SPECIAL CITY COUNCIL
MINUTES 15-006
7:55 p.m.
Monday, March 30, 2015
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger (Chair), Councillors T. Whitehead, T. Jackson, S. Duvall, C. Collins, S. Merulla, M. Green, D. Conley, M. Pearson, A. VanderBeek, R. Pasuta

Absent with Regrets: Councillors A. Johnson, B. Johnson, J. Farr, L. Ferguson, J. Partridge

APPROVAL OF THE AGENDA

The Clerk advised Council that Councillor Merulla would like to add the consideration of two motions, the first is directing the City Manager to explore and report back on the opportunities and various options associated with the size and scope of the Public Works department; and, the second is respecting Contract C15-33-14 – Delta East Neighbourhood Asset Preservation. However, pursuant to section 3.4(4) of the Procedural By-law 14-300, a two-third majority vote is required to add these items to the agenda.

(Merulla/Collins)
That the consideration of a motion, respecting a Review of the Public Works Department Structure, be included on the agenda for this Special Council meeting.

CARRIED

(Merulla/Collins)
That the consideration of a motion, respecting Contract C15-33-14 – Delta East Neighbourhood Asset Prevention, be included on the agenda for this Special Council meeting.

CARRIED

(Pearson/Green)
That the agenda for the March 30, 2015 Special meeting of Council be approved, as amended.

CARRIED
DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

7.1 Review of the Public Works Department Structure

(Merulla/VanderBeek)
That the City Manager be directed to explore the opportunities and various options associated with the size and scope of the Public Works Department, including, but not limited to, the creation of two separate departments or other service delivery models, in an effort to ensure service delivery is optimized, and report back to the Public Works Committee.

The above motion CARRIED on the following Standing Recorded Vote:

Yeas: Eisenberger, Conley, Pearson, Green, VanderBeek, Duvall, Jackson, Collins, Merulla, Farr
Total: 10
Nays: Whitehead
Total: 1
Absent: B. Johnson
Total: 1

7.2 Contract C15-33-14 – Delta East Neighbourhood Asset Preservation

(Merulla/Collins)
WHEREAS, the existing contractor being A1 Asphalt Maintenance Limited that initially was awarded contract C15-33-14 (HW) for the paving of the Delta East Neighbourhood is insolvent and unable to continue to work;

AND WHEREAS, the remainder of the work needs to be completed and is not affected or needed to be done through the receiver or bonding; and,

AND WHEREAS, it is desirable to have this work completed as expeditiously as possible;

AND WHEREAS, the second lowest bidder, being Rankin Construction Incorporated, in the original tender is willing to hold their submitted prices and these are still affordable with project guidelines;

THEREFORE BE RESOLVED:

(a) That the General Manager of Public Works be authorized and directed to award the remaining works of Contract C15-33-14 (HW), as per the
submitted bid prices from the original tender in the amount of $2,100,000, to Rankin Construction Incorporated; and,

(b) That the funding for Contract C15-33-14 (HW) be provided from available funds within project ID 4031411016, being Asset Preservation – Delta East Neighbourhood as well as project ID 5141271074 being Contingency for Unscheduled Works Program.

CARRIED

PRIVATE & CONFIDENTIAL

10.1 Wentworth Lodge Construction Litigation (no copy)

(Green/VanderBeek)
That the General Issues Committee move into Closed Session, respecting the Wentworth Lodge Construction Litigation, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

Staff was provided with direction in Closed Session with nothing further to report in Open Session.

BY-LAWS

(Duvall/Pearson)
That Bill No. 15-080 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.

080 To Confirm the Proceedings of City Council

(Duvall/Pearson)
That, there being no further business, the City Council meeting be adjourned at 8:34 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk