



**CITY COUNCIL
MINUTES 14-006**

9:00 a.m.

Thursday, March 6, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present:	Mayor R. Bratina Councillors J. Farr, R. Morrow, S. Merulla, C. Collins, T. Jackson, T. Whitehead, L. Ferguson, M. Pearson, B. Clark
Absent with Regrets:	Councillors S. Duvall, B. Johnson, J. Partridge – City Business Councillor R. Powers – Vacation Councillor B. McHattie, R. Pasuta

Mayor Bratina called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised of there were no changes to the agenda:

(Ferguson/Pearson)

That the agenda for the March 6, 2014 Special meeting of Council be approved, as presented. **CARRIED**

DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

3.1 Proposed Easement – Ancaster Tennis/Lawn Bowling Club

(Ferguson/Pearson)

Whereas, the City of Hamilton has obtained a building permit for the replacement of two (2) club houses at the Ancaster Lawn Bowling Club and Tennis Club on lands municipally known as 291 Lodor Street, Ancaster.

And Whereas, Contract (C13-66-13) was awarded to Ottavio Ciccarelli & Son Contracting on October 18, 2013 for the replacement of two (2) club houses at the Ancaster Lawn Bowling Club and Tennis Club

And Whereas, the location of the new club house foundation is located beneath a high voltage and secondary hydro lines

And Whereas a land title search has revealed that there is no easement registered on title for the existing aerial hydro lines with Horizon Utilities

And Whereas, agreement has been reached between all parties to the removal, relocation and upgrades to the proposed hydro services as shown on the attached Appendix "A"

And Whereas, the preferred location of the new hydro services as shown on the attached Appendix "A" shall require the need to establish a permanent easement between the City of Hamilton and Horizon Utilities Corporation

And Whereas, the limits of the easement as shown on the attached Appendix "A" shall be further defined through the preparation and registration of a reference plan

And Whereas, to implement the easement between the City of Hamilton and Horizon Utilities Corporation the subject limits of the easement must be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law 04-299;

And Whereas, so as not to further delay the construction project, that An Authority to Enter be granted to Horizon Utilities Corporation to allow for the relocation of the hydro services in accordance with the "Procedural By-law for the Sale of Land", being By-law 04-299;

THEREFORE BE IT RESOLVED:

- (a) That the limits of the easement as shown on the attached Appendix "A" to be further defined through the preparation and registration of a reference plan be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law 04-299;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey an easement to Horizon Utilities Corporation together with an Authority to Enter in accordance with Procedural By-law 04-299, as shown on Appendix "A" attached hereto.
- (c) That the City Solicitor be authorized and directed to complete the real estate transaction on the terms and conditions in a form satisfactory to the City Solicitor.

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

CARRIED

BY-LAWS

(Farr/Morrow)

That Bill No. 14-047 be passed, and that the Corporate Seal be affixed thereto, and that the By-law be numbered and signed by the Mayor and the City Clerk to read as follows:

Bill No.

047 To Confirm the Proceedings of City Council

CARRIED

(Ferguson/Pearson)

That, there being no further business, the City Council meeting be adjourned at 9:12 a.m.

CARRIED

Respectfully submitted

Mayor B. Bratina

M. Gallagher
Acting City Clerk