



VISION - We will be a democratically elected, vibrant, safe and clean city focused on economic growth and livability.

MISSION - To provide positive experiences for everyone through the delivery of quality initiatives and services.

## **CORPORATION OF HAMILTON**

### **CORPORATION BOARD**

#### **PUBLIC SESSION**

Wednesday, October 5, 2022, 12:30 pm  
Mayor's Parlour, City Hall, Hamilton

Present: Rt. Wor. Charles R. Gosling, JP, Chairman  
Councillor Dennis Tucker, MBE, JP  
Councillor Henry Ming  
Councillor George Scott, JP  
Councillor RoseAnn Edwards  
Councillor Jenefer Brimmer

Apologies: Councillor John Harvey, MBE, JP  
Councillor Lawrence Scott, JP  
Councillor Nicholas Swan

Staff: CEO/City Secretary - Dwayne A. Caines, JP  
CFO/Acting City Secretary – Tanya Iris  
COO/City Engineer - Patrick Cooper  
Director of HR/Learning and Development – Lindell Foster  
Director of Marketing & Communications – Jessica Astwood  
Controller – Siobhan Fubler  
Public Relations Manager - Helen Zoellner

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#### **1. Confirmation of Notice**

The CEO/City 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 12.30 pm.

**4. Apologies**

The CEO/City Secretary confirmed that apologies had been received from Councillor J. Harvey, Councillor L. Scott and Councillor N. Swan. The Controller Siobhan Fubler would be late.

**5. Public Participation/Presentation**

There was no Public Participation/Presentation.

**6. Correspondence**

There was no Correspondence.

**7. Minutes of the Previous Corporation Board Meeting dated 7 September 2022 (Public Session)**

**Proposed:** Councillor H. Ming

**Seconded:** Councillor D. Tucker

The Minutes were accepted as read.

**8. Matters Arising from the Previous Corporation Board Meeting dated 7 September 2022 (Public Session)**

**8.1 Resolution of Affirmation for Council and Executive Members**

**Circulate the legal response and forward to the Staff, Legislative & Governance Committee meeting to be held on 20 September 2022 for discussion, as it relates to whether there should be a Resolution to affirm members of the Council and Executive in the event that a proceeding would be brought against them whilst executing COH matters with integrity.** The Recording Secretary said that a search of the Resolutions records since 1923 had been carried out and no such Resolution had been found. Councillor Tucker referred to the legal advice for an indemnification of the Council Members and Executive, as was the practice of limited liability companies and was included in their bye-laws. The Mayor said that, although the COH had Directors insurance, this would not in all likelihood meet the full costs of legal representation in the event of a claim against any individual Council or Executive member. He said that the COH should offer protection to the Council and Executive who acted with integrity, in the event of a claim, who would otherwise be required to pay their own legal costs. Action item completed.

**ACTION:**

Forward to the Staff, Legislative & Governance Committee Meeting to be held on 18 October 2022 for discussion, as it relates to whether there should be a Resolution to affirm members of the Council and Executive in the event that a proceeding would be brought against them whilst executing COH matters with integrity. **(CEO/City Secretary)**

**9. Resolutions Approved by the Minister**

There were no Resolutions approved by the Minister.

**10. Board Recommendations for Review**

There were no Recommendations for review.

**11. Committee Recommendations for Review**

**11.1 Residents Advisory Committee – 8 September 2022 (Public Session)**

The meeting scheduled for 8 September 2022 had been cancelled for hurricane preparations.

**11.2 Infrastructure Committee – 14 September 2022 (Public Session)**

**RESOLUTION:**

That the Board approve the sponsorship request to waive the rental fees for Grateful Bread Early Thanksgiving Giveaway to the Needy, to be held at Nellie's Walk on Saturday, 12 November 2022

**Unanimous**

**RESOLUTION:**

That the Board approve a one-year full license, including terms and conditions, be issued to Horizon Communications upon the expiry of the temporary license, as it relates to the 23 installations of communication units on COH poles throughout the City, at a yearly cost of \$500 per unit.

**Unanimous**

**RESOLUTION:**

That the Board approve a notice to vacate period for the water tank at No.8 Dock, be written into the peppercorn rent lease agreement with Government, at twelve (12) months

**Unanimous**

**11.3 Finance Committee – 15 September 2022 (Public Session)**

There were no Recommendations for review.

**11.4 Staff, Legislative & Governance Committee – 20 September 2022 (Public Session)**

The meeting scheduled for 20 September 2022 had been cancelled for hurricane preparations.

**12. Vagrancy Report**

**Arrange a meeting with the Chief Inspector, with the Parish Constable, Councillor Brimmer Chair of the Residents Advisory Committee and Councillor Swan attending, as it relates to the Extra Duty Police Officers patrols and the continued vagrancy in the City.** Action item completed.

The CEO/City Secretary said that steady progress was being made. He described an incident where he had witnessed a retailer trading liquor for cash outside of the licensed premises, in breach of the law. As a consequence, he would write to the Liquor Licensing Authority to report the incident and request that the retailer be prohibited from selling nips and singles. The CEO/City Secretary noted the Special Board Meeting to be held on 14 October 2022, where Chief Inspector Alex Rollin and Inspector Karema Flood, would present on the effectiveness of the COH's Extra Duty Police Officer patrols in North and South Hamilton.

**13. Any Other Business**

**13.1 Bermuda Arts Council Awards 2022 - 29 January 2023**

The Mayor referred to the request from the Bermuda Arts Council to host the annual Award Ceremony in the Earl Cameron Theatre. The current three (3) year contract for free usage of the theatre for this annual event, was for 2019, 2020 and 2021. Unfortunately, as a result of the lockdown in 2021, the last event could not take place and the contract had now expired. The Bermuda Arts Council had request to extend the contract to include the third usage which would take place on 29 January 2023.

**RESOLUTION:**

That the Board approve a one-year extension to the three (3) year agreement with the Bermuda Arts Council, for free use of the Earl Cameron Theatre on 29 January 2023. The contract, now expired, included the waiver for 2019, 2020 and 2021. As a result of the lockdown in 2021, the annual Award Ceremony did not take place.

**Proposed:** Mayor, Charles Gosling

**Seconded:** Councillor J. Brimmer

**Unanimous**

### 13.2 Concessions to Encourage Building Projects

The Mayor said that he had received a request for the COH to consider what concessions could be made for a significant development in north Hamilton. He said that the matter should be considered to encompass the whole of Hamilton and not just north Hamilton. The CEO/City Secretary said that the COH would follow the Government, in that, full disclosure of information about construction projects, the company concerned and any other relevant facts, would be required. He said that, whilst the Government had a development plan in place for north Hamilton, he would support any proposals to bring life into the City. The CFO/Acting City Secretary said that the COH is not permitted to fund a project. The extent of any financial concessions which could be considered by the COH, would not represent a significant amount and would not be available until completion of the project. The COO/City Engineer said that any project should not be reliant on financial concessions from the COH in order to progress. Also, that there should be defined gains for the COH in return for concessions. The CEO/City Secretary said that, before concessions would be considered for any project, the COH would identify its role among all stakeholders, whether the COH would have the legislative authority and how to implement that role. Lengthy discussion ensued.

#### **ACTION:**

Forward to the Infrastructure Committee meeting to be held on 12 October 2022, to compile a list together with criteria, as it relates to potential concessions which the COH could offer to encourage building projects in the City. **(CFO/Acting City Secretary)**

### 13.3 Taste of Bermuda Event

The CEO/City Secretary said that he was exceedingly proud of the Marketing and Communications Team, led by the Director, Jessica Astwood, and to report that the Taste of Bermuda 3-day event had been very successful. He had thanked the Team and everyone at the Works Depot as they had done an outstanding job over the whole weekend - he was proud of them all. The organisation, teamwork, end product including the celebrity chef from overseas, was carried out at a level not seen for many years in Bermuda. He had received emails and verbal comments complimenting on the highest standard produced by the COH. He said that every facet of the COH had worked extremely hard to make this an exceptional event. The partnerships had been vital in contributing to the success, as well as all who participated.

There had been around 6,000 people attending the 3-day event, with 256 attend the formal dining on Front Street. Celebrity Chef Anne Burrell had been an invaluable attraction providing inspiration at the event, as well as other visits and demonstrations which had been arranged. Around \$90,000 from ticket sales had been taken.

The Director of Marketing and Communications showed a short video of the 3-day event which could be viewed on YouTube.

The CEO/City Secretary thanked the Council and staff for a job well done.

**ACTION:**

Circulate the short video of the Taste of Bermuda event to the Board. **(Director of Marketing and Communications)**

**13.4 Taste of Bermuda - In-House Tickets**

Councillor Ming said that the COH had done a superb job on the Taste of Bermuda Event. He had been disappointed that the in-house complimentary ticketing for the Taste of Bermuda Formal Dining on Front Street event, had failed to capture the Council Members and their guests. This referred not only to this event but for all COH events which were ticketed.

The CEO/City Secretary said that complimentary tickets for Council Members, had historically been budgeted on an average number of Councillors attending events, typically four (4). This model had been followed for the Formal Dining on Front Street. The CEO/City Secretary said that he had a meeting with the Mayor and Councillor Harvey and it had been decided that advanced invitations to Council Members and their guests would be handled differently in the future. Consequently, all Councillor Members had been offered two (2) complimentary tickets in the week of the event, however, most had either declined or had prior engagements. The Mayor said that there was no established protocol for the matter. Discussion ensued.

The CEO/City Secretary said that it had been decided that in future all Council Members and their guests would be offered advanced complimentary invitations to ticketed events and a budget would be decided. He said that the work which the Councillors undertake for the COH was acknowledged and appreciated. He encouraged the Councillors to regularly support events in the City.

Councillor Brimmer and Councillor Edwards thanked the Director of Marketing and Communications and all COH staff for the hard work given to the event and said that many were surprised and delighted to attend.

**13.5 Virement to Green the Land at Rose Cottage**

The COO/City Engineer said that Rose Cottage and the hill had been razed. The surface of the ground was currently rock and dust. In accordance with the Resolution to demolish Rose Cottage, the land would be used as a tree farm for the COH, until further notice. A virement of \$150,000 was requested in order to green the land. The funds would be transferred from other Capital Projects which were awaiting planning permissions expected in 2023.

**RESOLUTION:**

That the Board approve a virement in the amount of \$150,000.00 in order to resurface the land at the Rose Cottage site, now razed. The funds would be transferred from other Capital Projects which were awaiting planning permissions expected in 2023.

**Proposed:** Councillor H. Ming

**Seconded:** Councillor J. Brimmer

**Unanimous**

**14. Motion to Move to Restricted Session**

**Proposed:** Councillor J. Brimmer

**Seconded:** Councillor D. Tucker

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Mayor

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CEO/City Secretary

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Date