MINUTES
HAMILTON FARMERS’ MARKET TRANSITION SUB-COMMITTEE
Thursday, December 9, 2010
10:00 a.m.
Council Chambers
Hamilton City Hall

Present:   Mayor B. Bratina
           Councillor B. McHattie, Chair, Councillor L. Ferguson, Vice-Chair
           Councillors B. Clark, J. Farr, and R. Pasuta

Also Present:  Joanne Priel, General Manager of Community Services
               Anna Bradford, Director of Culture
               Cathy Masterson, Market Supervisor, Culture Division
               Dave Turner, Supervisor, Heritage Facilities
               Rebecca Oliphant, Secretary
               E. Filippone and Adam Sweedland, Legal Division
               I. Bedioui and A. Grozelle, City Clerk’s Office

A  Election of Chair

(Ferguson/Farr)
That Councillor B. McHattie be appointed Chair of the Hamilton Farmers’ Market Transition Sub-Committee.

CARRIED

B  Election of Vice-Chair

(Farr/Clark)
That Councillor L. Ferguson be appointed Vice-Chair of the Hamilton Farmers’ Market Transition Sub-Committee.

CARRIED
1. **CHANGES TO THE AGENDA**

The Clerk advised that Mr. Darioush Khavari from Sam & Son International Cheese Limited has indicated that he wishes to withdraw his delegation request as his application has now been approved. Therefore Item 4(i) is removed from the agenda and the subsequent requests are re-lettered accordingly.

*(Pasuta/Ferguson)*

That the agenda for the December 9, 2010 meeting of the Hamilton Farmers’ Market Transition Sub-Committee be approved as amended.  

**CARRIED**

2. **DECLARATIONS OF INTEREST**

There were none declared

3. **APPROVAL OF MINUTES OF THE PREVIOUS MEETING**

None

4. **DELEGATIONS REQUESTS (Respecting Item 7.1)**

*(Clark/Ferguson)*

That the following delegation request be approved to address Committee today:

(a) Lorelei Charles, Café  
(b) Thang Luu, Thango Meats Inc.  
(c) Ron Jepson, Jepson’s Fresh Meats  
(d) Filomena Cunha, Lina’s European Pastries  
(e) Maria Materno, Genuine Bread House Bakery  
(f) Shane Coleman, representing Hamilton Farmers’ Market Stallholders  
(g) Jennifer Hompoth, Friends of Hamilton Farmers’ Market  
(h) Julia Serna, Vendor  
(i) Wu Rui Long, Ken’s Chicken Corner  
(j) Nam Ky Truong, Truong Produce  
(k) Elizabeth Janos, Multi Traditional Bakery  
(l) Henrietta Papp  
(m) Colin Geoffrey Millar, Millar Alexander Barristers and Solicitors, Solicitor for Charlie’s Corner Produce Market/Charlie’s Corner International  
(n) Colin Geoffrey Millar, Millar Alexander Barristers and Solicitors, Solicitor for Lisa Hori of Infinity Foods
5. CONSENT ITEMS

None

6. PUBLIC HEARINGS/DELEGATIONS

Deferred to item 7.

7. PRESENTATIONS

(a) Application Results for Open Call and Update (Ward 2) (Item 7.1)

Anna Bradford made a PowerPoint Presentation which provided an overview of the Report and a hand-out was distributed.

Her comments included but were not limited to the following:

- Quick overview of Market operation;
- 2008 Hamilton Farmers’ Market expenses;
- background on project;
- intercept surveys;
- Hendershot research consultants;
- Proposed model for governance;
- Hamilton Farmers’ Market Transition Sub-Committee Terms of Reference;
- What can trigger a declined application;
- Challenges;
- Markets linear footage for retail frontage;
- Accommodation;
- Applicants;
- All applicants by vendor type;
• Successful applicants by vendor type;
• Unsuccessful applicants by vendor type;
• Breakdown of applicants;
• Vendors by type;
• Number of stalls taken/available;
• Response to high demand for stalls;
• Suggested Next Steps

Anna Bradford responded to questions from Committee.

(Ferguson/Farr)
That the staff presentation be received.  
CARRIED

(b) Expansion of Hamilton Farmers’ Market (Item 7.1.1)

(Farr/Ferguson)
Whereas there is a higher demand for stall space than currently available in the Hamilton Farmers’ Market, and;

Whereas, the new direction for the Hamilton Farmers’ Market includes the return of a seasonal outdoor market component along York Boulevard;

Therefore be it resolved:

(a) That Culture Division staff in conjunction with Real Estate staff be directed to negotiate with Yale Properties Inc. for additional vendor space adjacent to the Hamilton Farmers’ Market to expand its operation;

(b) That staff be directed to negotiate a favourable rate similar to current stall fees;

(c) That staff report back on how many vendors can be accommodated in this additional space;

(d) That staff be directed to develop and implement the seasonal outdoor market program including, but not limited to, operating hours, application and assessment processes and licensing arrangements.

CARRIED
Prior to hearing the delegations, the Chair briefly explained the processes indicating that it was outlined in the staff Report.

(c) Delegations (Item 7.1.2)

(1) Lorelei Charles, Café

Lorelei Charles addressed Committee and indicated that she is accompanied by her father and her husband. She advised that she is a successful applicant for her *Grabba Java Market Café* and was under the impression when she applied that the lease agreement would be for three years. However, the lease agreement offered by the City is for one year. Considering that she will need to make a $150,000 investment for the equipment for her Café, she is requesting a five year lease contract in order to qualify for funding. She distributed copies of the marketing and branding concepts and a detailed break down of the equipment costs.

She responded to questions posed by Committee and indicated that she would be in agreement to some conditions on her lease if it would be granted for five years.

(2) Thang Luu, Thango Meats Inc.

Ms. Luu indicated that she is speaking on behalf of her father, Thang Luu who is a successful applicant and is requesting three more linear feet in addition to the 24 linear feet which he was allocated. He requires the three extra linear feet which meets building code in order to be able to walk around his cooler.

Committee asked staff questions regarding this matter and was advised that there are other applicants with the same issue. It was noted that a by-law amendment would be required to accommodate an increase in the maximum stall frontage. Staff was requested to review the floor plan and see if this issue could be resolved by placing the coolers next to stalls requiring less linear footage.
(3) **Ron Jepson, Jepson's Fresh Meats**

Ron Jepson addressed Committee and provided a hand-out. He has been allocated a stall with a 7 linear foot frontage but he requires 8 linear feet for his counter. The Committee indicated that they would take his request under advisement.

(4) **Filomena Cunha, Lina's European Pastries**

Filomena Cunha is another successful applicant requiring more space than the by-law allows to accommodate her equipment which is worth $30,000. She requested an extra 4 feet extension as she needs space to store her baking ingredients.

(5) **Maria Materno, Genuine Bread House Bakery**

Maria Materno read from a prepared statement and copies were distributed. She is a successful applicant of one application. She had submitted two applications as she requested two locations which is the number of stalls she had before. She wishes to use one stall for pastries and the other for gelato and pizza. The 24 foot space she was allocated is not enough to display her products and to accommodate customers with wheel chairs. She distributed a floor plan showing her requirements. She indicated that she has invested a large sum of money for the equipment. She requested an additional 16 foot stall or an extension of 8 feet of her allotted location.

(6) **Shane Coleman, President of the Hamilton Farmers’ Market Stallholders’ Association**

Shane Coleman addressed Committee and read from a prepared statement and hand outs were distributed. He indicated that he believes that all the vendors who had a stall before should be returned to the market. He distributed a letter which was circulated to the stall holders which Anna Bradford confirmed came from her office which indicated that “there is no intent on not renewing contracts for current stallholders going to the alternate market space”. Shane Coleman expressed concerns that there
were no stakeholders (i.e. members of the public or stall holders) on the Committee and Councillors do not frequently visit the market. He also expressed concerns with the number of available electrical hook ups and the paid parking

Committee noted that a significant electrical contract had been awarded for the market renovations and staff confirmed that the same number of electrical plugs will be installed as were previously available; any additional plugs will be at the operators’ expense.

With respect to the parking issue, Committee requested that staff find a way of measuring the impact of paid parking on market sales.

Councillor Farr indicated that as the Ward Councillor he would be willing to attend the meetings of the Hamilton Farmers Market Stallholders’ Association to learn their concerns and bring them forth to the Sub-Committee. Concerned citizens can also request to be delegations.

(7) Jennifer Hompoth, Friends of Hamilton Farmers’ Market

Jennifer Hompoth addressed Committee with Catherine Wiebe. They indicated that the Friends of the Hamilton Farmers’ Market group was formed in response to the relocation crisis. They are not affiliated with the Hamilton Farmers’ Market Stallholders’ Association. They indicated that their group is in support of the motion in Item 7.1.1. respecting a proposal to expand the market. They believe that the stall holders were receiving mixed messages and there was no adequate consultation. Members of their group are not pleased with the process and it was not their understanding that some vendors would be excluded. The application policy should reflect the City’s diversity and should include a board that would involve stakeholders.

Prior to hearing from the applicants who are requesting a reconsideration of the denial of their application, Committee received legal advice that it would be preferable to not limit the delegations to the five minute rule.
(8) **Julia Serna, Vendor – coffee shop**

Christopher Cutler, a concerned citizen, assisted Julia Serna with a PowerPoint presentation as her first language is Spanish and has difficulty with English. The PowerPoint presentation indicated that Ms. Serna who operates a fair trade coffee has many customers and was very surprised when she was initially turned down. The Committee asked staff what the situation was and they explained that Ms. Serna’s application was incomplete and with the help of staff, it is now complete and it has been approved.

Christopher Cutler explained that being turned down was upsetting for Ms. Serna because she is an immigrant mother of a teenager and her livelihood was threatened and she felt that she did not get any cooperation from City staff until she got the support of the community.

(9) **Darioush Khavari, Sam & Son International Cheese Limited -**

Mr. Khavari’s delegation request was withdrawn as his delegation was approved.

(10) **Wu Rui Long, Ken’s Chicken Corner**

Mr. Long did not attend.

(11) **Nam Ky Truong, Truong Produce**

Nam Ky Truong was not in attendance and Rita Bailey addressed Committee representing Mr. Truong. She read from a prepared statement advising that she is a retired school principal and a market customer. She supports a market that offers diversity. The market is about people and the City should be understanding and encouraging the diversity. She stated that face to face conversation values diversity and bureaucratic letters do not and she noted that the meetings are being held during market hours. The sub-committee should include representatives from all stakeholders groups. Mr. Truong’s application has been approved but his mistrust of government and his fear of
having his business “taken away” prevented him from withdrawing his delegation request.

(12) Elizabeth Janos, Multi Traditional Bakery – 2 stalls 2 different names and 2 different customers

Mr. and Mrs. Janos addressed Committee and advised that they bought the business 8 years ago. A condition of the sale was that the previous operators could not open a similar business. Up to two years ago, they were still operating and the City’s former market manager knew about the contract. They sell different types of bread - German, Italian, English, Canadian, and Polish. The bread is not locally produced and therefore their application was not approved.

They presented a petition which they indicated has 600 signatures from their customers. They also presented a letter of support from Ms. Inga Anderson which was read by Councillor Jason Farr.

They indicated that they previously had an 1100 square foot stall and their products have all natural ingredients and are msg free. They explained that they had two stalls with two different names and different types of products. The second business name is Multi Traditional Meat Deli and sells Mennonite meats.

Staff explained that their application was incomplete. Committee asked Mr. and Mrs. Janos questions regarding their application and the missing documentation – i.e. and insurance certificate and business licences.

(Farr/Ferguson)
That due to a lack of time, the following remaining delegations be referred to the December 16, 2010 meeting:

(m) Henrietta Papp
(n) Colin Geoffrey Millar, Millar Alexander Barristers and Solicitors, Solicitor for Charlie’s Corner Produce Market/Charlie’s Corner International
(o) Colin Geoffrey Millar, Millar Alexander Barristers and Solicitors, Solicitor for Lisa Hori of Infinity Foods
(p) Yogarani, Can Asia
(q) Paul Spera, Spear’s Produce
(r) Roy Munoz, Country Green Garden or Country Green Fruits & Vegetables
(s) Flora Munoz, Florsam Bulk, Beans, Fruits & Vegetables
(t) Andrzej Rudzinski, Karlik Pastry
(u) Alan Shikatani, Future Bakery
(v) Aney Kollanthara, Taste of India
(w) Saji Kollanthara, Woodpecker Handicraft Gallery
(x) Hat Huynh, The Living Kitchen

CARRIED

7. OTHER BUSINESS

None

8. ADJOURNMENT

(Clark/Farr)
That the Hamilton Farmers’ Market Transition Sub-committee meeting be adjourned at 12:00 noon.

CARRIED

Councillor B. McHattie, Chair
Hamilton Farmers’ Market
Transition
Sub-committee

Ida Bedioui, Legislative Assistant,
Hamilton Farmers’ Market Transition Sub-Committee
December 9, 2010