



PUBLIC WORKS COMMITTEE MINUTES 19-001

9:30 a.m.

Monday, January 14, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors L. Ferguson (Chair), J.P. Danko (Vice-Chair), C. Collins, J. Farr, T. Jackson, S. Merulla, N. Nann, E. Pauls, M. Pearson, A. VanderBeek, T. Whitehead

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Tiger Tails at the Intersection of Balmoral Ave. S. and Justine Ave., Hamilton (Item 8.1)**

(Nann/Merulla)

That staff be directed to remove the tiger tails from the stop signs at the intersection of Balmoral Ave. S. and Justine Ave., Hamilton.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

2. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton (PW11012a) (Ward 2) (Item 8.2)

(Farr/Pearson)

That the application of the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton to permanently close and purchase a portion of the unassumed alleyway abutting 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton, ("Subject Lands"), as shown on Appendix "A" and Appendix "B", attached to Report PW11012a, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
 - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton, as described in Report PW11012a, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;

- (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
- (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinde Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

3. Proposed Permanent Closure and Sale of a Portion of York Road being 501 York Road, Dundas, ON (PW19004) (Ward 13) (Item 8.3)

(VanderBeek/Whitehead)

- (a) That the application of the owner of 501 York Road, Dundas, to permanently close and purchase a portion of York Road being 501 York Road, Dundas ("Subject Lands"), as shown on Appendix "A", attached to Report PW19004, be approved, subject to the following conditions:
 - (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
 - (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owners of 501 York Road, Dundas, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owner of 501 York Road, Dundas pursuant to

an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;

- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (vi) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (vii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

**4. Bill 65 - Automated Speed Enforcement (PW19002) (City Wide)
(Outstanding Business List Item) (Item 10.1)**

(Merulla/Whitehead)

That the Mayor submit a letter to the Ministry of the Attorney General and the Ministry of Transportation Ontario, on behalf of City Council, seeking legislative and regulatory amendments to allow municipalities to administer Automated Speed Enforcement and Red-Light Camera Enforcement programs through the Administrative Monetary Penalty system;

Result: Motion CARRIED by a vote of 9 to 1, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
NO - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

5. Standardization for the Provision of Support, Maintenance, Repair and Parts to Original Equipment Manufacturer (OEM) or Licensed Distributors (PW19003) (City Wide) (Item 10.2)

(Pearson/Collins)

- (a) That the standardization of support, maintenance, repair and parts to the original equipment manufacturers or licensed distributors as identified in Appendix "A" to Report PW19003 pursuant to Procurement Policy #14 – Standardization, thereby approving the listed suppliers as the single source of equipment, parts, supplies and services for the listed equipment in the Energy Fleet and Facilities Management (EFFM) Division be approved;
- (b) That the General Manager of Public Works, or his designate, be authorized to negotiate, enter into and execute any required contract(s) and any ancillary documents required to give effect thereto with those suppliers identified in Appendix "A" to Report PW19003, with content acceptable to the General Manager of Public Works, and in a form satisfactory to the City Solicitor;
- (c) That the General Manager of Public Works, or his designate, be authorized, in the event that a supplier identified in Appendix "A" to Report PW19003 undergoes a name change, to amend any contracts executed and any ancillary documents as required in a form satisfactory to the City Solicitor.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko

YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

6. Water Drinking Fountain for Kenilworth Stairs (Item 11.1)

(Merulla/Collins)

WHEREAS, the Kenilworth Stairs that are located in Ward 4 and Ward 6, are a key part of the active transportation network that moves pedestrians and cyclists through our community, and safely up and down the escarpment; and,

WHEREAS, access to a water drinking fountain at this location has been requested by residents;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a water drinking fountain at the bottom of the Kenilworth Stairs, to be funded from the Ward 4 Area Rating Reserve account (#108054) at an amount not to exceed \$45,000; and,
- (b) That the Mayor 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 10 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

7. Cannabis Packaging Recycling and Waste Control (Item 11.2)

(Merulla/Collins)

WHEREAS, the Federal government has legalized cannabis use in Canada;

WHEREAS, consumers can order cannabis online for direct delivery or pick up at legal dispensaries; and,

WHEREAS, cannabis comes in potentially recyclable material;

THEREFORE, BE IT RESOLVED:

That staff be directed to work with the Waste Management Advisory Committee to determine the types of packaging being utilized by venders for the sale of legal recreational and medical cannabis and report back to the Public Works Committee, with that report to include whether or not those materials are recyclable and the cost associated for recycling or disposal of those materials at a landfill.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

8. Installation of Winter Plant Material in the Concrete Planters on the West Side of James St. S., Hamilton within Ward 2 (Item 11.3)

(Farr/Nann)

WHEREAS, there was interest from Ward 2 citizens to beautify the 34 concrete planters along the West side of James St. S., Hamilton with winter plant material;

WHEREAS, the installation of the above-noted plant material will additionally reduce litter accumulation during the winter months; and,

WHEREAS, the installation of winter plant material occurred on December 6, 2018;

THEREFORE, BE IT RESOLVED:

- (a) That the cost for the installation and removal of winter plant material in the concrete planters on the West side of James St. S., Hamilton in the amount of \$5,000 to be funded from the Ward 2 Area Rating ***Discretionary account (#3301809200)*** be approved; and,

- (b) That the Mayor 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: Main Motion, As Amended, CARRIED by a vote of 10 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

1. DELEGATION REQUEST - WITHDRAWN (Item 6.1)

6.1 Suzanne Mammel, Hamilton-Halton Home Builders' Association (HHHBA), respecting the Approval of Water Servicing for Development (For a future meeting)

This item has been withdrawn from the agenda at the request of the Delegate.

2. ADDED DELEGATION REQUEST (Item 6.3)

6.3 Sonny Ross, respecting Charging Stations for Electronic Scooters (For a future meeting)

(Merulla/Pauls)

That the agenda for the January 14, 2019 Public Works Committee meeting be approved, as amended.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla

YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Terry Whitehead

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) December 10, 2018 (Item 4.1)

(VanderBeek/Merulla)

That the Minutes of the December 10, 2018 meeting of the Public Works Committee be approved, as presented.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Terry Whitehead

(d) COMMUNICATIONS (Item 5)

(i) Letter from the Hamilton Chamber of Commerce respecting Matters for the Public Works Committee's Consideration (Item 5.1)

(VanderBeek/Pearson)

That the letter from the Hamilton Chamber of Commerce respecting Matters for the Public Works Committee's Consideration, be received.

CARRIED

(e) DELEGATION REQUESTS (Item 6)

- (i) Kyle Saulnier, Ministry of Transportation of Ontario (MTO), respecting the Full Closure of Hwy 403 from the Hwy 6 Interchange and the King St. W. Interchange to Facilitate Bridge Rehabilitation at Old Guelph Rd. and Macklin St. (For a future meeting) (Item 6.2)**

(Farr/Merulla)

That the delegation request, submitted by Kyle Saulnier, Ministry of Transportation of Ontario (MTO), respecting the Full Closure of Hwy 403 from the Hwy 6 Interchange and the King St. W. Interchange to Facilitate Bridge Rehabilitation at Old Guelph Rd. and Macklin St., be approved for a future meeting.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Terry Whitehead

- (ii) Sonny Ross, respecting Charging Stations for Electronic Scooters (For a future meeting) (Added Item 6.3)**

(Pearson/VanderBeek)

That the delegation request, submitted by Sonny Ross, respecting Charging Stations for Electronic Scooters, be approved for a future meeting.

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Terry Whitehead

(f) CONSENT ITEMS (Item 7)

(i) Various Advisory Committee/Sub-Committee Minutes (Item 7.1)

(VanderBeek/Pearson)

That the minutes from the following Advisory Committee/Sub-Committee meetings, be received as presented:

- (1) Glanbrook Landfill Coordinating Committee Minutes - September 24, 2018 (Item 7.1(a))
- (2) Hamilton Cycling Committee Minutes - May 2, 2018 (Item 7.1(b))
- (3) Hamilton Cycling Committee Minutes - June 6, 2018 (Item 7.1(c))
- (4) Hamilton Cycling Committee Minutes - July 4, 2018 (Item 7.1(d))
- (5) Hamilton Cycling Committee Minutes - August 1, 2018 (Item 7.1(e))
- (6) Hamilton Cycling Committee Minutes - September 5, 2018 (Item 7.1(f))
- (7) Keep Hamilton Clean and Green Committee Minutes - June 19, 2018 (Item 7.1(g))
- (8) Keep Hamilton Clean and Green Committee Minutes - September 18, 2018 (Item 7.1(h))

CARRIED

(g) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Suzie Scott, respecting the Installation of Tiger Tail Stop Signs (Approved by the Public Works Committee on December 10, 2018) (Item 8.1)

Suzie Scott, addressed the Committee respecting the Installation of Tiger Tail Stop Signs, with the aid of a presentation and handout. The presentation and handout have been included in the official record.

(Nann/Pauls)

That the presentation and handout from Suzie Scott, respecting the Installation of Tiger Tail Stop Signs, be received.

CARRIED

A copy of the presentation and handout are available on the City's website or through the Office of the City Clerk.

(Whitehead/Pauls)

That staff be directed to review the handout from Suzie Scott, respecting the Installation of Tiger Tail Stop Signs, and report back to the Public Works Committee addressing her concerns, including an assessment of the feasibility of replacing existing red and orange coloured tiger tails throughout the City of Hamilton.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

For disposition of this matter, refer to Item 1.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton (PW11012a) (Ward 2) (Item 8.2)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

The Chair asked three times if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

(Pearson/Pauls)

That the public meeting be closed.

CARRIED

For disposition of this matter, refer to Item 2.

(iii) Proposed Permanent Closure and Sale of a Portion of York Road being 501 York Road, Dundas, ON (PW19004) (Ward 13) (Item 8.3)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of York Road being 501 York Road, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

The Chair asked three times if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

(VanderBeek/Pearson)

That the public meeting be closed.

CARRIED

For disposition of this matter, refer to Item 3.

(h) MOTIONS (Item 11)

(i) Installation of Winter Plant Material in the Concrete Planters on the West Side of James St. S., Hamilton within Ward 2 (Item 11.3)

(Farr/Nann)

That the motion be amended by changing the funding source in subsection (a), to read as follows:

- (a) That the cost for the installation and removal of winter plant material in the concrete planters on the West side of James St. S., Hamilton in the amount of \$5,000 to be funded from the Ward 2 Area Rating ~~Reserve account (#108052)~~ **Discretionary account (#3301809200)** be approved; and,

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

For disposition of this matter, refer to Item 8.

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

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

(Nann/Collins)

That the following amendments to the Public Works Committee's Outstanding Business List, be approved:

(a) Items to be removed:

- (i)** Photo Radar on the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway
Item 10.1 on today's agenda
Item on OBL: F

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

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson

(j) ADJOURNMENT (Item 15)

(Pearson/VanderBeek)

That there being no further business, the Public Works Committee be adjourned at 10:55 a.m.

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk