



**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.

City Hall, Hamilton  
Property & Safety Committee  
15 November 2016  
2:00pm

**Present:** Councillor Henry Ming (Chair)  
Rt. Wor. Charles R. Gosling, JP  
Councillor RoseAnn Edwards  
Councillor George Scott, JP

**Staff:** Secretary - Ed Benevides  
City Engineer - Patrick Cooper

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**1. Confirmation of Notice:**

The Secretary confirmed that the appropriate notice and agenda were posted as per the meeting guide requirements.

**2. Role of the Chairman:**

Councillor Ming was acknowledged as Chairman.

**3. Open Meeting:**

Councillor Ming opened the meeting at 2:00pm.

**4. Apologies:**

The Secretary confirmed that no apologies were received.

**5. Public Participation/Presentation:**

There is no public participation/presentation.

**6. Correspondence:**

Councillor Ming referred to the correspondence from Mr. Irvin Hendrickson in relation to the encroachment onto the CoH's property.

The City Engineer said that with all of the other encroachment issues currently showing on this stretch, he believes that they should be addressed first before continuing on with this matter any further. The CoH may decide once they have sorted through all of the encroachment issues, to sell the piece of property in question. Councillor Ming endorsed this approach and asked that a response be sent to Mr. Hendrickson regarding his request explaining that the encroachment issue is a work in progress and until such time, the CoH's decision is in abeyance.

**ACTION:** The City Engineer to write to Mr. Irvin Hendrickson regarding the encroachment issue with his property.

7. **Minutes of Previous Property & Safety Committee Meeting dated 20 October 2016**

**Proposed:** Councillor R. Edwards

**Seconded:** Councillor G. Scott

The Minutes were accepted as read.

8. **Matters arising from the Previous Committee Meeting dated 20 October 2016:**

(i) **Suggested wording for the new lease for the Chamber of Commerce** - the Secretary advised that the Chamber had requested a special meeting with him to discuss the lease. He will put together the results of that discussion and forward it to the committee for their feedback. The Secretary mentioned that the Chamber is hoping the CoH will change its mind as it relates to the lease and reach a resolution as soon as possible. There has been a delay due to the lack of legal resource but the Secretary said he is hoping that a result can be reached without this. A rent increase had been approved by the committee a year ago. The City Engineer said that the rent was tied in the old lease to a CPI index and he believes the Treasurer has applied this.

**ACTION:** The Secretary to forward to the Property Committee for their feedback a note of his discussion held with the Chamber of Commerce regarding their lease.

(ii) **Donleigh Cottage** - the Secretary had scanned and forwarded to the committee the request received for the area formerly known as Donleigh Cottage. The Council has already agreed that this matter should go to RFP.

**ACTION:** The Secretary to respond to the requestor regarding their proposal for the property at the former Donleigh Cottage site.

9. **Status Update:**

(i) **Events:**

- **New Year's Eve event** - the CoH has not yet received confirmation that the Imperial Group/Spanish Town have funding for the event. Confirmation should be received by the end of the week. Reminders have been sent to the organisers and the Secretary has had a conversation with Mr. Dean who was supposed to get back to him. Councillor Edwards said she is involved in the process but she has not been able to attend all of the relevant meetings.

**ACTION:** Councillor Edwards will follow-up with the Emperial Group/Spanish Town regarding the status of the funding for the New Year's Eve event.

Councillor Ming said he is concerned because time is of the essence and the CoH has received no firm confirmation that the event will be going ahead.

The Finance Committee has given a deadline regarding the necessary funding/sponsorship for the event before the CoH will commit. It was agreed that the Secretary would forward the Finance Committee's recommendation on to Councillor Edwards who will then be in a position to follow-up regarding the issue of funding.

The Secretary mentioned that the Police are also waiting for confirmation on whether the event will go ahead. They advised the Secretary that they will not be providing security. Councillor Ming suggested that the lack of police security should not be mentioned at this stage and it would be more appropriate to ask the Emperial Group whether they have talked to the Police. Councillor Edwards said she knows that the Police are aware of the proposed event but would have to find out whether the Police would normally give notice in writing if they are not providing security at a City event.

**ACTION:** The Secretary to provide Councillor Edwards with a copy of the recommendation sent to Eugene Dean from the Finance Committee so that Councillor Edwards can follow-up on this matter and confirm the Police's stance regarding security.

The Mayor said he felt that Mr. Dean does not quite understand the importance of the deadline and he has asked the Secretary to have a further conversation with him again to emphasise. When a postmortem was held in January 2016 on the 2015 New Year's Eve event, it had been unanimously agreed that no future events should be arranged 'last minute'. Councillor Edwards asked what portion of the event is being sponsored by the CoH. The Mayor said that as far as he is aware the CoH is sponsoring the fireworks. Councillor Edwards said her understanding is that fireworks were not going to take place because of the area. The Mayor said that the last he heard, which he thought was discussed in one of the committee meetings, was that the fireworks would be launched from Bernard Park. The Secretary said that there are other conditions that would have to be imposed i.e. no traffic, which is not insurmountable if the Government agrees to block off Dutton Avenue, then the fireworks display might be feasible. There are other commitments to the funding that must be factored in such as the provision of barriers and security - whether it is provided by the Police or not is a significant expense. If any alcohol is being served, then security must be provided pro-rata to the number of people attending. The law states that members of the public are not permitted to consume alcohol in public in Bermuda without a license.

#### 10. Recommendations for Review:

(i) **Previous Meeting Recommendations** - the Secretary confirmed that the recommendations outlined in the previous minutes had all been approved by the Council but not by the Minister as yet so these have currently not been acted on. All the Resolutions passed in the November Board meeting, along with the budget, are pending.

(ii)**Grading of City Hall** - Councillor Edwards said she was unclear about the recommendation to revise the current listing for City Hall from Grade 1 to Grade 2. Councillor Ming explained that currently the Members all thought that City Hall was listed as Grade 2 but a recent publication advised it is listed as Grade 1. He went on to explain that Grade 1 is the highest listing which allows little to no change to the exterior whatsoever. Grade 2 means that the CoH can make additions which are complimentary to the building. So the CoH is asking that the grading be revised to a Grade 2 listing. The final decision rests with Government.

(iii)**Beacon House**- the Mayor talked about the recommendation in relation to Beacon House and said since the last committee meeting he ran into Mr. Gibbons from the Diabetes Association who was saying that their attempt to purchase the Trott & Duncan property did not work out. Councillor Ming said he thought the Diabetes Association had been attempting to purchase the property belonging to the Hill family located behind Goslings on the corner of Dundonald and Princess Streets.

Councillor Edwards asked whether the proposal to turn one of the parking bays at Beacon House into disabled parking had been actioned. The City Engineer said he would have to investigate.

**ACTION:** The City Engineer to confirm whether one of the parking bays at Beacon House has been designated for disabled parking.

(iv) **Recognition of Mr George Trott** -

**RECOMMENDATION:** That the Board approve some recognition be given to Mr. George Trott for the work that he has done on the chandeliers in the City Hall foyer.

Councillor Ming asked what kind of recognition has been suggested, e.g. a plaque. Councillor Edwards suggested meeting with the family in this regard. The Mayor felt it would certainly be appropriate to recognise Mr. Trott and to also ensure that all the information the CoH has on the gentleman is correct. A plaque in the foyer with some information on Mr. Trott and the chandeliers would be sufficient. He suggested that any wording used for the plaque should be sent as a draft to the family for their confirmation of accuracy. The City Engineer said that in the past the CoH has mostly used bronze plaques. The committee agreed that this would be appropriate using an approximately 8.5" x 11" size. Councillor Ming also added that Mr. Trott had worked on the ballustrades as well as the chandeliers and also the relief work in the ceiling.

The Mayor suggested the CoH obtain details such as Mr. Trott's full name, date of birth, when he died and the work that he did within City Hall and any other supplementary information. Then review whether this information will fit appropriately onto a piece of letter size paper and then depending on the amount of text, decide whether it will need to be expanded upon or edited. It was also agreed by the committee that the plaque should be placed on the second level of the foyer as it would not be so prominent on the lower level.

**ACTION:** Councillor Ming to provide the City Engineer with appropriate wording for the plaque to recognise Mr George Trott's craftsmanship. He will provide the wording within a week of this meeting.

## 11. Any Other Business

(i) **City Hall Front Desk:** the project has been signed off with a contractor and the City Engineer confirmed that he is working right now to get the last bits of the building permit together. It is hoped that the work will start in December. The architect is still working with the contractor and still waiting on a start date. The work will cause disruption in the reception area and the front desk will have to be relocated temporarily for a few weeks while the work goes on. The eventual changes to the front desk will include a full panel and the creation of a new meeting room which will allow for improved security and people will no longer be able to walk through the main office area in order to attend a meeting. The layout will be similar to the Department of Planning. A swipe card will be required to gain access to the main office which will stop persons wandering through the office and causing potential security issues.

(ii) **City Hall Tower** - the City Engineer has had the railing for some time and over time inclement weather has pushed it off. The project was to mend the railing this week but high winds are expected again throughout this week and so the work has been pushed back again.

(iii) **City Hall Downstairs Bathroom** - the source of the blockage has now been identified and it will entail digging up the concrete floor to get to the blockage. It is hoped the work will be done prior to the Bermuda Festival but the Earl Cameron Theatre is fully booked right through the Festival with no gaps in their schedule. The City Engineer is aware of the urgency of the work but the extent of the blockage and the timeframe for the work to be done will not be known until the floor has been dug up.

(iv) **Air Conditioning at the Works Depot** - the new unit has been ordered.

(v) **Sixty-Six Serpentine Road (formerly Donleigh Cottage)** - the work is now complete, the site has been levelled and secured with barricades around the excavation area. It was also confirmed that the cycle park is open again. The City Engineer said he has been working on the RFP for the site and he is waiting on the Minister's sign-off.

**ACTION:** The City Engineer to provide the committee with a copy of the draft RFP for the 66 Serpentine Road site for their comments.

The City Engineer went on to say he does not have a current topographical survey of the area. If the CoH is planning on receiving complicated or serious proposals then it might be beneficial to procure a topographical survey as part of the RFP package which would allow people to submit serious proposals. The survey would cost approximately \$2,000-\$3,000 but would provide prospective applicants with all the information they need to submit a quality application.

**RECOMMENDATION:** That the Board authorise the City Engineer to procure a topographical survey of the site at 66 Serpentine Road (formerly Donleigh Cottage) so this information can be included in the RFP.

(vi) **Barr's Bay Park Building** - at the end of October the Yacht Club finished their short-term lease and handed the building back to CoH, therefore it is now empty. There had been a previous interested party but when the CoH sought to secure additional financial information from them, they had fallen off the radar. The City Engineer said last week this party opened dialogue with him again via email and they have confirmed that they now have all the relevant financial information. The City Engineer therefore wondered whether the committee would like to continue with the negotiations with this party or whether the process should start again from scratch. The City Engineer proposed that he invite the interested party to the next committee meeting so the Members can ask any relevant questions. The Secretary asked the City Engineer to check with him regarding the schedule for the December meeting as some meetings may need to be moved due to the Christmas holidays.

**ACTION:** The City Engineer to invite the party who is interested in leasing the building at Barr's Bay Park to attend the next Property & Safety Committee meeting in December.

(vii) **Fenchurch** - the City Engineer said he has started working on getting plans together for bringing Fenchurch up to code. He had to scale the architect back who had provided a cost proposal of \$250K and they were looking to put in \$3M worth of work into the place. It was explained to the architects that the building is under rent control and therefore their proposal does not suit the CoH's budget. The work has been scaled right back to just bringing the electrical, plumbing, windows and doors up to code. The power supply for the building also needs to be sorted out.

The Mayor left the meeting at 2:23pm.

(viii) **No. 1 Car Park and the Tent with Emperial Group** - the City Engineer said he is starting to get a planning application together to be submitted to Planning. This application will not include the Emperial Group and will be submitted solely for the CoH to apply to install a tent and foundations, etc. on No. 1 Car Park. This will enable the CoH to have control over the work and ensure it is done properly. This will be a generic application and it will be based on the sizing specification of the tent proposed by the Emperial Group which is 150ft.

(ix) **Pier 6 Lease** - negotiations have been continuing with Class Act Designs for Pier 6 and a final draft of the lease was given to them this week. They have now submitted this to their lawyers for review prior to signing. Class Act Designs also desires to install a tent structure on the patio of No. 6. They have provided the CoH with a proposed design which the City Engineer had already shared with Councillor Ming and the Secretary. It is a lower height tent than the one that was there previously but it does occupy the same footprint. It will have connections into the structure and it has been made clear to Class Act Designs that the CoH is not going to entertain any tents, etc. until the lease has been signed. There is a mechanism within the lease for the request to modify buildings. Class Act Designs has emphasised the need for an expanded event space. The City Engineer has highlighted all of the pitfalls and regulations associated with the structure so that all the necessary planning applications, approvals, fire, safety, etc. will be dealt with prior to any tent being purchased or erected, etc.

(x) **Encroachments on Ewing Street** - this matter is still with the lawyers and is an issue that the City Engineer is trying to resolve. They are so close to completion that it does not make sense pulling them from the lawyer. The City Engineer needs to get them out one at a time from the lawyer. The most important one is for the Hog Penny who is desirous to build an extension to their building onto the sidewalk as part of their alfresco. The lease just needs its final sign-off.

(xi) **Bulli Social Alfresco Dining Request** -the City Engineer received an email from Bulli Social requesting alfresco dining on Queen Street. The committee was asked their opinion on alfresco dining on the City street. The Secretary said both Councils have been very pro alfresco because it increases the vibrancy of the City. Councillor Ming said that perhaps there should be a policy that states where the CoH does not want to see alfresco dining. The City Engineer said the CoH effectively already has this in place because each application is reviewed on its own merit. In the past some applications have been refused due to their location. The City Engineer said personally he is not keen on the idea of alfresco dining outside Bulli Social because of the limited amount of space available directly outside the building.

**ACTION:** The City Engineer to forward to the Committee the request from Bulli Social for alfresco dining.

Bulli Social also wishes to use the cobbled stone area inside Queen Elizabeth Park (QEP) for Friday Happy Hour. The CoH had a similar arrangement with the Lemon Tree who paid a standing fee. They were not charged the full park rental fee but instead they were charged a flat rate because otherwise there would not be a financial gain on using the space for such a limited amount of time. Also, it would not cost the CoH anything because they would not have to provide any labour, advertisements or security, etc. The City Engineer could not recall the amount previously charged to the Lemon Tree but Bulli Social is offering to pay a flat rate of \$150 for the use of the cobbled stone area for each Friday night for the Happy Hour period (normally 6pm to closing time). The committee agreed in principle but felt that the fee may be too low and that this should be reviewed.

**RECOMMENDATION:** That the Board approve in principle for Bulli Social to use the cobbled area behind their property in Queen Elizabeth Park for Friday Night Happy Hour. The appropriate fee to be finalised by the Finance Committee.

(xii) **City Arts Festival Installations** - Councillor Edwards raised the issue of the walls of the bathrooms on Union Street and the fact that they were not being (artistically) painted because they had not been plastered. She could not understand why this was not being addressed. The Secretary said that the artist made the decision not to do a mural on the wall because of the conditions of it. The artist was given the option of doing the painting in another location but they declined and indicated that they would make a submission next year. The event has now been completed with the culmination of the Arts Festival to be held on 19 November 2016. Councillor Edwards said she was concerned that whenever work is due on the north east side of Hamilton there always appears to be some sort of conflict. Apparently, the paintings have been budgeted for and the Councillor said she had visited the bathrooms and could see no reason why the paintings could not be done. Her wish is to have a mural painted on the two (2) walls on the western side.

The Secretary said he would follow up on this issue and get all the relevant information and report back to the Committee at the next meeting.

**ACTION:** The Recording Secretary to ensure that the matter relating to the mural painting on the walls of the Union Street bathrooms is on the December Property & Safety Committee Meeting agenda.

Councillor Ming received a call from the owner of a property in Washington Lane. The property in question is private property and had been painted on as part of the City Arts Festival. The artist had not consulted the property owner. The City Engineer said the painting had only partially been completed and unfortunately he had played no part in the City Arts Festival or in the decision-making process about which sites should be used. Councillor Ming said he felt the CoH should respond appropriately to the property owner and seek some sort of resolution in terms of reinstatement.

**ACTION:** The Secretary/City Engineer to investigate and resolve the matter of the wall that was painted on in Washington Lane without the owner's consent.

Councillor Edwards then commented on the mural on the wall next to the taxi stand outside City Hall which gives the impression that it is unfinished because the walls on either side of the painting are unpainted concrete. The City Engineer said it is a plastered wall with no paint. In the past the CoH was looking to put a mural along there and the artist wanted the wall smooth. He is hopeful that in successive art events in the future the wall will be filled in with different pieces along there. Approval had been given to have a mosaic placed along the entire length of the wall by various schools but that project did not go ahead as planned. He said the wall had been prepared some time ago for the mosaic but unfortunately as time has passed cracks have appeared and mold has formed. He went on to say that the same will happen over time with the section of the wall that has been artistically painted and all the wall murals in the City are very temporary and do not have a life span past five (5) years because they are exposed to soot and dirt, etc. Mold will grow and the walls will have to be power washed. The paint will eventually flake off and then a new painting would have to be done.

Councillor Edwards asked whether the section of the walls on either side of the mural could be painted because as it is, the unpainted walls do not compliment the artwork. The Secretary said there is no money in the budget to do this at the moment and the idea is to leave the wall blank for future art festivals. There was continued dialogue.

Councillor Edwards was not satisfied with the discussion and said the wall needs to be maintained with a coat of paint. The City Engineer said he could certainly look to power wash the wall but he did not want to get into painting it; it could possibly be cement washed. He said that the wall is screaming out for some sort of a mosaic and asked that the committee leave the matter with him for a while. The Parks Superintendent who did all of the mosaic planters in the City could possibly use that theme along the wall using the CoH's staff. These would then require little maintenance in the future and would not require painting.

**ACTION:** The City Engineer to consider placing mosaics on the wall alongside the taxi stand outside City Hall.

The City Engineer added that his maintenance requirements for the whole City grows every year and he does not have additional funds; he has a reduced staff and budgets. He struggles to get everything maintained in the City. He will always push back on adding maintenance items to that work list. Everything that is built is built with as little maintenance requirements as possible. There are only two (2) painters in the organisation and 20 buildings.

**12. Motion to Move to a Restricted Session**

**Proposed:** Councillor G. Scott

**Seconded:** Councillor H. Ming

The Public Session closed at 3.05pm.