



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.

Corporation of Hamilton Board Meeting, Works Depot, Laffan Street, Hamilton - 3 May 2017
- 12.30pm

Present: Rt. Wor. Charles R. Gosling, JP, Chairman
Councillor John Harvey, MBE, JP
Councillor Dennis Tucker, JP
Councillor Nicholas Swan
Councillor Lawrence Scott
Councillor RoseAnn Edwards
Councillor George Scott, JP
Councillor Henry Ming
Councillor Carlton Johnson

Staff: Secretary - Edward Benevides
Treasurer - Tanya Iris
Senior Engineer - Ian Hind
HR Manager - Lindell Foster
Deputy Treasurer - Siobhan Fubler
Event Project Manager - Danilee Trott
Communications Manager - Zoe Mulholland

1. Confirmation of Notice:

The Secretary confirmed that the appropriate notices of the meeting and agenda were duly given according to the meeting guide.

2. Role of the Chairman:

The Mayor confirmed his role as the Chairman.

3. Open Meeting:

The meeting was called to order at 12.35pm.

4. Apologies:

The Secretary confirmed that no apologies had been received.

5. Public Participation/Presentation:

There were no public presentations.

6. Correspondence:

There was no correspondence.

7. Minutes of Previous Board Meeting dated 5 April 2017

Proposed: Councillor L. Scott

Seconded: Councillor N. Swan

The Minutes were accepted as read.

8. Matters arising from the previous Board Meeting of 5 April 2017:

(i) **Forward a copy of the article from The Economist to all Council Members as it relates to homelessness:** It was confirmed that the Recording Secretary forwarded the article from The Economist to all Council Members.

(ii) **Visit the area on Front Street near the Bird Cage and review the flow of traffic, etc. to see if there is any cause for concern:** The Secretary confirmed that the City Engineer did visit the area and there were no additional concerns expressed. The Mayor commented on the traffic light which is out near the Walker's Arcade and the signage next to the sidewalk should be moved more out into the street to make it more visible.

9. Confirmation of Resolutions/Recommendations:

Infrastructure Committee - 12 April 2017

RESOLUTION: That the Board approve to endorse the proposal from the HI Group of Companies as presented. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RESOLUTION: That the Board approve Councillor George Scott and the Treasurer, Tanya Iris to be signatories for the Bermuda Boat Parade charity and represent the Corporation of Hamilton on that Committee. That the Board also approve for Councillor John Harvey to serve as a reserve signatory as well as sit on that Committee as deemed necessary. **(Approved in Corporation Board meeting dated 1 March 2017 and approved by the Minister)**

RESOLUTION: That the Board approve Edible Creations as the food concession for Victoria Park. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RESOLUTION: That the Board accept the bid in the amount of \$30.00 per hour from Granite Enforcement Team (GET) for City Hall Security. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RESOLUTION: That the Board approve the restriction of tractor trailers on Victoria Street between Cedar Avenue and Parliament Street. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

Finance Committee - 13 April 2017

RESOLUTION: That the Board approve to amend the Resolution of 2 December 2015 as presented. **Resolution:** That the Board approve that any projects estimated to be over \$500,000.00 over the life of the contract, to be sent to the auditors before contracts are signed to ensure that Financial Instructions and policies are upheld. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

RESOLUTION: That the Board accept the bid in the amount of \$296,304.00 from Argus Insurance for a three-year contract for Property Insurance for the Corporation of Hamilton. **(Approved in Corporation Board meeting dated 1 March 2017 and approved by the Minister)**

RESOLUTION: That the Board approve to add Councillor Larry Scott to the Finance Committee. **(Approved in Corporation Board meeting dated 5 April 2017 and approved by the Minister)**

Recommendation: That the Board approve the Recommendation from the Residents Advisory Committee for the financing of \$5,000.00 for a "picnic/gathering" for the residents in the City. **(Recommendation deferred)**

The Mayor commented on a query regarding the Bermuda Boat Parade and the Charity's status. The Secretary advised that a letter had been written to the Registrar but no information has been received to date.

10. Recommendations for Review:

Residents Advisory Committee - 6 April 2017

There are no recommendations for review.

The Event Project Manager excused herself from the meeting because of the next recommendation on the agenda. In the Infrastructure Committee, a presentation was given by the Event Project Manager who declared her interest in being involved in the presentation on behalf of Savvy Entertainment.

Councillor Tucker noted that the Event Project Manager is a financial partner in Savvy Entertainment.

The Secretary advised that the Event Project Manager is a financial partner of the Bermuda company and not the international company. Councillor Tucker said this would be an incredible event but expressed some concern in that a structure, e.g. an Memorandum of Understanding (MOU), should be set up to protect the Event Project Manager against any form of questions that could arise as a result of her being a partner in this venture. He expressed further concern regarding the governance issues surrounding such a process as well as the issue of self-dealing. The MOU should lay out the involvement of the Event Project Manager and how she will be protected.

The Mayor commented that the structure (MOU) should also protect the CoH.

Councillor L. Scott wanted the Minutes to reflect that the Event Project Manager had exited this meeting and was not in attendance while discussions took place.

ACTION: The HR Manager to contact the Bermuda Employer's Council as well as a labour consultant to see what information is out there in terms of writing the MOU.

Councillor L. Scott stated that in all negotiations with Savvy and the CoH, the Senior Events & Marketing Coordinator, Thomas Lightbourne should be the direct go-between as opposed to the Event Project Manager. In any instance, the Event Project Manager should be involved on the Savvy Entertainment side and not the CoH's.

The Mayor reiterated that the document should protect the Event Project Manager, the CoH and the public.

Councillor Harvey suggested that this information be made public and Councillor Tucker concurred that it should be known that the CoH is taking the necessary steps to ensure that any conflicts are minimised. He expressed his support of the event.

Infrastructure Committee - 12 April 2017

RESOLUTION: That the Board agree to support the event "Battle on the Rock" by Savvy Entertainment 25 - 27 August 2017. The event is an Open Hydroflight Invitational Competition.

Proposed: Infrastructure Committee

AMENDED RESOLUTION: That the Board agree to support the event "Battle on the Rock" by Savvy Entertainment 25 - 27 August 2017. The event is an Open Hydroflight Invitational Competition. The HR Manager to prepare and present a Memorandum of Understanding (MOU) which will set out the terms and conditions of the relationship between the Corporation of Hamilton and Savvy Entertainment so as to protect the Corporation of Hamilton, the Corporation of Hamilton's Event Project Manager and the public from any potential conflicts of interest.

Councillor Edwards said that this might be a great event but with the conflict of interest, the rest of the Council have found a way to get around that so that it would not create any issues. Councillor Tucker said it is all about transparency.

Proposed: Councillor L. Scott

Seconded: Councillor H. Ming

No Vote: Councillor R. Edwards

Motion passed.

Finance Committee - 13 April 2017

Councillor Tucker advised that the Cathedral has the need to restore a very historic window which has some historic significance to the Island. They have requested some funding assistance from the CoH. The total cost is approximately £60,000.00.

The Mayor said this restoration would be done by November 2018 so that it could be unveiled to commemorate the 100th Anniversary of World War I. This window was originally created as a national memorial and it so happened to be placed in the Anglican church, recognising that it is not a statement of the Anglican faith. The Cathedral and the City are very closely allied and it was the Corporation property that the Cathedral was built on after the fire of the first church. If it was not for the Cathedral, he would not be the Right Worshipful, he would be just the Worshipful and Hamilton would just be a town and not a City. The Mayor feels that there is a direct distinct link between the first World War and the decline of colonial powers with the growth of the independence movement and civil rights.

Councillor Johnson joined the meeting at 12:55pm.

Councillor Harvey thought that one of Bermuda's successful families would have come forward in this regard. Councillor Tucker said that maybe that type of solicitation should be made.

The Mayor advised that they have approached the Bermuda Regiment who will be making a donation and one (1) of the Ministries, i.e. W&E who seemed very open to assisting.

The Secretary reiterated that this donation will not affect the 2017 budget, it will be an item in the 2018 budget.

RESOLUTION: That the Board agree to a forward Resolution in terms of supporting the Anglican Cathedral Window Project to the amount of £20,000.00 or the equivalent of and that donation would be incorporated in the 2018 Budget and would be made at that time. The window was created by a couple and their windows are of great value.

Proposed: Finance Committee

Abstained: Councillor C. Johnson

Motion passed.

c. Staff, Legislative & Governance Committee - 18 April 2017

There are no recommendations for review.

11. Any Other Business:

RESOLUTION: That the Board approve Option 2 of \$100,000.00 for the New Year's Eve event from the three (3) different budgets that were presented.

The Event Project Manager presented the full proposal including the three (3) budgets in the Infrastructure Committee meeting and is looking for some direction of what the Council would like to do in this regard. The three (3) budget proposals are as follows: (i) \$150.00, (ii) \$100.00 and (iii) \$60.00. She said it is difficult to provide any additional details without a confirmed budget. Further dialogue continued.

Councillor Tucker said these proposals were not discussed in any great detail at the last Finance Committee meeting. He commented on his singular view of the dollar figures proposed and expressed his disagreement for these types of events. He suggested having more of a discussion at the next Finance Committee meeting.

The Secretary reminded the Council that this event was not initiated by the budget or the Event Project Manager, it was initiated by the Council. Council Members stated that there should be a New Year's Eve event after the budget was approved, hence the deliberations. The challenge is the timeline between now and New Year's Eve. The Event Project Manager is just looking for a decision on a budget number to move forward.

Councillor Johnson queried if there was any way that the CoH could receive revenue off this event, i.e. through the bars and vendors. The Event Project Manager said that the CoH did not want to slight the restaurants and bars on Front Street. This event would also bring additional revenue to the establishments later in the evening after the fireworks display and family activities have finished. Councillor Johnson then asked if the CoH has anything in place that would be under the umbrella of a charity distribution as these kinds of events cater to all persons in and outside of the City. In the CoH's giving, is this event something that the CoH would want to attach its name to as a successful event that could go on after this year.

Councillor Harvey commented on previous attempts to have a New Year's Eve event but those events were not supported by the technical officers because of the late applications, lack of manpower, etc. He asked if the tent would be erected by 31 December 2017 to which there was an affirmative response. There was continued dialogue on the timeline for putting on this event.

Proposed: Councillor H. Ming

Seconded: Councillor C. Johnson

The Secretary pointed out that the last time the CoH did a reasonable New Year's Eve event was well over \$100K even with sponsors.

No Vote: Councillor D. Tucker

Abstained: Mayor, Charles Gosling, Councillor N. Swan and Councillor R. Edwards

Motion passed.

(i) **Complaint and Concern from a Member of the Public, Ms. Esme Williams** - the Secretary was the recipient of the telephone call from Ms. Williams who expressed a complaint and a concern that there has been no word from the CoH on the actions of Mr. Rick Olsen who has businesses in the City and that the CoH is allowing Mr. Olsen to continue to operate his businesses. The concern is that the CoH has not said anything about Mr. Olsen and his actions. Ms. Williams questioned if the CoH is going to speak about it and what is the CoH going to do about Mr. Olsen.

Councillor Harvey commented that this complaint should have been in writing. Councillor Tucker agreed that complaints, etc. should be done in writing. Discussion continued about Mr. Olsen's actions via social media. Councillor Edwards commented on the statements from Mr. Olsen expressing remorse for what he said, the fact is that he said it. She further commented that the CoH was going to penalise Spring Garden because of bikes parking outside their establishment and wanting to take away their liquor license. There are no issues at Spring Garden such as what takes place at The Beach, i.e. fights, stabbings, etc. There is security and they still cannot manage the crowd. A mature crowd goes to Spring Garden, e.g. police officers, magistrates, etc. and they are not the only restaurant in Washington Lane. She also commented on a letter that was written to the Liquor Licensing Authority with regards to that issue and their license.

The Secretary advised that the letter addressed patrons riding their bikes down Washington Lane and endangering the public, a safety matter.

Councillor Edwards said the CoH has given The Beach a portion of the sidewalk and they should be concerned because a number of the fights, etc. take place out on CoH property.

The Mayor told Councillor Edwards that she has the opportunity of making a motion for the Council to take that particular route of writing a letter to The Beach regarding public safety.

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RESOLUTION: That the Board approve for the Secretary to write a letter to the Senior Magistrate who is the Chairman of the Liquor Licensing Board informing him that the CoH has received concerns from the public as it relates to The Beach.

Councillor Ming commented on the difference of the complaint/concerns brought forward by Ms. Esme Williams regarding The Beach and the comments made by Mr. Rick Olsen and the public safety issue with Spring Garden.

The Mayor said that this is not the first time that Councillor Edwards has raised this issue with the Council and if it is a true concern, then a letter can be written to Mr. Olsen on behalf of the Council regarding the activities at his establishment that have an impact on public safety.

Councillor Johnson asked when there are breaches of public safety in terms of behaviour that comes about because of excessive drinking and the police are called in to any liquor licensed premises, is there a record at the Police department? If these records are submitted to the Chief Magistrate annually for liquor licenses, that data should be readily available. Councillor Edwards can take that route as it relates to her concerns regarding that establishment. There was continued discussion regarding the public safety aspect around the entire City.

(ii) **Take Note: Joint Meeting on the Homeless in the City of Hamilton** - Councillor Swan and Councillor Ming had the privilege to attend this meeting. Councillor Swan commended the previous Board for taking steps in dealing with homelessness within the City. The meeting was held at the Chamber of Commerce (CoC) and there were representatives from the CoC, Bermuda Hospitals Board (BHB), the Mid-Atlantic Wellness Institute (MAWI), the Salvation Army, the Bermuda Police Service (BPS), the CoH and Martha Dismont from the Family Centre. Minutes of that meeting was distributed for review by the Council. He suggested this matter be placed on the agenda for discussion at the next Council meeting in June.

Councillor Ming added that Ms. Dismont talked about both long and short-term solutions and should be commended for what she is doing in the community and what she wants to do. The CoH's role has been well-documented in how much the CoH has been involved in the past.

ACTION: The Secretary to forward a copy to the Council Members, the Minutes from the CoH's former Homelessness in the City Committee.

Discussion continued regarding the letter received from the Governor's office about the CoH securing volunteers to deal with the vagrants within the City. The letter is on record so if any Member is desirous of a copy, it can be forwarded to them.

(iii) **Relaxed Dress Code for Meetings** - Councillor L. Scott and Councillor Harvey had

been discussing whether there had been a relaxation in the dress code for Members during the summer months. The Secretary said to his knowledge that it was still jacket and tie during the public sessions. Councillor Harvey suggested that between 1 May 2017 and 30 November 2017, that the Council not wear ties.

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The Mayor asked if the Members preferred no committee meetings during July and a Board meeting in August or no Board meeting in July and no committee meetings in August. The Secretary said that if the entire month of August is taken as a summer break from meetings, the last committee meeting will be July and the next Board meeting will be in September. Or skip the committees in July, the Board meeting in August, have the committees in August and the Board meeting in September. The Mayor suggested having no committee meetings during July and the Board meeting held in August.

Councillor Tucker left the meeting at 1:45pm.

(iv) **Complaints and Concerns from the Public:**

RESOLUTION: That the Board approve that if there are any comments that the public would like to bring forward for the Council's consideration that they do so in writing so that the Council can respond to them in writing.

Proposed: Mayor, Charles Gosling

Unanimous

(v) **Traffic Issue on King Street and Front Street** – Councillor Johnson commented on this concern, previously. Now that the one-way part of King Street is complete, coming into the City, there was a bus parked at the bus stop going into town and there was a container truck coming out of town. Someone was trying to make a right turn on to King Street which stopped all traffic. His point then and still his point now is that in front of what used to be British American Insurance, if two (2) or three (3) bays were taken from that area and a turning lane is created so that people going out of town would not have to stop. That would be a better fix than the way that is now.

It was suggested that the City Engineer have another look at the junction of King Street and Front Street and come back with a proposal. There was continued discussion

Councillor Johnson commented on another issue, i.e. when someone is travelling east on Front Street and making a right turn into the Supermart parking lot.

12. Motion to Move to Restricted Session.

Proposed: Councillor J. Harvey

Seconded: Councillor N. Swan

The Public Session closed at 1.50pm.

Date

Mayor

Secretary