



CITY COUNCIL MINUTES 24-016

9:30 a.m.

September 11, 2024
Council Chamber (Hybrid)
Hamilton City Hall
71 Main Street West

Present: Mayor A. Horwath
Deputy Mayor E. Pauls
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko (Virtually),
M. Francis, C. Kroetsch, T. McMeekin, T. Jackson, M. Spadafora,
M. Tadeson, N. Nann, T. Hwang, A. Wilson and M. Wilson

Mayor Horwath 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 Council of the following changes to the agenda:

5. COMMUNICATIONS

- 5.15 Correspondence from Cassandra Myers, Owner, Haggler's Flea Market (Haggler's Marketplace) respecting an incident that occurred on Sunday, September 8, 2024.

Recommendation: Be received.

8. NOTICES OF MOTION

- 8.1 Amendment to Item 3 of the Public Works Committee Report 23-011, respecting Combustion Powered Small Equipment Manufacturer's Standardization Renewal (PW18028(a)) (City Wide), which was approved by Council on August 18, 2023

- 8.2 Temporary Stop Controls – Barton Street West and Ray Street North (Ward 1)
- 8.3 Request for the Mayor to Reverse the Mayoral Decision Respecting Affordable Housing at 5 & 13 Lake Ave. South

11. PRIVATE AND CONFIDENTIAL

- 11.2 Appointment to the Committee of Adjustment

12. BY-LAWS AND CONFIRMING BY-LAW

- 160 To Amend By-law No. 24-036, as amended by By-law Nos. 24-049 and 24-128, Being a By-law to Establish Certain 2024 User Fees and Charges for Services, Activities or the Use of Property
Ward: City Wide

(Pauls/Kroetsch)

That the agenda for the September 11, 2024 meeting of Council be approved, as amended.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- NOT PRESENT - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

DECLARATIONS OF INTEREST

There were no declarations of interest.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 August 16, 2024

(Spadafora/McMeekin)

That the Minutes of the August 16, 2024 meeting of Council be approved, as presented.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- NOT PRESENT - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

COMMUNICATIONS

(Pauls/Beattie)

That Council Communications 5.1 to 5.15 be approved, as **amended**, as follows:

- 5.1 Correspondence from the Township of Terrace Bay requesting support for their resolution respecting the Ontario Immigrant Nominee Program.

Recommendation: Be received.
- 5.2 Correspondence from the City of Quinte West requesting support for their resolution respecting the Canada Community Building Fund.

Recommendation: Be received.
- 5.3 Correspondence from the Ministry of Emergency Preparedness and Response, Treasury Board Secretariat respecting the Community Emergency Preparedness Grant Round 2 launching in September 2024.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.
- 5.4 Correspondence from Shawn Carey, Director, Niagara Escarpment Commission respecting a Revised position with respect to short-term accommodations within the Niagara Escarpment Plan Area of Development Control.

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

- 5.5 Correspondence from Township of Stirling Rawdon requesting support for their resolution respecting Public Sector Salary Disclosure.

Recommendation: Be received.

- 5.6 Correspondence from the Township of Nairn and Hyman requesting support for their resolution respecting concerns with the Transport and Disposition of Naturally Occurring Radioactive Material (NORM) at the Agnew Lake Tailings Management Area (ALTMA).

Recommendation: Be received.

- 5.7 Correspondence from Mike LoSchiavo respecting the 82nd anniversary of the tragic raid on Dieppe France.

Recommendation: Be received.

- 5.8 Correspondence from the Township of Whitewater Region requesting support for their resolution respecting Mental Health and Addiction.

Recommendation: Be **endorsed**.

- 5.9 Correspondence from the Township of Russell requesting support for their resolution n support of the AMCTO Provincial Updates to the *Municipal Elections Act*.

Recommendation: Be received.

- 5.10 Correspondence from Cycle Hamilton Board respecting the Biking Infrastructure Enhancement along Main Street East from Queenston Traffic Circle to Parkdale Avenue.

Recommendation: Be received and referred to the consideration of Item 7 of the Public Works Committee Report 24-011.

- 5.11 Correspondence from the Honourable Michael Parsa, Minister of Children, Community and Social Services respecting an update regarding improvements to Ontario's social assistance system.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

- 5.12 Correspondence from Tay Valley Township requesting support for their resolution respecting the Province removing Wetlands Protection for Eastern Ontario.

Recommendation: Be received.

- 5.13 Correspondence from the Tay Valley Township requesting support for their resolution respecting the Jurisdiction of Ontario's Ombudsman.

Recommendation: Be received.

- 5.14 Correspondence from Joyce Arthur, Executive Director, Abortion Rights Coalition of Canada (ARCC) respecting further information on bylaws to regulate graphic flyers showing aborted fetuses.

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

- 5.15 Correspondence from Cassandra Myers, Owner, Haggler's Flea Market (Haggler's Marketplace) respecting an incident that occurred on Sunday, September 8, 2024.

Recommendation: Be received.

Result: Motion on the Communication Items, as Amended, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

(Pauls/Beattie)

That Council move into Committee of the Whole for consideration of the Committee Reports.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

<p style="text-align: center;">SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES REPORT 24-007</p>

(Cassar/Tadeson)

That the Selection Committee for Agencies, Boards and Sub-Committees Report 24-007, held on Thursday, August 15, 2024, be received and the recommendations contained therein be approved.

Result: Motion on the Selection Committee for Agencies, Boards and Sub-Committee Report 24-007, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

<p style="text-align: center;">PUBLIC WORKS COMMITTEE REPORT 24-011</p>
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(Spadafora/Nann)

That Public Works Committee Report 24-011, being the meeting held on Tuesday, September 3, 2024, be received and the recommendations contained therein, be approved.

Result: Motion on the Public Works Committee Report 24-011, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin

- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

**CITY OF HAMILTON LOBBYIST REGISTRAR'S REPORT
DGB-LRI-2024-01**

(Pauls/Cassar)

That the City of Hamilton Lobbyist Registrar's Report Regarding Citation: Inquiry re: Graham Cubitt – DGB-LRI-2024-01 dated September 3, 2024, be received.

Result: Motion on the City of Hamilton Lobbyist Registrar's Report Regarding Citation: Inquiry re: Graham Cubitt – DGB-LRI-2024-01 dated September 3, 2024, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

GENERAL ISSUES COMMITTEE REPORT 24-014

(Pauls/Beattie)

That General Issues Committee Report 24-014, being the meeting held on Wednesday, September 4, 2024, be received and the recommendations contained therein, be approved.

Item 7 (i) (b) was voted on separately, as follows:

**7. Downtown Entertainment District Annual Status Update 2024 (PED24089(a))
(Ward 2) (Item 10.4)**

- (i) (b) That Appendix "A" to Report PED24089(a), Downtown Entertainment District Annual Status Update 2024, be received and remain confidential; and,

Result: Motion on Item 7 (i) (b) of the General Issues Committee Report 24-014, CARRIED by a vote of 11 to 5, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
NO - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
NO - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
NO - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
NO - Ward 13 Councillor Alex Wilson
NO - Ward 1 Councillor Maureen Wilson

Item 9 was voted on separately, as follows:

9. Lease Extension and Amending Agreement - Ontario Works, 250 Main Street East, Hamilton (PED24144) (Ward 2) (Item 14.3)

- (a) That the direction provided to staff in Closed Session, be approved;
- (b) That the Closed Session recommendations contained within Report PED24144, respecting the subject Lease Extension and Amending Agreement – Ontario Works, 250 Main Street East, Hamilton, ON, remain confidential until completion of the subject Lease Extension and Amending Agreement; and,
- (c) That the complete Report PED24144 including appendices respecting the Lease Extension and Amending Agreement between the City of Hamilton and 250 Main Street Holdings Inc. remain confidential.

Result: Motion on Item 9 of the General Issues Committee Report 24-014, CARRIED by a vote of 13 to 3, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
NO - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
NO - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann

- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NO - Ward 1 Councillor Maureen Wilson

Result: Motion on the balance of the General Issues Committee Report 24-014, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 24-015

(Hwang/Spadafora)

That Audit, Finance and Administration Committee Report 24-015, being the meeting held on Thursday, September 5, 2024, be received and the recommendations contained therein, be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 24-015, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

PLANNING COMMITTEE REPORT 24-012

(Cassar/M. Wilson)

That Planning Committee Report 24-012, being the meeting held on Friday, September 6, 2024, be received and the recommendations contained therein be approved.

Result: Motion on the Planning Committee Report 24-012, CARRIED, by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Pauls/Beattie)

That Committee of the Whole rise as Council to report and confirm the actions taken in Committee of the Whole.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

MOTIONS

7.1 Amendment to Items 7.1 and 7.2 of the August 16, 2024 Council Minutes

(McMeekin/Jackson)

WHEREAS, program funding must be provided to an organization, which in the case of the following were not named in the original motions:

- (i) Grace Anglican Church for the Food With Grace Food Bank;
- (ii) Social Planning and Research Council of Hamilton for the Tastebuds Nutrition Program Pilot; and
- (iii) St. James United Church for the Migrants Matter group.

THEREFORE, BE IT RESOLVED:

- (i) That Item 7.1 of the August 16, 2024 Council minutes, be **amended**, by inserting “Grace Anglican Church” in sub-section (b) and inserting “Social Planning and Research Council of Hamilton” in sub-section (c), to read as follows:
 - (b) That a grant of \$10,000 be provided to the **Grace Anglican Church for the** Food With Grace Food Bank to facilitate the delivery of food to isolated seniors and rural citizens and assist with other necessary enhancements to their service, funded from the Ward 15 Non-Property Tax Revenue Account (3301609615);
 - (c) That a grant of \$10,000 be provided to the **Social Planning and Research Council of Hamilton for the** Tastebuds Nutrition Program Pilot launch at the Waterdown District High School, funded from the Ward 15 Non-Property Tax Revenue Account (3301609615); and
- (ii) That Item 7.2 of the August 16, 2024 Council minutes, be **amended**, by inserting “St. James United Church” in sub-section (a), to read as follows:
 - (a) That a grant of \$10,000 be provided to **St. James United Church for** the Migrants Matter group in support of their work, funding from the Ward 15 Non-Property Tax Revenue Account (3301609615), and

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang

YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.2 Amendment to Item 3 of the Public Works Committee Report 23-011, respecting Combustion Powered Small Equipment Manufacturer's Standardization Renewal (PW18028(a)) (City Wide), which was approved by Council on August 18, 2023 (formerly Item 8.1)

(a) (Spadafora/A. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Amendment to Item 3 of the Public Works Committee Report 23-011, respecting Combustion Powered Small Equipment Manufacturer's Standardization Renewal (PW18028(a)) (City Wide), which was approved by Council on August 18, 2023.

Result: Motion CARRIED by a 2/3rds vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(b) (Spadafora/A. Wilson)

WHEREAS, in order to finalize the contract documents, it is necessary to amend Appendix "A" to the Public Works Committee Report 23-011, as follows:

- (i) Windmill Power Equipment to Windmill Power Equipment LTD O/A WPE Landscape Equipment;
- (ii) Brother's Equipment to Brothers Equipment Rentals;
- (iii) Indcomm to Indcomm Power Products;

- (iv) DeWildt Power Products to 1077220 Ontario Inc DBA DeWildt Marine and Powersports;
- (v) TEGS Tools to TEGS Tools & Machinery LTD in Appendix "A"
- (vi) O'Neil's Farm Equipment to O'Neil's Farm Equipment (1971) LTD;
- (vii) Galer Equipment to Galer Farm Equipment LTD; and
- (viii) Premier Equipment to PE Premier Equipment ULC;

THEREFORE, BE IT RESOLVED:

That Item 3 of the Public Works Committee Report 23-011, respecting Combustion Powered Small Equipment Manufacturer's Standardization Renewal (PW18028(a)) (City Wide), be **amended**, as follows:

- (a) That Council approve the continued standardization of commercial grade combustion powered small equipment products and parts manufactured by Honda and Stihl and the single sourcing of the supply and delivery of the products, parts and services for the equipment with the licensed distributors identified in Appendix "A" **As Amended** to Public Works Committee Report 23-011, pursuant to Procurement Policy #14 – Standardization, until August 18, 2028 for the Environmental Services, Waste Management and Transportation Divisions;
- (b) That the General Manager, Public Works or designate, be authorized to negotiate, enter into, and execute any required Contract and any ancillary documents required to give effect thereto with those suppliers identified in the attached Appendix with content acceptable to the General Manager, Public Works or designate, and in a form satisfactory to the City Solicitor; and
- (c) That the General Manager, Public Works or designate, be authorized to amend any Contracts executed and any ancillary documents as required in the event that a service provider, manufacturer, or distributor identified in the attached Appendix undergoes a name change or a new distributor relationship in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann

YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.3 Temporary Stop Controls – Barton Street West and Ray Street North (Ward 1) (formerly 8.2)

(a) (M. Wilson/Kroetsch)

That the Rules of Order be waived to allow for the introduction of a motion respecting Temporary Stop Controls – Barton Street West and Ray Street North (Ward 1).

Result: Motion CARRIED by a 2/3rds vote of 14 to 1, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
NO - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(b) (M. Wilson/Kroetsch)

WHEREAS, the City of Hamilton is committed to creating safe neighbourhoods and vibrant communities;

WHEREAS, the York Boulevard reconstruction project has rerouted additional traffic to utilize Barton Street West;

WHEREAS, residents who live on streets connecting to Barton Street West between Queen Street North and Locke Street North have contacted the Ward 1 office seeking assistance on exiting their streets onto Barton Street West due to additional congestion;

WHEREAS, the Transportation Division supports the installation of an all-way stop at the intersection of Barton Street West and Ray Street North, there is an immediate need to install the all-way stop of which using a motion permits; and

WHEREAS, residents have been historically inquiring about additional stop controls on Barton Street West between Queen Street North and Locke Street North.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be directed to convert the intersection of Barton Street West and Ray Street North to all-way stop controls, thereby adding stop signs to Barton Street West for the duration of the York Boulevard reconstruction project;
- (b) That By-Law 01-215 To Regulate Traffic be amended to include an all-way stop at the intersection of Barton Street West and Ray Street North;
- (c) Upon the conclusion of the York Boulevard reconstruction project that the Transportation Division review the applicability of the all-way stop at the intersection of Barton Street West and Ray Street North to remain permanently; and
- (d) That the General Manager of Public Works and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

NOTICES OF MOTION

Councillor Francis introduced the following Notice of Motion:

8.3 Request for the Mayor to Reverse the Mayoral Decision Respecting Affordable Housing at 5 & 13 Lake Ave. South

WHEREAS, on March 27, 2024, City Council officially voted to deny the conversion of the 5 & 13 Lake Ave S. parking lots to affordable housing;

WHEREAS, the Integrity Commissioner report states that Mayor Horwath was lobbied by an unregistered lobbyist with financial interest to “find a workaround in relation to the defeat of the staff proposal to make available parking lots on Lake Ave South in Stoney Creek”;

WHEREAS, on April 24, 2024, Mayor Andrea Horwath overturned City Council's decision to deny the conversion of the parking lot using Strong Mayor Powers;

WHEREAS, the Integrity Commissioner has determined that the lobbying efforts related to the complaint, contravened the City of Hamilton’s Lobbyist Registry Bylaw;

WHEREAS, according to Strong Mayors, *Building Homes Act, 2022*, S.O. 2022, c. 18 – Bill 3 Section 284.14 maintains that a veto decision must be made in good faith;

WHEREAS, Hamilton City Council approved the 2023-2026 Office of the Auditor General Work Plan (Report AUD23012) which included a Housing Services Audit; and

WHEREAS, the Office of the Auditor General is the administrator of the City of Hamilton’s Fraud and Waste Hotline, the scope of which includes the investigation of conflicts of interest and procurement irregularities.

THEREFORE, BE IT RESOLVED:

- (a) That Council request to Mayor Horwath to reverse her decision to use Strong Mayor Powers for the overturning of Council's decision to deny affordable housing on 5 & 13 Lake Ave South;
- (b) That the Office of the Auditor General review the Lobbyist Registrar Report regarding the Inquiry respecting Graham Cubitt – DBG-LRI-2024-01 and include relevant risks in the upcoming Housing Services Audit, per the Council-Approved 2023-2026 Office of the Auditor General Work Plan (Report AUD23012); and
- (c) That the Office of the Auditor General investigate the issues and findings contained in Lobbyist Registrar Report regarding the Inquiry respecting Graham Cubitt – DBG-LRI-2024-01, including subsequent events and related procurements.

STATEMENTS BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

COUNCIL COMMUNICATION UPDATES**(Pauls/Beattie)**

That the listing of Council Communication Updates from August 9, 2024 to September 5, 2024, be received.

Result: Motion on the Council Communication Updates from August 9, 2024 to September 5, 2024, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 11.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

11.1 Closed Session Minutes – August 16, 2024**(Spadafora/Hwang)**

That the Closed Session Minutes dated August 16, 2024 be approved, as presented, and remain confidential.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang

- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

Council determined that discussion of Item 11.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

11.2 Appointment to Committee of Adjustment

(Cassar/Tadeson)

That Laverne Gaddy be appointed to the Committee of Adjustment for the remainder of the 2022-2026 Term of Council.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

BY-LAWS AND CONFIRMING BY-LAW

(Pauls/Beattie)

That Bills No. 24-158 to No. 24-161 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:

- 158 To Designate Property Located at 340 Dundas Street East, Flamborough, City of Hamilton as Property of Cultural Heritage Value
Ward: 15

- 159 To Amend Zoning By-law No. 05-200 with respect to lands located at 285 and 293 Fiddler's Green Road, Ancaster
Ward: 12
- 160 To Amend By-law No. 24-036, as amended by By-law Nos. 24-049 and 24-128, Being a By-law to Establish Certain 2024 User Fees and Charges for Services, Activities or the Use of Property
Ward: City Wide
- 161 To Confirm Proceedings of Council

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

(McMeekin/Pauls)

That, there being no further business, City Council be adjourned at 11:28 a.m.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor Andrea Horwath

Matthew Trennum
City Clerk
Office of the City Clerk