Present: Councilors T. Whitehead (Chair) S. Merulla (Vice Chair), C. Collins, S. Duvall, T. Jackson, R. Pasuta.

Regrets: Councillor Ferguson - Personal  
Councillor McHattie – Personal  
Councillor Powers – City Business

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 640 Upper James Street, Hamilton (PW14010) (Ward 8) (Item 6.1)

   (a) That a portion of the public unassumed alleyway abutting 640 Upper James Street, Hamilton, be permanently closed and transferred to the owner of 640 Upper James Street, Hamilton, as shown on Appendix A, attached to Report PW14010 (the “Subject Lands”), subject to the following conditions:

   (i) That the applicant makes an application to the Ontario Superior Court of Justice, 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 Subject Lands to be closed;

   (iii) That the documentation regarding the application to the Ontario Superior Court of Justice be prepared by the applicant, to the satisfaction of the City Solicitor;

   (iv) That the applicant deposit a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the
satisfaction of the Manager, Geomatics and Corridor Management Section and that the applicant deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;

(b) That provided the application to the Ontario Superior Court of Justice to permanently close the Subject Lands is approved:

(i) That the City Solicitor be authorized and directed to prepare the by-law to permanently close the highway;

(ii) That the appropriate by-law be introduced and enacted by Council;

(iii) That the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to sell the Subject Lands in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299 for fair market value;

(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, upon confirmation from the Public Works Department that all applicable fees and costs associated with the application have been paid by the applicant;

(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 of the City’s intention to pass the by-law pursuant to City of Hamilton By-law 04-299 being a By-law to Establish Procedures, including the Giving of Notice to the Public, Governing the Sale of Land Owned by the City of Hamilton.

2. Installation of Stop Control - Trinity Church Road at Dickenson Road (PW14007) (Ward 11) (Outstanding Business List Item) (Item 8.1)

(a) That an All-Way Stop Control be implemented at the intersection of Trinity Church Road and Dickenson Road;

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

3. Street Sweeper Rebuild (PW14009) (City Wide) (Item 8.2)

(a) That the City of Hamilton proceed with a single source purchase for the rebuilding of three Tymco DST-6 street sweepers from The Equipment Specialist Inc., 495 Woodward Avenue, Hamilton, Ontario at a total cost
of $600,000 as in Item 3 of the General Issues Committee Report 13-022(a), approved by Council on December 11, 2013;

(b) That the General Manager of Public Works or their delegate be approved to negotiate with The Equipment Specialist Inc. as the single source supplier for the future year rebuilds as identified in the 2014 capital submission of the Tymco DST-6 units currently in service at the City of Hamilton.

FOR THE INFORMATION OF THE COUNCIL:

(a) CEREMONIAL ACTIVITIES (Item A)

The Chair presented Gerry Davis, General Manager, Public Works, with the 2013 Ontario Public Works Association (OPWA) Top Public Works Leader of the Year award. The Committee joined the Chair in congratulating Mr. Davis for this special recognition and thanked him for his service to the City of Hamilton.

(b) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following change to the agenda:

(i) Addition of Item 7.1 respecting a staff report on the Proposed Permanent Closure of a Portion of Public Unassumed Alleyway at 640 Upper James Street, Hamilton.

The February 3, 2014 Public Works Committee Agenda was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(d) MINUTES (Item 3)

(i) January 13, 2014 (Item 3.1)

The Minutes of the January 13, 2014 Public Works Committee meeting were approved, as presented.

(e) DELEGATION REQUESTS (Item 4)

(i) The delegation request from John Vesprini respecting flooding on Lake Avenue Drive was approved.
(f) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committees (FOR INFORMATION PURPOSES ONLY)

(a) The Halton-Hamilton Source Water Protection Committee Minutes of April 23, 2013 were received.

(b) The Keep Hamilton Clean and Green Committee Minutes of December 10, 2013 were received.

(g) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 640 Upper James Street, Hamilton (PQ14010) (Ward 8) (Item 6.1)

Chair Whitehead informed Committee members that because Item 6.1 related to a proposed permanent alleyway closure and sale, that a public meeting was required. Chair Whitehead indicated that a notice about the public meeting was placed in the Hamilton Spectator on Friday January 24th, 2014 advising that anyone whose lands are prejudicially affected may appear before the Committee. The Clerk advised that no one registered to speak to this issue. Chair Whitehead asked if any members of the public wished to come forward to speak to this matter. No members of

For disposition on this matter refer to Item 1.

(h) PUBLIC HEARINGS/DELEGATIONS (Item 7.1)

Copies of the staff presentation respecting the Proposed Permanent Closure of a Portion of Public Unassumed Alleyway at 640 Upper James Street, Hamilton, were distributed and a copy was retained by the City Clerk’s office.

(i) MOTIONS (Item 9)

(i) Investigation of Sidewalk Snow Clearing Program

Item 9 (i) respecting a motion for the Investigation of Sidewalk Snow Clearing Program was tabled until the next meeting of the Public Works Committee.

Council – February 12, 2014
(ii) **Sidewalk Construction Policy – California Curbs**

Whereas, the City has been installing sidewalks with a system known as “California Curbs”, and;

Whereas, California Curbs result in an unsafe dip in the sidewalk when they cross driveways, and;

Whereas, the dip in the sidewalk can cause water to collect, which can freeze in the winter, resulting in icy conditions for pedestrians, and;

Whereas, constituents have complained about California Curbs and at least one citizen has fallen, damaging their knee;

THEREFORE BE IT RESOLVED:

Staff were directed to report back on the City of Hamilton sidewalk construction policy, and include sidewalk design options for consideration by the Public Works Committee.

(j) **NOTICES OF MOTION (Item 10)**

There were no notices of Motions.

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

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

(aa) The following item was approved for removal from Outstanding Business List:

(i) Item N – Installation of Stop Control Trinity Church Road at Golf Club Road

(bb) The following proposed new Outstanding Business list Due Date was approved:

(i) Item S – Remediation of Illegal Cross Connections
    Current Date – February 3, 2014
    Revised Date – March 17, 2014

(l) **ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee was adjourned at 10:22 a.m.
Respectfully submitted,

Councillor T. Whitehead Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk