



## **GENERAL ISSUES COMMITTEE MINUTES 21-021**

9:30 a.m.

November 3, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

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**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, L. Ferguson, A. VanderBeek,  
J. Partridge

**Absent:** Councillors M. Pearson, T. Whitehead – Personal

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. Placemaking Grant Pilot Program Update (PED20048(a)) (City Wide) (Item 7.1)**

**(Merula/Partridge)**

That Report PED20048(a), respecting the Placemaking Grant Pilot Program Update, be received.

**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 Ninder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Vacant	-	Ward 5
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
Absent	-	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. **Farmers' Market - Rent Relief and Governance Comparators (LS21036(a))  
(City Wide) (Item 14.2)**

**(Pauls/Clark)**

**(a) *That staff be directed to review the following options with respect to the Hamilton Farmer's Market and report back to the General Issues Committee with recommendations and alternative options:***

- (i) *Use of the Community Improvement Plan, as it relates to the Hamilton Farmers' Market;***
- (ii) *The provision of financial support to the Hamilton Farmers' Market to enable the Market to work with and provide indirect support to vendors on the adoption of new commercial initiatives such as e-commerce and technological sharing via an online/virtual market;***
- (iii) *Encourage the Hamilton Farmers' Market Corporation to consider longer term licence agreements with vendors, using a minimum base fee with the balance of fees owed as a percentage of sales;***
- (iv) *Revisions to the conditions of the Operating Agreement between the City and the Hamilton Farmers' Market Corporation and the degree to which the entity is governed by provisions of the Municipal Act, 2001 including the provisions referencing Section 106, could be considered if aligned with the recommended outcomes from the governance review;***
- (v) *The provision of further and specific marketing campaign support on the benefits of healthy and fresh food (for example, less handling than large retail) at the Hamilton Farmers' Market as part of the urban food system with proximity and access to transportation;***
- (vi) *In conjunction with Economic Development, connect arts and craft vendors in the Market with Tourism Hamilton to promote tourism and Market attendance; and,***
- (vii) *Develop and support outreach and partnership initiatives between the Hamilton Farmers' Market and community gardens and urban and rural "Grow a Row" providers to promote local agriculture and the purchase of goods through the Hamilton Farmers' Market;***

- (b) *That this motion, respecting the Hamilton Farmers' Market - Rent Relief and Governance Comparators, be referred to the staff responsible for the Hamilton Farmers' Market Governance and Operational Review Project for review and inclusion in that forthcoming report; and,*
- (c) That Report LS21036(a), respecting the Farmers' Market - Rent Relief and Governance Comparators, remain confidential.

**Result: Motion, As Amended, CARRIED by a vote of 10 to 0, as follows:**

Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Vacant	-	Ward 5
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
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Absent	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**3. Instructions regarding Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit (LS21042-FCS21108) (City Wide) (Item 14.3)**

**(Pauls/Jackson)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS21042-FCS21108 - Instructions regarding the Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit, be approved; and,
- (b) That Report LS21042 / FCS21108, Instructions Regarding Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit and Appendix "A" attached thereto, remain confidential.

**Result: MOTION, CARRIED by a vote of 8 to 0, as follows:**

Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Vacant	-	Ward 5
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Absent	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Absent	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	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 of the following change to the agenda:

**14. PRIVATE & CONFIDENTIAL**

**14.3 REVISED: Instructions regarding Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit (LS21042-FCS21108) (City Wide)**

Pursuant to Section 9.1, Sub-sections (e) and (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**(Clark/Ferguson)**

That the agenda for the November 3, 2021 General Issues Committee meeting, be approved, as amended.

**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
Vacant	-	Ward 5
Absent	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	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

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor M. Wilson declared an interest to Item 14.3, respecting Report LS21042/FCS21108 – Instructions regarding the Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit, as her spouse's employer, Hamilton Community Foundation, provides the funding for second mortgages for low to moderate income first time home buyers. It is her understanding is that this entity will be accessing that mortgage pool as part of their operations.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) October 20, 2021 (Item 4.1)**

**(Danko/Pauls)**

That the Minutes of the October 20, 2021 General Issues Committee 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
Vacant	-	Ward 5
Absent	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	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) DELEGATION REQUESTS (Item 6)**

**(i) David Carter, Innovation Factory-Synapse Life Sciences Consortium respecting their Annual Funding Request (Item 6.1)**

**(Eisenberger/Farr)**

That the delegation request submitted David Carter, Innovation Factory-Synapse Life Sciences Consortium respecting their Annual Funding Request, be approved for the December 8, 2021 General Issues Committee.

**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
Vacant	-	Ward 5
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
Absent	-	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 8)**

**(i) COVID-19 Verbal Update (Item 8.1)**

Jason Thorne, General Manager, Planning and Economic Development and Director of the Emergency Operations Centre; and, Michelle Baird,

Public Health Services, Epidemiology Wellness and Communicable Disease Control, provided the verbal update regarding COVID-19.

**(Nann/Jackson)**

That the verbal update respecting the COVID-19, be received.

**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
Vacant	-	Ward 5
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
Absent	-	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) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendments to the Outstanding Business List (Item 13.1)**

**(Clark/Danko)**

That the following amendments to the General Issues Committee's Outstanding Business List, be approved, ***as amended***:

**(1) Proposed New Due Dates (Item 13.1.a.)**

**(aa) Budgetary Plan to Address the Chedoke Creek Matter (Item 13.1.a.a.)**

Current Due Date: September 22, 2021

Proposed New Due Date: ~~January 12, 2022~~ **November 22, 2021 (Capital Budget)**

- (bb) Grant or Low-Interest Loans from FCM (for the purposes of the park development of the project lands including the properties – Ward 3) (Item 13.1.a.b.)

Current Due Date: December 8, 2021

Proposed New Due Date: November 30, 2022

- (2) Items to be Removed (Item 13.1.b.)

- (aa) CityLab Pilot Update (Item 13.1.b.a.)

(Addressed at the October 6, 2021 GIC as Item 8.2 - Report CM21009.)

- (bb) Code of Conduct for Council-Appointed Citizen Members of External Boards and Agencies (Item 13.1.b.b.)

(Addressed at the October 6, 2021 GIC as Item 10.3 - Report FCS21081.)

**Result: MOTION, *As Amended*, 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
Vacant	-	Ward 5
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
Absent	-	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



**(g) PRIVATE & CONFIDENTIAL (Item 14)**

**(i) Closed Session Minutes – October 20, 2021**

**(Eisenberger/Pauls)**

- (a) That the Closed Session Minutes of the October 20, 2021 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the October 20, 2021 General Issues Committee meeting, remain confidential.

**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
Vacant	-	Ward 5
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
Absent	-	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

The following Councillors advised that, as they are members of the Audit, Finance and Administration Committee's Development Charge Complaint hearings body, they would be recusing themselves from participating in the Closed Session discussion of Item 14.3 - Instructions regarding Proposed Settlement of Development Charge Complaint by Trillium Housing Winona Non-Profit and Trillium Housing Highbury Non-Profit (LS21042-FCS21108), in order to maintain the judicial independence and integrity of that body, should a hearing be required:

- (i) Councillor Lloyd Ferguson
- (ii) Councillor Maureen Wilson
- (iii) Councillor Brenda Johnson
- (iv) Councillor Arlene VanderBeek
- (v) Councillor Brad Clark
- (vi) Councillor Maria Pearson

**(Farr/Merulla)**

That Committee move into Closed Session respecting Items 14.2 and 14.3, pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e), (f) 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 municipality or local board; 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.

**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
Vacant	-	Ward 5
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
Absent	-	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

**(ii) Farmers' Market - Rent Relief and Governance Comparators (LS21036(a)) (City Wide) (Item 14.2)**

**(Pauls/Clark)**

**(a) *That staff be directed to review the following options with respect to the Hamilton Farmer's Market and report back to the General Issues Committee with recommendations and alternative options:***

**(i) *Use of the Community Improvement Plan, as it relates to the Hamilton Farmers' Market;***

**(ii) *The provision of financial support to the Hamilton Farmers' Market to enable the Market to work with and provide indirect support to vendors on the adoption of***

*new commercial initiatives such as e-commerce and technological sharing via an online/virtual market;*

- (iii) Encourage the Hamilton Farmers' Market Corporation to consider longer term licence agreements with vendors, using a minimum base fee with the balance of fees owed as a percentage of sales;*
  - (iv) Revisions to the conditions of the Operating Agreement between the City and the Hamilton Farmers' Market Corporation and the degree to which the entity is governed by provisions of the Municipal Act, 2001 including the provisions referencing Section 106, could be considered if aligned with the recommended outcomes from the governance review;*
  - (v) The provision of further and specific marketing campaign support on the benefits of healthy and fresh food (for example, less handling than large retail) at the Hamilton Farmers' Market as part of the urban food system with proximity and access to transportation;*
  - (vi) In conjunction with Economic Development, connect arts and craft vendors in the Market with Tourism Hamilton to promote tourism and Market attendance; and,*
  - (vii) Develop and support outreach and partnership initiatives between the Hamilton Farmers' Market and community gardens and urban and rural "Grow a Row" providers to promote local agriculture and the purchase of goods through the Hamilton Farmers' Market; and,*
- (b) That this motion, respecting the Hamilton Farmers' Market - Rent Relief and Governance Comparators, be referred to the staff responsible for the Hamilton Farmers' Market Governance and Operational Review Project for review and inclusion in that forthcoming report.*

**Result: Amendment CARRIED by a vote of 10 to 0, as follows:**

Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla

Vacant	-	Ward 5	
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
Absent	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson, Deputy Mayor
Absent	-	Ward 12	Councillor Lloyd Ferguson
Absent	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For further disposition of this matter, please refer to Item 3.

**(h) ADJOURNMENT (Item 14)**

**(Jackson/Partridge)**

That there being no further business, the General Issues Committee be adjourned at 12:31p.m.

**Result: MOTION, CARRIED by a vote of 8 to 0, as follows:**

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

Respectfully submitted,

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Brenda Johnson, Deputy Mayor  
Chair, General Issues Committee

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Mayor Fred Eisenberger, Chair  
General Issues Committee

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Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk