



Public Works Committee MINUTES

9:30 a.m.

Tuesday, September 6, 2011

Council Chambers

Hamilton City Hall

71 Main Street West

Present: B. McHattie (Vice Chair),
C. Collins, S. Merulla, L. Ferguson, T. Jackson, R. Pasuta,
T. Whitehead,

**Absent with
Regrets:** Councillor R. Powers (Chair) – City Business
Councillor S. Duvall – City Business

Also Present: Councillor B. Johnson
G. Davis, General Manager, Public Works
G. Rae, Senior Director, Environment and Sustainable
Infrastructure
J. Mater, Senior Director of Transportation, Energy &
Facilities
J. Stephen, Director, Environment and Sustainable
Infrastructure
P. Parker, Director of Support Services
T. Propedo, Acting Manager of Parks
B. Smith, Manager of Waste Collections
R. Morello, Project Manager, Operations
A. Grozelle, Legislative Assistant, City Clerk's Office

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

- 1. Intersection Control List (PW11001(d)) (Wards 2, 6, 7, 8, 10, 11, 12) (Item 5.3)**

(Merulla/Collins)

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
(a) Markland St.	Park St.	All- way	SB	A	W. of James St., N. of Aberdeen Ave.	2

Intersection			Stop Direction		Class	Location / Comments / Petition	Ward
Street 1		Street 2	Existing	Requested			
(b)	Cornerstone Dr.	Old Mud St.	NC	NB	B	E. of Upper Mount Albion Rd., N. of Mud St.	6
(c)	Clement Dr.	Old Mud St.	NC	NB	B	E. of Upper Mount Albion Rd., N. of Mud St.	6
(d)	Cedarville Dr.	Old Mud St.	NC	NB	B	E. of Upper Mount Albion Rd., N. of Mud St.	6
(e)	Ashland Ave.	Winchester Blvd.	NC	SB	A	N. of Mohawk Rd., W. of Upper Ottawa St.	6
(f)	Ashland Ave.	Tenth Ave.	NC	NB	A	N. of Mohawk Rd., W. of Upper Ottawa St.	6
(g)	Nottingham Ave.	Winchester Blvd.	NC	SB	A	N. of Mohawk Rd., W. of Upper Ottawa St.	6
(h)	Nottingham Ave.	Tenth Ave.	NC	NB	A	N. of Mohawk Rd., W. of Upper Ottawa St.	6
(i)	Eleventh Avenue	East 45 th Street	NC	EB	A	N. of Mohawk Rd., W. of Upper Ottawa St.	6
(j)	Bluebird Ave.	Meadowlark Dr.	NC	NB	A	S. of Mohawk Rd., E. of Upper Wellington St.	7
(k)	Redwing Rd.	Meadowlark Dr.	NC	NB	A	S. of Mohawk Rd., E. of Upper Wellington St.	7
(l)	East 26 th W. Leg	Crockett St.	NC	NB	B	W. of Upper Sherman Ave., S. of Concession St.	7
(m)	East 26 th E. Leg	Crockett St.	NC	SB	B	W. of Upper Sherman Ave., S. of Concession St.	7
(n)	Crockett St.	East 26 th W. leg	NC	EB/WB	B	W. of Upper Sherman Ave., S. of Concession St.	7
(o)	Pleasant Ave.	Mountain Crest Ave.	NC	SB	B	W. of Garth St., S. of Scenic Dr.	8
(p)	Tanner St.	Inverness Ave. W.	NC	SB	B	W. of Upper James St., N. of Fennell Ave.	8
(q)	Barker Ave.	Inverness Ave. W.	NC	SB	B	W. of Upper James St., N. of Fennell Ave.	8
(r)	Millen Rd.	Frances Ave. (E. leg)	NC	SB	C	E. of Millen Rd., N. of QEW	10
(s)	Barton St. E.	Lewis Rd.	NB / SB	EB / WB	C	Winona	11
(t)	Gray Court Dr.	Harmony Hall Dr.	NC	WB	A	W. of Southcote Rd., N. of Garner Rd.	12

CARRIED

2. Project Bookmark Canada (PW11065) (Ward 7) (Item 5.4)

(Merulla/Collins)

That Report PW11065 respecting, Project Bookmark Canada, be received.

CARRIED

3. Playground Equipment in Golfinks Park (PW11062) (Ward 12) (Item 5.5)

(Ferguson/Merulla)

- (a) That staff be directed to replace the gravel base at Golfinks Park with a cedar chip base

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- (b) That Report PW11062 respecting Playground Equipment in Golflinks Park, be received **CARRIED**

4. Ward 8 Flooding - Fessenden Neighbourhood Stormwater Management (PW11063) (Ward 8) (Item 5.6)

(Merulla/Collins)

That Report PW11063, respecting Ward 8 Flooding - Fessenden Neighbourhood Stormwater Management, be received **CARRIED**

5. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 79 James South, Hamilton (PW11061) (Ward 2) (Item 6.3)

(Pasuta/Collins)

- (a) That the public unassumed alley running east/west between 79 James Street South and 1 Hunter Street East, from James Street South and Hughson Street South, Hamilton, be permanently closed and transferred to the owners of 79 James Street South and 1 Hunter Street East, Hamilton, as shown on Appendix "B" attached to Report PW11061, subject to the following conditions:
- (i) That the applicant makes an application to a District Court Judge, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close and purchase the subject lands;
 - (ii) That the General Manager, Public Works or his designate sign the appropriate documentation confirming that no public funds have been expended on the lands to be closed;
 - (iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor;
 - (iv) That the applicant register a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Surveys and Technical Services Section and that the applicant deposit a reproducible copy of said plan with the Manager, Surveys and Technical Services Section;
- (b) That provided the Judge's Order to permanently close the lands is granted:
- (i) That the City Solicitor be authorized and directed to prepare the by-law to permanently close the highway;

- (ii) That the appropriate by-law be introduced and enacted by Council;
- (iii) That the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to sell this closed highway for fair market value, in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299;
- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office;
- (v) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper land registry office;
- (vi) That the Public Works Department publish a notice pursuant to Section 34 of the Municipal Act 2001, S.O. 2001, c. 25, as amended, of the City's intention to pass the by-law. **CARRIED**

6. Agreement for On-Site Collection of Municipal Solid Waste (PW11066) (City Wide) (Item 8.1)

(Whitehead/Collins)

- (a) That the City of Hamilton adopts a standard Agreement for On-Site Collection of Municipal Solid Waste ("Agreement") in response to requests for municipal waste collection services on private property as described in Report PW11066;
- (b) That the Agreement for On-Site Collection of Municipal Solid Waste be approved by the General Manager of Public Works and be in a form satisfactory to the City Solicitor;
- (c) That the General Manager of Public Works be authorized and directed to take all necessary steps to terminate any existing agreements for municipal waste collection on private property and to discharge any agreements currently registered on title;
- (d) That the City of Hamilton Solid Waste Management By-law 09-067 be amended to reflect the City's requirements for on-site collection of municipal solid waste, including the requirement for a private property owner to enter into an Agreement **CARRIED**

7. Creation of Telecommunication License Agreement with Level 3 Communications, LCC (PW11060/LS11009) (City Wide) (Item 8.2)

(Jackson/Merulla)

- (a) That Appendix "A" attached to Report PW11060/LS11009 respecting a Telecommunications License Agreement (TLA) with Level 3 Communications, LLC (Level 3) for the purpose of allowing Level 3 access to the City's Public Highways for a term of five years, with the option to renew for two additional five-year periods, be approved;
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary TLA documentation with Level 3, all documents being in a form satisfactory to the City Solicitor;
- (c) That the net proceeds of this license agreement be transferred into the Annual Utilities Capital Account 49214-4031110003. **CARRIED**

8. Authorization to Negotiate and Execute Traffic Signal Equipment Supply Contract (PW09030a) (City Wide) (Item 8.3)

(Whitehead/Jackson)

- (a) That the City secure supply of PEEK brand traffic signal units, control masters, associated hardware and software for a period ending April 14, 2014 with PEEK U.S. Traffic Corporation (Manufacturer) and/or Innovative Traffic Solutions Inc. (Supplier) as required and as applicable;
- (b) That the General Manager of Public Works or his/her Authorized Designate be authorized and directed to negotiate and execute all formal documents as per (a) above in a form acceptable to the City Solicitor. **CARRIED**

9. Hamilton Veterans' Committee Report 10-002 Veterans' Way of Remembrance (PW11068) (Ward 2) (Item 8.4)

(Collins/Jackson)

- (a) That James Street North and South from Burlington Street to the escarpment retain its current legal name. However, it be given the commemorative designation of "Veterans Way of Remembrance" in the memory of all City of Hamilton Veterans;
- (b) That cost of fabrication and installation of the subject signs be charged to account number 53051-466085; **CARRIED**

10. Waiver of Costs for Use of City Bleachers for Community Event, Westdale High School (Item 9.1)

(McHattie/)

That two portable bleachers be installed for the October 7, 2011 Westdale Highschool Homecoming event and that staff be directed to recommend an appropriate funding source for the \$1,605.35 to cover the costs of the two portable bleachers. **CARRIED**

11. Chedoke Radial Trail Closure and Emergency Bridge Replacement (Item 10.1)

(McHattie/Merulla)

That the Chedoke Radial Line Bridge Replacement project be formally identified as a, Emergency Bridge Replacement, allowing Public Works staff to move as expeditiously as possible, foregoing normal purchasing procedures, and having the ability to sole source as required **CARRIED**

12. Backyard Slope Failure – 2 Cherry Road (Item 10.2)

(Collins/Whitehead)

- (a) That the lowest of three quotes \$24,186 be granted to the owners of 2 Cherry Road to repair the portion of their rear yard damaged by a City tree and subsequent slope failure along Red Hill Creek on July 26, 2009
- (b) That the owners of 2 Cherry Road be responsible for obtaining the appropriate permits and approvals necessary to perform the required work
- (c) That staff be directed to investigate funding this capital work out of the area rating derived infrastructure investment **CARRIED**

13. Memorial Service Sergeant Shawn Eades (Item 10.3)

That funding to the maximum amount of \$1500 be provided for the rental of a tent and chairs for the upcoming memorial service of Sergeant Shawn Eades.

CARRIED

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES (Item A)

- (i) Ontario Waste Management Association presentation of the 2011 Waste Industry Truck Driving Champion Award to Waste Collection Operator, Darlene Fortney

Vice-Chair McHattie congratulated Darlene Fortney in Public Works' Operations & Waste Management division who competed in the The Ontario Waste Management Association 21st Annual Waste Sector Truck Driving Championship in Toronto. At the event she finished first place in the Special Services category for side loaders. She competed against 12 other private sector and municipal drivers in the Special Services category. She has worked for the City of Hamilton for the past nine years and has competed in the championship the last three years.

Vice-Chair McHattie invited Blair Smith and Colin Vidler along with Mike Watt, Chairman Ontario Waste Management Association, and CEO Rob Cook to come forward and present Ms. Fortney with the award.

(ii) Share the Road Cycling Coalition presentation of the Bicycle Friendly Community Award to the City of Hamilton

Vice-Chair McHattie indicated that at the recently held AMO Conference the City of Hamilton was recognized with an award for its efforts towards becoming a Bicycle Friendly Community. The award was presented by the Share the Road Cycling Coalition, a provincial cycling advocacy organization created to unite cycling organizations from across Ontario and work with and on behalf of municipalities to enhance their ability to make their communities more bicycle-friendly. Hamilton was recognized with a silver ranking which is the highest ranking achieved by a municipality in this program to date. Over the past few years, the City of Hamilton has made significant strides towards improving the city's cycling infrastructure and facilities to encourage and promote sustainable transportation options and provide a safe cycling community.

Vice-Chair McHattie invited Daryl Bender and members of the Cycling Committee, as well as Eleanor McMahon, CEO and Founder of the Share the Road Cycling Coalition to come forward for the presentation of the award.

(b) CHANGES TO THE AGENDA (Item 1)

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

(Pasuta/Merulla)

That the September 6, 2011 Public Works Committee Agenda be approved, as presented.

CARRIED

(c) DECLARATIONS OF INTEREST (Item 2)

None

(d) APPROVAL OF MINUTES (Item 3)

(i) June 20, 2011 (Item 3.1)

(Ferguson/Collins)

That the Minutes of the June 20, 2011 Public Works Committee be approved, as presented. **CARRIED**

(e) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Cal DiFalco of the Fruitland Road Community Association respecting continued concerns about traffic on Fruitland Road (Item 4.1)

(Ferguson/Pasuta)

That the Delegation Request from Cal DiFalco of the Fruitland Road Community Association respecting continued concerns about traffic on Fruitland Road, be referred to the Truck Route Sub-committee.

CARRIED

(ii) Delegation Request from Luis Pointe and Mike Borelli of Safety on Second Street respecting Second Road West closure ideas and traffic calming options (Item 4.2)

(Jackson /Merulla)

That the Delegation Request from Luis Pointe and Mike Borelli of Safety on Second Street respecting Second Road West closure ideas and traffic calming options, be approved. **CARRIED**

(f) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committees (Item 5.1)

(Merulla/Collins)

That the following Sub-committee Minutes be received:

Minutes of Various Sub-Committees (FOR INFORMATION PURPOSES ONLY)

5.1.1 Solid Waste Management Master Plan Steering Committee –
January 12, 2011

5.1.2 Clean City Liaison Committee
(a) February 17, 2011
(b) April 6, 2011
(c) May 19, 2011

5.1.3 Hamilton Cycling Committee
(a) April 6, 2011
(b) May 4, 2011

CARRIED

(ii) Lake Erie Source Protection Committee (Item 5.2)

(a) June 2, 2011
(b) June 16, 2011
(c) July 7, 2011

(Merulla/Collins)

That the Minutes of the June 2, 2011, June 16, 2011 and July 7, 2011
Lake Erie Source Protection Committee, be received.

CARRIED

(g) PUBLIC HEARING/DELEGATIONS

**(i) Delegation by Elio Borchetta respecting, issues around garbage
collection services (Item 6.1)**

Elio Borchetta addressed the Committee with the aid of a handout.
Highlights included but were not limited to the following:

- Discussed that some street lights on Quigley Road are dim and should be replaced
- Indicated that there is a storm sewer in front of 49 Quigley Road requiring repairs
- The curb at 81 Quigley Road is too low
- People need to be encouraged to manage their recyclable materials to divert more items from landfills
- Discussed how his neighbours are not using the green bin system correctly attracting animals, flies and bugs
- People are using blue boxes for storage rather than recycling
- The contractor emptying the blue/gold boxes is too rough with them and causes damage by throwing them on driveways rather than setting on the grass
- Children should be better educated on how to recycle properly
- Discussed how Hamilton is a great City

Committee members had several questions for Mr. Borchetta. Highlights included but were not limited to the following:

- Councillors thanked Mr. Borchetta for his work.

Mr. Borchetta brought forward a framed picture taken at the grand opening of City Hall which he donated to the City of Hamilton.

(Collins/Merulla)

That staff be directed to report back to the Public Works Committee on the issues raised by Mr. Borchetta as outlined in his handout. **CARRIED**

(Collins/Merulla)

That the delegation by Elio Borchetta respecting, issues around garbage collection services, be received. **CARRIED**

(ii) Delegation from James Gallagher respecting the timing of traffic lights (Item 6.2)

James Gallagher was not in attendance. Vice-Chair McHattie indicated that Mr. Gallagher would be afforded another opportunity to appear as a delegate.

(iii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 79 James South, Hamilton (PW11061) (Ward 2) (Item 6.3)

Vice-Chair McHattie notified the Committee members that Item 6.3 is part of a public meeting. The Vice-Chair indicated that notice of this proposed closure was advertised in the Spectator on Friday August 26th advising that any one whose lands are prejudicially affected may appear before the Committee this morning. The Clerk has advised that no one has registered to speak to either of these issues. No members of the public came forward.

(Pasuta/Collins)

That the staff presentation respecting Report PW11061 Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 79 James South, Hamilton, be waived. **CARRIED**

For further disposition on this item refer to item 5.

(h) Agreement for On-Site Collection of Municipal Solid Waste (PW11066) (City Wide) (Item 8.1)

Councillor Jackson requested that staff bring an information update to the Public Works Committee if they receive negative feedback on the use of these agreements. Staff were in agreement with this approach.

(i) MOTIONS

(i) Waiver of Costs for Use of City Bleachers for Community Event, Westdale High School (Item 9.1)

(McHattie/Jackson)

Whereas, the Westdale Athletic Committee is planning a Homecoming event for Thanksgiving weekend to build support for enhancing their sports fields and facilities, and;

Whereas, the Westdale community and the City of Hamilton greatly benefits from the use of the Westdale High School athletic facilities.

Therefore, that two portable bleachers be installed for the October 7 event, and that staff be directed to recommend an appropriate funding source for the \$1,605.35 to cover the costs of the two portable bleachers.

CARRIED

(j) NOTICES OF MOTION (Item 10)

Councillor McHattie introduced the following Notice of Motion

(i) Chedoke Radial Trail Closure and Emergency Bridge Replacement (Item 10.1)

Whereas, the Chedoke Radial Line is a key cog in the City of Hamilton's Trail System, and;

Whereas, the trail continues to be used despite being in a very unsafe condition with potential for bridge failure, and;

Whereas, Public Works staff have identified the bridge fix as an emergency project (as outlined in the September 1 Project Update to Council).

Therefore, That the Chedoke Radial Line Bridge Replacement project be formally identified as a, Emergency Bridge Replacement, allowing Public Works staff to move as expeditiously as possible, foregoing normal purchasing procedures, and having the ability to sole source as required

(McHattie/Merulla)

That the rules of order be waived to allow for the introduction of an Motion respecting Chedoke Radial Trail Closure and Emergency Bridge Replacement. **CARRIED**

For further disposition on this item refer to item 11.

Councillor McHattie Introduced the following Notice of Motion

(ii) Backyard Slope Failure – 2 Cherry Road (Item 10.2)

- (a) That the lowest of three quotes \$24,186 be granted to the owners of 2 Cherry Road to repair the portion of their rear yard damaged by a City tree and subsequent slope failure along Red Hill Creek on July 26, 2009
- (b) That the owners of 2 Cherry Road be responsible for obtaining the appropriate permits and approvals necessary to perform the required work
- (c) That staff be directed to investigate funding this capital work out of the area rating derived infrastructure investment

(Merulla/Jackson)

That the rules of order be waived to allow for the introduction of a Motion respecting Backyard Slope Failure – 2 Cherry Road. **CARRIED**

For further disposition on this item refer to item 12.

Councillor Whitehead introduced the following Notice of Motion

(iii) Memorial Service Sergeant Shawn Eades (Item 10.3)

That funding to the maximum amount of \$1500 be provided for the rental of a tent and chairs for the upcoming memorial service of Sergeant Shawn Eades.

(Whitehead/Merulla)

That the rules of order be waived to allow for the introduction of a Motion respecting the memorial services for Sergeant Shawn Eades

CARRIED

For further disposition on this item refer to item 13.

(k) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Pasuta/ Merulla)

(a) That the following revised Due Dates be approved.

- (i) Item C: Smart Commute Hamilton Program
Due Date: September 19, 2011
Proposed New Due Date: October 3, 2011
- (ii) Item H: Proposed Permanent Closure and Sale of Public
Unassumed Alley Abutting 50 Cayley Street, Dundas
Due Date: September 19, 2011
Proposed New Due Date: October 3, 2011

CARRIED

(Whitehead/Collins)

(b) That the following Items be Removed of Items from the Outstanding Business List

- (i) Item E: Hamilton Veterans' Committee Report 10-002
Veterans' Way of Remembrance
- (ii) Item P: Seymour Street and Orton Avenue Park playground
Equipment
- (iii) Item Q: Fessenden neighbourhood flooding

(Collins/Whitehead)

(iv) Item G: Backyard Slope Failure -2 Cherry Road

CARRIED

(ii) Tour Central Composting Facility/Materials Recycling Facility (Item 11.2)

Vice-Chair McHattie reminded everyone of the upcoming Free Tours of the Central Composting Facility and Materials Recycling Facility. The tour is held on Saturday September 17, 2011 from 10 a.m. -3 p.m. at 1579 Burlington Street East.

(iii) Departure Geoff Rae (Item 11.3)

Councillors gave their thanks to Geoff Rae for his work for the City of Hamilton and wished him the best in his new position with the City of Brantford.

(I) ADJOURNMENT

(Jackson/Pasuta)

There being no further business, the Public Works Committee adjourned at
10:40 a.m.

Respectfully submitted,

Councillor B. McHattie, Vice-Chair
Public Works Committee

Andy Grozelle
Legislative Assistant
September 6, 2011