Refer to Item 6.3 for further disposition of this item.

(Pauls/Pearson)

That Council recess at 12:40 p.m.

CARRIED

Council reconvened at 1:10 p.m.

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 – November 11, 2020

(Merulla/Collins)

That the Closed Session Minutes dated November 11, 2020 be approved, as presented, and remain confidential.

CARRIED

(Merulla/Pearson)

That Item 9.4, respecting a Regulatory Litigation Matter (Verbal Update), be added to the November 25, 2020 Council Agenda.

CARRIED

(Pauls/Ferguson)

That Council move into Closed Session respecting Items 9.2, 9.3 and 9.4 pursuant to Section 8.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e), (f), (i) and (k) 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization 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 City of a local board.

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
 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
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

9.2 Potential for Major Events in 2022 and 2023 (PED20071(a)) (City Wide) REVISED**(Ferguson/Pearson)**

- (a) That the direction provided to staff in Closed Session respecting Report PED20071(a) respecting Potential for Major Events in 2022 and 2023, be approved; and,
- (b) That Report PED20071(a) respecting Potential for Major Events in 2022 and 2023 and its appendix, remain confidential.

(Clark/Danko)

That sub-section (b) be **amended** by adding “***with the exception of the event costs which are to be released publicly following the execution of the agreements***”.

Result: Amendment CARRIED by a vote of 8 to 5, as follows:

YES - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
NO – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, the sub-sections of Item 9.2 were voted on separately as follows:

- (a) That the direction provided to staff in Closed Session respecting Report PED20071(a) respecting Potential for Major Events in 2022 and 2023, be approved; and,

Result: Motion on sub-section (a) CARRIED by a vote of 12 to 1, as follows:

NO - 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
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

- (b) That Report PED20071(a) respecting Potential for Major Events in 2022 and 2023 and its appendix, remain confidential ***with the exception of the event costs which are to be released publicly following the execution of the agreements.***

Result: Motion on sub-section (b) as Amended CARRIED by a vote of 10 to 3, 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
NO – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9.3 Potential Regulatory Litigation Update (PW19008(j)/LS19004(j)) (City Wide)

(Clark/Pearson)

- (a) That the direction provided to staff in Closed Session respecting Report PW19008(j)/LS19004(j) respecting Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PED20071(a) respecting Report PW19008(j)/LS19004(j) respecting Potential Regulatory Litigation Update and its appendix, 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
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
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

9.4 Regulatory Litigation Matter (Verbal Update)**(Merulla/Jackson)**

- (a) That the direction provided to staff in Closed Session respecting the Regulatory Litigation Matter, be approved; and,
- (b) That the verbal update respecting Regulatory Litigation Matter remain confidential.

Result: Motion CARRIED by a vote of 12 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
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

BY-LAWS**(VanderBeek/Pearson)**

That Bills No. 20-240 to No. 20-251 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:

- 240 To Repeal and Replace By-law No. 19-112 Imposing a Sanitary Sewer Charge Upon Owners of Land Abutting Upper Mount Albion road from Centreline of Times Square Boulevard to South Limit of Lot 4, in the City of Hamilton
Ward: 9
- 241 To Impose a Sanitary Sewer Charge and Watermain Charge Upon Owners of Lands Abutting Arvin Avenue from McNeilly Road to Approximately 330 metres Westerly, in the City of Hamilton
Ward: 10

- 242 Respecting Removal of Part Lot Control, Part of Block 1, Registered Plan No. 62M-1255, municipally known as 16 and 18 Groom Lane; 11, 13, 15, 17, 19, and 21 Pim Lane; and 1, 3, 5, 7, 9, 13, 15, 23, 25, 27, 29, 31, 33, 35, and 27 Dresser Lane, Ancaster
PLC-18-014
Ward: 12

- 243 Respecting Removal of Part Lot Control, Part of Block 1 and Block 2, Registered Plan No. 62M-1241, “Foothills of Winona – Phases 2 and 3” municipally known as 4,8, 12, 16, 20, 52 and 56 Sauvignon Crescent
PLC-20-008
Ward: 10

- 244 To Designate Land Located at 1021 Garner Road East, Ancaster, City of Hamilton as Property of Cultural Heritage Value
Ward: 12

- 245 To Permanently Close and Sell Block 156 and Block 157 on Plan 62M-1183
Ward: 15

- 246 To Permanently Close and Sell a Portion of Mosaic Drive being Parts 16 and 17 on Plan 62R-20684
Ward: 15

- 247 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2021
Ward: City Wide

- 248 To Authorize an Interim Tax Levy for 2021
Ward: City Wide

- 249 To Amend Zoning By-law No. 05-200 (Hamilton), respecting lands located at 22Cannon Street East, Hamilton
ZAD-20-035
Ward: 2

- 250 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 3 (Through Highways – No Parking Anytime)
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1,2,3,4,7,10,13,15

- 251 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 11 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
- 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
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Merulla/Jackson)

That, there being no further business, City Council be adjourned at 4:54 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk