



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, City Hall, Hamilton - 5 October 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 George Scott, JP
Councillor RoseAnn Edwards

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

Apologies: Councillor Carlton Johnson
Councillor Henry Ming

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 12.30pm.

4. Apologies:

The Secretary confirmed that apologies had been received from Councillor Carlton Johnson and Councillor Henry Ming.

5. Public Participation/Presentation:

There was no public participation/presentation.

Note: The Council was remiss in mentioning the passing of former Mayor William Alexander Graham Boyle, OBE, JP who served on The Corporation of Hamilton for 28 years including serving as Mayor from 1994 - 1997.

6. Correspondence:

There was no correspondence. The Mayor advised that he had received a letter from Mr. Dale Butler today regarding the issue with the homeless and welcomed any Committee Chairs to respond.

7. Minutes of Previous Board Meeting dated 6 September 2017

Councillor Harvey commented:

Page 6 of 9: Item 11 (i) - Any Other Business:

Should read: "Councillor Harvey commented..."

Proposed: Councillor J. Harvey

Seconded: Councillor L. Scott

The Minutes were accepted as read with the amendment.

Councillor Edwards joined the meeting at 12:35pm.

8. Matters arising from the Previous Board Meeting of 6 September 2017:

(i) **Draft an email to the applicants that have already requested to rent Fort Hamilton advising them that the CoH has a new policy in place and the amendment would be added to their rental application to be adhered to accordingly:** Action item completed.

(ii) **Write a Memo inviting colleagues to give some feedback/suggestions on what should be at Barr's Bay, the Bermudiana building, i.e. a fruitful and profitable use of the building:** Action item completed - 2 -3 responses have been received.

(iii) **Letter to Mrs. Esme Williams:** Correction to Action Item in Minutes of 6 September where it was recorded that the letter to Mrs. Williams had been sent out. While it was a proper recording of what was said in the meeting, it did appear that when there was a changeover of Executive Assistants for the Mayor and the Secretary, the letter that was supposed to have gone out, did not. This has been rectified and Mrs. Williams has received a telephone call from the Secretary giving apologies and she would have received a copy of the letter.

9. Resolutions Approved by the Minister:

That the Board approve the request from Polaris Holding Company Limited that Stevedoring Services Limited (SSL) seeks approval for an annual tariff rate increase to be effective 1 January 2018 equal to the lesser of 1.5% and CPI.

That the Board accept the bid from Burns Ports and Logistics in the amount of £50,300.00 to act as the Corporation of Hamilton's Ports Consultant for the Hamilton Docks.

That the Board approve to amend the application as it relates to the rental of Fort Hamilton. The amendment should stipulate that the applicant must hire an off-duty police officer for events over "x" amount of people.

That the Board approve for a letter to be written to Stevedoring Services Limited (SSL) stating that since revenues are well above their requested minimum, to continue as is and then can review the efficiencies that their new system has in place in terms of their collection of demurrage.

That the Board approve the draft Members Parking Policy as amended.

That the Board approve for a period of review to re-focus the amendment to the Corporation of Hamilton's leases requiring a personal guarantee to limited liability companies only.

10. Committees and Recommendations for Review:

Residents Advisory Committee - 7 September 2017

There are no Recommendations for review.

Infrastructure Committee - 13 September 2017

TAKE NOTE: That the Board approve the bid from ACS Limited in the amount of \$47,563.00 for the Hamilton Hall - Fire Alarm System. **(Approved and work has commenced on the project)**

RESOLUTION: That the Board approve to amend the application as it relates to the rental of Fort Hamilton. The amendment should stipulate that the applicant must hire an off-duty police officer for events over 100 people. Applicants should encourage car-pooling as much as possible and the overflow must take place in the King Street Car Park and the BIU parking lot.

Proposed: Infrastructure Committee
Unanimous

Finance Committee - 14 September 2017

RESOLUTION: That the Board approve to support the Bermuda International Film Festival's (BIFF) request to waive the rental fees for the Earl Cameron Theatre to the host the Film Festival.

BIFF will still pay the expenses for security, custodian fees, etc.

Proposed: Finance Committee
Unanimous

TAKE NOTE RECOMMENDATION: That the Finance Committee approve to add \$240K to the existing request for \$510K, total of \$750K virement for legal fees.

c. Staff, Legislative & Governance Committee - 19 September 2017

There are no Recommendations for review.

11. Any Other Business:

(i) **Feedback re: Draft Street Tree Policy:** The City Engineer advised that the Mayor had responded previously and commented that it was an incomplete document. He is now waiting for more complete feedback to ensure that the Council agrees with the major points of the document in how the CoH is going to look after and manage trees within the City. Councillor Tucker commented on a timeline for the feedback. Council Harvey said the item has been on the agenda for several months and been circulated twice. The Mayor suggested that this matter be given to the Infrastructure Committee to provide the feedback to the City Engineer. That gives the Committee members a week to read and review the document. Councillor Harvey said that if he does not receive any feedback, he will meet with the City Engineer with a view to move this matter forward.

The one (1) area that the City Engineer is looking for feedback in is the pricing of trees and what the Council feels the CoH should do if a developer or contractor damages or removes a tree. The Mayor then commented on developments within the City where the trees have been barricaded off and the contractor having to go through great expense to work around the tree for that tree sometime during the project is irrevocably damaged and dies.

It would make more sense to remove the tree prior to the development, either transplant it somewhere else or replace it at the end of the project with a like tree of like size.

The City Engineer said there are methods of valuing trees, i.e. size, age, condition of the tree, etc. and can put a dollar value to the tree. It is very hard to remove a tree and find one that is exactly the same to go back in, almost impossible. The Council needs to ensure that this policy is a good, fair and equitable solution to the problem. Currently the policy states that when development is being done, should not touch or remove any street trees but to protect and look after them for the duration of the project.

Councillor Harvey commented on the state of sidewalks because of trees and it was suggested that this matter be brought up in the next Infrastructure Committee meeting. Councillor Edwards further commented on the state of the tree in the sidewalk on Union Street opposite the BIU building. The City Engineer advised that there is a RFP tender opening this afternoon for the Union Street refurbishment. The road will be narrowed down, creating a sidewalk to the east of the tree, giving the pedestrians a different area to walk. The CoH is trying to save the trees and work with solutions where they do not have to be removed.

There was continued discussion on what the policy involves and that it should provide a framework for building owners, residents or business owners so that the CoH is transparent in how they manage the trees in the City. Dialogue continued regarding the trees on Cedar Avenue and trees within the City in general.

The Deputy Treasurer left the meeting at 12:55pm.

Councillor Edwards queried the process if a tree damages private property to which the City Engineer advised that there is a mechanism within the document that addresses that issue. There are many facets to the operation of street trees and how they are to be managed, looked after, who chooses which specimens to go in what area, what mechanism a landowner has in place to ensure that property damage does not re-occur, etc. Further discussion continued regarding the Street Tree Policy.

ACTION: The City Engineer to forward copies of the draft Street Tree Policy to all Council Members for review.

ACTION: Council Members to refer all feedback to the City Engineer and Councillor Harvey or attend the next Infrastructure Committee meeting.

12. Motion to Move to Restricted Session.

Proposed: Councillor L. Scott

Seconded: Councillor R. Edwards

The Public Session closed at 1.00pm.

Date

Mayor

Secretary