



## **PUBLIC WORKS COMMITTEE MINUTES 19-012**

9:30 a.m.

Friday, September 6, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with**

**Regrets:** Councillor J. Farr – Personal  
Councillor T. Whitehead – Personal

**Also Present:** Councillor M. Wilson

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

**1. Intersection Control List (PW19001(d)) (Wards 2, 3, 13 and 15) (Item 7.1)**

**(Pearson/Nann)**

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested				
Section “C” Flamborough							
(a)	Millgrove Side Road	Cumminsville Drive	All	EB	B	Removing All-way stop, Clr approved	15
(b)	Westover Road	Westover Road	EB	All	C	Converting to all-way stop – Clr approved	13
Section “E” Hamilton							
(c)	Young Street	Wellington Street	SB	All	B	Converting to all-way stop – Clr approved	2

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1		Street 2	Existing	Requested			
(d)	Rosemont Drive	Barnesdale Avenue North	NB/SB	All	C	Converting to all-way stop – Clr approved	3
Section “G” Former Regional							
(e)	Regional Road 97	Cooper Road	SB	All	C	Converting to all-way stop – Clr approved	13

**Legend**

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

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

**2. Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) (Item 8.2)**

**(VanderBeek/Danko)**

- (a) That the application of the owner of 118 Hatt Street, Dundas, to permanently close and purchase a portion of Hatt Street, Dundas (“Subject Lands”), as shown on Appendix “A” and Appendix “B”, attached to Report PW19074, 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 enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the closed

alleyway to the owners of 118 Hatt Street, Dundas, as described in Report PW19074, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;

- (iii) That the City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 118 Hatt Street, 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; and,
- (vi) 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 8 to 0, as follows:**

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

**3. Municipal Class Environmental Assessment and Conceptual Design of Elevated Water Storage Facility and Pumping Station for Pressure District 7 (PW19078) (Wards 9 & 11) (Item 10.1)**

**(Danko/Pearson)**

That the General Manager, Public Works Department be authorized and directed to file the Notice of Completion and issue the Project File Report for the Municipal Class Environmental Assessment and Conceptual Design of Elevated

Water Storage Facility and Pumping Station for Pressure District 7 for the Mandatory 30-day Public Review period.

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

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

**4. Airport Employment Growth District (AEGD) Servicing Update (PW19079)  
(City Wide) (Item 10.2)**

**(Pearson/VanderBeek)**

- (a) That the single source procurement be approved, pursuant to Procurement Policy #11 – Non-competitive Procurements, for a Consultant (GMBLuePlan Engineering) for the detailed design and contract administration services for the required sanitary outstation upgrade of HC018 pumping station for the Airport Employment Growth District (AEGD);
- (b) That the General Manager of Public Works Department be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with GMBLuePlan Engineering, in a form satisfactory to the City Solicitor;
- (c) That the single source procurement be approved, pursuant to Procurement Policy #11 – Non-competitive Procurements, for one or more vendors of specialized wastewater equipment for the required sanitary outstation upgrade projects for the Airport Employment Growth District (AEGD);
- (d) That the General Manager of Public Works Department be authorized and directed to negotiate and execute single source procurement contracts and any ancillary documents to provide original equipment manufactured parts and services for:
  - (i) Motor Control Center (MCC) equipment;
  - (ii) Wastewater pump equipment; and,
  - (iii) Standby power generator equipment.

- (e) That Hamilton Water staff report back to the Public Works Committee detailing procurement results of project awards; and,
- (f) That the contents of Appendix "B" attached to Report PW19079 remain confidential.

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

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

**5. Feasibility of Launching Project 529 in the City of Hamilton (City Wide)  
(Added Item 11.1)**

**(Jackson/Collins)**

- (a) That the Public Works Committee respectfully request that Hamilton Police Services and the Hamilton Police Services Board review the feasibility of launching Project 529 in Hamilton to reduce bike theft in the City of Hamilton; and,
- (b) That City Staff work in conjunction and collaboration with Hamilton Police Services and the Hamilton Police Services Board to share information in determining the feasibility of Project 529.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

NOT PRESENT - 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  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Maria Pearson

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised that there were no changes to the agenda.

**(Pearson/VanderBeek)**

That the agenda for the September 6, 2019 Public Works Committee meeting be approved, as presented.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

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

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

There were no declarations of interest.

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

**(i) August 14, 2019 (Item 4.1)**

**(Merulla/Danko)**

That the Minutes of the August 14, 2019 meeting of the Public Works Committee be approved, as presented.

**Result: Motion CARRIED by a vote of 7 to 0, as follows:**

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

YES - Councillor Arlene VanderBeek  
YES - Councillor Maria Pearson

**(d) CONSENT ITEMS (Item 7)**

**(i) Hamilton Cycling Committee Minutes (Item 7.2)**

**(VanderBeek/Pearson)**

That the following minutes from the Hamilton Cycling Committee, be received:

- (1) December 5, 2018 (Item 7.2(a))
- (2) April 3, 2019 (Item 7.2(b))
- (3) May 1, 2019 (Item 7.2(c))
- (4) June 5, 2019 (Item 7.2(d))

**CARRIED**

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)**

**(i) Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program (approved on August 14, 2019) (Item 8.1)**

Jamie Stuckless, Share the Road Cycling Coalition, addressed the Committee respecting the Bicycle Friendly Communities Program, with the aid of a presentation.

**(Pearson/VanderBeek)**

That the delegation by Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program, be received.

**CARRIED**

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For further disposition of this matter, refer to Items (h)(i), (h)(ii) and 5.

**(ii) Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) (Item 8.2)**

Councillor Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) 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 2.

**(f) DISCUSSION ITEMS (Item 10)**

**(i) Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)**

**(Pearson/VanderBeek)**

That consideration of Item 10.2, respecting an Airport Employment Growth District (AEGD) Servicing Update, be deferred until after the Closed Session portion of the agenda.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

NOT PRESENT - 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  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Maria Pearson

For further disposition of this matter, refer to Items (g)(i) and 4.

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

**(Pearson/VanderBeek)**

That Committee move into Closed Session for Appendix "B" to Item 10.2, pursuant to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertains to the receiving of 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 9 to 0, as follows:**

NOT PRESENT - 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  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Maria Pearson

**(i) Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 4.

**(h) NOTICES OF MOTION (Item 12)**

**(i) To Recognize Distracted Driving by Handheld Device as a Violation of the *Criminal Code of Canada, 1985* (City Wide) (Added Item 12.1)**

Councillor S. Merulla introduced the following Notice of Motion:

WHEREAS, distracted driving now causes such a hazard on the road and leads to more deaths than drunk driving in some places; and,

WHEREAS, despite efforts to curtail the dangerous behavior;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton request that the Federal Government assess amending the *Criminal Code of Canada, 1985*, to recognize distracted driving by handheld device a violation of the *Criminal Code of Canada, 1985*.

**(ii) Enforcement of One-Meter Law for Cyclist Safety (City Wide) (Added Item 12.2)**

Councillor J.P. Danko introduced the following Notice of Motion:

That Hamilton Police Services be requested to consider options for the enforcement of the one-meter passing law for cyclist safety, which requires motorists to provide at least one-meter (three feet) of space to cyclists when

passing, replicating the enforcement in place in Ottawa, Guelph and other communities using radar devices.

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

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

**(Pearson/VanderBeek)**

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

**(a) Items Requiring a New Due Date:**

- (i) Certificate of Recognition (COR™) Program**  
Item on OBL: AQ  
Current Due Date: September 16, 2019  
Proposed New Due Date: November 4, 2019
- (ii) Hamilton-Halton Homebuilders' Association (HHHBA)**  
Delegation on Water Main Approval Issues and  
Recommendations for Master-water/wastewater Servicing  
Studies  
Item on OBL: T  
Current Due Date: September 6, 2019  
Proposed New Due Date: October 18, 2019

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

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

**(j) ADJOURNMENT (Item 15)**

**(Pearson/Collins)**

That there being no further business, the Public Works Committee be adjourned at 10:41 a.m.

**CARRIED**

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk