



PUBLIC WORKS COMMITTEE

MINUTES 15-008

9:30 a.m.

Monday, June 1, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors S. Merulla (Chair), C. Collins, S. Duvall, T. Jackson, T. Whitehead, D. Conley, L. Ferguson, R. Pasuta

Absent with Regrets: Councillor A. VanderBeek (Vice Chair) - Personal

Also Present: Councillor M. Pearson

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Intersection Control List (PW15001(c)) (Wards 4, 6, 7, 8 and 11) (Item 5.2)

(Duvall/Whitehead)

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

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
Section "D" Glanbrook							
(a)	Great Oak Trail	Magnificent Way	EB/WB	NB/SB	B	West of Highway 56, South of Binbrook Rd	11
Section "E" Hamilton							
(b)	Brampton Street	Strathearne Avenue	N/C	WB	C	West of Parkdale Avenue, South of Burlington Street	4
(c)	Queensdale Avenue	Green Meadow Road	NB/SB	EB/WB	B	West of Upper Ottawa Street, South of Mountain Brow Boulevard	6
(d)	Queensdale Avenue	Rendell Boulevard	NB/SB	EB/WB	B	West of Upper Ottawa Street, South of Mountain Brow Boulevard	6

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(e)	Queensdale Avenue	East 23 rd Street	NB/SB	EB/WB	B	East of Upper Wentworth Street, North of Fennell Avenue	7
(f)	Citino Drive	Stonepine Crescent/ Fortissimo Drive	NB/SB	EB/WB	B	West of Upper James Street, North of Stone Church Road	8

CARRIED

2. Standardization of Equipment, Supplies and Support Services (PW13027(a)) (City Wide) (Item 5.3)

(Pasuta/Jackson)

- (a) That the field equipment, supplies and office related systems listed in Appendix A to Report PW13027a be approved as a standard;
- (b) That the vendors listed in Appendix A to Report PW13027a be approved as the single source of supply for the listed equipment and supplies;
- (c) That the General Managers of Public Works and Finance & Corporate Services, or their delegate, be authorized to negotiate a house account with each vendor listed in Appendix A to Report PW13027a;
- (d) That the General Managers of Public Works and Finance & Corporate Services, or their designate, be authorized and directed to enter into and sign, on behalf of the City of Hamilton, all negotiated agreements and all necessary associated documents with the vendors listed in Appendix A to Report PW13027a with content acceptable to the General Manager of Public Works, and in a form satisfactory to the City Solicitor;
- (e) That the supplies, equipment, and services listed in Appendix A to Report PW13027a be amended with the following:
 - (i) OCE Canada was acquired by Canon Canada Inc.
 - (ii) ESRI Canada is added.

CARRIED

3. Sewer Use By-law Program Annual Update (PW15043) (City Wide) (Item 5.4)

(Collins/Ferguson)

That Report PW15043 respecting a Sewer Use By-law Program Annual Update, be received.

CARRIED

4. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (PW15029) (Ward 1) (tabled April 20, 2015) (Item 6.2)

(Jackson/Ferguson)

- (a) That the public unassumed alleyway abutting 170 Locke Street North, Hamilton, be permanently closed and sold to the owner of 170 Locke Street North, Hamilton, as shown on Appendix A, attached to Report PW15029 (the "Subject Lands"), subject to the following conditions:
 - (i) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close the Subject Lands;
 - (ii) That the General Manager, Public Works or his designate sign the appropriate documentation to obtain the order;
 - (iii) That the documentation regarding the application to the Ontario Superior Court of Justice be prepared by the applicant, to the satisfaction of the City Solicitor;
 - (iv) That the applicant deposit a Reference Plan under the Registry Act 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 deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (b) That provided the application to the Ontario Superior Court of Justice to permanently close the Subject Lands is approved:
 - (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 the Subject Lands in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299 for a nominal fee;
 - (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, upon confirmation from the Public Works Department that all applicable fees and costs associated with the application have been paid by the applicant;
 - (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 of the City's intention to pass the by-law pursuant to City of Hamilton By-law 04-299 being a By-law to Establish Procedures, including the Giving of Notice to the Public, Governing the Sale of Land Owned by the City of Hamilton.

CARRIED

5. Proposed Residential Municipal Disaster Relief Assistance Program for Frozen Water Services (PW15044) (City Wide) (Item 8.1)

(Jackson/Duvall)

- (a) That a Residential Municipal Disaster Relief Assistance Program for Frozen Water Services be established as a 100% City Paid Program to provide residents with a compassionate grant in an amount not to exceed \$1000 for eligible costs directly related to thawing frozen water services;
- (b) That payment of any funds under the program referred to in subsection (a) be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program for Frozen Water Services as set out in Appendix A, as amended, to Report PW15044 be approved;
- (d) That the costs associated with the eligible claims under the Residential Municipal Disaster Relief Assistance Program for Frozen Water Services be funded from the Waterworks Reserve 108015;
- (e) That City Council declare that the frozen water service events, which occurred within the municipal road allowance only, between January 1, 2015 and April 15, 2015 for all affected properties within the boundaries of the City of Hamilton, as Disasters for the purpose of the Residential Municipal Disaster Relief Assistance Program for Frozen Water Services;
- (f) That, if deemed necessary by the General Manager of Corporate Services, staff be authorized to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program for Frozen Water Services and that these administrative costs be funded from the Waterworks Reserve;

CARRIED

FOR THE INFORMATION OF THE COMMITTEE:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following change to the agenda.

- (i) Added as Item 6.2 (c) – Correspondence from Evan Apostol respecting the Alleyway located at 170 Locke St. South

(Pasuta/Whitehead)

That the Agenda for the May 21, 2015 meeting of the Public Works Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

- (i) **May 21, 2015 (Item 3.1)**

(Conley/Duvall)

That the Minutes of the May 21, 2015 Public Works Committee meeting, be approved, as presented.

CARRIED

(d) CONSENT ITEMS (Item 5)

- (i) **Minutes of the Hamilton Cycling Committee (Item 5.1(a) and (b))**

(Ferguson/Jackson)

That the Minutes of the March 4, 2015 Hamilton Cycling Committee, be received.

CARRIED

(Ferguson/Jackson)

That the Minutes of the April 1, 2015 Hamilton Cycling Committee, be received.

CARRIED

(e) DELEGATION REQUESTS (Item 4)

- (i) **Delegation Request from Dave Barnett, Abuse Prevention and Awareness Campaign, respecting concerns with the HSR (for a future meeting) (Item 4.1)**

(Ferguson/Whitehead)

That the delegation request from Dave Barnett, Abuse Prevention and Awareness Campaign, respecting concerns with the HSR, be denied.

CARRIED

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation from Ernest Romain respecting the condition of a retaining wall on Wilson Street East in Ancaster (Item 6.1)

Mr. Ernest Romain addressed the Committee respecting the condition of a retaining wall on Wilson Street East in Ancaster. Mr. Romain provided the Committee with a handout. A copy of the handout has been retained for the official record.

Mr. Romain outlined the history of repairs to the retaining wall and the involvement of the former Town of Ancaster and the current City of Hamilton. Mr. Romain is concerned about who is responsible for the maintenance and repairs to the retaining wall. Mr. Romain indicated that part of the retaining wall was recently demolished and he is being told that it is his responsibility to fix it.

(Ferguson/Jackson)

That the delegation from Ernest Romain respecting the condition of a retaining wall on Wilson Street East in Ancaster, respecting be received.

CARRIED

(Ferguson/Jackson)

That staff be directed to report to the Public Works Committee outlining the chronology of events, including what works orders have been issued, for the retaining wall located at 426 Wilson Street East, Ancaster.

CARRIED

(Whitehead/Ferguson)

That staff be directed to report to the Public Works Committee with an outline of the policies, standards and specifications the City of Hamilton has in place respecting the building and maintenance of retaining walls.

CARRIED

(i) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (PW150290) (Ward 1) (tabled April 20, 2015) (Item 6.2)

Chair Merulla informed Committee members that because Item 6.2 relates to a proposed permanent alleyway closure and sale that a public meeting was required. Chair Merulla indicated that a notice about the public meeting was

placed in local newspapers and posted on the City's website advising that anyone whose lands are prejudicially affected may appear before the Committee. The Committee Clerk advised that two individuals registered to speak to this issue. Chair Merulla asked those individuals who registered to come forward.

- (i) Correspondence from Charles Wah respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (Item 6.2(a))**

(Pasuta/Collins)

That Correspondence from Charles Wah respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton, be received.

CARRIED

- (ii) Correspondence from Evan Apostol, Property Manager, Wilson-Blanchard, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (Item 6.2(b))**

(Pasuta/Collins)

That Correspondence from Evan Apostol, Property Manager, Wilson-Blanchard, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton, be received.

CARRIED

- (iii) Correspondence from Evan Apostol respecting the Alleyway located at 170 Locke St. South (Added Item 6.2(c))**

(Pasuta/Collins)

That Correspondence from Evan Apostol respecting the Alleyway located at 170 Locke St. South, be received.

CARRIED

- (iv) Delegation from Mr. Evan Apostol respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (Added Item 6.2(d))**

Mr. Evan Apostol addressed the Committee respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton. Mr. Apostol indicated that he owns property abutting the alleyway and

he is interested in purchasing half of the alleyway. He has expressed his interest in the purchase to the City and is willing to pay for half of the applicant's expenses for the application.

(Collins/Pasuta)

That the delegation from Mr. Evan Apostol respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton, be received.

CARRIED

(v) Delegation from Mr. Frank Sergie respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton (Added Item 6.2(e))

Mr. Frank Sergie addressed the Committee respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton. Mr. Sergie advised that he is representing the applicant. Mr. Sergie expressed frustration that this matter was not resolved sooner. As per the application, the applicant still wishes to purchase the entire alleyway.

(Duvall/Collins)

That the delegation from Mr. Frank Sergie respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 170 Locke Street North, Hamilton, be received.

CARRIED

Chair Merulla asked if there were any members of the public wished to come forward to speak to this matter. No members of the public came forward.

For disposition on this matter refer to Item 4.

(f) PRESENTATION (Item 7)

(i) Shelley Merlo, Pan Am Cultural Coordinator, respecting an Update on the Pan Am Games Community Events (Item 7.1)

Ms. Shelley Merlo, Pan Am Cultural Coordinator, made a presentation to the Committee respecting an Update on the Pan Am Games Community Events with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record.

Ms. Merlo's presentation included, but was not limited to, the following:

- Report on the Official Opening of the CIBC Hamilton Pan Am Soccer Stadium on May 22, 2015
- Overview of the Host Showcase Program and list of the sixteen days of Festivities and Celebrations
- Outline of Ignite Designated Events and *Hamilton Kicks It Up!* Events (Off-The-Field-Action)
- Torch Relay in Hamilton
- Involvement of the Public Works Department

(Ferguson/Jackson)

That the presentation from Shelley Merlo, Pan Am Cultural Coordinator, respecting an Update on the Pan Am Games Community Events, be received.

CARRIED

(ii) Presentation from Andrew Grice, Director, Water and Waste Water Operations, respecting Winter 2015 - Frozen Services Overview (Item 7.2)

Mr. Andrew Grice, Director, Water and Waste Water Operations, made a presentation to the Committee respecting an Overview of the Winter 2015 Frozen Services with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record.

Mr. Grice's presentation included, but was not limited to, the following:

- Overview of Hamilton Water
- Review of Previous Year Statistics
- Weather Patterns
- Hamilton Water Response
- Municipal Scan
- Winter 2016 and Beyond
- Financial Impacts

(Jackson/Duvall)

That the presentation from Andrew Grice, Director, Water and Waste Water Operations, respecting Winter 2015 - Frozen Services Overview respecting, be received.

CARRIED

(g) **Proposed Residential Municipal Disaster Relief Assistance Program for Frozen Water Services (PW15044) (City Wide) (Item 8.1)**

(Jackson/Duvall)

That sections (a) and (c) of PW Report 15004 respecting a Proposed Residential Municipal Disaster Relief Assistance Program for Frozen Water Services be amended to read as follows:

- (a) That a Residential Municipal Disaster Relief Assistance Program for Frozen Water Services be established as a ~~50:50~~ **100% Cost Sharing City Paid Program** to provide residents with a compassionate grant in an amount not to exceed ~~\$500~~ **\$1000** for eligible costs directly related to thawing frozen water services;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program for Frozen Water Services as set out in Appendix A, as amended **to remove the words "Loss not covered by insurance"**, to Report PW15044 be approved;

For disposition on this matter refer to Item 5.

(h) **ADJOURNMENT (Item 13)**

(Jackson/Pasuta)

That there being no further business, the Public Works Committee be adjourned at 12:35 p.m.

CARRIED

Respectfully submitted,

Councillor S. Merulla, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk