



**VISION:** We will be a vibrant, dependable and clean city where services are delivered innovatively and effectively.  
**MISSION:** To provide effective operations of the city through collaboration of members, management and staff.

**City Hall, Hamilton**  
**Infrastructure Committee**  
**14 February 2018**  
**10:00am**

**Present:** Councillor John Harvey, MBE, JP (Chair)  
Rt. Wor. Charles R. Gosling, JP  
Councillor George Scott, JP  
Councillor Henry Ming  
Councillor RoseAnn Edwards  
Councillor Nicholas Swan

**Staff:** Secretary - Ed Benevides, JP  
Senior Engineer - Ian Hind  
Event Project Manager - Danilee Trott  
Communications Manager - Zoe Mulholland (part)

**Apologies:** City Engineer - Patrick Cooper

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**1. Confirmation of Notice:**

The Secretary confirmed that the notices for the minutes and the agenda were posted and sent out in accordance with the new meeting guidelines.

**Note to Chair:** The Secretary advised the Committee Members that there was a late entry to the Agenda with a request from Mr. Harold Smith.

**2. Role of the Chairman:**

Councillor Harvey acknowledged his role as Chair of the Committee.

**3. Open Meeting**

Councillor Harvey called the meeting to order at 10:00am.

4. **Apologies:** The Secretary confirmed apologies from the City Engineer, Patrick Cooper. The Senior Engineer is in attendance in his stead.

5. **Public Participation/Presentation:**

Presentation by Ms. Kym Herron Scott from the Athletic Club re: Thinner Winner. It was noted that they would be doing their presentation at 10:45am/11:00am.

6. **Correspondence:**

**Take Note:** Response letter from Mr. Francis Richardson, Permanent Secretary, Ministry of Public Works re: Pedestrian Crossing outside Cavendish Car Park/Reid Street Extension. The letter confirms that they are aware of the matter so it becomes their issue.

7. **Minutes of Previous Meeting dated 17 January 2018**

**Proposed:** Councillor H. Ming

**Seconded:** Councillor N. Swan

The Minutes were accepted as read.

8. **Matters arising from the previous Meeting dated 17 January 2018:**

(i) **Draft a letter to the residents regarding their encroachments and for it to be reviewed before being mailed:** The City Engineer had sent the letter out for comments. The Secretary distributed copies of the draft letter for review. The Mayor expressed his confusion with this item on the agenda as it refers to the encroachment of residents. It appears that the letter distributed is more to do with the businesses as they are the ones with the awnings, flag poles and signs, etc. There should be a distinct difference between the businesses encroaching the CoH's air space and the ones encroaching on land. The Secretary referred to the lengthy discussion in the last Infrastructure Committee meeting. The Mayor commented that the letter for the businesses should indicate that they recognize their encroachments and the one to the residents should indicate that they should register their encroachments. He further commented that the letter does not show what the consequence would be if the businesses do not recognize their encroachments.

The Mayor stated that the letter should indicate that if the businesses fail to acknowledge their encroachment, the CoH will then take action to either request it to be removed or take the legal steps to have it removed. Extensive discussion continued.

**ACTION:** Amend the letter regarding the registration of encroachments and share with the Infrastructure Committee before being sent out. **(Secretary)**

The Mayor reiterated that the Committee needs to see all information prior to the meetings.

(ii) **Write to Mr. Hendrickson to update him on the current situation in relation to the Bees:** Letter was written to Mr. Hendrickson - Action item completed.

**(iii) Contact the Department of Corrections to see if there is an appetite for art installation project on Till's Hill and possibly assist with the budget:** The Event Project Manager advised that an approach was made to the Department of Corrections to ascertain if they would be interested in working with the CoH to create artwork around the City to support the beautification programme. They expressed interest but have a few challenges: (i) there are only two (2) or three (3) prisoners engaged in the art programme; (ii) not sure that any of them have the skillset to prepare something that the City would consider appropriate; and (iii) the prisoners are not allowed outside the grounds. So, if they were to be selected, the art would have to be created in the prison and the CoH would have to organize the installation. The Department was advised that the CoH will send the RFP for them to submit.

The Event Project Manager still requested direction regarding the Till's Hill project, i.e. increase the budget for the art installation to receive more engaging art projects. The first quarter installation has passed so would have to be done for the second quarter. Dialogue continued.

The Mayor suggested that the budget be increased to \$10K for the Till's Hill art installation project. There was discussion regarding the condition of the actual wall and what could be done to improve the wall for the artwork. It was pointed out that the structure of the wall does not facilitate an easy painting job.

**ACTION:** Provide a ballpark figure for painting the wall at Till's Hill as well as the cost to annually maintain it dependent on the type of finish, e.g. tile, gunite, etc. **(Secretary)**

The Committee agreed to increase the budget to \$10K for the Till's Hill art installation and when the artwork is completed, can be installed. Councillor Edwards queried if an approach had been made to the art students at the Bermuda College. The Event Project Manager advised that the RFP would be advertised publicly so anyone or groups can apply.

**(iv) Have a conversation (without prejudice) with Ms. Duffy to ascertain if she is open to receiving some kind of recognition from the City and report back at the next Infrastructure Committee meeting:** The Event Project Manager advised that she had reached out to Ms. Duffy but had not received a response to date.

**(v) Speak with the Communications Manager regarding getting feedback from the businesses and the public regarding changes to the Reid Street pedestrianization:** The Communications Manager has used the CoH's channels, e.g. Cityzen, mailouts, Facebook and other social media, etc. to solicit feedback. The Secretary advised that he met with the Chamber of Commerce (CoC) and did not receive any feedback. He will request for the CoC to do a formal survey in this regard.

**(vi) Provide Members with the suggestions regarding the change in the wording of the policy for 40' containers and place the matter on the next Staff, Legislative & Governance Committee meeting scheduled for 23 January 2018 for a Recommendation to the Council:** Action item completed. The Recommendation was approved by the Council and the Minister. The amended policy will be forwarded to all the shippers.

(vii) **Write to the applicant re: 75 Victoria Street and advise of the Committee's decision that the CoH has plans to build up that section of the road. Also obtain a design estimate for building up the road on Victoria Street and putting in the side walk:** The Secretary confirmed that the applicant and agent has been informed about the CoH's intentions. The applicant is meeting with the CoH to discuss further. Additionally, they have a cesspit on the CoH's property and recently renewed it, although there is no planning application for it. They have been informed that they need to connect to the City's sewerage system according to the Hamilton Sewerage Act 1917 and which was amended in 2016.

(viii) **Meet with the Minister of Health to discuss the number of Disabled Parking Permits versus the number of Disabled Parking spaces and conduct research as to how other jurisdictions handle Disabled Parking Permits and their vetting process:** The Secretary advised that this Action Item is ongoing, still trying to set-up a meeting with the current Minister. Some research has been done by the Communications Manager on other jurisdictions. The Secretary was reminded that the Minister has requested that the meeting take place after Government's budget discussions.

**ACTION:** Set-up a meeting with the Minister of Health and the Chief Medical Officer regarding the disabled parking. **(Secretary)**

The Communications Manager joined the meeting.

The Communications Manager advised that there are about 1,200 disabled parking permits per year and there are about 1,000 currently listed. There are 47 disabled parking spaces within the City. The Mayor said the CoH needs to ascertain if this is a realistic number and if so, there is not sufficient spaces. The CoH needs to garner the support of the Minister if the number of spaces for the disabled has to be increased. The Communications Manager commented that the CoH could increase the numbers of spaces but with the abuse not being addressed, there will always be a challenge. The public has no conscience when it comes to disabled parking because there is no enforcement. Upon researching other jurisdictions, e.g. in the Virgin Islands, the fine is \$1000.00, and the offender would have to appear in court. Until there is enforcement, it does not make sense to increase parking spaces for the disabled.

The Senior Engineer advised that recently signs have been placed on or next to the existing disabled parking spaces to ensure that persons see the signs. Discussion continued on the processes of the disabled parking permit.

The Mayor suggested looking at the entire policy regarding disabled parking together with the Chief Medical Officer. The Communications Manager advised that in the year leading up to the renewal, the disabled persons can take the form to be signed at any time as part of their visit or the form can be faxed to the doctor.

(ix) Advise the City Engineer of any parking infractions on Ewing Street that may impact safety in the area. The City Engineer will then go through the information process of contacting the person (s) with the assistance of TCD to inform them of their improper parking: The City Engineer can report the parking infractions to TCD and the police. TCD will not give any information to the CoH regarding the names of the owner of the cars of the parking offenders.

Councillor Edwards added that people parking alongside the median does create a safety issue. Coming up from Tools and Equipment and then turning towards Princess Street, it is a blind spot. Originally, the parking was supposed to be on the left-hand side and not against the median, but it was changed. The Secretary advised that the only time that there was parking designed for the left-hand side is when the median was not going to be there. With the median in the middle, it was re-designed so that there would be larger shared space for both the pedestrians and motorists.

The Senior Engineer commented that it is a pedestrianized area. He said motorists should show more caution when making that right turn towards Princess Street. He commented on the "No Parking" signs in that area and advised that another sign will be placed in between the two (2) existing signs which is near the building that conducts business. This should reinforce the no parking and the motoring public cannot say that they did not see the signs.

#### 9. Recommendations Approved by the Minister:

**RECOMMENDATION:** That the Board approves and supports the proposal submitted by Washington Properties as presented. (Approved in Corporation Board meeting dated 7 February 2018)

**RECOMMENDATION:** The Board supports and approves in principle sponsorship for the ITU Triathlon. The sponsorship will be in the form of providing support and services in a revenue and expense neutral manner. (Approved in Corporation Board meeting dated 7 February 2018)

**RECOMMENDATION:** The Board approves the waiving of the rental fee for Pier 6 for the 2<sup>nd</sup> Pink and Teal Conference on Breast and Ovarian Cancer scheduled for 13 June 2018. (Approved in Corporation Board meeting dated 7 February 2018)

#### 10. Recommendations for Review:

There are no Recommendations for review.

#### 11. Public Participation/Presentation:

(i) Presentation by Ms. Kym Herron Scott from The Athletic Club re: Thinner Winner (11:04am): Councillor Harvey welcomed the presenters from the The Athletic Club. Ms. Herron Scott was not in attendance, presenting in her stead was Ms. Ashley Gillis.

The Athletic Club is hosting the 5<sup>th</sup> Annual Thinner Winner from 7 April - 19 May 2018 and continues to promote wellness in the community. Thinner Winner is a fitness and nutrition overhaul assisting participants in losing 10-12 pounds and 8-10 inches over the course of six (6) weeks. This programme houses 150 participants and assists Bermuda to lead healthier lifestyles. Until last year, the CoH has sponsored the event for four (4) years from the beginning. The request is for the use of Victoria Park for two (2) hours for the kick-off and finale and one (1) hour a week for five (5) exercises throughout the six-week period. Electricity will be required for these events which the CoH has provided in the past. In return, the CoH can have a free team at a value of \$1000.00. Last year was the first time they had to cancel the event due to the lack of sponsorship from the City. The last event 21 teams lost 781 lbs. and 1,044 inches. The goal for this year is to help Bermuda lose 1000 lbs. The team that loses the largest percentage of weight and inches will be awarded a cash prize of \$2000.00.

Councillor Harvey thanked Ms. Gillis and her team and they left the meeting at 11:10am.

**(ii) Presentation by Mr. Harold Smith re: Waiving of City Street Fees for a Community Event:** Mr. Smith commenced the presentation by stating that his Father was in the medical profession and was one of the oldest practicing physicians for approximately 60 years; Dr. C.A. Smith. The request is for the waiving of the fees for the street closure of Court Street from Victoria to Dundonald Streets to host a community event. Dr. Smith helped to pave the way while serving the community. This would be a free event aimed at bringing the community and Bermuda together recognizing the history engrained in Court Street. The event would also be geared to the youth of Bermuda, engaging in games, e.g. football and/or basketball; short races; live entertainment; fun castles; a walk back in history with photographs and stories from members of the community; guest speakers; and food available for purchase, etc. Mr. Smith presented a signed document which showed the approval of about ten (10) businesses to close the street from 4:00pm - 9:00pm.

The Mayor commented on the application presented regarding an occasional liquor license and queried whether alcohol will be served at this event. Mr. Smith responded that no alcohol will be served at this event because there are bars along Court Street that can provide for anyone that wishes to partake. The Mayor then recommended that the application should show that it is "not required". He suggested for Mr. Smith to check with the Event Project Manager regarding the application to ensure that everything is addressed.

Councillor Ming queried whether the event would require electrical services from the CoH and suggested soliciting the businesses to assist in the provision of electricity. The Event Project Manager commented that the approval for the road closure goes through the CoH. She queried whether the request is just for the waiving of the fees for the street closure and not for the labour costs and advertising, etc. It was noted that for the street closure during working hours, any businesses that are open and are affected by the closure would have to sign giving their approval. There is no issue with them signing, the issue is knowing when the event is taking place and that they are still in support at that time. A letter is given to them from the CoH giving all the details of the event.

The Mayor suggested having a note in the letter stating that there are costs that the organizer of the event would have to undergo and could not look at doing last minute cancellations.

Councillor Harvey thanked Mr. Smith for his presentation and he left the meeting at 10:25am.

**12. Status Update:**

**(i) Events:**

- (i) Bonfires and Barbeques - 1 March 2018**
- (ii) Model Call for Fashion Festival - 10 - 11 March 2018**
- (iii) City Food Festival - 12 - 15 April 2018**

**(ii) Take Note: Project Charters 2018**

**13. Any Other Business:**

**(i) Proposal from Footy Productions re: Futsal Court in the City of Hamilton:** Councillor Harvey commented on having background information regarding this proposal. The Event Project Manager advised that this application was approved several years ago. The group was going to go away and do some fundraising. The Mayor added that there was a motion from this Council supporting this proposal. Councillor Ming commented that the CoH was remiss in not giving the applicant a timeline. Councillor Harvey commented on another proposal listed on the agenda for use of the same property. The Secretary advised that the Council has already accepted an application for this property. The only way that this can change is if the Council decides to rescind that agreement, settle with the applicant and then a RFP would have to be done. He further advised that because of the applicant's delay in getting back to the CoH, the CoH has committed this space for the storing of 10 x 40' containers for the ITU Triathlon for the next three (3) years. This matter would have to be addressed once a timeline has been established and this would be an issue for the CoH to rectify. There was continued discussion.

**ACTION:** Provide the company background information regarding the Footy Productions proposal and confirm that this is the same group, a financial plan, a funding and installation timeline. Also, ascertain if they are a registered charity and bring the information to the next Infrastructure Committee meeting in March. **(Event Project Manager/Recording Secretary)**

The Mayor requested the same background information regarding the proposal from the Bermuda Boardriders Association's for a Skateboard Park.

**ACTION:** Provide the company background information regarding the proposal from the Bermuda Boardriders Association's and confirm their financial plan, funding and installation timeline. Also, ascertain if they are a registered charity and bring the information to the next Infrastructure Committee meeting in March. **(Event Project Manager)**

**(ii) Proposal from Ultimate Imaging re: the use of City property located opposite Pasta Basta:** This is an unsolicited proposal.

**ACTION:** Write to Ultimate Imaging advising them that a proposal has already been approved for the property on #6 and #8 West Elliott Street and 23 Washington Street. If the proposal does not come to fruition, then going forward, an RFP would have to be done. **(Secretary)**

**(iii) Proposal from The Bermuda Society for the Blind:** The Secretary said The Bermuda Society for the Blind approached the CoH some time ago regarding some exchange of lands. Currently there is an encroachment on the eastern side which the CoH is looking to regularize. Their garage is on the CoH's property. The CoH would like to get from them, the property on the west which would allow for the proper design of the intersection. There should be an exchange done at some point and brought forward for approval, then would have it go to Parliament for approval. It is not in the budget for this year.

**(iv) Permission to Hang a Large Banner at Seon Place:** ITU is interested in installing a large banner, the same as was done for the America's Cup event. There was a legislative Act put in place for the America's Cup to be able to install their large banner. Being a Municipality, the CoH has the right to set aside the requirements. In the Advertisements Regulation Act 1911, it is subject to the CoH's discretion only in the City.

**RECOMMENDATION:** That the Board approve the installation of a large banner at Seon Place - 141 Front Street as it relates to the ITU Triathlon event to be held at the end of April 2018.

The Event Project Manager queried whether the banner would be subject to the other regulations that the CoH has in place for what can go on the banner, i.e. not have sponsors names, etc. The CoH has to be very careful in giving blanket permission without knowing all the details for the banner itself. Normally, all the banners go through the Event Project Manager to ensure that all the CoH's guidelines are adhered to.

**Proposed:** Councillor G. Scott

**Seconded:** Mayor, Charles Gosling

**Abstained:** Councillor N. Swan

**Motion passed.**

**(v) Discussion re: the Pursuit of Clamping in the City of Hamilton:** Councillor Harvey recommended that this subject remain on the agenda until such time that the CoH is successful in receiving the legislative change. One of the main groups that is impacted by the lack of clamping is the residents. He strongly suggested that those Council Members who represent the residents to take it upon themselves to canvas their members of Parliament. If the CoH could have clamping, then those person who are parking in residents parking spaces could be clamped. If the City could oversee and enforce parking, the residents would have a strong voice in that regard. Predecessors and the current Council have worked tirelessly to address this issue. Councillor G. Scott, being a member of the executive of the Union, can assist in terms of being able to police the parking enforcements within the City and the clamping which must have an impact on that organisation as well as the tenants of properties that the Union has within the City. The CoH is not going to be able to barricade the E.F. Gordon Square.



If there is the threat of clamping, maybe then that will be able to get the public to follow regulations there. The businesses will benefit because there would be a constant flow of cars. It was suggested that the residents to take on that assignment to address the parking and clamping.

(vi) **Update re: Handicap Parking Spaces:** Discussed earlier in the meeting, Item 8 (viii).

(vii) **Discussion on Presentation re: Thinner Winner Proposal:**

The Event Project Manager advised that the reason for not approving the event last year is because the sponsorship guidelines were changed, and they did not meet any of the requirements. It is a money-making event, it is not for a charity and it is not international. The Council can set aside the Policy, as well as waive the fees and the costs of labour. Dialogue continued.

**RECOMMENDATION:** That the Board approve to waive all fees except for labour costs for the use of Victoria Park for the Thinner Winner event scheduled for April 7 - May 19, 2018.

**Proposed:** Mayor, Charles Gosling  
**Unanimous**

**Seconded:** Councillor N. Swan

(viii) **Discussion on Presentation from Mr. Harold Smith:** There was continued discussion regarding the request for street closure.

**RECOMMENDATION:** That the Board approve to waive the fees for the street closure of Court Street from Victoria Street to Dundonald Street. Also provide a list of added labour costs that Mr. Harold Smith will have to absorb.

The CoH needs to be satisfied that the majority of the businesses on that particular block sign off regarding the closure. The CoH provides the letter that Mr. Smith would have to solicit signatures of approval.

**Proposed:** Councillor G. Scott  
**Unanimous**

**Seconded:** Councillor R. Edwards

(ix) **Councillor G. Scott:** advised that he attended a meeting of the Fire Service Advisory and there is a new Chairman, Dr. Michael Bradshaw. In discussion, the Fire Services proposed to purchase a new ladder truck. It was noted that with the City expanding the sidewalks, turning on Court Street and other areas is becoming very challenging for those vehicles. The Secretary said the intersections are designed for 40' container to make the turns. There was continued discussion on the design of the intersections in the City.

**ACTION:** Invite the Senior Engineer, Ian Hind to the next Fire Service Advisory Committee meeting. **(Councillor G. Scott)**

**ACTION:** Forward a copy of the design list of the intersections in the City of Hamilton to Councillor G. Scott to be reviewed by the Fire Service Advisory Committee. (**Secretary/Senior Engineer**)

(x) **Fire Safety Act:** Councillor G. Scott commented on the Act and that it would be good for the Council and management to review with the Fire Department's Safety Officer before it comes into effect. It was noted that the Act could be found on their website.

14. **Motion to Move to Restricted Session.**

**Proposed:** Councillor G. Scott

**Seconded:** Councillor R. Edwards

The Public Session closed at 1:10 pm.