



**Public Works Committee
REPORT 09-009
9:30 a.m.
Monday, May 25, 2009
Hamilton Convention Centre
One Summer's Lane
Albion Rooms A and B
Hamilton, Ontario**

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

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

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 09-009 AND
RESPECTFULLY RECOMMENDS:**

- 1. ArcelorMittal Dofasco Inc. Truck Route Rehabilitation and Resurfacing Agreement (PW09052) (Wards 3 and 4) (Item 5.3)**
 - (a) That the City enter into a further twenty-year agreement with ArcelorMittal Dofasco Inc. ("AM Dofasco"), permitting AM Dofasco to transport heavy loads over designated routes on certain City roads, in accordance with the provisions set out in Appendix A of Report PW09052;
 - (b) That the Mayor and City Clerk be authorized to execute the Agreement in a form satisfactory to the City Solicitor.

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2. Canada Strategic Infrastructure Fund Agreement for Hamilton Harbour (PW09054) (City Wide) (Item 5.4)

- (a) That the City of Hamilton enter into a Contribution Agreement with Her Majesty the Queen in Right of Canada to receive funding from the Government of Canada under the Canada Strategic Infrastructure Fund (CSIF) for the Hamilton Harbour Clean Up project;
- (b) That the Mayor and City Clerk be authorized and directed to execute the agreement, with content acceptable to the Acting General Manager of Public Works and in a form satisfactory to the City Solicitor.

3. Springbrook Meadows Subdivision Phase I – Proposed Permanent Closure of Blocks 23, 25 and 27 Established by Plan 62M-1112 (PW09053/PED09158) (Ward 12) (Item 5.5)

- (a) That the application to permanently close a portion of the road allowance being Blocks 23, 25 & 27, established by Plan 62M-1112 be approved;
- (b) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway;
- (c) That the draft bill attached as Appendix A to Report PW09053/PED09158 be introduced, read, and passed by Council;
- (d) 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 Titles Office;
- (e) 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 Titles Office.

4. D.A.R.T.S. 2008 Deficit Funding (PW09051) (City Wide) (Item 5.6)

That the General Manager of Public Works be authorized to pay D.A.R.T.S. an additional \$449,818.72 for services provided for the year 2008.

5. Rapid Transit – Benefits Case Analysis and B-Line Corridor Options – Update (PW09056) (City Wide) (Item 5.7)

That Report PW09056 respecting Rapid Transit – Benefits Case Analysis and B-Line Corridor Options – Update, be received.

6. Main Street North and Centre Road Class Environmental Assessment (PW09050) (Ward 15) (Item 6.1(b))

- (a) That the General Manager of Public Works, be authorized and directed to file the Main Street North and Centre Road Class Environmental Assessment with the Municipal Clerk for a minimum thirty (30) day public review period;
- (b) That upon completion of the minimum thirty (30) day public review period, the General Manager of Public Works Department, be authorized and directed to permit the applicant to proceed with implementation of Alternative 3 - Main Street Closed.

7. Ruetgers Canada Inc. (formerly VFT Canada Inc.) Wastewater Treatment Project – Request for Compliance Agreement Extension (PW09055) (City Wide) (Item 6.2(b))

- (a) That the General Manager of Public Works be authorized and directed to execute an extension to the existing Compliance Agreement with Ruetgers Canada Inc. which currently ends on June 30, 2009, until no later than November 30, 2010, on the condition that the company modify their work schedule based on the recommendations of the third party consultant report obtained by the City;
- (b) That the City of Hamilton, Environmental Monitoring and Enforcement staff monitor effluent during and after the terms of the agreement and enforce Sewer Use By-law 04-150 if the conditions of the Compliance Agreement and Project proposal timelines are not met by Ruetgers;
- (c) That the Mayor and City Clerk be authorized and directed to execute the applicable Compliance Agreement documentation, with content satisfactory to the General Manager of Public Works and in a form satisfactory to the City Solicitor.

8. Permanent Ramp from Eastbound Main Street to Westbound Highway 403 (New Business) (No Copy)

That the Ontario Ministry of Transportation be requested to consider constructing a permanent ramp from eastbound Main Street to westbound Highway 403 as part of the 403 Bridge Rehabilitation contract.

9. All-Way Stop Control – Intersection of Brant Street and Niagara Street, Hamilton (Item 10.1)

- (a) That an all-way stop control be implemented at the intersection of Brant Street and Niagara Street;
- (b) That an appropriate by-law to amend City of Hamilton Traffic By-law 01-215 be passed and enacted.

FOR THE INFORMATION OF COUNCIL:

Councillor Bratina announced the recent passing of Ron Irvine, a 32-year employee of the City, and expressed sympathies and deepest condolences to Mr. Irvine's family and friends during this difficult time, on behalf of the members of the Public Works Committee.

Mayor Eisenberger congratulated Gerry Davis on his appointment as General Manager of the Public Works Department and extended best wishes on behalf of the members of the Committee and Council.

A. CEREMONIAL ACTIVITIES

Councillor Bratina, Gerry Davis, General Manager of Public Works, and Don Hull, Director of Transit, presented 30-Year Safe Driving Awards to John Chiu and Joe Feeney.

John Chiu started as a bus operator with the Hamilton Street Railway on December 6, 1973 and in his time with the Transit Division, he has achieved 30 years of accident and passenger injury free driving.

Joe Feeney started as a bus operator with the Hamilton Street Railway on June 2, 1977 and in his time with the Transit Division, has achieved 30 years of safe driving, which is a truly remarkable achievement as Joe has never had a preventable accident during his career.

(a) CHANGES TO THE AGENDA (Item 1)

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

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

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES (Item 3)

On a motion, the Minutes of the May 4, 2009 meeting of the Public Works Committee were approved, as presented.

(d) MINUTES OF VARIOUS SUB-COMMITTEES (Item 5.1)

On a motion, the following Minutes were received, as presented:

(i) Solid Waste Management Master Plan Steering Committee

(aa) March 11, 2009

(bb) April 9, 2009

(ii) Waste Reduction Task Force – March 18, 2009**(iii) City Hall Renovations Steering Committee – April 6, 2009****(e) MINUTES OF THE LAKE ERIE SOURCE PROTECTION COMMITTEE (Item 5.2)**

On a motion, the April 2, 2009 minutes of the Lake Erie Source Protection Committee meeting were received, as presented.

(f) D.A.R.T.S. 2008 Deficit Funding (PW09051) (City Wide) (Item 5.6)

The Motion **CARRIED** on the following vote:

Yeas: Eisenberger, Bratina, McCarthy, Powers, Ferguson, Mitchell, Collins,
Jackson

Total Yeas: 8

Nays: Merulla

Total Nays: 1

(g) DELEGATIONS (Item 6)**(i) Mike Carey, respecting the Main Street North Closure in Waterdown (Item 6.1(a))**

Mike Carey, resident in the affected area, spoke in support of the staff recommendation and specifically, agreed with Option 3 contained in the staff report.

On a motion, the presentation by Mike Carey was received.

(ii) Mike Sutton, CEO and President, and Gord Gilmet, Ruetgers Canada Inc., respecting Extension of Sewer Compliance Agreement with the City of Hamilton (Item 6.2(a))

Mike Sutton, CEO and President of Ruetgers Canada Inc., appeared before the Committee to request an extension of their Compliance Agreement with the City of Hamilton to November, 2010.

Mr. Sutton provided a power point presentation outlining Ruetgers' business background and the issues related to waste water in terms of quality problem/investigation/solution and technical and financial constraints,

A copy of the power point presentation has been retained in the Office of the City Clerk for the public record.

On a motion, the presentation by Mike Sutton was received.

(iii) Edward Li, Project Manager, Morrison Hershfield Limited, and Clement Shim, Project Manager, Ontario Ministry of Transportation, respecting Resurfacing of Highway 403 and Rehabilitation of Highway 403 Bridges in the City of Hamilton (Item 6.3)

Hart Solomon introduced Edward Li, Project Manager, Morrison Hershfield Limited, and Clement Shim, Project Manager, Ontario Ministry of Transportation, and reported to the Committee that there has been excellent collaboration with Ministry staff and the consultant with respect to the bridge rehabilitation projects that will be undertaken over the next few years.

Clement Shim provided opening comments, stating that every efforts will be made to minimize impacts to the City during the rehabilitation works.

Edward Li provided a power point presentation outlining the following:

- Background
- Brief description of project

- Bridge rehabilitation and rapid bridge replacement with:
 - Ramp and road closures
 - Traffic management and construction staging
- Other construction issues
- Liaison work with City
- Public Information Centre.

Councillor Ferguson asked if any consideration had been given to installing a permanent ramp from eastbound Main Street to westbound Highway 403 as part of the Highway 403 bridge rehabilitation. Staff responded that this issue has already been identified in the Kirkendall Master Transportation Plan.

On a motion, the presentation by Edward Li and Clement Shim, was received.

(h) Bus Bench Furniture Program Review and Street Furniture RFP (PW09033) (City Wide) (Item 8.1)

Councillor Bratina advised that a verbal request was received from Darcy Clark, National Director, Transit Franchise and Inventory Management, CBS Outdoor, to address the Committee with respect to Report PW09033 – Bus Bench Furniture Program Review and Street Furniture RFP.

On a motion, the Rules of Order were waived to allow the opportunity for Darcy Clark to address the Committee.

Mr. Clark appeared before the Committee and advised that he only learned of the pending RFP situation a month ago, and questioned the timing of the RFP in light of the fact that CBS Outdoor, who currently holds the contract for the bus shelters, still has 6-1/2 years remaining on its current contract with the City. He indicated that with this length of time remaining on the contract, he is not sure that CBS would even bid on a street furniture RFP at this point in time.

On a motion, the presentation by Darcy Clark was received.

Chair Bratina called on Ramona Dechert, Manager of Business Services, to provide an update since this matter was last before the Committee.

Ms. Dechert advised that meetings had been held with Councillors to review their concerns and specifically to provide additional information with respect to the current contracts. Two stakeholder engagement meetings were also held with HABIA and the Clean City Liaison Committee. With respect to Councillor Merulla's request that landscape advertising be included in the RFP, Ms. Dechert responded that as there are concerns relating to the Sign By-law, this component would not be included at this time.

On a motion, Report PW09033 respecting Bus Bench Furniture Program Review and Street Furniture RFP, was tabled to the June 15, 2009 meeting of the Public Works Committee to allow staff the opportunity to review the Notice of Motion put forward by Councillor Powers.

The following Notice of Motion was put forward by Councillor Powers with respect to the Bus Bench Furniture Program Review and Street Furniture RFP:

- (i) That the existing contracts of Hamilton Bench Advertising Ltd., a division of Canadian Outdoor Advertising, and Pattison Advertising, be extended to 2015 to coincide with the termination of the CBS Outdoor Canada contract, on terms satisfactory to the General Manager of Public Works and the City Solicitor;
- (ii) That these extensions shall be updated to provide improved terms and shall include an enhanced maintenance program and an annual revenue inflation factor;
- (iii) That the Terms of Reference outlined in Report PW09033 be approved in principle, and the site selection criteria be developed for street amenities identified in the scope of the RFP and be submitted to the Public works Committee for consideration in Q4 2014 or earlier.

(i) NOTICES OF MOTION

Councillor Merulla put the following Notice of Motion forward:

All-Way Stop Control – Intersection of Brant Street and Niagara Street, Hamilton (Item 10.1)

- (i) That an all-way stop control be implemented at the intersection of Brant Street and Niagara Street;
- (ii) That an appropriate by-law to amend City of Hamilton Traffic By-law 01-215 be passed and enacted.

On a motion, the Rules of Order were waived to allow the introduction of a Motion respecting an All-way Stop Control at the intersection of Brant Street and Niagara Street, Hamilton.

See Item 9 of this Report for the disposition of this item.

(j) GENERAL INFORMATION/OTHER BUSINESS**(i) Outstanding Business List (Item 11.1)**

- (aa) Endorsement of a Sports Field Management Strategy
Due Date: June 15, 2009
Revised Due Date: November 30, 2009
- (bb) Opportunities for Reduction – Public Works Program
Due Date: June 15, 2009
Revised Due Date: September 21, 2009

On a motion, the Outstanding Business list was amended accordingly.

(ii) Civic Messaging

On a motion, the Fleet Services Division was directed to report back to the Public Works Committee with a revised policy that would permit civic messaging on City-owned vehicles, including potential revenue sources through advertising.

(k) PRIVATE AND CONFIDENTIAL (Item 12)**Approval of Minutes of Closed Session Meeting held on May 4, 2009
(Item 12.1)**

On a motion, the Minutes of the Closed Session of the Public Works Committee meeting of May 4, 2009 was adopted as presented. These 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 11:15 a.m.

Respectfully submitted

Councillor B. Bratina, Chair
Public Works Committee

Carolyn Biggs
Legislative Assistant
May 25, 2009