



**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  
20 October 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  
Event Project Manager - Danilee Trott

- 
- 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:**  
  
There is no correspondence.
  - 7. Minutes of Previous Property & Safety Committee Meeting dated 22 September 2016**

**Proposed:** Councillor G. Scott

**Seconded:** Councillor R. Edwards

The Minutes were accepted as read.

**8. Matters arising from the Previous Committee Meeting dated 22 September 2016:**

(i) **Suggested wording for the new lease for the Chamber of Commerce (CoC) to be provided for the next Property & Safety Committee meeting** – the lease is expired and is on a rollover basis from month to month. The Secretary circulated the expected changes to the Executive team for comments. The changes would include the option to renew and putting in a small clause based on discussions held prior.

**ACTION:** The Secretary to forward the portion of the Chamber of Commerce lease that is being re-written.

(ii) **Forward an invite to Councillor Edwards for the City Arts Festival** – because of the rain date, the event has been postponed to 19<sup>th</sup> November 2016.

(iii) **Negotiate or ascertain what costs are involved in terms of a sale of the property regarding the expansion of Beacon House, what they are willing to accept and willing to pay** – the City Engineer spoke with the President of the Society of the Blind, Dr. Amanda Marshall who advised that they will not be going ahead with the expansion as planned due to the Bermuda Diabetes Association moving out of their building. She did indicate that they were still looking to perhaps expand their multi-purpose room by the patio on the southwestern side of the building. They want to expand that south which will imping upon a palm tree with a circular sidewalk. They also want to come across the boundary and look to purchase or get a piece of land there. In speaking with certain members of her Society and other people in the area, she seemed to think that there was a historical recollection that the CoH had intended on doing certain things with the property in relation to the Society of the Blind. They have no written record of these and the City Engineer has asked the Executive Assistant, Zoe Mulholland to look through all of the old minute books in the era to see if there was anything documented or any discussions on the intentions at the time.

In 1979 the CoH bought a piece of property from the English Speaking Union and used part of that land to put Dundonald Street through eastwards towards Brunswick Street. What was left over is what was used to create Cedars Garden to the east of Beacon House. Dr. Marshall also indicated that they would still be interested in getting use of the area where the Cedars Garden is. They would not use it for expansion but for parking as they have a need for five (5) parking spaces and whether or not the CoH would be interested in parting with that piece of land and turning it partially into parking. There is still the issue of the garage which straddles the CoH's boundary which needs to be cleaned up.

The City Engineer commented that he prefers green space to parking and there is ample parking in the area. The CoH will hold off on any decisions until they come back with a more refined plan. There is the concensus that the committee members are not amicable to giving property away for parking.

(iv) **Thoroughly review the documentation as it relates to the Terms and Conditions of the Rental/Usage of City Hall Grounds and to bring any feedback for discussion to the next Property & Safety Committee meeting** - the changes to the document was circulated to the members. This relates to the City Hall grounds and the front steps. The City Hall foyer is an entirely different rental. The notable changes are the addition of technical packages. The Mayor is frequently asked to speak or be present at these events and he was not pleased with the standard or quality that was being executed by the organisers. While there would not be fee to use the steps, the organiser would be required to purchase a technical package, i.e. run the sound system and ensure that it is set-up on time, etc. The Mayor was also concerned with the lack of attendance to these events on the steps by both the general public and media presence. With the amended application form, there is a checklist whereby the organiser has to come back to the Events Department and have confirmed what media will be in attendance and how they intend to market the event. The CoH still does not manage the event but the CoH is putting steps in place so that events are of a higher quality. This is a major change and it will be monitored on how it works for the first few uses and if need be, will amend accordingly.

**RECOMMENDATION:** That the Board approve the amendments to the Rental/Usage of City Hall Grounds application inclusive of the technical packages.

**Proposed:** Councillor G. Scott  
**Unanimous**

**Seconded:** Councillor R. Edwards

(v) **Check with Tamara Bradshaw regarding invites to the Council for the City Arts Festival** - the invites for the new date of 19 November 2016 have gone out.

(vi) **Provide a monthly calendar of events for the Council** - the Council did receive the Calendar for October. The calendar is currently being updated with event changes due to Hurricane Nicole.

## 9. Status Update:

### (i) Events:

- **City Arts Festival** - new date is 19 November 2016.
- **Lighting of the Tree** - being held on 25 November 2016.
- **Late Night Shopping Events** - commences 2 December 2016. There are four (4) Fridays in December this year. The CoH is partnering with BEDC. Also received an email from Ms. Vicki Abraham who is currently working at America's Cup. They would also like to partner with the CoH to see if they can be involved in helping to market "**Christmas in the City**". Her role at America's Cup is to bridge the gap between the existing perception by Bermudians and the community in general. She has been tasked with trying to do more partnerships with major organisations and events.

Councillor Edwards commented on the art installations on the bathroom walls on Union Street and the walls on Till's Hill. The Event Project Manager had reported that the bathroom walls were not suitable for paint so the applicant had pulled their proposal back. The applicant was offered another location but decided to put the proposal towards next year's installations. He was not able to pull the community together to execute that particular piece.

The art that was allocated for the Till's Hill wall, everyone that the CoH tried to get to do it, said that it was too large of a project and especially for the budget that the CoH had. It will probably have to be project in itself with its own budget. The piece that was supposed to go there is on the bathroom walls at Victoria Park.

Councillor Ming suggested partnering with the art galleries upstairs and maybe get them to perhaps assist with ideas before going out to RFP for the space on Till's Hill if that is the way the Events Department may be inclined to go. He further commented on a large piece of art work that he saw in Lucerne where something similarly could be done on the walls of Till's Hill; a piece of art that would draw people to that area and be a piece of art really worth seeing.

There was continued discussion regarding different suggestions for the art work on the walls of Till's Hill, e.g. different groups doing a panel similar to the art work that was done at the General Post Office.

The City Engineer commented that if this is something that the CoH wants to do going forward, it needs to be done right and permanently, i.e. no plywood. Would almost need to create picture frames on a flat surface whether it is fiberglass, etc. He would not recommend painting on the block work because it will get very messy and flake off. Further dialogue continued.

The Event Project Manager commented on an art submission that was received that involved digital photography printed on metal. One thought was to select a series of photos and have them mounted on the wall.

The Secretary suggested that because that area is a more historical part of the Island, a series of photos depicting a "through the era" could be done.

The City Engineer said that this could be looked at for the next Arts Festival, creating a budget, creating a committee to select photographs and designing something proper that will last for a long time and be considered good public art and not temporary public art.

The Secretary commented on the requirement in the Planning Act for public art for Corporations that build certain square footages. This is the type of project that would lend itself as a partnership that would work quite well for both the Arts Festival and the aims of meeting their requirements with Planning. The City Engineer suggested at the next Futures Committee meeting, this is one of the things that Planning wanted to know of where they could direct funds from this public art piece with planning applications. This could be highlighted as to where the CoH would want funds to be allocated. There was continued discussion.

#### **10. Recommendations for Review:**

**RECOMMENDATION:** Request from the Bermuda Diabetes Association (BDA) and the Bermuda Society for the Blind (BSFB) re: Transfer of ownership from the CoH for the immediate surrounding extents of the land at Beacon House (for expansion of the Beacon House).

This matter was discussed under Matters Arising, Item 8(iii).

**RECOMMENDATION:** Proposed revisions to the Rental Agreement for events on the steps of City Hall. **The Event Project Manager has completed the outline and is waiting for John Waddell to put together four (4) turnkey packages.)**

This matter was discussed under Matters Arising, Item 8(iv).

**RECOMMENDATION:** Planning Application PO442/11, Horseshoe Trust, 73 Reid Street. **(Approved - no objections from the Property & Safety Committee)** - this application has gone back to the Department of Planning.

Councillor G. Scott introduced Samuel D. Roberts, Commissioner, Office of Temporary and Disability Assistance, State of New York who works along with Governor Cuomo. He also introduced others who were visiting from off the cruise ship, Norwegian Cruise Line from New York City. Mr. Roberts commended the great job Bermuda has done in the handling of the aftermath of Hurricane Nicole.

Councillor Ming welcomed them.

## 11. Any Other Business

(i) **Update - request from BEDC re: Vendor Village** - this item was discussed in the Finance Committee and it was approved to move ahead with the partnership. The CoH and the Events team will be working along with them throughout the Christmas season.

(ii) **Possible Undergrounding of Canal Road - CoH Permission Letter** - Belco has requested the use of part of the CoH's storage yard property on Canal Road right up by the canal. They have already opened up the fence and are putting in a transformer there. This is part of the ongoing removal of overhead lines and they need this transformer to be able to accommodate this work. It also clears up the sidewalk of a couple of poles and tidies up that last section of Canal Road. This would come under the current Wayleave Agreement with Belco.

(iii) **Donleigh Cottage** - is demolished and expect within the next week to have that site flattened. It's is going to be barricaded off until the CoH can determine what to do with the site. The Secretary has received an application to put in some parking there. There are businesses nearby that would like to take advantage of that and lease an area so that they might be able to park their vehicles while the CoH decides. If the CoH leases the area, the businesses could provide their own enforcement. The cost for surfacing would be at their cost and can be included in the lease.

The hope is that the CoH would do something else other than turning it into car parking. The preference would be more green space and include some car parking. To just leave it as a bare lot or turn it into car parking would not be in the best interest of the City especially when the CoH is asking others to beautify the City.

**ACTION:** The Secretary to scan and forward to the committee the request received for the area formerly known as Donleigh Cottage.

The City Engineer said if the CoH's is going to lease that property, it should go out to RFP rather than taking the first request that is received.

He suggested that if leasing the property for parking to lease it for commercial parking and not for private car parking unless the CoH is going to lease out the property. The commercial parking would assist the businesses there.

The Mayor commented that the CoH could say that they have a piece of property and find out if there is an interest to develop. It could be as minimal as parking for a company or as large as turning it into a six (6) story building with a 50-year lease on it. This matter has been in discussion for a number of years. If the CoH wants to be efficient it should be looking at both lots.

Councillor G. Scott advised that the former Council did have plans for those two (2) lots.

**RECOMMENDATION:** That the Board approve for an RFP to run for an extended period through Christmas for the development of the property at 66 Serpentine Road - formerly Donleigh Cottage.

**Proposed:** Councillor G. Scott  
**Unanimous**

**Seconded:** Councillor R. Edwards

The City Engineer suggested that the tender be put out for an extended period of time to allow interested persons to do some research. The time period should be for two (2) months which would take it through Christmas. The Mayor agreed and then suggested that the secondary headline in the advertisement should be that this RFP is for an extended period of time and indicate the reason why it is being extended.

The RFP is for proposals for renting the land from the CoH with a description of what the land is going to be used for, indications of rental compensation, indications of terms of how long the property is needed or wanted for.

(iv) **Air Condition - Works Depot** - the replacement of the air conditioning is being pushed up into this year as it got damaged in the hurricane. It also did a bit of roof damage on the new membrane that was put down.

(v) **Sub-Divisions** - the Department of Planning approved the sub-division for the Butterfield & Vallis site. This has not been executed as yet because it is still with Government and waiting to get approved by the Legislature for doing that land swap. The land swap for 20 Laffan Street went in at the same time but has not been approved yet.

(vi) **Fenchurch** - this is the 5-rental unit property right opposite the Works Depot building. One of the tenants has moved out and the CoH is going to take this opportunity to fix up that apartment. The CoH is going to bring the electrics and plumbing up to code and then move tenants into that upgraded property, fix up the next unit and keep doing that process until the entire property is upgraded and up to code. The rents will be increased as the units get upgraded.

(vii) **City Hall Reception Area** - a virement has been secured to do the reception area. The CoH is using Byland Construction and the architect is just updating the plans with Planning and the contracts with the contractor.

Looking to commence the work around the beginning of December, the dates still have to be confirmed. The period of time for construction is approximately three (3) weeks.

(viii) **City Hall Tower Railing** - the new railing is down at the Works Depot and is ready to be installed. When the weather calms down a bit the new railing will be installed.

(ix) **Two (2) Cedar Doors - City Hall** - are being finished and a great job is being done on the doors.

(x) **Lawyer Issues** - the CoH has been exclusively using Appleby for all their property legal work. Through staff leaving, they have lost all of their capacity to do the work and there are at least seven (7) outstanding matters, e.g. all the land encroachments up on Ewing Street, the sub-divisions, the Chamber of Commerce lease, Al Fresco Dining leases, etc. The Secretary asked Councillor L. Scott for some ideas as to what legal could be used in this regard. One of the firms contacted him yesterday and is willing to quote a rate for the work. The leases are the critical items, the encroachment letters can wait.

(xi) **Update - Alfresco** - still waiting for the Docksider lease to come from the lawyer. The lease for the Beach has been renewed. Just found out that Nonna's Kitchen has been sold so the CoH is dealing with the new tenant there in terms of the alfresco.

(xii) **Olympic Wall outside the front of City Hall** - one issue that has come up is that City Hall Has been listed as a Grade 1 building. All of the correspondence that has been agreed upon states that is a Grade 2. The issue is that the care in which the CoH has to look after this building and what could be done to change it going forward is up another level of onerous. The City Engineer does not think that it should be a Grade 1 listed building as all the windows are aluminum and PVC. There are metal doors on the exterior, they are not the original. As a Grade 1 listed building, they should all be turned back to the original state but that is not reasonable for what this building is being used for. An option is that the CoH could make application to have it listed as a Grade 2. Lengthy discussion continued.

The guests thanked the committee for allowing them to join their meeting and left the meeting.

The major issues would be the windows, doors, all of the electrical appliances and things attached to the tower.

**RECOMMENDATION:** That the Board approve the current listing for City Hall, Grade 1 to be revised to Grade 2.

**Proposed:** Property & Safety Committee  
**Unanimous**

Councillor Edwards commented on the chandeliers in the foyer that were done by Mr. George Trott. She suggested that names should be put on the works of craftsmanship. The Mayor said that the chandeliers are on a set of pulleys so they can be raised and lowered. He said it would be nice to have them lowered for a while so that the public would be able to appreciate the craftsmanship. A smaller version was done and is hanging outside the theatre. Mr. Trott also did the decorative panels on the ceiling.

**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.

**Proposed:** Councillor R. Edwards

**Seconded:** Mayor, Charles Gosling

**Unanimous**

(xiii) **Take Note - HSBC Building on Albuoy's Point** - the City Engineer has been talking with a property surveyor about the old bank property. In looking through their deeds they discovered that a land transfer between themselves and the CoH back in the 50's or 60's never occurred so half of the bank is on CoH property and Front Street is owned by HSBC. At some point this transaction has to be regularised. Looking back through the CoH's minutes it was found that the CoH did agree to do the land swap in principle but could not find anything after that. There are no deeds or conveyance documents whatsoever.

(xiv) **Planning Application - 133 Front Street** - a request for change of use. This is the building on the corner of Front Street and King Street (British American building). The ground level will be commercial and levels 1, 2 and 3 will be residential. It is noted that they may require parking to which the City Engineer said there is a car park right across the street and another one less than 50 yards away from there. The CoH would just have to designate three (3) parking bays.

The Mayor queried what is being done around the side on King Street now that the little area is a one-way and it would enable the CoH to investigate other means of parking and possibly increasing the number of cars that can park on that street. The City Engineer has not taken a look at that yet. The idea is to allow tractor trailer traffic through there which would not allow too much changing of parking to be done. The Mayor said like every other car park in the City, there is a lack of enforcement. The City Engineer said this application can be approved and a proviso put in that the CoH will not be designating residential parking.

The Property & Safety Committee unanimously approved the application with the proviso stating that until that time where parking receives adequate enough enforcement, the CoH is unable to provide residential parking.

Councillor Edwards queried the provision of residential parking outside of the old police station. The Secretary said the CoH is going to put a residential parking space there. The City Engineer said the CoH is going to amend and update the Residential Parking Policy. There were a few issues that needed to be brought up to current levels and agreed to at the next Infrastructure Committee meeting. Then this policy would go to the Council for ratification. The CoH will then accept any applications that meet the criteria after that.

(xv)**Parking Issue** - the Mayor did receive a comment from one of the local retailers who has a commercial parking permit for Par-la-Ville exclaiming his despair at trying to find a parking space within the commercial bays that are at Par-la-Ville, only to find them occupied by private vehicles with no stickers, voucher, etc.

He is questioning why he should be paying \$2K a year for parking when this behavior continues. He understands very much the CoH's inabilities but his rightful questioning of his expenses is something that the CoH should be aware of mainly as yet further evidence if the opportunity ever arises in discussions with the powers to be, just how continually frustrating not only to the CoH but also to the rate payers with the current parking arrangements in Hamilton.

The Secretary commented that when the public has parking issues, he asks them to pass on their comments to the three (3) areas that can deal with those issues, i.e. the Minister responsible for Municipalities, the Minister responsible for the police and the Premier who heads up both of those ministries.

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

**Proposed:** Councillor G. Scott

**Seconded:** Councillor H. Ming

There was no further business to be discussed.

The Public Session closed at 2:50pm.