



**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 - 6 July 2016 - 12:30pm**

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

**Staff:** The Secretary - Edward Benevides  
The Treasurer - Tanya Iris  
The City Engineer - Patrick Cooper  
The Deputy Treasurer - Siobhan Fubler  
The Human Resource Manager - Lindell Foster

**Apologies:** Councillor Nicholas Swan

- 
- 1. Confirmation of Notice** - the Acting Secretary confirmed that the appropriate notice of the meeting and agenda was posted according to the meeting guidelines.
  - 2. Role of the Chairman** - the Mayor confirmed his role as Chairman and the Treasurer, Tanya Iris will take on the role of City Secretary as he is otherwise engaged.
  - 3. The Mayor called the meeting to order at 12:40pm.**
  - 4. Apologies** - the Acting Secretary confirmed no apologies had been received.
  - 5. Public Participation:**

There was no public participation/presentation.

**6. Correspondence:**

(i) **Letter from Jane Savage, Director for and on behalf of RBYAC Team Bermuda** - this item is on the agenda under Any Other Business and will be discussed later on in the meeting.

(ii) **Note from the Hon. Dr. E. Grant Gibbons, JP, MP** - the Mayor received the note from Dr. Gibbons on the passing of his father. It was with regret that they heard of the passing of Graham Gibbons who had been a long-time serving member not only of the Council but also as Mayor. He was certainly the longest serving Mayor in modern times. He always treated the Mayor and other Council members with the greatest respect and friendliness.

The Mayor then noted the passing of Lady Swan, the mother of Councillor Swan. He indicated that he had some cards to be signed by the Councillors, if they so choose, for both Sir John Swan and Councillor Swan. She was truly somebody who was born to the title of "Lady". She was a great individual. Councillor G. Scott asked if the rest of the Council could be associated with these remarks to which the Mayor gave an affirmative response.

**7. Minutes of the Corporation Board Meeting dated 8 June 2016**

**The Mayor commented:**

**Page 5 of 12 - Action Item (iv), 4<sup>th</sup> line:**

"This emanated from a request from Mr. **Irwin** Hendrickson..." **should read:** "...request from Mr. **Irvin** Hendrickson...."

**Proposed:** Councillor H. Ming

**Seconded:** Councillor L. Scott

The Minutes were accepted as read with the amendment.

The HR Manager joined the meeting at 12:45pm.

**8. Matters arising from Corporation Board Meeting dated 8 June 2016**

(i) **Follow-up re: Legal Confirmation from Marshall Diel & Myers** - confirmation was received - action item completed.

(ii) **Follow-up with Cox Hallett Wilkinson (CHW) re: the Consideration of a Reduction in their Legal Fees** - deferred until the Secretary joined the meeting.

(iii) **Follow-up with V. Abraham re: PR Exercise with CITV for the New Barrier System in the City Hall Car Park** - Bermuda Media is going to feature the City Hall car park barrier system in the next Building Bermuda Magazine which will be published in September 2016. V. Abraham has also connected with CITV for a 10-minute feature idea.

Bermuda Media is also producing a 2-minute City video which will feature the City Hall car park reconstruction.

(iv) **Provide a Copy of the Survey showing the Encroachments on CoH properties, Ewing Street down to Union Street** - action item completed.

(v) **Further Review of the Sponsorship Policy to be placed on the Agenda of the next Staff, Legislative & Governance Committee meeting** - action item completed.

(vi) **Provide Photograph of a Crane possibly illegally parked on Angle Street** - deferred for Councillor Edwards to provide the photos. There is a crane or hi-lift that is on Brunswick Street and parked right on the corner on a double yellow line. On Tuesday morning CoH cones were placed around it but that should not enable anyone to park on a double yellow line.

Councillor Edwards joined the meeting at 12:50pm.

Councillor Edwards was able to speak to Matters Arising item (vi). When she went to take a photograph of the crane/hi-lift, it was no longer parked there.

(vii) **Provide a Monthly Calendar of Events being held in the City for the Council Members** - action item outstanding. It was noted that this task could be assigned to one of the Event Project Manager's staff to do on a monthly basis.

**ACTION:** The Acting Secretary to follow-up with the Event Project Manager with regards to the provision of a monthly calendar of events being held in the City.

(viii) **Provide in Writing what is Required as it Relates to the Training of the Tablets** - the Mayor spoke to the Secretary in this regard and is yet to be completed.

The Mayor said that it is very demotivating to come to a meeting where Action Items have been highlighted in the Minutes and where Action Items have not taken place.

**ACTION:** The Secretary and the Recording Secretary to meet within several days of any meeting taken place to identify what the action items are so they can be identified well before the Minutes of any meeting are produced to give plenty of time for action to be undertaken.

The Secretary joined the meeting at 12:55pm.

(ix) **Follow up with the Secretary regarding Item 8(ii) - Follow-up with Cox Hallett Wilkinson (CHW) re: the Consideration of a Reduction in their Legal Fees** - the Secretary wrote the letter to Mr. Kessaram but has not received a response as yet.

**ACTION:** The Secretary to follow-up with a phone call to Cox Hallett Wilkinson regarding the consideration of a reduction of their legal fees.

(x) **Encroachments, Ewing Street down to Union Street** - Councillor L. Scott queried the status of what was happening with the encroachment on 27 Angle Street. Councillor Ming said letters were going to be forwarded to the various individuals and tailored to their specific encroachments issues.

He is aware that the property lawyer is drafting the letters. The City Engineer did supply aerials dating back to the late '40's. Adverse Possession is 60 years. There was continued dialogue.

The Mayor asked whether the property that was extended for the road was already within the ownership of the CoH or was it purchased over time. The City Engineer said the way the City was done, it was amalgamated in one big lot and sub-divided and the lots were sold off. The area where the road is was never sold off and was always delineated as a 50ft. strip.

(xi) **Resolution re: Counter Offer to the Times Group, Bermuda -Sailing to Success Publication** - the Mayor advised that the group accepted the counter offer put forward by the Council. The Secretary said the Purchase Order has been cut and V. Abraham will follow-up accordingly.

## 9. Committees and Recommendations for Review:

### a. Residents Advisory Committee - 2 June 2016

**RESOLUTION:** That the Board agree for the Secretary to write an official letter to the Bermuda Police Service (BPS) as it relates to the dumping of household garbage on the streets within the City of Hamilton (tipping). Also when a request is made to ascertain what cameras are operational, the Corporation of Hamilton should receive a more courteous response from the BPS. **(approved in Corporation Board meeting dated 8 June 2016)**

There was continued discussion regarding further dumping on top of Till's Hill. Councillor Ming submitted photographs that were taken on Monday where there were truckloads of garbage, i.e. mattresses, big screen televisions, water heaters, etc. blocking the road. As he came up Court Street to turn onto Ewing Street he had to turn down the other lane to get to his office. He commented on the lack of the cooperation of the police. There was also garbage at the bottom of the Hill (Princess and Ewing Streets). It is not just the residents, there is someone doing the dumping with a truck.

The Secretary met with Superintendent Howard of the BPS in this regard and can confirm to the Council that all of the cameras are fully functional. They are being used in a particular way that does not assist the CoH at that particular location. BPS have agreed to look at timings. They will get back to the Secretary to ascertain the timeframes given and then deal with those persons that are tipping.

Councillor Harvey suggested that Constable Dill who is responsible for Pembroke be contacted and brought into the picture regarding the tipping matter.

The Secretary confirmed that he had forwarded all of the photographs that had been submitted on to the Chief Inspector.

The Mayor said the next time something like this happens, instead of taking photographs just call The Royal Gazette (RG). There are four (4) members of this Council and a Mayor who have to be seen serving their constituents properly. With this ongoing issue, they are not being served properly. If the police are not able or willing to offer better suggestions than the CoH may have no choice but to go the media. Dialogue continued.

Councillor Harvey said that the media approach has value. This tipping has been going on it seems every week for the last 5-10 years. These persons need to be caught and put in court and let the media take it from there. The Mayor said that he is hoping through his suggestion it would actually make the police say that they do not want to be seen with their section under performing and allowing this matter to be on the front page of the RG.

Councillor Johnson said that he did not hear of any of this when the construction of Ewing Street was being done. People are doing this when they think no-one is watching, electronically or otherwise. They think they have a license to do this kind of behaviour but it is illegal and not good for the residents in that area.

Councillor L. Scott wanted clarity on what the police can or cannot do. The Secretary said that the police confirmed that they cannot change the direction of that camera for most of the day, they have operational needs for it to be looking where it is looking for a good part of the day, and at particular times of the day. He has received a commitment from them to go back to ComOps to see during what hours beyond that time seem to be the hours that this behaviour occurs. Also ascertain whether they can change the direction of the camera so that the persons can be caught and prosecuted. There was continued dialogue on the matter.

Councillor Ming commented that there is another issue in that at times some of the dumping is done by some of the residents. That area of Hamilton often sees a proliferation of transient residents who are probably not aware that the streets are a dumping ground. He suggested sending out a flyer again to all residents in North Hamilton pertaining to what is acceptable behaviour or not. Further discussion ensued.

**RESOLUTION:** That the Board approve the expenditure of \$2,500.00 for 1000 informational material magnets for the residents within the City.

This expenditure is not in the budget and once the Council approves, it will be an unbudgeted item.

**Proposed:** Property & Safety Committee

**Abstained:** 1

**Motion passed.**

**b. Infrastructure, Development & Future Committee - 15 June 2016**

**RECOMMENDATION:** That the Board approve for the Infrastructure Committee to move forward with the Memorandum of Understanding (MOU) to agree with the owners of the tent that the tent would be up for the 6-month period.

In that agreement the City would have use of the tent for their events, rent the tent and the revenue generated will pay back the installation as well as the group's expenses.

Councillor Harvey said in view of current and recent developments, he is not sure that this recommendation should be put forward. The Secretary said one of the delays is that either Customs or Spanish Town required a letter from the Ministry of Tourism and Transport. Some wording changes were suggested by either Customs or Spanish Town. The changes were completed yesterday by the Ministry of Tourism and Transport and the letter was hand delivered.

He followed up with a call with Eugene Dean who confirmed that Bermuda Forwarders would be there for when the dock opened at 1:00pm to pick up the container. He instructed Mr. Dean that if the tent was not assembled in time, the CoH would need to make the decision as to whether this event would be held in the City or not. There was some inter-departmental or inter-Ministry paperwork that the CoH was not aware of.

Councillor L. Scott commented on the recommendation and the persons that are going to start to erect the tent does not have a contract to do so.

The Mayor said that he sees no reason why the CoH could not agree to move forward with the MOU. The Secretary and the City Engineer are well aware that if the tent is not erected in time for the CoH to hold the Fashion Show there, then the CoH's interest in having the tent there for any longer period than for them to take it down is nil.

Councillor Harvey commented on the timeframe and the staging, lighting, decorating, etc. and the possibility of this event moving to the National Stadium. If the CoH is aware of this information at this moment, why entertain a MOU? He also commented on liability concerns.

The Event Project Manager is having meetings with all of the vendors to try and ascertain if there is any possibility at all and what it would take to make this event happen. Once she has that information then will be able to make a decision on whether the erection of the tent will happen. She is trying to get confirmation from each of the groups.

The lengthy discussion continued.

Councillor Tucker queried what the \$10K cost was for. The Treasurer advised that would have been the cost for the rental of the tent per day at Nationals Stadium. The CoH is covering the cost for part of the re-skinning of the tent to be used at #1 Car Park. The cost covered by the CoH is \$30K; \$15K was going to be used for the rental, \$15K coming out of the Events budget and \$60K coming out for Spanish Town's loan. Dialogue continued.

**RESOLUTION:** That the Board approve that the Event Project Manager be given the authority and leeway to assess the current events as it relates to the development of the construction of this tent ensuring that as many events for the forthcoming Fashion Festival be held in the City. Failing that the Event Project Manager should advise the Council accordingly. Subject to that an MOU should be designed, developed and signed as soon as possible.

**Proposed:** Councillor J. Harvey  
**Unanimous**

**Seconded:** Councillor G. Scott

**c. Property & Safety Committee - 16 June 2016**

**RESOLUTION:** That the Board rescind the 2014 Resolution for the Shoe Shine Proposal submitted by Mr. Kacey Hollis. It is against the CoH's Ordinance to shine shoes in the City and a Resolution would have to be put forward to set aside that condition of the Hamilton Traffic and Sidewalks Ordinance 1988.

It was noted that there have been shoe shiners within the City in previous years but the gentlemen were always on private property.

Councillor Ming suggested that the Council review all of the CoH's Ordinances and if they need to be updated, have that discussion at a later date. Dialogue continued.

Councillor Tucker commented that the CoH would be faced with the same issues as with the car washers in the City. You will have shoe shine people with a chair and polish everywhere you turn.

**Proposed:** The Property Committee

**Abstained:** Councillor R. Edwards

**Motion passed.**

**d. Staff, Legislative & Governance Committee - 21 June 2016**

There are no recommendations.

**10. Any Other Business:**

**Recommendations for Review:**

**(i) Bermuda Statutory Instrument - Hamilton Sewerage (Rating) Ordinance 2016:**

The Hamilton Sewerage Act 1917 was amended in the House of Parliament recently to allow the CoH to use a Hamilton Rating Ordinance as a basis to charge a sewerage tax. As a result of that it allows the CoH to charge 20¢ per \$100 of the ARV for those properties that are attached to the CoH's sewerage system both in and outside the City. Those properties that do not pay on an ARV basis would be negotiated, but the percentage increase would not exceed the equivalency of those paying on an ARV basis.

In the 1972 Ordinance there are certain buildings that are exempt from Municipal taxes. In this Sewerage Ordinance, there are no exceptions. Churches and charities specifically would be charged as well. With Government buildings, the charges are negotiated with the buildings that feed into the system. It has been discussed that possibly Government would legally commit to a percentage of the CoH's capital projects. Government is exempt taxes and they virtually do not pay any fees. The CoH charges approximately \$10K per month for areas that feed from Prospect. There is one charge to Government (W&E). The Berkeley Institute is charged separately.

This Ordinance did not exist before; the Hamilton Sewerage Act 1917 empowers the Municipality of Hamilton to charge a sewerage tax on those attached to its system.

The advantage of having it as Rating Ordinance is that it does not have to go through as a Positive Resolution of Parliament; would just have to through the AG's Chambers and the Minister responsible for the Municipalities. The only stipulation being asked of the AG's Chambers is not to change the substantive form of what the Council wants in the Ordinance. If the Council says there are no exceptions and they insist that there are; then there will be a challenge. The Council needs to advise the Secretary the substantive information and any specifics that they want in the Ordinance, i.e. what is being charged, who is being charged, how it is being charged and whether there are any exceptions, etc. Dialogue continued.

Councillor Harvey recommended that the churches be exempt from paying sewerage taxes.

Councilor Johnson thinks that it would not be fair for some to pay and not others especially when, e.g. the church next to his residence has functions all of the time. The Mayor stated that the majority if not all of the churches do not have an ARV. The CoH would have to have somebody go out and do a rating evaluation on them. He suggested for them to be looked at in terms of the number of toilets and kitchens, etc. that the facilities would have and have the evaluation based on that, rather than having them based on the number of rooms, etc. They are not being charged any land tax, any City rates, they have free garbage collection, sidewalks are swept and kept clean, etc. without them having to make any payment. Something as basic as sewerage, he does not think it is unreasonable that the CoH is asking them to pay a fair contribution for the CoH being able to provide that service to everyone. Government, unless they come up with a fair form of contribution to the CoH's capital development, should also be paying a fee based on the number of kitchens, toilets, etc. in their buildings.

Councillor Johnson added that most of the churches on this side of the City have nursery schools attached to them. Councillor Harvey continued the discussion regarding the reasons for making the churches exempt from paying sewerage taxes.

**RESOLUTION:** That the Board agree that the Hamilton Sewerage (Rating) Ordinance 2016 as presented be approved with the amendment that churches would be excluded from having to pay the Sewerage Ordinance.



**Proposed:** Councillor J. Harvey  
**Abstained:** Councillor C. Johnson  
**No Votes:** Councillor L. Scott and Councillor H. Ming  
**Motion passed.**

**Seconded:** Councillor R. Edwards

**RESOLUTION:** That the Board approve the Hamilton Sewerage (Rating) Ordinance 2016 with the amendment as presented.

**Proposed:** Councillor D. Tucker  
**Motion passed.**

**Seconded:** Councillor C. Johnson

(ii) **Waiving of CoH Dock Fees for RBYAC Team Bermuda** - a letter was received as part of the correspondence. Bermuda's Red Bull Youth AC team (RBYAC) has a 40' container on the docks that contains its GC32 training boat. The plan was to move this via Crisson's barge directly to Darrell's Wharf where it will be staged. They are requesting that the dock fees be waived. The Secretary clarified that this is demurrage, not dock fees.

**RESOLUTION:** That the Board approve the dock fees (demurrage) be waived for Bermuda's Red Bull Youth AC team (RBYAC) who has a 40' container on the docks that contains their GC32 training boat.

**Proposed:** Councillor C. Johnson  
**Motion passed.**

**Seconded:** Councillor J. Harvey

(iii) **Bid Recommendation - Donleigh Cottage - Demolition of Building** - under the Financial Instructions the lowest bid is taken unless there is some reason why the lowest bid cannot meet the requirements.

**RESOLUTION:** That the Board accept the lowest bid from D&J Excavating in the amount of \$16,744.00 for the demolition of building, Donleigh Cottage.

**Proposed:** Councillor J. Harvey  
**Unanimous**

**Seconded:** Councillor G. Scott

The City Engineer commented on the discussion held in the Finance Committee meeting and that a virement would be needed to do this project. A Special Finance Committee would have to be held as soon as possible to get the virement through. The CoH received \$25K insurance for the roof damage and would need to create a virement to create a cost centre for it.

(iv) **Bid Recommendation - Par-la-Ville Car Park Retaining Wall** - the lowest bidder is capable of doing the job. This company has done some sidewalk work for the CoH in the past. More recently they did the retaining wall job on South Road just before the gas station; the road going up to the Mid-Atlantic Wellness Centre. There is a budget of \$60K to do the project.

**RESOLUTION:** That the Board accept the lowest bid from Brown & Company Landscaping in the amount of \$51,035.00 for the Par-la-Ville Car Park retaining wall.

**Proposed:** Councillor J. Harvey  
**Unanimous**

**Seconded:** Councillor C. Johnson

(v) **Proposal for Front Street Wastewater Treatment Plant EI&C Upgrades** - funds have been put aside in the budget for this project (\$275K) and the contingency is built into that \$ amount. This is the replacement of the electric controls of the pumps in the Front Street wastewater treatment plant. These controls are 15 years old and are reaching the end of their useful life. This is the quote for designing new ones, getting the bids in, getting them installed and working through the entire process of getting them switched over.

**RESOLUTION:** That the Board accept the proposal for the Front Street Wastewater Treatment Plant EI&C Upgrades as presented.

**Proposed:** Councillor C. Johnson  
**Unanimous**

**Seconded:** Councillor J. Harvey

(vi) **Councillor Johnson:**

a. **Issues with the mini buses parking in taxi bays on Front Street.** The Mayor recommended that Councillor Johnson declare his interest. There are currently at least 125 mini buses on the road as opposed to last summer, there was half that amount.

b. **Private cruises and parking issues** - on Friday evening there were three (3) cruises in the City and the taxi bays from the Bank of Butterfield to Flanagan's was filled with private cars. The police did not issue any tickets. The police want the taxi drivers who double up between the Smoke Shop and A.S. Coopers to move when only two (2) taxis can have enough space to be in a spot where there should be at least six (6) or seven (7) spaces. He suggested for the Secretary to speak to the BPS on behalf of the taxi drivers. The police are there all of the time parked across the street in the parking lot and can see the behaviour that is being displayed.

There is a Taxi Drivers Association that is not recognised and does not represent all of the drivers.

The Mayor reiterated that Councillor Johnson declare his interest. Councillor Johnson declared his interest that he is a taxi driver/owner. The Mayor further commented the CoH's position on any parking enforcement. This is an issue to do with the taxi drivers, members of Parliament and possibly a change might be thought of in terms of empowering the Municipality to be able to maintain on/off street parking. This will be a subject of discussion next time with the police and a report brought back to the Council. The taxi drivers need to also assist themselves and make this an issue with a member of Parliament or anybody that they feel is in a position to assist the CoH in simply being able to manage and run the City as it should be run.

Councillor G. Scott supported Councillor Johnson in his report on the mini buses as the same issues are happening at WEDCo.

It appears that without the mini buses being recognised in law as a provider of transportation, it seems that they have a relationship with somebody who is allowing them to do whatever they want. Taxis are the recognised entity around the world. He has encouraged taxi drivers/owners to organise themselves.

The Mayor then commented on his speech regarding decriminalisation of parking.

**c. The Creation of a Center Lane going Westbound from the Supermart to King Street** - the Mayor noted that this matter was discussed in the Infrastructure Committee meeting and is recorded in those minutes. Unfortunately the lane cannot be created because of the width of the road in the area mentioned.

**d. Pedestrian Crossing on 61 Dundonald Street near Heritage Worship Centre** - Bermuda Import and Export trucks block the view of any oncoming eastbound and westbound traffic of pedestrians until they are right out in the middle of the street. This was also discussed in the Infrastructure Committee meeting and it is a scheduling issue. There are other jobs ongoing and once they are completed, will move on to this issue.

(vii) **Councillor Edwards:**

**a. Pedestrian Crossing - Church Street outside of Ford Motors** - the crossing is blocked by a tree on the sidewalk creating an obstruction in front of the crossing.

**b. Pedestrian Crossing outside Tools and Equipment** - when the speedbump was placed there, the other pedestrian crossing was not removed and it is creating a problem. People are still using the old pedestrian crossing. The Mayor commented that it was poorly painted over and the paint keeps on peeling off. It will probably have to be grinded out. He suggested using a movable metal barrier to make people use the correct pedestrian crossing.

Councillor L. Scott commented that taking an individual approach with regards to all of the issues on a number of pedestrian crossings will be difficult. Dialogue continued on raising speedbumps and slowing traffic down. Councillor Edwards suggested advising the Road & Safety Council about these issues as well.

Councillor Harvey left the meeting at 2:25pm.

The Mayor has arranged to have a walkabout with the Minister scheduled for tomorrow and hopefully will have the chance to look at these situations. He wants to prove to the Minister that there is within the CoH a particularly good engineering department that go through and study in minutia all the various points. They come to the Council on an annual basis giving what needs to be done with various assets of the CoH. A lot of care and time is actually done in this process. Even if the CoH wins the \$18M guarantee case, there has been so much that has been put aside over the last 10 years or so.

The CoH's revenue stream is being ripped apart and there is so much to do to bring the City up to the standard that the City had for so many years. There was continued dialogue.

(viii) **Councillor Ming:**

**e. Land Swap - #5 Brooklyn Lane** - the areas of land being swapped are virtually identical, no funds exchanged and each party to pay for their own legal fees and the conveyancing to be split equally. The CoH is constructing a sidewalk and the proposal is to swap a portion of property with an equal portion back to the owners.

**RESOLUTION:** That the Board approve the subdivision of land at #5 Brooklyn Lane as detailed on the subdivision plan drafted by Q Ship dated April 2016.

**Proposed:** Councilor C. Johnson  
**Unanimous**

**Seconded:** Councillor R. Edwards

**a. Land Swap - #20 Laffan Street** - the areas of land being swapped are virtually identical, no funds exchanged and each party to pay for their own legal fees and the conveyancing to be split equally. Property is on the corner where the roundabout is. This will enable the CoH to finish the roundabout and give some semblance of order to both properties as well as the acquisition of free-flow of pedestrian traffic.

The Secretary reminded the Council that they approved the technical team to move forward with the negotiations and this is the result of that Resolution. Now this can proceed to the Minister as it may not have to go to Parliament depending on the AG Chambers. This is a boundary move.

**RESOLUTION:** That the Board approve the subdivision of land at #20 Laffan Street as detailed on the subdivision plan drafted by Q Ship dated May 2016.

**Proposed:** Councillor C. Johnson  
**Unanimous**

**Seconded:** Councillor R. Edwards

(ix) **Councillor Edwards:**

**a. Sidewalk on Union Street** - a resident, Marilyn Cameron, telephoned again about the sidewalk that is outside of the lodge on Union Street. In 2013 she tripped on the sidewalk which resulted in her having to have surgery. She has to go and have hip surgery again and the sidewalk has to date not been fixed. The tree is uprooting from the sidewalk and there was also an issue with bees in that area. The Secretary said if this involves a trip and fall, a formal claim would have been sent to Argus Insurance to deal with. The issue of the sidewalk was raised previously by Councillor G. Scott but was deferred because of the lack of funds.

There is the same issue outside the clinic across from the People's Pharmacy as well as the sidewalk outside of the Ex-Artillery on Victoria Street.

The more mature trees have, because of the way they were installed many years ago, nowhere for the roots to go and are pushing through the surface.

**ACTION:** The City Engineer to check the work schedule as it relates to the repair of the sidewalk outside of the lodge on Union Street.

**ACTION:** The City Engineer to look at addressing the issues with trees pushing through to the sidewalks within the City.

**11. Motion to Move to Restricted Session**

**Proposed:** Councillor L. Scott

**Seconded:** Councillor H. Ming

The Public Session adjourned at 2:40pm.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Secretary