



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 - 14 November 2018 - 12.30pm

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

Staff: Treasurer - Tanya Iris (Acting Secretary)
City Engineer - Patrick Cooper
HR Manager - Lindell Foster
Event Project Manager - Danilee Trott
Event Project Manager (Designate) - Jessica Astwood
Communications Manager - Zoe Mulholland
Deputy Treasurer - Siobhan Fubler

1. Confirmation of Notice:

The Acting Secretary confirmed that the appropriate notices of the meeting 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 Acting Secretary confirmed that no apologies had been received.

5. Public Participation/Presentation:

There was no public participation/presentation.

6. Correspondence:

There was no correspondence.

7. Minutes of Previous Board Meeting dated 3 October 2018:

Proposed: Councillor L. Scott

Seconded: Councillor N. Swan

The Minutes were accepted as read.

8. Matters Arising from the Previous Board Meeting of 3 October 2018:

There were no matters arising.

9. Recommendations for Review:

There were no Recommendations for review.

10. Resolutions Approved by the Minister:

That the Board approve to waive the rental fees for the use of Pier 6 for the hosting of the annual Remembrance Day War Veterans Luncheon with the provision to charge for the labour costs.

That the Board approve the continued partnership between the Corporation of Hamilton and the Bermuda International Film Festival (BIFF) for the use of the Earl Cameron Theatre and the City Hall Foyer for the period of March 15 - 22, 2019. Subject to the outstanding debt being paid prior to the start of the event in 2019.

That the Board approve the same level of in-kind sponsorship as was established for the Labour Day event for the Go-Karting Grand Prix and Music Extravaganza to be held on Saturday 13 October 2018. The Corporation of Hamilton would require receipt of the proper documentation and the proper processes followed as well as confirmation from all businesses approving the road closures inclusive of the times of the closures and the event. Also, would require confirmation indicating the support from the Go-Kart Association. Subject to the Association's insurance cover which must specifically state that it will indemnify the Corporation of Hamilton from any claims arising out of the event.

11. Committees and Recommendations for Review:

(i) Residents Advisory Committee - 4 October 2018

There were no recommendations for review.

(ii) Infrastructure Committee - 10 October 2018

RESOLUTION: That the Board approve in principle the plan for the relocation of the statue "Against the Tide" and the proposed new layout of the area as suggested by Mr. Cooper Gardner.

The Chairman of the Infrastructure Committee provided an overview for the Recommendation to the Board. The City Engineer described the position of the statue in the proposed new layout of the park area behind the old HSBC building at Albuoy's Point. The Mayor was concerned that its proposed position would appear as a barrier upon entering the park area. Councillor Ming commented that the statue would be covered with a structure providing shelter and seating. Councillor Swan said that he did not agree that the statue should be incorporated into the new layout of the park area.

Proposed: Infrastructure Committee

Opposed: Councillor N. Swan

Motion passed

Councillor Tucker mentioned a bronze sculpture, of a lady on a bench by Desmond Fountain, that could be incorporated in the new layout of the park area and he would follow this up. The City Engineer said that this sculpture is currently with the artist for refurbishment.

ACTION: Contact the owners of the bronze sculpture of a lady on a bench by Desmond Fountain, with a view to incorporating it in the new layout park area at Albuoy's Point.
(Councillor Tucker)

RESOLUTION: That the Board approve to give permission for the Lions Clubs of Bermuda to utilise the Bermudiana Building situated at Barr's Bay Park as the collection, compilation and distribution centre of food hampers, for the week commencing 10 December 2018.

The Chairman of the Infrastructure Committee provided an overview for the Recommendation to the Board. The City Engineer gave an update on the situation following a meeting with representatives of the Lions Clubs of Bermuda. They were already using the facility and wished to do so until 17 December 2018.

Proposed: Infrastructure Committee

Unanimous

RESOLUTION: That the Board approve for a lease to be drawn up between Localmotion Limited and the Corporation of Hamilton to rent 12 parking bays on the ground floor of Bull's Head Car Park with the proviso that Localmotion Limited would take full responsibility for security of the area.

The Chairman of the Infrastructure Committee provided an overview for the Recommendation to the Board. Councillor Tucker expressed concern that the 12 parking bays on the ground floor would become unavailable for public parking. The City Engineer reassured that on a daily basis there were over 200 unused parking bays on the roof of Bull's Head Car Park which could be used and this would increase revenue.

The Mayor said he was recently approached by a co-owner of Twizy Car Rentals who asked if the COH would reconsider erecting electric car charging stations in the City. The Mayor invited him to contact the COH again requesting that the issue be reviewed. The City Engineer said that the COH had previously offered Twizy Car Rentals space for a recharging station in Bull's Head Car Park and Par-la-Ville Car Park, which they had refused. He said the vehicles were currently housed and charged at the Hamilton Princess Hotel.

Proposed: Infrastructure Committee
Unanimous

RESOLUTION: That the Board approve the erection of the temporary structure to serve as a temporary Visitor Service Centre for the Bermuda Tourism Authority (BTA) until the beginning of January.

The Chairman of the Infrastructure Committee provided an overview for the Recommendation to the Board. The City Engineer said that the initial Recommendation was for a temporary structure until the beginning of December 2018; however, as the BTA lease renewal had been delayed, the request would be for a temporary structure until the beginning of January 2019.

Proposed: Infrastructure Committee
Unanimous

RESOLUTION: That the Board approve for three (3) trees on Elliott Street be replaced with three (3) smaller trees.

The Chairman of the Infrastructure Committee provided an overview for the recommendation to the Board. The City Engineer said that the replacement trees would incorporate grates, tree guards and a bigger tree box which would be lined with plastic sheeting, causing the roots to grow down instead of spreading out. This would now be the COH practice for all new tree plants to avoid the damage to sidewalks in the future.

The Communications Manager confirmed that notice of the tree removal and replacement had been published in the media. The Mayor requested that the Communications Manager give the Corporation Board one weeks' notice prior to commencement of the removal and replacement of the trees.

ACTION: Give one weeks' notice to the Corporation Board prior to commencement of the removal and replacement of the trees on Elliott Street, together with a reasonable timeline of all stages to completion. **(Communications Manager)**

The City Engineer said that before work could start on replacing the trees, underground service lines would have to be checked. There were overhead electricity lines in this area. The Mayor suggested that Belco should plan to lay the electricity lines underground in Elliott Street at the time of the replanting. The City Engineer said that, depending on available funding, this would be the next notification to Belco.

Councillor L. Scott referred to an item of public presentation made by Mr. Graham Fowle at the last Corporation Board Meeting held on 3 October 2018, which had been referred to the next Infrastructure Meeting for discussion. This was in regard to the overgrown trees adjacent to properties at the west end of Dundonald Street, near King Street, on the south side, which had been causing damage to these properties. The City Engineer said that Mr. DeSilva, the Parks Superintendent, had met with Mr. Fowle and suggested that one or two of the trees be removed. Mr Fowle was not in favour of the trees being removed. The Mayor suggested that the trees be drastically pruned to encourage further growth below roof level. The City Engineer said that this option was discussed with the Parks Superintendent who also noted that one of the trees was damaged and rotting and recommended that this particular tree should be removed and replaced.

ACTION: Arrange to meet with Mr. Fowle to discuss options for the trees at the west end of Dundonald Street which had been causing damage to his properties. **(City Engineer)**

Proposed: Infrastructure Committee
Unanimous

(iii) Finance Committee - 11 October 2018

RESOLUTION: That the Board approve a payment of \$2,550,000 against the Clarien Bank Loan in November 2018, subject to thirty (30) days' notice and after notice has been given, that no early payment penalty would be charged by Clarien Bank.

The Chairman of the Finance Committee provided an overview for the Recommendation to the Board. Councillor Tucker stated that the proposed payment represented half of the total loan currently outstanding of \$4,870,000 and it was hoped that the CoH could pay off the loan in its entirety by the end of Quarter 1 2019. The Acting Secretary confirmed that no early payment penalty charges would be incurred.

Proposed: Finance Committee

Unanimous

(iv) Staff, Legislative & Governance Committee - 16 October 2018

RESOLUTION: That the Board approve the Staff, Legislative & Governance Committee to draft a policy, whereby, should any Committee meeting not take place due to a lack of a Quorum, that the meetings must be rescheduled within the week following, at the same time, to ensure that the Committees meet once every month.

The Chairman of the Staff, Legislative & Governance Committee provided an overview for the Recommendation to the Board. Councillor L. Scott tabled a suggestion made by the Chairman of the Infrastructure Committee, Councillor Harvey, which would allow a Quorum to comprise of any Council Member.

Proposed: Staff, Legislative & Governance Committee

Unanimous

12. Any Other Business:

RESOLUTION: That the Board approve the appointment of KPMG as auditors for the next three (3) consecutive years - December 31, 2018, 2019 and 2020.

(i) The Chairman of the Finance Committee provided an overview for the recommendation to the Board. Councillor Tucker said that this Recommendation had not been tabled at the Finance Committee Meeting in order to expedite the Board's approval. He said that further to the recently published RFP, only one proposal had been received. KPMG was the COH's current auditors, had carried out excellent audits during their current term and the COH's Finance Team had worked well with them. The Mayor pointed out the new overall fee charged by KPMG was comparable to the current term's fee. He said the COH's relationship with KPMG has been good and they had offered advice in light of current trends.

Proposed: Councillor D. Tucker

Unanimous

(ii) Councillor L. Scott addressed the Chairman of the Infrastructure Committee regarding his recent contact with Mr. Kacey Hollis who had previously made request to operate a shoe shine service in the City. Following Mr. Kacey Hollis' request, the City Engineer said that he had responded to him indicating that shoe shining in the City was against the CoH's Hamilton Streets and Sidewalks Ordinance and the Minister was currently in the process of making amendments to the Municipalities Act.

(iii) The Mayor referred to the Throne Speech made on Friday, 9 November 2018, in particular a comment read by the Governor on behalf of the Government. The Government's previous Minister's comment was in respect of the Government's commitment to the modernization of the roles of the Municipalities in Bermuda and that consultations with the two Municipalities, which began in May 2018, had been completed.

ACTION: With the Council's approval, the Mayor to write a letter to the current Minister stating how disappointed this Council was to hear that consultation with both Corporations began in May 2018 and had now been completed, as no true consultations ever took place. While a meeting was held with the Minister, the level of questions and engagement would in no way be deemed a consultation. The letter would appeal to the new Minister for him to take it upon himself to allow this to be corrected and for the proper consultative process to be completed before the conclusion of this Council's term. The letter would also state that the COH has always expressed an interest in meeting with the Minister to engage in meaningful conversation and for a true exchange of ideas, concerns and opportunities that would be available to both Municipalities. The Council also approved for the Mayor to write a similar letter to the St. George's Council. **(The Mayor)**

Councillor Ming and Councillor Tucker supported this action.

(iv) The Mayor had received an invitation from the Commonwealth Local Government Forum to attend a conference in Trinidad on 5-7 December 2018. The Mayor had forwarded the invitation with a covering letter to the Minister. The Mayor's letter stated that, if the Government were sincere in their proposed changes within the Municipalities, the COH would wish to have someone who is involved in making the substantive changes, to be present at this conference. The conference would include testimony of the experiences of other Caribbean Islands who had removed their Municipalities entirely as legal entities, such as the Bahamas, who now regret the process. The Mayor had received a response from the Minister who stated his intention to contact both Municipalities to arrange a discussion.

ACTION: With the Council's approval, the Mayor would send a second letter to the Minister asking for his support for a representative from the COH to attend the conference together with a representative from the Government. As the Mayor is not available to attend the conference, he asked for Member nominations to represent the COH at the Commonwealth Local Government Forum conference in Trinidad on 5-7 December 2018. **(The Mayor)**

(v) Councillor G. Scott referred to EasyPark. This item would be discussed in the Restricted Session.

(vi) The Mayor referred to an invitation from the Bermuda Economic Development Corporation (BEDC), to attend a free public evening presentation on 20 November 2018 given by Dr. Julian Manley, the Social Innovation Manager at the Centre for SME Development, University of Central Lancashire in Preston, UK. The presentation would consider the UK Preston Model which had developed a strategy for social economic development and would be followed by a closed session. The Mayor said the Council had also received an invitation from Mr. William Spriggs of BEDC, to attend a private meeting with Dr. Julian Manley to discuss the development of North Hamilton, on the day prior, 19 November 2018, at 3.00 pm. Councillor Swan asked whether the Minister should be made aware of this meeting and presentation.

ACTION: Enquire if the Minister was aware of the BEDC presentation and private meeting. Distribute the BEDC's invitation to discuss the development of North Hamilton, to the Council Members. **(The Mayor)**

(vii) The Mayor referred to the issue of Fort Hamilton as a World Heritage Site with UNESCO. He said the Bermuda Government and the National Museum of Bermuda had re-applied to UNESCO to increase in the boundaries, including Fort Hamilton amongst other sites. UNESCO now requires further information on Fort Hamilton in order to process the deed. The Mayor noted that in the Infrastructure Committee Meeting in February 2018, this was supported but no Recommendation was given. Councillor Harvey recalled the issue as a Take Note with no Recommendation required.

RESOLUTION: That the Corporation of Hamilton fully supports the Government and the National Museum of Bermuda in their efforts to increase the UNESCO boundary of Fort Hamilton and its inclusion as a Bermuda UNESCO Site Designation.

Proposed: Mayor, Charles Gosling
Unanimous

Seconded: Councillor J. Harvey

ACTION: Respond to the email received from Mr. James Hallett of UNESCO requesting further information on Fort Hamilton in order to process the deed, informing him that the COH is in possession of the requested documentation. **(The City Engineer)**

(viii) The Acting Secretary introduced the Board to Jessica Astwood as the Event Project Manager (Designate).

(ix) The Acting Secretary informed the Board that Thomas Lightbourne of the Event Project Department would be leaving the Corporation of Hamilton. The Mayor said a letter of thanks and good wishes from the Board to be written to Mr. Lightbourne.

13. Motion to Move to Restricted Session:

Proposed: Councillor G. Scott

Seconded: Councillor N. Swan

The Public Session concluded at 1:37pm.

Date

Mayor

Acting Secretary