



CITY COUNCIL MINUTES 21-021

9:30 a.m.
November 12, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

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 that there were no changes to the agenda.

(Pauls/Ferguson)

That the agenda for the November 12, 2021 meeting 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
VACANT - Ward 5
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 - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

CERTIFIED CANDIDATES

As per the Corporate Policy for Filling Vacancies of Members of Council, the Clerk has confirmed and certified each of the candidate's eligibility for the appointment to fill the Ward 5 Council vacancy.

The certified candidates were notified of the date and time of this special council meeting and the list of certified candidates and their applications were published on the Special Council Agenda on November 5, 2021.

Jason Allen
Pranav Kiritkumar Bhatt
Steve Bosanac
Verissimo Carvalho
Larry Di Ianni
Olivia Divinski
Leslyn Gombakomba
Stanley Habza
Jim Howlett
Bob Hurst
Juanita Maldonado
Pascale Marchand
Mike McDonald
Victor Mejia
Quincy Scott Morgan
Russ Powers
Don Ross
Vivian Saunders
Aggery T. Sutherland
Marco Tofano
Kathryn Wakeman

PRESENTATIONS

The order of speakers was randomly determined by lot by the City Clerk and each speaker has 5 minutes to address Council.

The candidates addressed Council, in the following order:

Victor Mejia
Quincy Scott Morgan
Kathryn Wakeman
Leslyn Gombakomba
Mike McDonald
Vivian Saunders
Jim Howlett
Pranav Kiritkumar Bhatt
Don Ross
Larry Di Ianni
Verissimo Carvalho
Stanley Habza
Jason Allen
Agger T. Sutherland
Steve Bosanac
Juanita Madonado
Bob Hurst
Pascale Marchand
Marco Tofano
Russ Powers
Olivia Divinski

(Clark/Pearson)

That the presentations from the candidates listed above, be received.

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
VACANT - Ward 5
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 - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Partridge/Pearson)

That Council recess at 11:36 a.m.

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
VACANT - Ward 5
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 - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Council reconvened at 12:02 p.m.

VOTES

Result: Vote #1:

Mayor Fred Eisenberger – L. Di Ianni
Councillor Maureen Wilson – R. Powers
Councillor Jason Farr - L. Di Ianni
Councillor Nrinder Nann - L. Di Ianni
Councillor Sam Merulla - R. Powers
Councillor Tom Jackson - L. Di Ianni
Councillor Esther Pauls - R. Powers
Councillor John-Paul Danko - R. Powers
Councillor Judi Partridge - R. Powers
Councillor Terry Whitehead – NOT PRESENT
Councillor Arlene VanderBeek - R. Powers
Councillor Lloyd Ferguson - L. Di Ianni
Councillor Brenda Johnson - R. Powers
Councillor Maria Pearson - L. Di Ianni
Councillor Brad Clark - R. Powers

Which resulted in the candidates receiving the following total number of votes:

0 - Victor Mejia
0 - Quincy Scott Morgan
0 - Kathryn Wakeman
0 - Leslyn Gombakomba

0 - Mike McDonald
0 - Vivian Saunders
0 - Jim Howlett
0 - Pranav Kiritkumar Bhatt
0 - Don Ross
6 - Larry Di Ianni
0 - Verissimo Carvalho
0 - Stanley Habza
0 - Jason Allen
0 - Aggery T. Sutherland
0 - Steve Bosanac
0 - Juanita Madonado
0 - Bob Hurst
0 - Pascale Marchand
0 - Marco Tofano
8 - Russ Powers
0 - Olivia Divinski

Having received a majority of the votes of Council, Russ Powers was declared the appointed Councillor to the Ward 5 vacant seat.

MOTION

Ward 5 Appointment

(Clark/Partridge)

WHEREAS, Council declared the Ward 5 seat vacant on September 29, 2021;

WHEREAS, sub-section 263(5) of the *Municipal Act, 2001*, requires that Council fill the vacancy by November 28, 2021, (60 days after declaring the seat vacant); and

WHEREAS, sub-section 263(1) of the *Municipal Act, 2001*, requires that the vacancy be filled by appointing a qualified person to hold the office of Councillor, Ward 5, for the remainder of the 201-2022 term of office by appointing a person who has consented to fill the office.

THEREFORE, BE IT RESOLVED:

- (a) That Russ Powers be appointed to hold the office of Councillor, Ward 5, for the remainder of the 2018 - 2022 term;
- (b) That a by-law be enacted confirming the appointment of Russ Powers to the Office of Councillor, Ward 5, for the remainder of the 2018 - 2022 term; and
- (c) That the City Clerk administer the Declaration of Office at her earliest opportunity.

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
VACANT - Ward 5
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 - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BY-LAWS AND CONFIRMING BY-LAW

(Pearson/Ferguson)

That Bills No. 21-211 and No. 21-212, 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:

- 211 To Make an Appointment to Fill the Vacancy on City Council in Ward 5
Ward: 5
- 212 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
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 John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Ferguson/Clark)

That, there being no further business, City Council be adjourned at 12:14 p.m.

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
VACANT - Ward 5
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
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YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Deputy Mayor - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk