



**Public Works Committee
MINUTES
9:30 a.m.
Monday, June 18, 2007
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton**

Present: Chair M. McCarthy
Vice Chair R. Powers
Councillors B. Bratina, C. Collins, L. Ferguson, T. Jackson,
S. Merulla, D. Mitchell

Also Present: Councillors B. Clark, T. Whitehead, B. McHattie
S. Stewart – General Manager, Public Works
J. Murray – A/Director, Capital Planning and Implementation
B. Shynal – Director, Operations and Maintenance
J. Mater – Director, Fleet and Facilities
J. Dahms – Director, Transit
J. Harnum – Sr. Director, Water and Wastewater
B. Goodger – Director, Waste Management
J. DiDomenico – Red Hill Valley Project Office
C. Biggs – Legislative Assistant, City Clerk's

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

- 1. Minutes of Special Glanbrook Landfill Co-ordinating Committee Meeting – April 16, 2007 (Item 5.1)**

(Powers/Collins)

That the Minutes of the Special Glanbrook Landfill Co-ordinating Committee Meeting held on April 16, 2007, be received. **CARRIED**

- 2. To Incorporate Certain City Lands into Various Streets by By-law (PW07002(e)) (Affects Ward 15) (Item 5.2)**

(Powers/Collins)

(a) That the following City land be incorporated into the following streets:

Progreston Road

Part 3

Plan 62R-7959

Ward 15

- (b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;
- (c) That the General Manager, Public Works, be authorized and directed to register the By-Laws. **CARRIED**

3. Intersection Control List (PW07001(d)) (City Wide) (Item 5.3)

(Powers/Collins)

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				
(a)	Meadowlands Blvd.	Citation/Shrewsbury	E/B & W/B	N/B & S/B	B	S. of Golf Links, E. of Southcote	12
(b)	Tidemore Heights	Palacebeach Trail	N/C	S/B	A	E. of Fruitland, N. of QEW	11
(c)	Saybrook Gardens	Palacebeach Trail	N/C	S/B	A	E. of Fruitland, N. of QEW	11
(d)	Palacebeach Trail	Watershore Dr.	N/C	N/B	A	E. of Fruitland, N. of QEW	11
(e)	Dartmouth Gate	Galileo Dr.	N/C	N/B	A	E. of Fruitland, N. of QEW	11
(f)	Aquamarine Dr.	Galileo Dr.	N/C	S/B	A	E. of Fruitland, N. of QEW	11
(g)	Watershore Dr.	Aquamarine Dr.	N/C	W/B	A	E. of Fruitland, N. of QEW	11
(h)	Copes Lane	Aquamarine Dr.	N/C	E/B	A	E. of Fruitland, N. of QEW	11
(i)	Saybrook Gardens	Galileo Dr.	N/C	N/B	A	E. of Fruitland, N. of QEW	11
(j)	Tidemore Heights	Galileo Dr.	N/C	N/B	A	E. of Fruitland, N. of QEW	11
(k)	Bates Avenue	Pinehill Drive	N/C	N/B	A	S. of Rymal, W. of Fletcher	11
(l)	Edna Avenue	Pinehill Drive	N/C	N/B	A	S. of Rymal, W. of Fletcher	11
(m)	Austin Dr.	Camelot Dr.	N/C	N/B	A	S. of Mohawk, E of Up.Sherman	7
(n)	Park St.W.	Albert	N/B & S/B	E/B & W/B	B	N. of King, W. of Sydenham	13
(o)	Chesley St.	Appleblossom Dr.	N/C	W/B	A	N. of Stone Church, W. of W 5th	8
(p)	East 12 th St.	Howe Ave.	N/C	S/B	A	E. of Up. Wellington, N. of Mohawk	7

CARRIED

4. Temporary Closure of King Street West, from Sterling to North Oval, for Westitalia Street Festival (PW07081) (Ward 1) (Item 5.4)

(Powers/Collins)

That the application from the Westdale B.I.A. for the temporary closure of King Street West between Sterling Avenue and North Oval at 12:00 noon on Friday, September 7, 2007 until 10:00 p.m. on Sunday, September 9, 2007 for a street festival, be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate is received, and that such permits or authorizations that may be required by the Chief of Police or his designate are obtained;
- (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction and satisfaction of the General Manager of Public Works, or his designate with all costs to be the responsibility of the applicant;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That "Temporary Road Closure" signs be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager of Public Works at the sole cost of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works;

- (i) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by The Village Diner at 988 King Street W., 1010 Bistro at 1010 King Street W., The Snooty Fox at 1011 King St. W., The Bean Bar at 1012 King Street W., and Bourbon St. Café at 1019 King Street W., to serve alcohol on the road allowance of King Street West on Friday, September 7, 2007 and Saturday, September 8, 2007 11:00 a.m. to 12:00 midnight, and on Sunday, September 9, 2007 from 11:00 a.m. to 6:00 pm, and that the City has no objection to the AGCO issuance of the appropriate liquor license for this event. **CARRIED**

**5. Speed Reduction – Binbrook Road, West of Highway 56 (PW07082)
(Ward 11) (Item 5.5)**

(Powers/Collins)

- (a) That the existing 50 km/h speed limit on Binbrook Road commencing at Highway 56 and extending 550 m westerly therefrom be extended an additional 400 m westerly;
- (b) That the By-law outlined in Report PW07082 as Appendix “A” to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

CARRIED

**6. McMaster Graduate Students Association – University Transit Pass
Agreement Contract Extension (PW07086) (City Wide) (Item 5.6)**

(Powers/Collins)

- (a) That the Mayor and the City Clerk be authorized and directed to execute the University Transit Pass Extension Agreement between McMaster Graduate Students Association, McMaster University, and the City for the period September 1, 2007 to August 31, 2008;
- (b) That staff of Public Works Transit bring forward a follow-up report for Council consideration in August, 2007 which outlines the fee structure and terms of similar University Transit Pass programs in places throughout Canada.

CARRIED

7. Regional Road 20 Resurfacing (PW07084) (Ward 9) (Item 5.7)

(Powers/Collins)

- (a) That the General Manager of Public Works be authorized and directed to proceed with the tender and award contract no. PW-07-25 (H) to Associated Paving Company Limited in the amount of \$2,708,610 as identified on Schedule A to Report PW07084;

- (b) That the allocation for Regional Road 20, from Upper Centennial to Westbrook Road, within the 2007 Annual Rehabilitation Program (Capital Project ID 4030711015) be increased by \$910,000 from \$1,800,000 to \$2,710,000 and that this increase be funded from the surplus available from favourable tenders within the 2007 Annual Rehabilitation Program (Capital Budget Project ID 4030711015). **CARRIED**

8. Materials Recycling Facility (MRF) Container Line Acquisition Options (PW07092) (City Wide) (Item 5.8)

(Powers/Collins)

- (a) That the General Manager of Public Works be authorized and directed to negotiate with Canada Fibers Ltd. for the design, installation and operation of a new, City owned container processing line located at the City's Materials Recycling Facility;
- (b) That the General Manager of Public Works be authorized and directed to enter into negotiations with Canada Fibers Ltd. for an additional two years, three months beyond the current contract terms which provide for up to five, one year extensions (total of up to eight years) beyond 2005 to 2013 for the operation of the City's Materials Recycling Facility;
- (c) That staff report back to Council by September 12, 2007, on the outcome of negotiations for Recommendations (a) and (b). **CARRIED**

9. Flamborough Centre – Flooding Issues (Ward 15) (PW07090) (Item 5.9)

(Powers/Collins)

That Report PW07090 respecting Flamborough Centre – Flooding Issues, be received. **CARRIED**

10. Battery Recycling in the City of Hamilton (PW07093) (City Wide) (Item 5.10)

(Powers/Collins)

- (a) That Report PW07093 respecting Battery Recycling in the City of Hamilton, be received;
- (b) That this item be removed from the Outstanding Business List of the Public Works Committee. **CARRIED**

11. **Memorandum from Paul Thomson, Manager of Transit Fair Administration and ATS to the Advisory Committee for Persons with Disabilities respecting Accessible Transportation Services (ATS) Performance Report – March, 2007 (Item 5.11)**

(Powers/Collins)

That the memorandum respecting Accessible Transportation Services (ATS) Performance Report – March, 2007, be received. **CARRIED**

12. **Proposed Permanent Closure – Portion of a Public Unassumed alley Abutting 21 Garside Avenue North, Hamilton (PW07085) (Ward 4) (Item 6.1)**

(Merulla/Collins)

(a) That the application of the owner of 21 Garside Avenue North, to permanently close and purchase the section of public unassumed alley abutting the property, be approved, 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 Senior Project Manager, Survey and Technical Services and that the applicant deposit a reproducible copy of said plan with the Senior Project Manager, Survey and Technical Services;

(b) That provided the Judge's Order to permanently close the lands is granted:

- (i) That the Acting City Solicitor be authorized and Corporate Counsel be directed to prepare the By-law to permanently close for the highway;
- (ii) That the appropriate By-law be introduced and enacted by Council;
- (iii) That the Development and Real Estate Division, Planning and Economic Development Department be authorized and directed to sell this closed highway 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**

13. Proposed Permanent Closure of Public Walkway from Farmer Court to Lynwood Road, Hamilton (PW07087) (Ward 8) (Item 6.2)

(Jackson/Ferguson)

- (a) That the Development and Real Estate Division, Planning and Economic Development Department be authorized and directed to delete the walkway from Lynwood Road to Farmer Court in the Fessenden Neighbourhood Plan;
- (b) That the City Solicitor be authorized and direct to prepare a By-law to permanently close the walkway;
- (c) That the appropriate By-law be introduced and enacted by Council;
- (d) That the Development and Real Estate Division, Planning and Economic Development Department, be authorized and directed to sell the closed walkway to the abutting owners, in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299;
- (e) That the City Solicitor be authorized and directed to register a certified copy of the By-law permanently closing the walkway in the proper land registry office;
- (f) 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;
- (g) 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**

14. Joint Jurisdiction Highway Routine Maintenance and Repair Agreement (PW07089) (City Wide) (Public Works Outstanding Business List) (Item 7.2)

(Merulla/Collins)

- (a) That the City, having Joint Jurisdiction with certain municipalities for certain Highways as outlined in Appendices "A" through "H" of Report PW07089 and within the meaning of the *Municipal Act, 2001*; as amended, be authorized to enter into separate Agreements with these municipalities for the purpose of establishing responsibility for the repair and routine maintenance of these shared Highways;
- (b) That certain applicable Agreements noted in (a) above also contain provisions with respect to the routine maintenance and repair of "Connecting Roads" as defined in Report PW07089;
- (c) That the City Solicitor be directed to draft Bylaws repealing the following:
 - (i) Flamborough Bylaw No. 91-114-A, Bylaw No. 91-29-R, Bylaw No. 94-05-A, Bylaw No. 92-17-A;
 - (II) Ancaster Bylaw No. 89-64, Bylaw 1829, Bylaw No. 84-78, Bylaw No. 90-79;
 - (III) Glanbrook Bylaw No. 528-95, Bylaw No. 429-90;
 - (iv) Stoney Creek Bylaw No. 3860-93;
- (d) That the Mayor and City Clerk be authorized and directed to execute all documentation necessary to facilitate (a)-(c) above in a form acceptable to the General Manager of Public Works and the City Solicitor;
- (e) That the General Manager of Public Works be provided with delegated authority to deal with all simple amendments to the Agreements with respect to routine and operational issues arising thereto;
- (f) That the financial impacts determined from the variance in workload as a result of implementation of the agreements be managed in the following fashion:
 - (i) Road Maintenance Payment of estimated \$5,960 to outlying municipalities, to be included as a line item in the 2008 Current budget;
 - (ii) Winter Control Receipt of estimated \$85,710 from outlying municipalities to be applied against the Winter Control Reserve;
- (g) That the item relating to the Review of Maintenance Agreement for Westbrook Road be deleted from the Public Works Outstanding Business List.

CARRIED

15. Status of the City of Hamilton's Drinking Water Quality Management System (PW07095) (City Wide) (Item 8.7)

(Ferguson/Mitchell)

(a) That Council endorse Option 2 as follows:

“Submit a scoped Operational Plan covering only the “Plan” activities for all 21 elements as an “Option 2” submission of the Operational Plan as per the licensing requirements under the Safe Drinking Water Act, 2002.”

(b) That the Drinking Water Quality Management Policy Statement attached as Appendix B to Report PW07095, be endorsed;

(c) That the Manager, Compliance and Regulations, be designated as Systems Management Representative for the Drinking Water Quality Management System as defined under the Safe Drinking Water Act, 2002.

CARRIED

16. Hauser Municipal Drain – Supplementary Information Report (PW07080(a)) (Ward 14) (Item 8.1(a))

(Jackson/Mitchell)

That Report PW07080(a) respecting the Hauser Municipal Drain – Supplementary Information, be received.

CARRIED

17. Hauser Municipal Drain (PW07080) (Ward 14) (Item 8.1(b))

(Jackson/Ferguson)

(a) That the City of Hamilton adopt the Hauser Municipal Drain Report prepared by Wiebe Engineering Group Inc. dated January 31, 2007 as outlined in Report PW07080 as Appendix “A”;

(b) That the Letter of Credit presently being held by Development Engineering for Van Every Gardens Phase 2 subdivision be retained until such time as the construction of the Municipal Drain is complete and all final costs are confirmed;

(c) That the City Clerk send out the various notices as prescribed by the Drainage Act and schedule a date for the Court of Revision;

(d) That the appropriate Municipal Drain By-law be given a first and second reading and be provisionally adopted;

- (e) That a Drainage Court of Revision be established, comprised of a minimum 3 and maximum of 5 Councillors from Wards 11, 12, 13, 14 and 15, for the purpose of hearing appeals on assessments of costs for Municipal Drainage Works under the Drainage Act.

CARRIED as amended

18. GTA Fare System Project – Rationalization of HSR Bus Pass and Ticket Vendor Network (PW04117(c)) (City Wide) (Item 8.2)

(Jackson/Bratina)

That the General Manager of Public Works be authorized and directed to undertake a rationalization of the HSR Bus Pass and Ticket Vendor Network for implementation of the GTA Fare System in 2009.

CARRIED

19. Extended Free Transit Service (HSR and DARTS) on New Year's Eve (PW07083) (City Wide) (Item 8.3)

(Powers/Jackson)

That staff be authorized and directed to permanently extend Transit (HSR and DARTS) regular service hours on New Years Eve until 2:00 a.m., and that the service be free from 6:00 p.m. onward.

CARRIED

20. On-Street Cycling Program (PW07078) (City Wide) (Item 8.4)

(Merulla/Collins)

(a) That an Alternative Transportation Coordinator be added to the staff complement to facilitate the implementation of the On-Street Cycling Program, pedestrian initiatives and the cycling component of capital projects, with the position to have an initial term of two years and with the position to be funded from the existing capital budget 4030617124;

(b) That staff provide a follow-up status report of the progress of the cycling and pedestrian programs in July 2009.

CARRIED

21. Sanatorium Road and Stormwater Management Class Environmental Assessment (Ward 8) (PW07091) (Item 8.5)

(Merulla/Collins)

(a) That the General Manager, Public Works, be authorized and directed to file the Sanatorium Road and Stormwater Management Municipal Class Environmental Assessment Environmental Study Report with the Municipal Clerk for a minimum 30 day public review period;

- (b) That upon completion of the Class EA process, the General Manager, Public Works Department, be authorized and directed to proceed with the property surveys and detailed design for the recommend measures for the road and stormwater improvements, and land acquisition and construction should proceed upon approval of the 2008 capital budget;
 - (c) That upon completion of the Class EA process City Staff be authorized to complete cost sharing negotiations with Chedoke Health Corporation for any associated improvements;
 - (d) That Staff be authorized to initiate a sanitary sewer and water main under the Municipal Act for Sanatorium Road to be included with the road reconstruction;
 - (e) That upon completion of the Class EA process, the Manager, Real Estate and Property Management, be directed to proceed with the acquisition of lands and easements required to construct the recommended measures for the stormwater and road improvements and that all costs associated with these lands and easement acquisitions be funded from the 2008 capital budget, subject to approval of the 2008 capital budget. **CARRIED**
- 22. Association of Municipalities of Ontario (AMO) and the Association of Municipal Recycling Coordinators of Ontario (AMRC) Discussion Paper on the Five (5) Year Review of the Waste Diversion Act (WDA), April 25, 2007 (PW07088/LS07009) (City Wide) (Item 8.6)**
- (Powers/Jackson)**
- (a) That the Association of Municipalities of Ontario (AMO) and the Association of Municipal Recycling Coordinators of Ontario (AMRC) discussion paper on the Five (5) Year Review of the Waste Diversion Act, April 25, 2007, be supported;
 - (b) That AMO be requested to include a request to the Ministry of Environment to consider how to provide funding and support for municipal research and development projects for diversion of materials that have not yet been designated under the Waste Diversion Act;
 - (b) That a copy of Report PW07088/LS07009 be provided to AMO, AMRC, Federation of Canadian Municipalities (FCM) and local Members of Parliament (MPs) and Members of Provincial Parliament (MPPs). **CARRIED**

23. Report 07-001 of the Provincial Gas Tax Transit Master Plan Steering Committee (Item 8.10)

(a) Appointment of Chair and Vice Chair (Item 1)

(Powers/Mitchell)

(i) That Councillor B. McHattie be appointed as Chair of the Provincial Gas Tax Transit Master Plan Steering Committee;

(ii) That Daniel Rodrigues be appointed Vice Chair of the Provincial Gas Tax Transit Master Plan Steering Committee. **CARRIED**

(b) Resignations of Marsha Duncan and Paul Shaker from the Steering Committee

(Powers/Mitchell)

That the resignations of Marsha Duncan and Paul Shaker from the Steering Committee be accepted with regrets. **CARRIED**

24. Sale of Part of Part 4 on Plan 62R-11271 – Rear of 1525 Stone Church Road East, Hamilton, more particularly described as Part 1 on Plan 62R-16351 to the Muslim Association of Hamilton (Item 9)

(Jackson/Merulla)

WHEREAS Section 268 of the Municipal Act requires municipalities to enact a By-law pursuant to and in accordance with the requirements of Section 268 and the Regulations prescribed thereunder by the Province, to establish procedures for the sale of real property owned by the municipality and a public register of the real property owned by the municipality;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall by By-law or resolution declare the lands to be surplus;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall obtain at least one appraisal of the fair market value of the land;

AND WHEREAS before selling any land, the Council of the City of Hamilton shall give notice to the public of the intended sale of the real property;

AND WHEREAS City Council on December 11, 2002 in adopting Item 14 of Committee of the Whole Report 02-042 declared part of Part 4 on Plan 62R-11271, the lands located at the rear of 1525 Stone Church Road East, in the City of Hamilton, more particularly described as Part 1 on Plan 62R-16351 to be surplus to the needs of the City of Hamilton;

AND WHEREAS the Muslim Association of Hamilton, a non-profit religious organization, has requested the opportunity to acquire part of Part 4 on Plan 62R-11271, the lands located at the rear of 1525 Stone Church Road East, in the City of Hamilton, more particularly described as Part 1 on Plan 62R-16351, for a nominal fee of \$4,000;

AND WHEREAS the deemed offer price of \$4,000 for the subject property is below the range of the fair market value as determined through an in-house appraisal of the subject's fair market value estimated at \$40,000 for the 2,185.0 square metre (23,520.0 square feet) parcel of vacant industrial land;

AND WHEREAS the lands known as part of Part 4 on Plan 62R-11271, the lands being located at the rear of 1525 Stone Church Road East, in the City of Hamilton, more particularly described as Part 1 on Plan 62R-16351 are required for additional parking spaces and emergency access resulting from the building expansion of the Muslim Temple and School at 1545 Stone Church Road East.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

- (a) That the Real Estate Section be directed to dispose of part of Part 4 on Plan 62R-11271, the lands located at the rear of 1525 Stone Church Road East, in the City of Hamilton, more particularly described as Part 1 on Plan 62R-16351 to the Muslim Association of Hamilton for a fee of \$4,000;
- (b) That the Real Estate Section be directed to prepare an Offer to Purchase for the sale of part of Part 4 on Plan 62R-11271, the lands located at the rear of 1525 Stone Church Road East, in the City of Hamilton, more particularly described as Part 1 on Plan 62R-16351 to the Muslim Association of Hamilton for a fee of \$4,000 and that the net proceeds of the sale be credited to Account 47702 4060087001 (Redhill Valley Parkway Project);
- (c) That the Real Estate Section be directed to ensure that the Real Property of the City shall not be sold until after Notice to the Public of the intended sale has been given in accordance with By-law No. 04-299 "Procedural By-law for the Sale of Lands";
- (d) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act;
- (e) That City Solicitor be authorized and directed to complete this real estate transaction on the terms and conditions set out herein and that any legal expenses or disbursements be charged to Account 59259 4060087001 (Redhill Valley Parkway Project);
- (e) That the Mayor and City Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor;

- (f) That as a condition of the sale that the purchaser be required to provide a site-grading plan to ensure that any local drainage issues on the subject lands are mitigated and that the lands be required to be adequately fenced. **CARRIED**

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk noted the following changes to the agenda.

- (a) Additional Motion respecting Sale of Part of Part 4 on Plan 62R-11271 – Rear of 1525 Stone Church Road East, Hamilton, more particularly described as Part 1 on Plan 62R-16351 to the Muslim Association of Hamilton (Copy distributed)
- (b) Item 8.7 respecting Status of the City of Hamilton's Drinking Water Quality Management System (PW07095) (City Wide) moved to Presentations

(Powers/Collins)

That the agenda be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(Collins/Powers)

That the Minutes of the June 4, 2007 meeting of the Public Works Committee be received and adopted, as amended.

CARRIED

(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)

- (i) Proposed Permanent Closure – Portion of a Public Unassumed alley Abutting 21 Garside Avenue North, Hamilton (PW07085) (Ward 4) (Item 6.1)

The Chair requested if there was anyone present wishing to address this issue.

No one from the public came forward to speak to this issue

- (ii) Proposed Permanent Closure of Public Walkway from Farmer Court to Lynwood Road, Hamilton (PW07087) (Ward 8) (Item 6.2)

The Chair requested if there was anyone present wishing to address this issue.

No one from the public came forward to speak to this issue

- (iii) Request to Appear from Nick Jackson/Peter Cicchi, Property Owners, and Fausto Carnicelli, Developer, Halton Family Health Centre, respecting the Trinity Church Corridor Alignment and pending Environmental Assessment Recommendation by Public Works (Item 4.1)

(Ferguson/Powers)

That Mr. Nick Jackson be permitted to address the Committee respecting the Trinity Church Corridor Alignment and pending Environmental Assessment Recommendation by Public Works. **CARRIED**

Mr. Nick Jackson appeared before the Committee to express his concerns with respect to the Trinity Church Corridor Alignment and the pending Environmental Assessment. He distributed his notes to the Committee, outlining his facts, the delegates' issues and solutions. Mr. Jackson requested that a neutral party be appointed to handle negotiations between staff and his delegates to ensure that a resolution is met, and that such negotiations include all City departments that will impact this development. Mr. Jackson indicated that he will conduct the negotiations in good faith, but will not forego the right to appeal to the OMB.

Staff responded that appropriate meetings will be arranged with Mr. Jackson et al to resolve their issues within a timeframe that meets all requirements and that in the interim, the Ministry of the Environment can be advised that discussions are taking place. Staff also pointed out that any resolution(s) to Mr. Jackson's concerns must be cognizant with the process followed with other property owners.

Staff is to provide a report back to the Committee on this issue.

A copy of Mr. Jackson's notes have been retained in the Office of the City Clerk for the Public Record.

(Powers/Jackson)

That the presentation by Mr. Nick Jackson be received.

CARRIED

(e) PRESENTATIONS

- (i) Richard Morin, President of StreetSeen Media – presentation of cheque to the City of Hamilton (No Copy) (Item 7.1)

Councillor McCarthy called upon Richard Morin, President of StreetSeen Media for a cheque presentation to the City of Hamilton in the amount of \$36,713 which represents increased revenues over and above the minimum guarantee. Councillor McCarthy, Chair of the Public Works Committee, Scott Stewart, General Manager of Public Works, and Jim Dahms, Acting Director of Transit, accepted the cheque on behalf of the City.

- (ii) Joint Jurisdiction Highway Routine Maintenance and Repair Agreement (PW07089) (City Wide) (Public Works Outstanding Business List) (Item 7.2)

Staff distributed a power point presentation to the Committee, a copy of which has been retained in the files of the Office of the City Clerk for the Public Record.

- (iii) Status of the City of Hamilton's Drinking Water Quality Management System (PW07095) (City Wide) (Item 8.7)

Jim Harnum gave a power point presentation with respect to the Status of the Drinking Water Quality Management System, a copy of which has been retained in the Office of the City Clerk for the Public Record. The presentation included:

- Legislative Background
- The Drinking water Quality Management System
- Licensing and Regulation of Drinking-Water Systems
- The Accreditation Process
- DWQMS Proposed Schedule
- DWQMS Organizational Structure
- BCOS System EQH&S Integrated Approach
- DWQMS Policy

The Committee gave staff direction to recognize the role of the Medical Officer of Health, in the event of an adverse water quality event. The Committee also agreed that the System Owner be expanded to include the community, as well as Mayor and Council.

(f) Municipal Hauser Drain (PW07078(a)) (Ward 14)

(Jackson/Powers)

That sub-section (d) of Report PW07078(a) be amended to read as follows:

- (d) That the appropriate Municipal Drain By-law be given a first and second reading and be provisionally adopted. **Amendment CARRIED**

(Jackson/Mitchell)

That the following be added as sub-section (e):

- (e) That a Drainage Court of Revision be established, comprised of a minimum of 3 and maximum of 5 Councillors from Wards 11, 12, 13, 14 and 15, for the purpose of hearing appeals on assessments of costs for Municipal Drainage Works under the Drainage Act.

Amendment CARRIED

The Main Motion, as amended, **CARRIED**.

(g) On-Street Cycling Program (PW07078) (City Wide) (Item 8.4)

The Main Motion CARRIED on the following recorded vote:

Yeas: McCarthy, Bratina, Collins, Merulla, Mitchell, Jackson, Powers

Total Yeas: 7

Nays: Ferguson

Total Nays: 1

Tpta

(h) Report from Tim Nolan, Chair, Advisory Committee for Persons with Disabilities – Use of Segways as Mobility Devices on Sidewalks, Trails, Walkways and Pathways and in Parks and on Recreational Properties (ACPD07002) (Item 8.9)

(Merulla/Collins)

That the Report from the Advisory Committee for Persons with Disabilities – Use of Segways as Mobility Devices on Sidewalks, Trails, Walkways and Pathways and in Parks and on Recreational Properties (ACPD07002), be referred to staff for a report back to the Committee with timelines and plan of action. **CARRIED**

(i) Provincial Gas Tax Transit Master Plan Steering Committee Report 07-001, Item 3 respecting Area Rating

(Mitchell/Powers)

- (a) That Item 3 of Report 07-001 of the Provincial Gas Tax Transit Master Plan Steering Committee respecting the recommendation of the Area Rating Sub-Committee be referred to the Committee of the Whole for discussion prior to the 2008 budget deliberations;

- (b) That members of the Area Rating Sub-Committee be invited to make a presentation to the Committee of the Whole at the time that this matter is to be discussed. **CARRIED**

(j) **GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

(i) Outstanding Business Items

- (a) Report re: Controlling Volume of Cars Accessing Garth Street
Due Date: June 18, 2007 **(Proposed Due Date: Prior to August 8, 2007, Committee of the Whole
{Councillor Whitehead requesting Information Update only})**
- (b) Implementation of Roundabouts in Ward 4
Due Date: June 18, 2007 **(Proposed Due Date: Q3, 2008)**
- (c) Feasibility of Roundabout at Highway 52 and Jerseyville Road
Due Date: June 18, 2007 **(Proposed Due Date: Q1, 2008)**
- (d) Stoney Creek Trans Cab – In-House Bid
Due Date: July 11, 2007 Committee of the Whole
(Proposed Due Date: October 15, 2007)
- (e) Peak Oil Report
Due Date: June 18, 2007
(Proposed Due Date: September 17, 2007)
- (f) Report by the Advisory Committee for Persons with Disabilities
respecting Audible Pedestrian Signals
Due Date: June 18, 2007 **(Proposed Due Date: Q4, 2007)**
- (g) Traffic Calming Study – Scenic Road, between Goulding Avenue
and Lavender Drive
Due Date: June 18, 2007 **(Proposed Due Date: Q3, 2008)**
- (h) Federal Gas Tax – Committed and Spent
Due Date: June 18, 2007
(Proposed Due Date: October 15, 2007)
- (i) Extension of Red Light Camera Program
Due Date: June 18, 2007
(Proposed Due Date: September 10, 2007)

(Merulla/Powers)

That the Outstanding Business List of the Public Works Committee be amended accordingly. **CARRIED**

- (ii) Portable Indoor Air Purification Units for Eligible Properties in the Vicinity of the Glanbrook Landfill Site (New Business – No Copy)

Councillor Mitchell advised the Committee that he will be bringing a motion forward to the June 27, 2007 meeting of Council requesting amendments to the original motion approved by Council with respect to the provision of portable indoor air purification units for eligible properties in the vicinity of the Glanbrook Landfill Site.

- (iii) Petition to Eliminate Sidewalk from the east side of Tanglewood Drive, between Willis Drive South and North, Binbrook

Councillor Mitchell presented the Clerk with a petition signed by 50 residents on Tanglewood Drive, requesting that the sidewalk on the east side of Tanglewood Drive, between Willis Drive South and North, be eliminated.

Staff advised that discussions have taken place with the builder of the survey, John Bruce Robinson Construction Ltd. (Rob-Geoff Properties Ltd.), and installation of the sidewalk will be postponed until a meeting can be scheduled on site.

(Powers/Mitchell)

There being no further business, the Committee adjourned at 10:45 a.m.

Respectfully submitted

Councillor M. McCarthy
Chair
Public Works Committee

Carolyn Biggs
Legislative Assistant
June 18, 2007