



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, Development & Future Committee
11 January 2017
10:00am

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

Staff: Secretary - Ed Benevides, JP
City Engineer - Patrick Cooper
Senior Events & Marketing Co-ordinator - Thomas Lightbourne

Apologies: Councillor George Scott, JP
Event Project Manager - Danilee Trott

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.

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 Councillor G. Scott and the Event Project Manager.

5. Public Participation/Presentation:

There is no public participation or presentations.

6. Correspondence:

(i) **Letter from Acting Permanent Secretary (PS) (Aideen Ratteray Pryse):** A copy of the letter had been distributed to the Committee and the Secretary gave some background. The correspondence refers to the land swap deal for the properties on Brooklyn Lane and Canal Road. Last year the CoH came to an agreement with the two (2) parties that a land swap would be done with no exchange of monies and both parties would cover their own legal costs. The Council passed a Resolution to accept the terms and this was confirmed in writing to Government. The Minister approved the Resolution but the Attorney General's Chambers (AG) reverted to CoH to say they would not allow Cabinet to process the deal because they insisted that the CoH provide them with the appropriate conveyances. The Secretary said he had outlined to the Acting Permanent Secretary that it is unlikely for two (2) parties who do not know whether the deal is going to be approved by Government to enter into a conveyance and associated costs. The Secretary said he passed the request on to the lawyers who have done nothing since November. He also mentioned that one of the parties wants to excavate on one of the properties and a portion of this land is owned by the CoH. The excavation work could potentially impact on some of the America's Cup's programme.

The Secretary said he has responded to the letter and in his response explained that the Municipalities Act does not require a conveyance to be submitted to Government. In fact, it clearly states a draft agreement should be sent to the Minister. The issue now is that the AG's Chambers is saying they can change the terms after the House has approved. The Secretary said this would require a change in the law. The lawyer of one of the parties involved (Butterfield & Vallis) is currently reviewing the Municipalities Act to reaffirm that only a draft agreement is required.

The Secretary said that the party wishing to excavate has been given written permission to go ahead with the work, subject to permission from the Department of Planning. The City Engineer confirmed that planning approval has been granted.

The City Engineer asked whether the conveyance will need to be signed or will a draft agreement be accepted. Councillor Ming said he was certain that a draft will not be accepted and that perhaps the issue could be expedited if the Secretary were to speak to Dr. Gibbons.

10:20am - Councillor Edwards joined the meeting.

The Mayor agreed that the Secretary should speak to Dr. Gibbons and to only take the route stated in the law i.e. to use a draft agreement. It would be very unfortunate if both parties went through the cost of the conveyance process only to find that Government, with no reason, were to deny the request.

ACTION: The Secretary to speak to Dr. the Hon. E. Grant Gibbons regarding the issue of the land swap agreement.

ACTION: The Secretary to provide the Committee Members with a copy of his response to the letter relating to the land swap and to keep the Committee informed regarding the findings of the lawyer who is reviewing the Municipalities Act.

7. Minutes of Previous Meeting dated 14 December 2016

Proposed: Councillor H. Ming

Seconded: Councillor N. Swan

The Minutes were accepted as read.

8. Matters Arising from the Previous Meeting dated 14 December 2016:

(i) **The Secretary to inform Grotto Bay that their request to use 40' containers has been denied:** This has been actioned although it has been circumvented by the Minister.

(ii) **The Secretary to forward the 2017 Cruise Ship schedule to Councillor Edwards:** This has been completed and Councillor Edwards confirmed receipt.

(iii) **The Event Project Manager to forward a copy of the criteria and correspondence she has had with the Emperial Group regarding the New Year's Eve event:** The Secretary said this item should have been assigned to him. The correspondence is extensive and he will send it on to everyone electronically.

ACTION: The Secretary to email the Committee a copy of all correspondence relating to the New Year's Eve event and the Emperial Group.

(iv) **Write to the person who tripped on Union Street and confirm that the sidewalk will be repaired and that cost is included in the budget:** The Secretary had confirmed in December's meeting that he has written and emailed Ms. Cameron. Councillor Edwards was going to follow up with her.

ACTION: The Secretary to provide Councillor Edwards with a copy of the letter sent to Ms. Cameron as it relates to her trip and fall incident.

9. Status Update:

(i) **Events:** The Senior Events & Marketing Coordinator reported that the CoH is currently working with the Washington Properties on the City Arts Festival with a focus on Washington Lane and making it look similar to Chancery Lane. Hopefully this will be completed by March. This is the only event scheduled for the first quarter apart from work on the America's Cup and Tall Ships.

Councillor Edwards mentioned the various art installation locations and in particular the wall of the bathrooms across from the Union building. Previously there had been some issues as it was said that the wall would need re-plastering.

The Senior Events & Marketing Coordinator said that this particular location was not included in the art installations budget of \$25,000 for this year but it may appear on the list again. He explained that an artist had put forward a proposal to do some artwork in this location but had subsequently withdrawn the request.

The Mayor asked whether the engineering team could look at trying to cut down on people using Washington Lane as a cut through to Spring Gardens on scooters at night. The City Engineer said the problem with this is that anything put in place to stop the scooters then hinders pedestrian usage. It was agreed that the issue needs to be sorted out by Spring Gardens.

The Mayor suggested that the Secretary write to the Liquor Licensing Authority regarding the renewal of Spring Garden's liquor license due to the actions of their patrons.

ACTION: The Secretary to write to the Liquor Licensing Authority regarding the renewal of Spring Garden's liquor license. This is in relation to the actions of Spring Garden's patrons, riding their scooters down Washington Lane.

The Mayor asked for the Events team to arrange for next December's Christmas tree on the corner of Court and Dundonald Streets to be decorated by children from various schools and day care centres in the City. He also asked that the team start to give some thought to the organisation of the December's Boat Parade.

ACTION: The Events Department to diarize arrangements for December 2017's Boat Parade and the decoration of the Christmas tree on the corner of Court and Dundonald.

The Secretary said that his understanding was that Council had agreed for the CoH to take on the Boat Parade on the understanding that it is fully paid for by sponsorship and the CoH will only provide the in-kind funding.

ACTION: A meeting to be set up for the Secretary and the Event Project Manager to meet with Mr. Steve Thomson to discuss the Boat Parade for 2017.

Councillor Harvey asked whether the CoH will be erecting banners in the City between now and America's Cup (AC). The Senior Events & Marketing Coordinator confirmed that the CoH will be putting up some banners to advertise upcoming events (including AC and Tall Ships) but the majority of banner poles are being utilised by the organisers of the AC and Tall Ships. It was confirmed that additional lighting will also be put up in some of the street-side trees.

(ii) **Land Swap Brooklyn Lane and Canal Road:** This matter was discussed earlier in the meeting.

(iii) **Memo regarding Changes in Lease requested by the Chamber of Commerce (CoC) (this was informational and requested by Infrastructure):** The Secretary had sent the Committee a memo outlining what the CoC does not want in their lease and what the CoH is putting in. The lease is with the lawyers at the moment to make changes.

One of the main things the CoC is worried about is that the size of the area might change. The lease is valid for three (3) years and any changes will not be made to the existing lease until the renewal.

10. Recommendations for Review:

There are no recommendations for review.

11. Any Other Business:

(i) **Stevedoring Services Limited's (SSL) Request for Repayment:** The City Engineer said the Committee may remember that some time ago SSL brought to the CoH's attention that there was a concrete slab at the west end of No. 7 where they have their Somers Isle stack. Their heaving machinery has to traverse over the concrete slab which is uneven and causing a safety issue. They were advised that the CoH would deal with the issue in January 2017 once budgets had been approved. Now it seems that SSL have gone ahead and arranged for contractors to fix the slab.

They were told to stop this work because they did not have the necessary permissions i.e. building permit, engineer's drawings, etc. SSL then corrected all these issues and finished off the repair work. They are now asking for reimbursement of their expenditure to fix the CoH's asset in the sum of \$14,000. The City Engineer said he felt they probably did spend \$14,000 but his concern is precedent setting in terms of doing work without seeking CoH permission. After some discussion, it was agreed to recommend that the CoH reimburse SSL their costs but prior to making payment, they must write a letter to the CoH acknowledging that they did the work without seeking approval and realise that next time they must follow protocol.

RECOMMENDATION: That the Board approve for the Corporation of Hamilton to reimburse Stevedoring Services Limited (SSL) for their costs of \$14,000 to fix the concrete slab at No.7. Payment will be made on the condition that Stevedoring Services Limited (SSL) writes to the CoH to acknowledge they did not seek approval to do the work and in future they will follow protocol and seek the appropriate approvals from the CoH.

Proposed: Charles Gosling, Mayor

Second: Councillor Swan

Unanimous

(ii) **Sewerage:** The City Engineer explained that the sewerage system in the City does what is called 'preliminary treatment' which screens and removes large items from the sewerage but it does not remove emulsified solids. Neither is it processed via a secondary treatment which puts the sewerage into a clear liquid which can then be disinfected. There is also a tertiary treatment which effectively can put the sewerage into a re-useable state but the City is currently nowhere near this level of treatment.

Hamilton currently has what is called 'head works' and this is the system put in place to start off the preliminary treatment. The City is therefore at a point where it could install a primary and secondary treatment plant on the backend of the plant which the CoH currently owns.

The problem in doing this has always centred on the amount of land required to install a sewerage treatment works. Traditional sewerage treatment works for primary treatment have always been large settlement tanks. Advances have been made in micro-screening using much smaller devices to do the work of the traditional settlement tanks and they use a 10th of the footprint. This could have great benefits for the City of Hamilton.

The Engineer feels the CoH should be looking to utilise its existing plant and increasing its footprint to include primary treatment. The initial thought is that the building could be extended westward and the existing screens moved westward and install micro-screens behind them. This would have the benefit of removing a lot more solid material from the waste which would include grease.

The City Engineer explained that the CoH is not in a position financially to jump to tertiary treatment because the running, capital and operational costs would run into millions of dollars. The CoH has currently budgeted \$50K for another study on the outflow although the Environmental Surveyor does not feel this is particularly pressing for the CoH. The City Engineer said that he would like to divert the money to use it on a study for sewerage treatment instead. He said that the main use for tertiary treated water in Hamilton would be for flushing systems and therefore buildings would need to be encouraged to have a separate plumbing system. The Mayor said this would only work with new buildings because it would be impossible to ask existing owners and landlords to install a whole new plumbing system.

Councillor Harvey suggested that once the Committee has received the results of the survey and is in a position to move forward with a recommendation, it would be beneficial to invite all the relevant Ministers i.e. Health, Tourism, Municipalities, etc. to a presentation on the findings for their feedback.

The City Engineer mentioned there is also a problem with storm water and other items running into the sanitary sewer. There is probably enough of a problem to warrant a survey with a view to getting property owners to uncouple from the sanitary sewer and perhaps look after their own waste overflows on their own property. Councillor Swan asked how long this would take and it was confirmed it would be a year-long project. The City Engineer said he would then need direction and policy from the Committee on how to deal with building owners.

Councillor Ming said the CoH needs to work to implement the sewerage treatment process as quickly as possible and get all the relevant parties on board and to agree to share the cost. The Mayor said he has concerns that Government may wish to jump straight to the tertiary treatment stage which would entail huge costs and would not be embraced by the public or be enormously beneficial. The Secretary said an example of this is that the hospital had been forced to move to a much higher level of treatment than was necessary and they have increased project and running costs and effectively the cleaner water is being thrown away.

Councillor Harvey asked the City Engineer to keep the Committee fully updated on any progress. The City Engineer said he has put together a list of all the projects on his 'to do' list and he will be issuing this as part of the Committee's package each month as a status update.

(iii) **King Street Intersection:** The Mayor said he is raising this item purely for discussion and awareness. Everyone has noticed the increase in the back up of traffic at the intersection during rush hour and on occasions the traffic is backing up as far as Court Street. He said that he is not sure whether the change to the intersection is working and suggested that at some point in the future there should be a review of how far the traffic is backing up. The CoH may conclude that they might have to revert back to bad practices and the previous intersection and install traffic lights which would be mainly operational during rush hour times. Councillor Ming mentioned that the backup problem is also happening with traffic running up King Street.

ACTION: The City Engineer to review the traffic at rush hour on King Street.

Councillor Ming said there is also an inability for traffic to travel south on Court Street once you hit the intersection of Court/ Victoria or Court/Church Streets. These intersections are always blocked at 5.00pm. The City Engineer said this problem is caused by bad behavior and people running the red light and then not being able to pull out at the junction.

(iv) **City Hall Car Park:** The Mayor asked for an update on the third cash point, the move from a two-ticket to a one-ticket system and the EasyPark App.

The City Engineer said the third pay station arrived last week and is due to be installed this week. One more piece of cable needs to be connected and once this is done, can move to the one-ticket system. This should happen within the next one (1) to two (2) weeks. The EasyPark App has been tested and EasyPark has jumped the gun a bit because they have started to advertise and are selling devices in their stores although the CoH had not given the go-ahead. There are a few issues which still need to be ironed out because the EasyPark device is separate from the CoH payment system.

(v) **City Street Lights:** The Mayor also asked about the current situation with the number of street lights out of action. The City Engineer said that in some instances it is because the CoH is waiting for retrofit kits to arrive and be fitted and then the copper tops will be replaced. In other instances, there is a power supply problem and this is a BELCO issue. The Mayor asked whether issues with BELCO could be expedited but the City Engineer said that unfortunately the person he had been dealing with at BELCO had gone on maternity leave and no-one seemed to pick up her work.

(vi) **Uprooting Trees:** Councillor Edwards said that the owner of the property on the corner of Princess and Elliott Streets has brought it to her attention that the trees are uprooting and splitting the boundary walls. The City Engineer said that trees uprooting through sidewalks will be an ongoing issue and it will not go away unless all the trees are cut down, which he is obviously not advocating. Therefore, there has to be some level of tolerance regarding trip/fall hazards due to trees buckling sidewalks. The only probable course of action with the tree on the corner of Princess and Elliott Streets is to remove the tree.

(vii) **Trip Hazards:** Councillor Edwards also said that the CoH needs to address trip hazards on the sidewalks and she cited an example on Victoria Street outside the clinic.

She also mentioned the incident of Ms. Cameron tripping on the sidewalk on Union Street a few years ago. The Secretary said the area on Union Street had been on the 'to do' list for three (3) years but had been cut from the budget by Council each time. It is on the project list for this year.

12. Motion to Move to Restricted Session

Proposed: Councillor H. Ming

Seconded: Councillor N. Swan

The Public Session adjourned at 11:50am.