Public Works Committee
MINUTES
9:30 a.m.
Monday, November 19, 2007
Flamborough Municipal Service Centre
163 Dundas Street (Highway No. 5)
Waterdown, Ontario

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

Also Present: Councillors R. Pasuta, M. Pearson
S. Stewart – General Manager, Public Works
C. Lee-Morrison – A/Sr. Director, Capital Planning and
Implementation
H. Solomon – A/Director, Operations and Maintenance
D. Hull – Director, Transit Operations
G. Lupton – A/Director, Fleet and Facilities
B. Goodger – Director, Waste Management
C. Biggs – Legislative Assistant, City Clerk’s

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. Minutes of Various Committees (Item 5.1)

(Ferguson/Powers)
That the following Minutes be received:

(a) Waste Reduction Task Force

(i) August 15, 2007
(ii) September 19, 2007  CARRIED
2. **Intersection Control List (PW07001(g)) (Wards 13 and 14) (Item 5.2)**

**(Powers/Ferguson)**
That the appropriate By-law be presented to Council to provide traffic control as follows:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Stop Direction</th>
<th>Existing</th>
<th>Requested</th>
<th>Class</th>
<th>Location/Comments/Petition</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Horseshoe Crescent</td>
<td>Clappison Avenue</td>
<td>N/C</td>
<td>WB</td>
<td>B</td>
<td>N. of Hwy. 5 east, E. of Hwy. 6</td>
<td>14</td>
</tr>
<tr>
<td>(b) Matilda St. N.</td>
<td>Witherspoon St.</td>
<td>N/C</td>
<td>N/B</td>
<td>A</td>
<td>N. of King St., W. of Market St.</td>
<td>13</td>
</tr>
<tr>
<td>(c) Henry St.</td>
<td>Witherspoon St.</td>
<td>N/C</td>
<td>N/B</td>
<td>A</td>
<td>N. of King St., W. of Market St.</td>
<td>13</td>
</tr>
<tr>
<td>(d) Henry St.</td>
<td>Melville St.</td>
<td>N/C</td>
<td>S/B</td>
<td>A</td>
<td>N. of King St., W. of Market St.</td>
<td>13</td>
</tr>
<tr>
<td>(e) Witherspoon St.</td>
<td>Melville St.</td>
<td>N/C</td>
<td>S/B</td>
<td>A</td>
<td>N. of King St., W. of Market St.</td>
<td>13</td>
</tr>
</tbody>
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CARRIED

3. **Status of Solid Waste Management Master Plan, Options for Increasing Diversion and Landfill Capacity (PW07151) (City Wide) (Item 7.1)**

**(Collins/Eisenberger)**
(a) That the Solid Waste Management Master Plan (SWMMP) Recommendation 3, “The City of Hamilton must set an aggressive objective of 65% waste diversion by the end of 2008, based on 2000 waste generation rates.” be amended to “The City must strive to meet an aggressive objective of 65% waste diversion by the end of 2010, based on 2006 waste diversion rates.”;

(b) That the implementation of the multi-residential diversion program be accelerated in 2008 for completion in 2009 as outlined in this report PW07151;

(c) That a one (1) container limit on garbage be established for implementation on March 31, 2008 together with:

(i) three (3) grace weeks following Victoria Day, Thanksgiving and New Years when residents could set out up to three (3) containers of garbage;

(ii) a transition period between March 31, 2008 and March 31, 2009 during which enforcement will focus on education and customer service;

(iii) a special consideration process for medical circumstances and families with three (3) or more children under the age of five (5) years; and
all in conjunction with the 2008-09 Waste Collection Calendar;

(d) That the two (2) temporary Customer Service Co-ordinator positions, funded through the Waste Management operating budget since April 2006 continue as temporary positions for an eighteen (18) month term, and staff report back on the future need for the positions prior to the end of the new term;

(e) That enhanced enforcement of the Solid Waste Management By-law 05-190 be undertaken, including the addition of one half (.5) full-time employee (FTE) to the Municipal By-law Enforcement staffing in 2008 at no net cost, and further, that this be referred to the 2008 Budget Process;

(f) That, effective March 31, 2008, appropriate compostable bags be accepted in the City’s Green Cart program;

(g) That staff continues to explore options to reduce waste and to increase diversion in 2009 and 2010 to achieve the 65% diversion target;

(h) That Waste Management Project ID 5120890100 Annual User Pay Implementation in the amount of $835,000 be removed from the 2008 Tax Capital Budget request. CARRIED as amended

4. **2008 Capital Budget Pre-approval (PW07143) (City Wide) (Item 8.1)**

(Collins/Jackson)
That the General Manager of Public Works be authorized and directed to proceed with the design, tender and construction of the coordinated capital projects eligible under the guidelines as identified within the Capital Budget Pre-Approval Policy, at a total estimated cost of $45,828,000 as identified in Report PW07143 as Appendix “A”. CARRIED

5. **Central Composting Facility – Disposition of Financial Benefit resulting from Market Available Capacity (PW07149) (City Wide) (Item 8.2)**

(Merulla/Bratina)
(a) That fifty percent (50%) of the financial benefit generated from the newly-acquired Source Separated Organic (SSO) processing contract from the Regional Municipality of Halton (Region) be placed in a new Reserve Account #112271;

(b) That the Reserve established in recommendation (a) of Report PW07149, be used for the upgrade and/or replacement of waste diversion facilities and equipment;
(c) That the remaining fifty percent (50%) of the financial benefit generated from the newly acquired Source Separated Organic processing contract from the Regional Municipality of Halton, be used to reduce the operating budget in the Waste Management Division of Public Works and that this change be reflected in the 2008 Waste Budget submission.  

6. Agreement to Accept Compensation – Frank Butty Limited – Expropriation for Borer’s Creek, former Town of Flamborough – 43 Highway 5 West, described as Parts 1 to 3 on Expropriation Plan 89977 and Part 1 on Expropriation Plan 90204 (PW07140/PED07285/LS07018) (Ward 15) (Item 8.3)  

(Powers/Collins)  
(a) That an Agreement by the Owner to Accept Compensation, resulting from the expropriation of easements over certain lands located on the north side of Highway No. 5 West, (as shown on Appendix “A” attached to Report PW07140/LS07018/PED07285) being part of Lot 24, Concession 3 in the former geographic Township of West Flamborough, in the former Town of Flamborough, described as Parts 1 to 3 on Expropriation Plan 89977 registered on July 16, 1991 and Part 1 on Expropriation Plan 90204 registered on July 18, 1991 executed by the former owner Frank Butty Limited (Frank Butty) on September 13, 2007 be approved and completed and that the total full and final expropriation compensation of $110,000 plus legal, appraisal and other costs in the amount of $19,542.16 of which $6,700 as the Official Offer has not been paid, be charged to Account Number 59259 2050155001 (FL Borer’s Creek Contingency).  

(b) That a final net payment of $129,542.16 resulting from the settlement of the expropriation be made to Feltmate Delbato Heagle LLP (Attention: James Tuck), in Trust for the former owner Frank Butty Limited.  

(c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.  

CARRIED

7. Accessible Transit Fleet Tender C11-57-07 (PW07144) (City Wide) (Item 8.4)  

(Powers/Merulla)  
(a) That staff be authorized to cancel Tender C11-57-07 for the supply and delivery of heavy duty high-floor and/or low floor para-transit vehicles;  

(b) That staff be directed to report back on a proposed course of action for the replacement of Accessible Transit fleet prior to the end of the first quarter of 2008.  

CARRIED
8. Resolution from the Township of Wellington North respecting Lead Sampling Requirements (Item 8.5(a))

(Merulla/Powers)
That the resolution from the Township of Wellington North respecting Lead Sampling Requirements, be received. CARRIED

9. All-Way Stop Control – Livingstone Drive and Sundial Crescent, Dundas (Item 9)

(Powers/Ferguson)
(a) That an all-way stop control be implemented at the intersection of Livingstone Drive and Sundial Crescent, Dundas;

(b) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted. CARRIED

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised that there were no changes to the agenda.

(Powers/Ferguson)
That the agenda be approved, as presented. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(Ferguson/Bratina)
That the Minutes of the November 5, 2007 meeting of the Public Works Committee be received and adopted, as presented. CARRIED

(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) David Hart Dyke, Waste Reduction Task Force, respecting the proposed one container limit for garbage (Item 6.1)

David Hart Dyke, Vice Chair of the Waste Reduction Task Force, appeared before the Committee to convey the Task Force’s support of the one-container limit for garbage, outlined the Task Force’s reasons for that support and recommended that staff be given the opportunity to implement this project.
Mr. Hart Dyke submitted a written copy of his comments for the public record.

(Jackson/Powers)
That the presentation by Mr. David Hart Dyke respecting the proposed one-container limit for garbage, be received. CARRIED

(ii) Joanne Serkeyn, Crime Stoppers Co-ordinator, respecting Crime Stoppers Sign Partnership (Item 6.2)

Ms. Joanne Serkeyn, A/Sgt. with the Hamilton Police Service and Crime Stoppers Co-ordinator, appeared before the Committee to request the City’s participation in posting Hamilton Crime Stoppers decals on existing signage in public areas such as recreation centres, parks and main arteries into the City of Hamilton, and for funding assistance to accomplish this goal.

In a power point presentation, Ms. Serkeyn outlined the history of Crime Stoppers, their Mission, the sign initiative, how it will work, displayed a sample of what the decals would look like and listed a number of other municipalities in Ontario that are already participating in the sign program.

While other cities have offered single sign posts, the option of putting decals on existing signs will keep the cost of printing cheaper. The amount being requested to implement this project is in the neighbourhood of $1,000.

Mayor Eisenberger indicated his support for this project and stated that it is worthwhile to do.

Councillor Pearson suggested that Crime Stoppers pursue signage with mall owners, and to also approaching students/schools. Ms. Serkeyn indicated that she has already met with students, and will be working with them in the new year.

(Eisenberger/Jackson)
(a) That the presentation by Joanne Serkeyn, Crime Stoppers Co-ordinator, be received;

(b) That staff be directed to bring a report back to the Public Works Committee as soon as possible outlining implementation, cost and a criteria/policy for future requests. CARRIED

A copy of the power point presentation has been submitted for the public record.
(e) STAFF PRESENTATIONS (Item 7.1)

Status of Solid Waste Management Master Plan, Options for Increasing Diversion and Landfill Capacity (PW07151) (City Wide) (Item 7.1)

Beth Goodger, Director of Waste Management, gave a power point presentation with respect to the status of the Solid Waste Management Master Plan, options for increasing diversion and landfill capacity. The presentation included:

- Background
- Current Waste Diversion Status
- Reaching 65% Diversion – Options Considered
- Increasing Diversion – Proposed Program Changes
- Proposed Timelines
- Increasing Diversion – Benefits of Proposed Changes
- Recommendations.

Copies of the power point presentation were distributed to the Committee and also submitted for the public record.

(Mitchell/Merulla)
That the following be added as sub-section (h):

(h) That Waste Management Project ID 5120890100 Annual User Pay Implementation in the amount of $835,000 be removed from the 2008 Tax Capital Budget request. Amendment CARRIED

(Ferguson/Merulla)
That Report PW07151 respecting the Status of the Solid Waste Management Master Plan, Options for Increasing Diversion and Landfill Capacity, be tabled to the January 14, 2008 meeting of the Committee to allow meetings to be held with residents and to give staff the opportunity to meet with the Agricultural and Rural Affairs Advisory Committee with respect to the one-container limit for garbage.

The tabling motion LOST on the following recorded vote:

Yeas: Ferguson
Total Yeas: 1
Nays: Eisenberger, McCarthy, Collins, Bratina, Merulla, Powers, Jackson, Mitchell
Total Nays: 8

(Merulla/Collins)
That sub-section (c) be deleted in its entirety and replaced with the following in lieu thereof:

Whereas the residents of the City of Hamilton have been very successful in increasing diversion without a by-law and enforcement of such a by-law;
And Whereas based on the completed survey, 1.2 bags is the average number of bags being left at the curb side;

And Whereas based on our goal, the average number of bags per household is one.

Therefore Be It Resolved:

(a) That a deferral be made on enforcement and creation of a by-law and that during the transition, the City empower residents with a focus on education and customer service;

(b) That staff be directed to provide an assessment on progress in one year's time.

The above motion LOST on the following recorded vote:

Yeas: Merulla, Collins, Ferguson, Jackson
Total Yeas: 4
Nays: Eisenberger, McCarthy, Bratina, Powers, Mitchell
Total Nays: 5

(Powers/Mitchell)
That the date of January 16, 2009 in sub-section (c)(ii) be amended to read March 31, 2009. Amendment CARRIED

The Committee requested that each section of the main motion, as amended, be voted on separately, as follows:

Sub-sections (a) and (b) CARRIED on the following recorded vote:

Yeas: Eisenberger, McCarthy, Bratina, Collins, Ferguson, Jackson, Merulla, Mitchell, Powers
Total Yeas: 9
Total Nays: 0

Sub-section (c), as amended, CARRIED on the following recorded vote:

Yeas: Eisenberger, McCarthy, Bratina, Mitchell, Powers
Total Yeas: 5
Nays: Collins, Ferguson, Jackson, Merulla
Total Nays: 4

(Ferguson/Eisenberger)
That sub-section (d) be amended be deleting the words, “be made permanent full-time positions”, and replacing it with the words, “continue as temporary positions for an eighteen (18) month term and staff report back on the future need for the positions prior to the end of the new term”, in lieu thereof.
Sub-section (d), as amended, **CARRIED** on the following recorded vote:

**Yeas:** Eisenberger, McCarthy, Bratina, Collins, Ferguson, Merulla, Mitchell, Powers
Total Yeas: 8
**Nays:** Jackson
Total Nays: 1

Sub-sections (e), (f), (g) and (h) **CARRIED** on the following recorded vote:

**Yeas:** Eisenberger, McCarthy, Bratina, Collins, Ferguson, Jackson, Merulla, Mitchell, Powers
Total Yeas: 9
Total Nays: 0

The main motion, as amended, **CARRIED.**

*(Mitchell/Ferguson)*
That staff be directed to review and evaluate the potential of the following:

That staff continue to monitor the need for a user-pay or utility based system to encourage waste diversion and fund the waste management activities based on use of the system, as set out in Recommendation #7 of the Solid Waste Management Master Plan.

and report back to the Public Works Committee. **CARRIED**

*(Ferguson/Mitchell)*
That staff be directed to meet with the Agricultural and Rural Affairs Advisory Committee respecting their ability to comply with the one-container limit for garbage. **CARRIED**

(f) **PETITION SUBMITTED BY MRS. E. A. NATES RESPECTING INCREASE IN TRAFFIC AT UPPER OTTAWA STREET AND MOHAWK ROAD (Item 8.5(b))**

*(Jackson/Powers)*
That the petition signed by 283 citizens and submitted by Mrs. E. A. Nates respecting the increase in traffic at Upper Ottawa Street and Mohawk Road, be received and referred to staff for review and report back to the Public Works Committee. **CARRIED**

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

(i) **Outstanding Business Items (Item 11.1)**

(aa) **Peak Oil Report**
Due Date: November 5, 2007
(bb) Parking Lay-by - Stone Church Road
Due Date: November 5, 2007
(New Due Date: November 19, 2007)

(Powers/Merulla)
That the Outstanding Business List of the Public Works Committee be amended accordingly. CARRIED

(h) PRIVATE AND CONFIDENTIAL

Approval of Minutes of Closed Session Meeting held on March 19, 2007

(Powers/Mitchell)
(a) That the Minutes of the Closed Session of the Public Works Committee meeting of November 5, 2007 be received:

(b) That the Minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act. CARRIED

There being no further business, the Committee adjourned at 12:05 p.m.

Respectfully submitted

Councillor M. McCarthy
Chair
Public Works Committee

Carolyn Biggs
Legislative Assistant
November 5, 2007