



**Public Works Committee
REPORT 09-002**

(as amended by City Council on January 28, 2009)

9:30 a.m.

Monday, January 19, 2009

Hamilton Sheraton Hotel

116 King Street West

South-west Ballroom

Hamilton, Ontario

Present: Mayor F. Eisenberger
Chair B. Bratina
Vice Chair C. Collins
Councillors L. Ferguson, T. Jackson, M. McCarthy,
S. Merulla

Absent: Councillor R. Powers – Personal
Councillor D. Mitchell – Personal

Also Present: Councillor B. McHattie
C. Murray – City Manager
G. Davis, – A/General Manager, Public Works
J. Stephen – Temp. Director, Capital Planning and
Implementation
B. Shynal – Director, Operations and Maintenance
D. Hull – Director, Transit Operations
J. Mater – Director, Energy, Fleet and Facilities
B. Goodger – Director, Waste Management
J. Harnum – Sr. Director, Water and Wastewater
C. Biggs – Legislative Assistant, City Clerk's

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 09-002 AND
RESPECTFULLY RECOMMENDS:**

- 1. Arvin Avenue Extension – Municipal Class Environmental Assessment
(PW09002) (Ward 10) (Item 5.2)**
 - (a) That the General Manager, Public Works, be authorized and directed to file the Arvin Avenue Extension Environmental Study Report with the Municipal Clerk for a minimum thirty day public review period;

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- (b) That the General Manager, Public Works, be authorized and directed to proceed with implementation of the preferred alternatives to be funded through Capital Project Nos. 3620407101 and 3620374100.

2. Citizen Appointments to the City of Hamilton Waste Reduction Task Force (WRTF) (PW09005) (City Wide) (Item 5.3)

That the City of Hamilton Waste Reduction Task Force recommendation that the following citizens be appointed to the Waste Reduction Task Force for the noted term of office, be approved:

Name	Affiliation	Term of Office
Trisha Branigan-Kilner	Public - B1 Zone	December 31, 2011
Paula Hamilton	Public - A3 Zone	December 31, 2011
Elaine Jermy	Environment	December 31, 2011
Rose Killey	Public - B2 Zone	December 31, 2011
Gregory Kraatz	Public - B3 Zone	December 31, 2011

3. Delegation – Mr. David Barnett respecting Hamilton Street Railway

That the Director of Transit be directed to meet with Mr. Barnett to assist in resolving his issues with the Hamilton Street Railway and that failing a satisfactory resolution to his issues, that Mr. Barnett be given the opportunity to address the Committee.

4. Delegations respecting North End Traffic Management Study

- (a) That the presentations of Sheri Selway, John Dolbec and Charles Mitchell, be received;
- (b) That the Letters of Support respecting the position taken by the North End Neighbours relative to the North End Traffic Management Study from George Gage on behalf of the Leander Boat Club, and Bryan Ritskes and Kevin Soldaat, on behalf of the Hamilton Sailing Club, be received.

The following item was **referred back** to staff:

5. North End Traffic Management Study (PW08094) (Ward 2) (Item 8.1)

- (a) That at such time when the preferred strategy for the North End Traffic Management Study is substantially constructed, the speed limit on all streets within the North End Neighbourhood, save James Street North and Burlington Street East, be set at 30 km/hr as a Pilot Project for a duration of two years, and that the appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted;
- (b) That the General Manager, Public Works be directed to report back on the findings of the Pilot Project;
- (c) That 30 km/h not be implemented within any other neighbourhood until the effects of this Pilot Project are analyzed and proven to be effective and be justified to continue;
- (d) That staff be directed to report back to the Committee with respect to improved transit service in the north end neighbourhood.

6. Metrolinx Regional Transportation Plan and Investment Strategy – Implications for Hamilton (PW08043(e)) (City Wide) (Item 8.2)

That Report PW08043(e) respecting the Metrolinx Regional Transportation Plan and Investment Strategy – Implications for Hamilton, be received.

7. Ontario Drinking Water Stewardship Program Funding for 2009 (under the Clean Water Act, 2006) (PW09010) (Wards 14 and 15) (Item 8.3)

- (a) That the draft two-year time of travel capture zones (attached as Appendix A to Report PW09010) for the City of Hamilton's groundwater-based municipal drinking water systems be accepted as the basis of applying for the Ontario Drinking Water Stewardship Program Early Action Funding;
- (b) That at such time the draft two-year time of travel capture zones for the City of Hamilton's groundwater-based municipal drinking water systems are finalized, the finalized two-year time of travel capture zones will replace the draft versions for the exclusive purpose of applying for the Ontario Drinking Water Stewardship Program Early Action Funding.

8. Cigarette Receptacle Enhancement Program (PW09013) (City Wide) (Public Works Committee Outstanding Business List) (Item 8.4)

- (a) That subject to budget approval, the Cigarette Receptacle Program be expanded from sixty units to 120 units which will provide service to all the Business Improvement Areas (BIA's) within the City of Hamilton;
- (b) That the program enhancement with an annual operating increase of \$5,563; a one-time capital cost of \$28,200 and 10% annual replacement cost of \$2,820 be referred for consideration through the 2009 budget process;
- (c) That the item pertaining to the Streetscape Cigarette Butt Receptacle Program be removed from the Public Works Committee Outstanding Business List.

Sub-sections (e)(i) and (ii) were **amended** as shown:

9. Establishment of a Joint Advisory Committee to Determine the Future Business Mandate of Hamilton Utilities Corporation (PW09006) (City Wide) (Item 8.5)

- (a) That the creation of a Joint Advisory Committee to Council and to Hamilton Utilities Corporation ("HUC") be supported, with the objective of assisting in the determination of the future business mandate of HUC;
- (b) That the objective of the Joint Advisory Committee be to review and make recommendations on the future business mandate of HUC, including other potential areas of service delivery that could be of benefit to the City by the governance structure of HUC;
- (c) That since both the City and HUC have operating interests and plans with respect to energy and energy-related environmental projects, a study be made of the preferred operating model and future strategic opportunities in that business sector;
- (d) That the study be conducted in two concurrent phases;
 - (i) Phase One: An examination of short term options of combining the existing and proposed energy and energy-related environmental projects into a single operating unit that is structured to offer the best financial benefit to the City of Hamilton;
 - (ii) Phase Two: Investigation of longer term possibilities in other areas of the City that would bring economic and environmental benefits to the City.

- (e) That the Joint Advisory Committee membership be comprised of:
 - (i) The Mayor and Councillors L. Ferguson, R. Powers and D. Mitchell representing the City as voting members;
 - (ii) The HUC Chair and three other HUC board members representing HUC as voting members;
 - (iii) The General Manager of Public Works , The City Manager and the Chief Executive Officer of HUC as non-voting members to act as a liaison between the Joint Advisory Committee and the Working Committee;
- (f) That the creation of a Working Committee be supported to assist the Advisory Committee in its mandate and to perform the work required and be comprised of HUC staff and City staff, using external resources to the extent necessary;
- (g) That the City and HUC dedicate sufficient resources and time of their respective staff, and third party advisors as required, to ensure that the Joint Advisory Committee can report back to Council and the HUC board of directors in Q2 of 2009 on Phase one;
- (h) That other City business sectors beyond the energy and energy-related environmental sector be considered for examination in future;
- (i) That the Terms of Reference for the Advisory Committee attached hereto as Appendix A, be approved;
- (j) That water and the sewage treatment plant be excluded from the scope of the study of the Joint Advisory Committee.

10. Rapid Transit Vision Statement (PW09007) (City Wide) (Item 8.6)

- (a) That Council adopt the following Vision Statement for Rapid Transit:

Vision Statement

Rapid Transit is more than just moving people from place to place. It is about providing a catalyst for the development of high quality, safe, environmentally sustainable and affordable transportation options for our citizens, connecting key destination points, stimulating economic development and revitalizing Hamilton.

- (b) That the Acting General Manager, Public Works, apply the Vision Statement for Rapid Transit as outlined in Recommendation (a) as the guiding principle behind the planning for and delivering of a rapid transit system for the City of Hamilton;

- (c) That the Acting General Manager, Public Works be authorized and directed to provide a copy of Report PW09007 to the CEO of Metrolinx and the Chair of the Metrolinx Board for their information.

11. Green Cart and Leaf and Yard Waste Program Changes (PW08126) (City Wide) (Item 8.7(a))

That no action be taken on Report PW08126 respecting Green Cart and Leaf and Yard Waste Program Changes.

12. Green Cart and Leaf and Yard Waste Program Changes (PW08126(a)) (City Wide) (Item 8.7(b))

- (a) That the City continue the weekly collection of the two additional containers of Leaf and Yard Waste with the green cart;
- (b) That the City continue to provide separate bi-weekly collection of unlimited Leaf and Yard Waste during peak periods in the spring and fall;
- (c) That the practice of “Grasscycling” and leaving grass clippings on the lawn be actively promoted as a way to save time and reduce impacts on the environment including reducing waste, saving water and energy and reducing greenhouse gas emissions;
- (d) That the City’s waste management communications for 2009 include the promotion of the practice of “Grasscycling”;
- (e) That staff be authorized to negotiate with the Central Composting Facility operator, Maple Reinders Constructors Ltd., to make capital improvements at the facility to better process Leaf and Yard Waste and that Maple Reinders Constructors Ltd., be authorized to execute those improvements at a cost not to exceed \$700,000 to be funded from Capital account #5120294115;
- (f) That the City continue to process Source Separated Organics from the County of Simcoe resulting in a projected revenue of \$290,000 for 2009 to offset operating and capital expenditures for a net reduction of \$5,000 to the 2009 Waste Management Division Operating Budget.

13. Appeals of Technical Standards and Safety Act (TSSA) Orders (PW09012/LS09003) (City Wide) (Item 8.8)

- (a) That the City Solicitor be authorized and directed to take all necessary steps to appeal the orders and fees invoices issued against the City of Hamilton under the Technical Standards and Safety Act, 2000 and as described in Report PW09012/LS09003;
- (b) That the City Solicitor be authorized and directed to take all necessary steps to appeal any future orders and fees invoices issued against the City of Hamilton under the Technical Standards and Safety Act, 2000 which are of a type similar to those orders and fees invoices described in Report PW09012/LS09003, until the appropriateness of those orders and fees invoices being issued against the City of Hamilton has been resolved.

14. Report 08-010 of the City Hall Renovations Steering Committee – December 1, 2008 (Item 8.9)

Vendor Services for the Provision of Restaurant/Café Services (New Business)

That that the Mayor and the Chair of the City Hall Renovations Steering Committee be included in discussions respecting the vendor services for the provision of restaurant/café services in City Hall.

15. Citizen Appointment to the Clean City Liaison Committee

That Robin McKee be appointed to the Clean City Liaison Committee, for a period to expire with the 2006-2010 term of Council, or until such time as his successor is appointed.

16. General Information/Other Business (Item 11.1)

That the following items be removed from the Outstanding Business List of the Public Works Committee:

- (a) Recommendations from the Waterfront Revitalization Task Force respecting West Harbour Waterfront Recreation Master Plan;
- (b) Installation of Traffic Signals at the Intersection of Highway 6 South and Haldibrook Road.

FOR THE INFORMATION OF COUNCIL:**(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised of the following change:

- (i) Requests to appear before the Committee at today's meeting respecting the North End Traffic Management Study from:
 - Sheri Selway, President, North End Neighbours
 - John Dolbec, CEO of the Chamber of Commerce
 - Charles Mitchell, Secretary, Macassa Bay Yacht Club
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- (ii) Letters of Support respecting the position taken by the North End Neighbours as related to the North End Traffic Management Study from:
 - (aa) George Gage, President, Leander Boat Club
 - (bb) Bryan Ritskes and Kevin Soldaat, Commodore, Hamilton Bay Sailing Club
- (iii) Motion respecting citizen appointment to the Clean City Liaison Committee.

On a motion, the agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES (Item 3)

On a motion, the Minutes of the December 10, 2008 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

- (i) Delegation requests respecting the North End Traffic Management Study from Sheri Selway, President, North End Neighbours, John Dolbec, CEO, Hamilton Chamber of Commerce and Charles Mitchell, Secretary, Macassa Bay Yacht Club, to address the Committee at today's meeting.

On a motion, the above-noted delegation requests to address the Public Works Committee were approved.

On a motion, the rules of order were suspended to allow the above-mentioned delegations to address the Committee at this meeting respecting the North End Traffic Management Study.

(e) MINUTES OF VARIOUS SUB-COMMITTEES (Item 5.2)

On a motion, the following Minutes were received:

- (i) Truck Route Sub-Committee – April 8, 2008
- (ii) Public Works Sub-Committee – Water and Wastewater Master Plan - June 16, 2008
- (iii) City Hall Renovations Steering Committee
 - (aa) August 11, 2008
 - (bb) October 14, 2008
 - (cc) October 20, 2008
- (iv) Solid Waste Master Plan Steering Committee
 - (aa) November 12, 2008
 - (bb) December 16, 2008
- (v) Waste Reduction Task Force – November 19, 2008
- (vi) Clean City Liaison Committee – November 20, 2008
- (vii) Glanbrook Landfill Co-ordinating Committee – November 24, 2008
- (viii) Hamilton Cycling Committee
 - (aa) September 3, 2008
 - (bb) October 1, 2008
 - (cd) November 5, 2008

(g) PUBLIC HEARINGS/DELEGATIONS (Item 6)

- (i) David Barnett respecting Hamilton Street Railway

Mr. Barnett attended the meeting; however, he did not give his presentation.

See Item 3 for disposition of this item.

(ii) North End Traffic Management Study

(aa) Sheri Selway, President, North End Neighbours

Sheri Selway, President, North End Neighbours, appeared before the Committee to request consideration of the following issues:

- (i) That the North End be designated as a child and family friendly neighbourhood;
- (ii) That a pilot project of 30 km/hr be implemented on all streets in the neighbourhood which will then be re-evaluated by City staff and stakeholders.
- (iii) That other traffic calming initiatives be implemented e.g., bump outs, traffic circles and limited access on some of the streets.

Ms. Selway indicated that she has a signed petition with respect to the 30 km/hr on all streets, and that the North End Neighbours has the support of the Hamilton Bay Sailing Club, Macassa Bay Yacht Club and the Leander Boat Club.

A copy of Ms. Selway's comments was distributed to the Committee and has also been retained for the public record.

(bb) John Dolbec, CEO, Hamilton Chamber of Commerce

John Dolbec, CEO of the Hamilton Chamber of Commerce, spoke to Council's decision with respect to the Waterfront Revitalization Master Plan and that the north end traffic management plans are in alignment with the Master Plan. He indicated that the Chamber does not have any objection to traffic calming measures in the neighbourhood; however, if the waterfront is to be a major attraction, is it really conducive to restrict northbound streets to the waterfront.

(cc) Charles Mitchell, Secretary, Macassa Bay Yacht Club

Charles Mitchell, Secretary, Macassa Bay Yacht Club, addressed the Committee to indicate that the membership of MBYC has endorsed the reduction of the speed limit as proposed by the North End Neighbours and asked Committee to take into consideration the safety of the families that live there and the many families that will visit and enjoy the area.

(h) **NORTH END TRAFFIC MANAGEMENT STUDY (PW08094) (Ward 2)
(Item 8.1)**

On a motion, the following was added as sub-section (f):

- (f) That staff be directed to report back to the Committee with respect to improved transit service in the north end neighbourhood.

On a motion, sub-sections (a) and (b), which read as follows, were referred back to staff for further discussion with the neighbourhood representatives and interested parties.

- “(a) That the General Manager, Public Works, be authorized and directed to file the North End Traffic Management Plan with the Municipal Clerk for a minimum thirty day public review period;
- (b) That at an appropriate time following resolution of the appeals to the Setting Sail Secondary Plan for the West Harbour, the General Manager, Public Works, be authorized and directed to proceed with implementation of the recommended traffic calming and management components of the preferred plan subject to funding approval through the capital budget process.”

Note: As a result of the referral of sub-sections (a) and (b) of Report PW08094, the remaining sub-sections were re-numbered accordingly. The recorded vote shown for sub-section (c) refers to Item 5(a) of Public Works Committee Report 09-002.

Sub-section (c) **CARRIED** on the following recorded vote:

Yeas: Bratina, Jackson, McCarthy, Eisenberger
Total Yeas: 4
Nays: Ferguson, Collins, Merulla
Total Nays: 3
Absent: Mitchell, Powers
Total Absent: 2

(i) **ESTABLISHMENT OF A JOINT ADVISORY COMMITTEE TO DETERMINE THE FUTURE BUSINESS MANDATE OF HAMILTON UTILITIES CORPORATE (PW09006) (City Wide) (Item 8.5)**

On a motion, Sub-section (e)(i) was deleted in its entirety and replaced with the following in lieu thereof:

- (e)(i) The Mayor and Councillors L. Ferguson and R. Powers representing the City as voting members.

On a motion, the following were added as sub-sections (j) and (k):

- (j) That the water and sewage treatment plant be excluded from the scope of the study of the Joint Advisory Committee;
- (k) That future potential incinerators be excluded.

Sub-section (j) **CARRIED**.

Sub-section (k) was **DEFEATED** on the following vote:

Yeas: Merulla, Collins
Total Yeas: 2
Nays: Eisenberger, Bratina, Ferguson, Jackson, McCarthy
Total Nays: 5

Absent: Mitchell, Powers
Total Absent: 2

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

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

- (i) Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan (PW08031)
Due Date: January 19, 2009
Revised Due Date: March 2, 2009
- (ii) Rural Stop Sign Safety
Due Date: January 19, 2009
Revised Due Date: March 23, 2009
- (iii) Correspondence from Refreshments Canada respecting bottled water and support of a broader sustainability program
Due Date: January 19, 2009
Revised Due Date: March 23, 2009

On a motion, the Outstanding Business List was amended accordingly to reflect the revised due dates for the above-noted matters.

(k) PRIVATE AND CONFIDENTIAL (Item 12)

Approval of Minutes of Closed Session Meeting held on November 17, 2008

On a motion, the Minutes of the Closed Session of the Public Works Committee meeting of December 1, 2008 were adopted as presented. The Minutes will remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

There being no further business, the Committee adjourned at 11:20 a.m.

Respectfully submitted

Councillor B. Bratina, Chair
Public Works Committee

Carolyn Biggs
Legislative Assistant
January 19, 2009

City of Hamilton ("City") and Hamilton Utilities Corporation ("HUC")

Joint Advisory Committee and Working Group

Terms of Reference

1. Joint Advisory Committee

A City/HUC Joint Advisory Committee is being established to review and make recommendations on the future business mandate of HUC, including other potential areas of service delivery that could be of benefit to the City by the governance structure of HUC.

The review will take the form of a two phase study:

Phase One: An examination of options for combining the existing and proposed energy and energy-related environmental projects into a single operating unit that is structured to offer the best financial benefit to the City of Hamilton.

Phase Two: Investigation of longer term possibilities in other areas of the City that would bring economic and environmental benefits to the City.

The Joint Advisory Committee will make report on the findings of the study to City Council via the Public Works Committee and to the HUC Board of Directors.

2. Working Group

A City/HUC Working Group is being established to advise and support the Joint Advisory Committee. The Working Group is a joint staff group utilizing staff from the City and HUC, and external forces where required, and will undertake the work required to undertake the study.

3. Guiding principles:

- i. That anything recommended be in the best interest of the City and its citizens.
- ii. That any governance model recommended would contain a "critical mass" of work and provide improved financial and/or operational returns to the City.
- iii. That the work be done through the open disclosure of information between the City and HUC.
- iv. That there is regular communication between the Joint Advisory Committee and the Public Works Committee through the General Manager of Public Works and the HUC Board of Directors through the Chief Executive Officer (CEO) of HUC.
- v. That it be recognized that some service delivery options might require other forms of municipally-owned structure or other changes from the current HUC governance structure.

- vi. That the study focuses primarily on the business and financial aspects of the potential service delivery options as well as the any labour related implications required to support the business case analyses.

4. Review of alternative models

The study will consider service delivery models that could provide for service delivery by HUC or the City.

5. Identify changes to service delivery

The Joint Advisory Committee will present recommendations to City Council and the HUC Board on changes to service delivery in the short, medium and long term.

6. Review Best Practices

The study will include a high level leading practice review of current activities, particularly in the Province of Ontario, with consideration being given to other jurisdictions.

7. Joint Advisory Committee meetings

The Committee would meet at least monthly or at the call of the co-chairs in order to review the work and results of the Working Committee. Quorum will be at least two members from both parties.

8. Working Committee meetings

The Working Committee would meet at as required to assist the Joint Advisory Committee with their required mandate.

9. Timeline

It is expected that the Advisory Committee will report their final findings to the Public Works Committee and the HUC board in Q2 of 2009 on Phase 1.

The need for the Committees to continue will be addressed in the final report back to City Council and the HUC Board of Directors.

10. Committee Membership

Joint Advisory Committee:

Council - Mayor Fred Eisenberger, two other Councillors, GM of Public Works in a support capacity

HUC Board of Directors- Chair and two other board members selected by HUC, CEO of HUC in a support capacity

Working Committee:

City of Hamilton - GM of Public Works, Senior Director of Water and Wastewater; Director of Waste Management; Director of Energy, Fleet and Facilities; Senior Policy and Projects Manager, and any others that the City may feel appropriate.

HUC - CEO of HUC, and Tim Dobbie (Consultant). Additional consulting advice would be available through HUC consultants currently working on this issue: Borden Ladner Gervais LLP, and Pricewaterhouse Coopers LLP.

11. Chairmanship of Advisory and Working Committee Meetings

Meetings of the Joint Advisory Committee will be co-chaired by the Mayor or a Councillor and the Chairman of HUC.

The Working Committee meetings will be co-chaired by the GM of Public Works and the CEO of HUC.

12. Member Roles and Responsibilities

Joint Advisory Committee:

- Attend Advisory Committee meetings.
- Give direction, advice and support to the Working Committee.
- Review in detail the information compiled by the Working Committee.
- Seek consensus within the group on the appropriate course of action.
- Recommend to the board of directors of HUC and to Council implementation plan(s) for selected service delivery models.
- Quorum will consist of two representatives from each of the HUC Board and City Council.

Working Committee:

- Attend Working Committee meetings.
- Share accurately and openly, information that may pertain to the development of and business cases.
- Seek consensus within the group on the appropriate course of action.
- Make recommendations to the Advisory Committee as to the appropriate course of action.