Public Works, Infrastructure and Environment Committee

MINUTES 05-012
9:30 a.m.
Monday, September 12, 2005
Council Chambers
2nd Floor, Hamilton City Hall
71 Main Street West, Hamilton

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Present: Councillors D. Mitchell, Chair, M. McCarthy, Vice Chair, Councillors D. Braden, C. Collins, P. Bruckler, M. Ferguson, T. Jackson, and S. Merulla

Also Present: Councillors B. Bratina and M. Pearson

B. Goodger, Acting General Manager, G. Davis, J. Harnum, B. Shyna, P. Parker, C. Hill, Public Works Department
D. Berketo, Manager, Waste Policy & Planning, Region of Niagara Public Work’s Department
I. Bedioui - Clerk’s Department

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Volunteer Committee Minutes – For Information: (Item 6.1) (Merulla/Ferguson)

That the following Volunteer/Sub-Committee Minutes be received for information:

(a) Hamilton Cycling Committee Minutes of June 1, 2005 Meeting
(b) Hamilton Cycling Committee Minutes of July 6, 2005 Meeting
(c) Waste Reduction Task Force Minutes of April 20, 2005 Meeting
(d) Waste Reduction Task Force Minutes of May 18, 2005 Meeting
(e) Waste Reduction Task Force Minutes of June 15, 2005 Meeting
(f) Solid Waste Management Master Plan Steering Committee Minutes of February 5, 2005 Meeting

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(g) Solid Waste Management Master Plan Steering Committee Minutes of April 12, 2005 Meeting

(h) Solid Waste Management Master Plan Steering Committee Minutes of May 10, 2005 Meeting

CARRIED

2. Spills Reports - (PW05108) - (City Wide) (Item 6.2)

(Merulla/Ferguson)

(a) That Council revisit its previous request to receive information regarding each spill occurrence reported to the City.

(b) That information on spills be sent to the relevant Councillor(s) when deemed appropriate by staff based on one or more of the following: if there are potential or actual significant environmental or financial impacts, if action is taken to protect the health and safety of members of the public in the area of the spill, or if the media or environmental special interest groups have indicated an interest.

CARRIED

3. City’s New Sewer Lateral Management Program (TOE02203c) - (City Wide) (Item 9.1)

(Jackson/Ferguson)

That the City proceed with implementation of the Sewer Lateral Management Program as approved by Council on March 23, 2005.

CARRIED

4. Purchase of Three Replacement Heavy Duty Loaders (PW05112) - (City Wide) (Item 9.2)

(Braden/Collins)

That a purchase order be issued to Regional Tractor Sales Ltd. for three heavy duty wheel loaders in accordance with Purchasing Policy 4, at a total cost of $478,556.40 including all taxes, and that the cost of these vehicle replacements be charged to the approved 2003 Vehicle and Equipment Replacement Project Account 58550-4940351100.

CARRIED

5. Speed Limit on Highway 56 between Guyatt Road and Cemetery Road (Item 11.1)

(Braden/Bruckler)

(a) That the speed limit on Highway 56 between Guyatt Road and Cemetery Road be set at 60 km/h; and
(b) That a by-law to amend the City of Hamilton By-law 01-215 be passed and enacted

CARRIED

6. Whistle Blowing at Parkside Road

(McCarthy/Merulla)
That staff be directed to enter into discussions with CP Rail and prepare a report for consideration of the Public Works, Infrastructure and Environment Committee addressing the required procedures for seeking relief from the Canadian Rail Operating Rules (CROR) which require whistling at public crossings, specifically as it relates to Parkside Road and that the City of Hamilton/CP Rail Liaison Committee participate in these directions.

CARRIED

7. Slow Moving Vehicles Caution Signs

(Braden/Ferguson)
That staff report back to the Public Works, Infrastructure, and Environment Committee with a policy recommending the installation of signs indicating “Caution, Slow Moving Vehicles” in rural areas of the City and in front of grain elevators, farm equipment dealerships and City yards.

CARRIED

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the agenda (Item 1):

(Braden/Bruckler)
That the changes to the agenda as noted by the Clerk be approved as follows:

(i) Added Item 9.1.1 - Registered Speakers List with respect to Item 9.1:

1. Phil Groves, Phil Groves Sewers Inc.
2. Mark Pacifici, Pacific Plumbing
3. Jim Groves, Wm. Groves Limited
4. Roy Birnie, Mr. Rooter Plumbing
5. Tom Gauthier, T. Gauthier & Sons
6. Armand Pitton, Pitton Plumbing
7. Bob Birnie, Thos R. Birnie & Sons Ltd
8. Fred Allport
9. Carmen Mamone, A Rescue Rooter
(ii) Added motion Item 11.2 by Councillor McCarthy with respect to whistle blowing at the railway crossing at Parkside Road.  

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)
None declared.

(c) Minutes (Item 3)
(McCarthy/Braden)  
That the Minutes of the June 20, 2005 meeting be approved as presented.  

CARRIED

(d) Delegation Requests (Item 4)
(Braden/Bruckler)  
That the following delegation request be approved:

(i) Kevin Dhinsa, August 29, 2005, concerning City report respecting sewers on Windemere Road which will be on upcoming Public Works, Infrastructure and Environment Committee Agenda.  

(Item 4.1) 

CARRIED

(e) Delegations/Public Meetings:

(i) Ms. Cynthia Larsh, June 15, 2005, respecting driveway ramp approach and water pipe replacement.  

(Approved June 20, 2005.)  

(Item 7.1) 

Ms. Larsh addressed Committee and expressed concerns that residents are treated differently with respect to driveway ramps and infrastructure (water pipes) depending where they live in the City. The by-laws differ and in her opinion this should not occur. It’s a matter of human rights. The treatment should not differ based on a resident’s social and economic status.

Jim Harnum explained that pipes are replaced at differing frequency rates because there are different types and ages of pipes throughout the City.

The Committee received Ms. Larsh’s delegation.

(f) Staff Presentations

(i) Niagara-Hamilton WastePlan Update (Item 8.1)

Pat Parker made a PowerPoint Presentation and provided a hard copy which was distributed. Her presentation covered the following:
- Review purpose of WastePlan
- Review common objectives and joint study management
- Present alternative systems being evaluated in the EA process
- Update Public Consultation process

The Committee posed questions and on a motion (McCarthy/Braden) received the staff recommendation.

On a motion (Jackson/Merulla) staff were directed to bring back to Committee a status report within the next ninety (90) days on the City’s closed landfills, outlining such things as methodologies used; costs incurred (including future capital operating dollars recommended); and external/internal conditions of each site.

(g) City’s New Sewer Lateral Management Program (TOE02203c) - (City Wide) (Item 9.1)

Registered Speakers List:

(i) Phil Groves, Phil Groves Sewers Inc.

Mr. Groves addressed Committee. He asked that the City continue to use the existing contractors as it has done in the past. In his opinion two contractors won’t be able to meet demands.

(ii) Mark Pacifici, Pacific Plumbing

Mr. Groves requested that the City table the program to avoid jeopardizing the contractors’ livelihood. Two contractors couldn’t afford the fleet required to respond to the volume of calls resulting from a storm.

(iii) Jim Groves, Wm. Groves Limited

Mr. Groves provided a written hand out and copies were distributed. He requested that the City table the program.

(iv) Roy Birnie, Mr. Rooter Plumbing

Mr. Birnie expressed the concern that the new program will eliminate existing healthy competition and some residents will take advantage. He asked that the City reconsider its decision. He advised that he will provide information to the Clerk on how the City can save costs.

(v) Tom Gauthier, T. Gauthier & Sons

Mr. Gauthier indicated that the contractors already know the situation of their costumers. Two contractors cannot respond to the number of calls resulting from a storm. Years ago the City used to clear the drains. Now it puts the onus on the homeowner to
determine, through a private contractor, whether the problem is with the private or the City drain.

(vi) **Armand Pitton, Pitton Plumbing**

Mr. Pitton expressed his opinion that the City doesn't realize the magnitude of what it is proposing and it is removing private enterprise from the picture. He requested that the City table the program.

(vii) **Bob Birnie, Thos R. Birnie & Sons Ltd**

Mr. Birnie indicated that he has a wealth of experience and knowledge. As a contractor, he sees problems with the program and asks that it be tabled to get input from contractors. In the month of July, 2005 (slow month) his company received 2,962 incoming calls, during office hours. He doesn't think the City could handle this volume with two contractors. He challenged the City’s cost estimates of investigating broken sewer pipes and repairs. He also says the City will face litigation costs when homeowners experience sewer back ups.

Mr. Birnie complained that the contractors were not consulted. They understood that the City would tender for sewer lateral repairs, not sewer cleaning. The contractors only became aware of this when they read the tender.

(viii) **Fred Allport**

Mr. Allport was not present.

(ix) **Carmen Mamone, A Rescue Rooter**

Mr. Allen V. Mills spoke on behalf of Carmen Mamone. He provided a hand out and copies were distributed. He expressed much the same concerns as the previous speakers.

The Committee discussed the remarks presented by the delegations and agreed to staff’s suggestion that at the September 14, 2005 Council Meeting the implementation of the program and the effective date of the policy be delayed until November 30, 2005 to allow for further input from the contractors and to allow staff to review the delivery portion of the program.
(h) **Outstanding Business List Updates**

*(McCarthy/Merulla)*

That the following Items which have been completed as indicated be removed from the Outstanding Business List:

10.1 DARTS Program accountability measures – (Item Q on Outstanding Business List) – Report PW05075 approved by Committee of the Whole on June 30, 2005 – motion to remove

10.2 Reinstated budget and actual numbers - 2004 list of positive variances for fleet facilities – (Item W on Outstanding Business List) - Report FCS05049 was approved by Strategic Planning and Budgets Committee on May 18, 2005 – motion to remove

10.3 Wireless installations on City water towers - (Item Y on Outstanding Business List.) – Report PW05074 was approved by Committee of the Whole on July 13, 2005 – motion to remove

10.4 Petition requesting stop control at Melvin and Airdrie – (Item EE on Outstanding Business List) – Stop control approved by Committee of the Whole on August 10, 2005 – motion to remove

10.5 Petition requesting stop control at Huxley and Maple – (Item GG on Outstanding Business List) – Stop control approved by Committee of the Whole on August 10, 2005 – motion to remove

The following due dates were changed as indicated:

10.6 Report on financial implications of various noise mitigation options (Including Glen Castle, Forest Hill, Brookstream, etc.) - (Item H on Outstanding Business List.) – due date changed to January 16, 2006

10.7 Policy respecting removal of trees on public property posing threat to public safety or property - (Item AA on Outstanding Business List.) – due date changed to October 17, 2005.

(i) **Motions**

(i) **Whistle Blowing at Parkside Road (Added Item 11.2)**

Councillor McCarthy provided background information to the Clerk to be forwarded to staff to be used when preparing the report with respect to seeking relief from whistle blowing at this location.
There being no further business, the meeting of the Public Works Infrastructure and Environment Committee adjourned at 12:15 p.m.

Respectfully submitted,

Councillor David Mitchell, Chair
Public Works, Infrastructure and Environment Committee

Ida Bedioui, Legislative Assistant
Public Works, Infrastructure and Environment Committee
September 12, 2005