



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 - 10 January 2018 - 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 Henry Ming
Councillor RoseAnn Edwards

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

Apologies: Councillor Carlton Johnson
Communications Manager - Zoe Mulholland

The Mayor commenced the meeting by wishing everyone a Happy New Year.

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 Communications Manager, Zoe Mulholland.

5. Public Participation/Presentation:

There was no public participation/presentation.

6. Correspondence:

There was no correspondence

7. Minutes of Previous Board Meeting dated 6 December 2017

Councillor G. Scott commented:

Remove him from the attendance list, was not present, was off Island.

The Mayor commented:

Page 2 of 6, last sentence: should read: "The Mayor commented that the supervisory staff should ensure that when laying plywood for the public to be walking on, that it is of sufficient strength for that particular purpose."

Proposed: Councillor N. Swan

Seconded: Councillor J. Harvey

The Mayor further commented on **Page 3 of 6, first paragraph:** he is still not clear from the Minutes whether the tree which was an obstruction to the proper operation of the hearse was taken down and queried if that tree was still standing. The City Engineer commented that he believed that the tree had been taken down and the filling of the box with the concrete finish might be still outstanding.

He further commented on **Page 3 of 6, last paragraph: Point of Order,** should read: "Councillor Harvey commented that Minister DeSilva has tabled legislation regarding decriminalizing a certain amount of marijuana..."

The Minutes were accepted as read with the amendments.

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

(i) **Check into the Health Insurance and Staff Costs for 2018 in comparison to 2017 as the numbers are showing the exact for 2017 and 2018:** The Treasurer confirmed that there is no increase for Health Insurance costs.

(ii) **Check into Councillor Harvey's requests for the use of the Mayor's Box for the Bermuda Festival:** Action item completed.

(iii) **Remove the name of the insurance provider for LTD from the Employee Handbook to a generic name:** The HR Manager confirmed that the action item was completed.

(iv) **Consider diverse options/ideas to show recognition to Ms. Flora Duffy, i.e. a proclamation, etc. and bring those options/ideas to the Infrastructure Committee meeting scheduled for 17 January 2018:** It was confirmed that this matter would be placed on the agenda for the Infrastructure Committee for next week.

9. Committees and Recommendations for Review:

a. Residents Advisory Committee - 7 December 2017

There are no Recommendations for review.

b. Infrastructure Committee - 13 December 2017

RECOMMENDATION: That the Board re-instate the 15-minute parking on the south side of Church Street on one (1) side along the full length of the General Post Office.

Councillor Harvey commented that both the southern side of Church Street outside of the Post Office and on the western side of Parliament Street outside the Post Office there was an opportunity for those persons using the Post Office to have parking for 15 minutes. For some reason this was discontinued. A member of the public wrote to the CoH suggesting that this be reviewed to have it re-instituted.

Councillor Ming commented that currently the ground floor is not being utilised, all mailing, etc. is being done on the lower level of the Post Office. Councillor Swan commented that the ground floor would still be used for Post Office Boxes.

The Secretary advised that there is 15-minute parking but it is not free, reason being that the people that wanted to use the parking spaces to check their boxes could never find parking because the spaces would be always be filled for extended periods of time. The Traffic Wardens said that without having any indication of how long the persons were parked in those spaces, they could not issue a ticket to them when parking for more than 15 minutes.

The Mayor said that until the CoH gets proper control of how parking is policed through the new Parking Ordinance, this recommendation would just create an opportunity for persons to park for free for a considerable length of time.

The Mayor further commented on the clamping issue and referenced a remark received from the AG's Chambers that there is no way that the CoH will be able to clamp. The CoH needs to come up with a very strong rebut in terms of why the CoH should have clamping, giving the ability to better police the streets and car parks within the City. Dialogue continued on clamping.

There was a unanimous concensus from the Chair of the Infrastructure Committee and Members that the recommendation would be withdrawn and reviewed with all other parking issues.

ACTION: Place the matter of pursuing clamping on the agenda of the next Infrastructure Committee meeting scheduled for Wednesday 17 January 2018.

c. Finance Committee - 18 December 2017

There are no Recommendations for review.

d. Staff, Legislative & Governance Committee - 21 November 2017

RESOLUTION: That the Board resolve to agree to the Management Collective Agreement.

This was deferred from Corporation Board meeting dated 6 December 2018. Currently the CoH has three (3) Collective Agreements with Unions for non-managerial staff: two (2) with the BPSU and one (1) with the BIU.

Amendments to the Agreement:

Page 5 - 5:02 - remove **Collective Bargaining**; should read just **Agreement**.

Page 13 - Article 28 - remove **Collective**; should read just **Agreement**.

Page 14 - Article 29 - change **Edward Benevides, COO & Secretary** to **Ed Benevides, CoH Employee Representative**.

Page 15 - Memorandum of Understanding - remove **Collective Bargaining**; should read just **Agreement**.

Proposed: Staff, Legislative & Governance Committee

Opposed: Councillor G. Scott

Motion passed.

RESOLUTION: That the Board resolve that all Council Members complete and return the Register of Members Interest so that the Corporation of Hamilton can protect itself under the Bribery Act 2016.

The Bribery Act creates a lot of conditions and a great deal of ramifications if brought to court and found guilty.

The Act deals with such issues as receiving gifts that may influence making particular decisions; taking outside interests to influence particular, i.e. certain CoH Recommendations and Resolutions. The main focus is the protection of oneself and to ensure that the Register of Members Interest is signed and full disclosure is given. This is a basic requirement when taking office at the CoH, giving full obligation to the Council and to the public.

Proposed: Staff, Legislative & Governance Committee
Unanimous

The Mayor suggested that this Recommendation be kept in abeyance allowing those Members who have voted to complete and return the documents, giving them the opportunity to do so. It was also advised that Members keep their Register of Members Interest up-to-date.

RECOMMENDATION: That the Board resolve that all Council Members uphold the Code of Conduct with specific mention that confidential Restricted Minutes and legal documents were used in two (2) recent Tribunals against the Corporation of Hamilton. **(Deferred)**

e. Staff, Legislative & Governance Committee - 19 December 2017

No meeting held - cancelled.

10. Any Other Business:

(i) **Discussion re: Disabled Parking Permits:** Councillor Tucker commented that there are currently 970 disabled parking permits with 47 parking spaces in the City of Hamilton. The discussion came out of a Finance Committee meeting and it was suggested to place further discussion on the agenda for the Infrastructure Committee to review.

It was further suggested that the Chair of the Infrastructure Committee reach out to the head of the Bermuda Medical Association and raise the concern that the CoH has in terms of the number of permits that are out there. Also, request feedback from the medical group as to how this could be better organized.

Note: Some disabled parking permits are not required for the entire year; there are some that are issued on a temporary basis because the injury is temporary.

ACTION: The Secretary to get the statistics from the Communications Manager regarding disabled parking permits.

There was further discussion of disabled parking spaces in car parks and the legal requirement to have at least one (1) disabled parking space.

ACTION: The Secretary to advise users of car parks that the disabled parking spaces are for the disabled.

Discussion ensued regarding the abuse of the use of the disabled parking permit, i.e. the permit is for the disabled person who has a driver's license giving them the ability to park close to where they need to go and not for the use of the person transporting the disabled person. This is a very complex situation and very difficult to enforce.

(ii) **Update on Traffic Ticket Process:** The Secretary advised that all tickets have been entered into the system since July 2017 and summonses are being produced. The first summonses were paid immediately so the persons never went to court. Now trying to get the process completely documented from the COP and the Magistrates' Court so that invoices can be issued. The Mayor strongly advised issuing an invoice before the end of the Government's fiscal year even if it is not the correct amount.

HR Manager left the meeting at 1:25pm.

(iii) **New Year's Eve Event:** The Event Project Manager gave a brief synopsis of the Event. It was a great event and well attended. All the entertainment and logistics went off without incident. The CoH catered to the families early and the movie went well. Since there are no fireworks on the Island, the City was the only place that had any type of pyrotechnic display. Received exciting reviews regarding the event.

11. Motion to Move to Restricted Session.

Proposed: Councillor D. Tucker

Seconded: Councillor J. Harvey

The Public Session closed at 1.30pm.

Date

Mayor

Secretary