

April 13, 2009

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:30 p.m. today.

Mayor Dennis O'Keefe presided.

There were present also Deputy Mayor Ellsworth, Councillors Duff, Colbert, Hann, Puddister, Galgay, Coombs, Hanlon and Collins

Regrets: Councillor Hickman

The Chief Commissioner and City Solicitor, the Associate Commissioner/Director of Corporate Services and City Clerk, the Associate Commissioner/Director of Engineering, the Director of Human Resources, the Director of Planning and Manager, Corporate Secretariat were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2009-04-13/206R

It was decided on motion of Councillor Galgay; seconded by Councillor Puddister: That the Agenda be adopted as presented with the following additional item:

- a. Correspondence re 18 Wexford Street

Adoption of Minutes

SJMC2009-04-13/207R

It was decided on motion of Councillor Duff; seconded by Councillor Hanlon: That the Minutes of the April 6th, 2009 meeting be adopted as presented.

Business Arising

**Notice of Motion – Councillor Coombs
Conflict of Interest By-Law**

Councillor Coombs indicated that he has been approached by a number of Councillors requesting clarification on the number of Councillors required for a majority vote when a vote is held on whether a Councillor is in conflict. He asked that the matter be deferred pending clarification from the Chief Commissioner and City Solicitor.

SJMC2009-04-13/208R

It was then moved by Councillor Coombs; seconded by Councillor Colbert: That the consideration of the proposed St. John's Conflict of Interest (Amendment No. 1-2009) By-Law be deferred pending clarification by the Chief Commissioner and City Solicitor regarding the numbers required for a majority when voting on whether a Councillor is in conflict.

The motion being put was unanimously carried.

**Notice of Motion – Councillor Collins
Street Cleaning By-Law Amendment**

SJMC2009-04-13/209R

Pursuant to Notice of Motion, it was moved by Councillor Collins; seconded by Councillor Coombs: That the following St. John's Street Cleaning (Amendment No. 1 – 2009) By-law be adopted:

BY-LAW NO.

ST. JOHN'S STREET CLEANING (AMENDMENT NO. 1 – 2009) BY-LAW

PASSED BY COUNCIL ON APRIL 13TH, 2009

Under and by virtue of the powers conferred by Sections 188 and 189 of the Highway Traffic Act, RSNL, 1990, Chapter H-3 and pursuant to a delegation of power by the Minister of Works, Services and Transportation dated the 27th day of April, 1990, the City of St. John's in regular session convened on this 13th day of April, 2009 hereby passes and enacts the following By-Law relating to the control of parking for the purpose of facilitating street cleaning in the City of St. John's.

BY-LAW

1. This By-Law may be cited as the St. John's Street Cleaning (Amendment No. 1 – 2009) By-Law.

2. Section 2(2) of the St. John’s Street Cleaning By-Law is repealed and the following substituted:

“2.(2) The Director of Public Works and Parks shall cause a list of specified streets and the dates upon which they are to be designated in accordance with subsection (1) to be posted on the City’s website.”

IN WITNESS WHEREOF the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk on behalf of the St. John’s Municipal Council this 13th day of April, 2009

MAYOR

CITY CLERK

The motion being put was unanimously carried.

Other Matters

Search and Rescue Unit

Councillor Hann noted that even though CNLOPB intends to conduct an inquiry into worker safety in the offshore, he would like to move forward with a request to the Federal Government that would provide more protection to those who work in the offshore and those who are making a living on the sea. He noted the issue is personal to him and asked Council’s support. Councillor Hann referenced a letter to members of Council from the mayor of the town of Bay Bulls supporting such a move and asking that Council forward a supporting letter to the Department of National Defense. Councillor Hann alluded to the fact that one of the recommendations coming out of the Ocean Ranger Enquiry was to ensure a fully equipped, long range unit, with a stand by time of 15 minutes by day, and 45 minutes by night be established in St. John’s.

SJMC2009-04-13/210R

It was then moved by Councillor Hann; seconded by Deputy Mayor Ellsworth: That the Federal Government be requested to conduct a review of search and rescue operations with a view to establishing an additional, fully equipped, search and rescue unit in St. John's, that His Worship the Mayor write the Prime Minister in this regard and that other municipalities be encouraged to follow suit.

Discussion ensued during which Councillor Galgay noted that he fully supports the need for the SAR Unit in Gander but because of the nature and the growing oil and gas industry it is vital that a SAR unit be also located in St. John's.

Councillor Puddister indicated his support of the motion but noted that a full review of search and rescue is needed in the Province and he will await the results of CNLOPB enquiry.

Following discussion, the motion being put was unanimously carried.

Regular Minute of March 30, 2009

Deputy Mayor Ellsworth asked that the Chief Commissioner provide clarification on the following minute of the Regular Meeting of March 30, 2009 pertaining to the Conflict of Interest By-Law:

“The Chief Commissioner and City Solicitor advised that he had contacted the Department of Municipal Affairs regarding this matter. He indicated that in accordance with the Municipalities Act, if a Councillor declares a conflict of interest, then they must leave the meeting. As a result, a motion with a vote of 5 to 4 would fail.”

Notices Published

1. **A Discretionary Use Application** has been submitted by Brad Bastow requesting permission to operate a Limousine service from **Civic No. 18 Wexford Street**. The applicant will be the sole employee of the proposed business and the one (1) vehicle used for the service will be a Lincoln Town Car luxury sedan. Parking can be provided on site for the vehicle. **(WARD 4)**

Four (4) submissions of objection

Two (2) submissions of concern

Memorandum dated April 9, 2009 from the Acting Director of Planning

SJMC2009-04-13/211R

It was moved by Councillor Hanlon; That the application be rejected due to the number of complaints received from the area residents. The motion was lost due to lack of a seconder.

SJMC2009-04-13/212R

It was then moved by Councillor Puddister; seconded by Councilor Collins: That the application be approved subject to the following conditions:

- a. The limousine must be parked in the driveway and not on the City Street**
- b. The Discretionary Use Application is approved for one (1) vehicle only; and**
- c. Final approval in the form of a Standard Development Agreement**

Members of Council supporting the motion noted that the application is a permitted use and agreed that the concerns expressed by the area residents would be addressed through the conditions of approval of the application.

The motion being put was carried with Councillor Hanlon dissenting.

2. **A Discretionary Use Application** has been submitted by Ches Lucas for a proposed Home Occupation at **Civic No. 177 Groves Road**. The proposed business will be a Sheet Metal/Plumbing Office which will operate 8:00 am to 4:30 pm Monday- Friday. The business will be located in the accessory building located on the property, and there will be 2 employees with the business. The total proposed floor area for the business is 53m². There are 4 on-site parking spaces available for this business. A Home Occupation is a discretionary use in an accessory building in the Rural Residential Infill (RRI) Zone. **(WARD 4)**

One (1) Submission of objection

SJMC2009-04-13/213R

It was moved by Councillor Hanlon; seconded by Councillor Hann: That the application be deferred.

Councillor Hanlon asked that the matter be deferred pending further consideration in light of the fact that concern was expressed to her today by area residents.

The motion to defer being put was unanimously carried.

3. **A Change of Non-Conforming Use Application** has been submitted by Michael Quinlan requesting permission to change the commercial retail use of **Civic No. 57 Anthony Avenue** to a Beauty Salon. The approximate floor area of the business is 71 m²

and is located in the basement of this building. Proposed hours of operation are Monday – Saturday, 9:00 am – 7:00 pm. Six (6) on-site parking spaces are provided. Staff of three (3) people will be employed with the business. (**WARD 3**)

SJMC2009-04-13/214R

**It was moved by Councillor Coombs; seconded by Councillor Puddister:
That the application be approved.**

The motion being put was unanimously carried.

Development Committee Report dated April 7, 2009

Council considered the following Development Committee Report dated April 7, 2009:

RECOMMENDATION OF REJECTION:

- 1. Proposed Deck
Jason English
Civic No. 83-85 Duckworth Street (Ward 2)**

The Development Committee recommends that the above noted application be rejected.

**Art Cheeseman, Chairperson
Associate Commissioner/Director of Engineering**

SJMC2009-04-13/215R

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Duff:
That the Committee's recommendation be approved.**

The motion being put was unanimously carried.

Finance and Administration Standing Committee Report dated March 25, 2009

Council considered the following Finance and Administration Standing Committee Report dated March 25, 2009:

In Attendance: Deputy Mayor Ellsworth, Chairperson
Councillor Gerry Colbert
Councillor Frank Galgay
Councillor Debbie Hanlon
Councillor Wally Collins
Mr. Ron Penney, Chief Commissioner & City Solicitor
Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk

Mr. Bob Bishop, Director of Finance & City Treasurer
Mr. Paul Mackey, Director of Public Works & Parks
Mr. Dave Blackmore, Director of Building & Property Management
Mr. Kevin Breen, Director of Human Resources
Ms. Jill Brewer, Director of Recreation
Mr. Jason Silver, City Internal Auditor
Ms. Kelly Butler, Recording Secretary

Also in attendance were Craig Ennis and Kelly Finlay with the Board of Trade and Curtis Rumboldt with CBC Radio.

1. GrowthWorks Atlantic Ltd.

Under business arising, the Director of Human Resources advised that following the Committee's last meeting, staff have further reviewed the proposal from GrowthWorks Atlantic Ltd. He noted that he has also spoken to the CUPE locals' representatives regarding this proposal and their support of it. The unions are not endorsing the proposal, but do support it if their members are interested in signing up. Therefore, he advised that the Director of Finance's initial recommendation that the City not approve the request for payroll deductions for investments fund contributions with GrowthWorks Atlantic stands.

The Committee recommends that the City reject the request from GrowthWorks Atlantic Ltd. to allow employee payroll deductions for investment fund contributions.

2. Bidgood Park Heritage Centre and Museum

The Committee considered a memorandum dated February 4, 2009, from the Chief Commissioner and City Solicitor and a letter from Addison Bown, Grand Concourse Authority, regarding the above noted matter. The Chief Commissioner/City Solicitor advised that the estimated cost of the building is \$1.4 million and the City has been asked to 50/50 cost share the project and provide the annual maintenance costs, which would be approximately \$33,000 per year. He indicated that he was unsure whether there was any available funding this project.

The Committee recommends that Council approve the City's share of funding for this project (\$700,000) and the annual maintenance fee costs, contingent upon the Grand Concourse Authority finding the remaining funding from other parties.

3. Cash Basis Statement of Revenue and Expenditure – Year Ended December 31, 2008

The Committee considered as information the **attached** memorandum dated March 23, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance noted that this is a preliminary statement only, and the figures may change before the audited financial statements are released. On a cash basis only, the statements show a \$915,590 deficit on operations, with revenues being approximately \$3.7 million (2.1%) in excess of budget and expenditures being approximately \$4.6 million in

excess of budget. The significant variances in revenue are Residential Realty Tax being \$525,000 in excess of budget and Utility Tax being \$892,000 in excess of budget. Business Realty Tax was \$55,000 below budget primarily because of significant abatements as a result of successful assessment appeals. The negative variances in expenditures includes approximately \$702,000 in Pensions and Benefits which is due to the number of retirements being higher than anticipated, and \$314,000 for the municipal by-election, as well as a \$1.26 million over-expenditure in the Streets Department budget which can be mainly attributed to snow clearing costs and significant street repair costs due to weather conditions.

4. St. John's Para-Transit System

The Committee considered a memorandum dated March 23, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance advised that a Request for Proposals for a review of the current Para-Transit System closes on Friday. The review will entail looking at the current system and making recommendations on the future form of the service. The current contract with the service provider expires on May 12th of this year. Unfortunately, the system review will be lengthy and is unlikely to be completed before this date. Therefore, Council's approval is requested to negotiate a one-year extension to the existing contract to allow for the review to be done and the recommendations to be incorporated. The Director of Finance indicated that the review would take at least three months including a final report, which would likely be ready at the end of June. Another two months will be necessary to get the Steering Committee in place to review the report and recommendations and determine how to implement any necessary changes to the system. Therefore, it will likely be the fall before everything is ready to put the new parameters in place.

Deputy Mayor Ellsworth inquired whether the City had a legal option to extend the existing contract for a one-year period. The Chief Commissioner/City Solicitor advised that he would have to review the existing contract before he could make that determination. He suggested that the Director of Finance begin negotiations for the extension, and he would review the existing contract to ensure that this could be done.

Deputy Mayor Ellsworth indicated that he would speak with the Chair of the Para-Transit Committee to advise him of the proposed contract extension and see if he is agreeable before the matter is brought to Council for a decision.

The Committee recommends that the Director of Finance be authorized to negotiate a one-year extension to the existing contract with the service provider for the Para-Transit System.

5. Budget Consultation Process

The Committee considered as information memorandum dated March 23, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance advised that the Government Financial Officers Association (GFOA) had recently issued a new recommended practice for public budget consultations,

which lays out a framework for how to conduct this process. The recommended practice includes the following list of possible purposes, with #2 and #4 seeming to be the most relevant for the City:

1. to adjust services and service levels more closely to citizens' perspective;
2. to understand public priorities in planning, budgeting and managing services;
3. to establish long term strategies to provide for a fiscally sustainable future for the jurisdiction; and
4. to provide information to the public about a government's services and results.

He noted that as this process is still quite new for the City, we are still at the public education stage in trying to ensure that the public understand how the City's budget is prepared. The next step would be to hold a town hall discussion, to be followed up with surveys – telephone and on-line – to ensure that a broad range of opinions and ideas are gathered. Oftentimes, town hall meetings and presentations tend to attract people with specific issues and points of view.

The Director of Finance advised that the GFOA also recommends hosting focus groups as part of the public consultation process. He noted that this would certainly be useful, however, the City is not yet at that stage. It is certainly an idea that can be incorporate in the future.

Deputy Mayor Ellsworth noted that he has been a strong proponent of public budget consultation sessions and it appears that the City is on the right track in this regard. Town hall sessions will give the City an opportunity to provide people with an understanding of the budget process and the City's limited discretionary spending due to operational priorities that must be met. Deputy Mayor Ellsworth asked that the Director of Finance set a date for the next public presentation on the budget in the next few days so that the appropriate arrangements can be made with Rogers Cable.

6. Council Salary Increases

The Committee considered a memorandum dated March 18, 2009, from the Director of Human Resources regarding the above noted matter.

The Director of Human Resources advised that in accordance with Council Directive R2006-04-17/23, a review was undertaken by Mercer Human Resources Consulting on Council salaries for 2008 and 2009. The consultant's report indicates that the average economic increases granted by those organizations surveyed in Newfoundland and Labrador for 2008 and 2009 is more than what was provided to City Staff for that period. Therefore it is recommended that Council receive the same salary increases for 2008 and 2009 as were given to City Staff.

A brief discussion ensued wherein it was noted that the total cost of the salary increases would be approximately \$10,000 per year, including benefits. Deputy Mayor Ellsworth noted that in the past he has opposed this increased based on his concern over the determining criteria which was set by Council sometime ago. He indicated that it would be better if the criteria used was determined by the consultant.

The Committee recommends that the Council approve the following salary increases:

- ∇ **Effective October 13, 2008: 2%**
- ∇ **Effective October 13, 2009: 1%**

7. Council Directive #R2009-02-09/15 – Pippy Park Commission Playground Replacement Project

It was noted that this item was discussed at the January 29th meeting of the Parks and Recreation Committee and the Committee recommended that “the City concentrate on maintaining its own playgrounds and not provide funding for this project”. At the February 9th meeting of Council, Councillor Hickman asked that the matter be referred to the Finance Committee for consideration.

The Director of Recreation advised that the Provincial Department of Tourism, Recreation and Culture has a capital grants program for these types of projects, and the Pippy Park Commission may be able to avail of funding. She indicated she could contact the Commission and advise them of this.

The Committee concurs with the recommendation of the Parks and Recreation Committee and also recommends that City concentrate on maintaining its own playgrounds and not provide funding for this project.

Deputy Mayor Ron Ellsworth
Chairperson

SJMC2009-04-13/216R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Colbert: That the Committee’s recommendations pertaining to Items 1 to 5 be approved.

The motion being put was unanimously carried.

SJMC2009-04-13/217R

Regarding Item #6, it was moved by Deputy Mayor Ellsworth; seconded by Councillor Colbert: That the Committee's recommendation be approved.

The motion being put was carried with Deputy Mayor Ellsworth dissenting.

SJMC2009-04-13/218R

Regarding Item #7, it was moved by Councillor Colbert; seconded by Councillor Hanlon: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Para Transit Review Steering Committee Report dated April 7, 2009

Council considered the following Para Transit Review Steering Committee Report dated April 7, 2009:

Attendees: Deputy Mayor Ron Ellsworth, Chairperson
Cecil Whitten, Chair of Para Transit Advisory Committee
Bill Westcott, Member of Para Transit Advisory Committee
Lynn Bryant, Director of Policy & Planning, Transportation & Works
Brendan Mullaly, Director of Income Support, Human Resources, Labour & Employment
Kellee Stamp, Policy Analyst, Transportation & Works
Glenda Compton, Director, Long Term Care, Eastern Health
Jim Oxford, Director of Infrastructure & Public Works, Mount Pearl
Bob Bishop, Director of Finance & City Treasurer
Karen Chafe, Recording Secretary

Report:

Review of Responses to the Request for Proposals for the St. John's Para Transit System

The Committee considered the following submissions in response to the RFP for the review of the St. John's Para-Transit System:

- Paradigm Transportation Solutions Limited
- Grant Thornton
- IBI Group
- iTrans Consulting Inc.

The Committee reviewed the submissions in line with the Terms of Reference which were developed for the comprehensive review of the St. John’s Para-Transit System. Based on these terms of reference, the following recommendation is hereby submitted for Council’s approval:

The Committee recommends that the Review Study for the St. John’s Para-Transit System be awarded to iTrans Consulting Inc. in the amount of \$41,712 plus taxes.

**Deputy Mayor Ron Ellsworth
Chairperson**

SJMC2009-04-13/219R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Duff: That the Committee’s recommendation of approval be accepted.

The motion being put was unanimously carried.

Building Permits List

SJMC2009-04-13/220R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits List be approved:

2009/04/08

Permits List

CLASS: COMMERCIAL

ROYAL BANK OF CANADA	40 ABERDEEN AVE	MS BANK
BOGART'S JEWELRY LTD	40 ABERDEEN AVE	MS RETAIL STORE
ISLAND FURNITURE ASSOCIATION	50 ABERDEEN AVE	MS RETAIL STORE
CHATTERS	98 ABERDEEN AVE, CHATTERS	SN SERVICE SHOP
WOODWARD AUTO SALES	152 AIRPORT RD	MS CAR SALES LOT
JMK ENTERPRISES INC.	137 BLACKMARSH RD	MS CONVENIENCE STORE
SALTWATER IMAGES INC.	203 BLACKMARSH RD	MS RETAIL STORE
X-STATIC HAIR SALON	271 BLACKMARSH RD	MS SERVICE SHOP
GALAXY TRAVEL INC.	271 BLACKMARSH RD	MS OFFICE
BLACKMARSH MINI MART	711 BLACKMARSH RD	MS CONVENIENCE STORE
BODY QUEST	92 ELIZABETH AVE	MS SERVICE SHOP

CARLSON WAGONLIT TRAVEL	92 ELIZABETH AVE	MS OFFICE
GOING MOBILE	336 FRESHWATER RD	MS RETAIL STORE
IN MOTION	179 HAMLIN RD	MS CLUB
LAURIER LOUNGE	301 HAMILTON AVE	MS TAVERN
CANADIAN TIRE	50 KELSEY DR	MS RETAIL STORE
MOORES	41 KELSEY DR	MS RETAIL STORE
LEGROW'S TRAVEL	75 KELSEY DR	MS OFFICE
DISCOUNT AUTO	350 KENMOUNT RD	MS COMMERCIAL GARAGE
WENDY'S RESTAURANT-ROBIN MOORE	35 KENMOUNT RD	MS RESTAURANT
ENTERPRISE RENT A CAR	229 KENMOUNT RD	SN COMMERCIAL GARAGE
KING'S GLASS & TIRE INC.	229 KENMOUNT RD	MS RETAIL STORE
NL TOY STORE INC.	409 KENMOUNT RD	MS RETAIL STORE
PENNEY KIA INC.	497 KENMOUNT RD	MS CAR SALES LOT
LOU'S AUTOMOTIVE INC.	468 LOGY BAY RD	MS COMMERCIAL GARAGE
GOULDS IRVING	358 MAIN RD	MS COMMERCIAL GARAGE
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
VACANT(O'LEARY AVE. RECYCLING)	28 O'LEARY AVE	MS SALVAGE YARDS
CREATIVE BRICK AND TILE	78 O'LEARY AVE	MS RETAIL STORE
ATLANTIC CASH & CARRY	37 O'LEARY AVE	MS RETAIL STORE
ORTHOPEDIC SOLUTIONS	342 PENNYWELL RD	MS RETAIL STORE
TIM DONUT LIMITED	30 ROPEWALK LANE	MS RESTAURANT
PC MEDIC INCORPORATED	16 STAVANGER DR	MS RETAIL STORE
ARIZONA HEAT INC.	386 STAVANGER DR	MS SERVICE SHOP
CREATIVE BRICK AND TILE	25 STAVANGER DR	MS RETAIL STORE
GOING MOBILE	15-27 STAVANGER DR	MS RETAIL STORE
MUSIC CITY	15-27 STAVANGER DR	MS RETAIL STORE
NEW WORLD FITNESS	644 TOPSAIL RD	MS CLUB
MY BROTHER'S PLACE	686 TOPSAIL RD	MS RESTAURANT
SECOND PAGE	655 TOPSAIL RD	MS OFFICE
CHES'S SNACKS LIMITED	655 TOPSAIL RD	MS RESTAURANT
JUNGLE JIMS	286 TORBAY RD	MS RESTAURANT
THE MATTRESS STORE LTD.	286 TORBAY RD	MS RETAIL STORE
GRUMPY STUMP	272-276 TORBAY RD	MS TAVERN
BRITON HOLDINGS INC.	272-276 TORBAY RD	MS RESTAURANT
COCONUT ISLAND TAN	272-276 TORBAY RD	MS SERVICE SHOP
BANK OF NOVA SCOTIA	TORBAY RD	MS BANK
BOURNES ESSO SERVICE LTD.	660 TORBAY RD	MS SERVICE STATION
BULLDOG FITNESS	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
PLAY IT AGAIN SPORTS	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
MEGA WRAPS	585 TORBAY RD	MS RESTAURANT
TROPICAL AND MARINE PETS INC.	611 TORBAY RD	MS RETAIL STORE
MUSIC CITY	278B WATERFORD BRIDGE RD	MS RETAIL STORE
TURNDOWN BMX INC.	5 WATERFORD BRIDGE RD	SN PLACE OF AMUSEMENT
THERAPEUTIX	722 WATER ST	MS CLINIC
58261 NFLD CORP	148 DUCKWORTH ST	CO TAVERN
MAXINE SEYMOUR	365-67 WATER ST	RN SERVICE SHOP
EAST RIDER INC.	203-205 NEW GOWER ST	RN MIXED USE
ISLANDER R.V.	260 PADDY'S POND RD-ISLANDER	RN OFFICE
SUBWAY	390-394 MAIN RD, SUBWAY	CR EATING ESTABLISHMENT
ISLANDER R.V.	260 PADDY'S POND RD-ISLANDER	EX COMMERCIAL GARAGE
SOBEYS LAWTON	496 TOPSAIL RD, MEDICAL OFFICE	NC CLINIC

THIS WEEK \$ 997,230.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

CYRIL & MADELINE MARTIN	360 BACK LINE	NC SINGLE DETACHED DWELLING
CHARLES BUTLER	19 BALSAM ST	NC PATIO DECK
PAMELA BREEN	8 BOND ST	NC TOWNHOUSING
PRO-TECH CONSTRUCTION	54 CASTLE BRIDGE DR, LOT 21	NC SINGLE DETACHED DWELLING
TERRY WALSH CONSTRUCTION LTD.	52 CHEROKEE DR, LOT 23	NC SINGLE DETACHED DWELLING
TERRY WALSH CONSTRUCTION LTD.	54 CHEROKEE DR, LOT 24	NC SINGLE DETACHED DWELLING
RAYMOND G. DYER & DEBORAH P.	82 CORNWALL CRES	NC ACCESSORY BUILDING
HENRY WATSON	18 DRUKEN CRES	NC ACCESSORY BUILDING
RAJESH JUNEJA	40 FORBES ST	NC PATIO DECK
SHUBAYOGA HOMES INC.	38 GALAXY CRES	NC ACCESSORY BUILDING
RAJAN MATHEW	67 HOPEDALE CRES - LOT 180	NC SINGLE DETACHED DWELLING
J & P CONTRACTING LTD	8 LIONS RD, LOT 9	NC SINGLE DETACHED & SUB.APT
J & P CONTRACTING LTD	10 LIONS RD, LOT 10	NC SINGLE DETACHED DWELLING
JUSTIN SPURRELL	76 MARK NICHOLS PL, LOT 216	NC SINGLE DETACHED DWELLING
PAUL WHITTEN	78 MARK NICHOLS PL, LOT 217	NC SINGLE DETACHED DWELLING
SCOTT MERCER	24 MIKE ADAM PL LOT 249	NC SINGLE DETACHED DWELLING
J & P CONTRACTING LTD	105 NEW PENNYWELL RD, LOT 58	NC SINGLE DETACHED & SUB.APT
J & P CONTRACTING LTD	107 NEW PENNYWELL RD, LOT 59	NC SINGLE DETACHED & SUB.APT
CARDINAL HOMES LTD	113 NEW PENNYWELL RD, 62	NC SINGLE DETACHED DWELLING
TERRY WALSH CONSTRUCTION LTD.	47 OTTER DR, LOT 120	NC SINGLE DETACHED DWELLING
CONSTANCE HILLIARD	297 PENNYWELL RD	NC ACCESSORY BUILDING
MIKE WILLIAMSON	34 PETITE FORTE DRIVE, LOT 315	NC SINGLE DETACHED & SUB.APT
PERHAM HOMES LTD.	11 PETITE FORTE DRIVE, LOT 291	NC SINGLE DETACHED DWELLING
PERHAM HOMES LTD	13 PETITE FORTE DR, LOT 292	NC SINGLE DETACHED DWELLING
PERHAM HOMES LIMITED	15 PETITE FORTE DR, LOT 293	NC SINGLE DETACHED DWELLING
AUSTIN'S CONTRACTING	27 PETITE FORTE DR, LOT 299	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LTD.	8 PLOVER ST - LOT 22	NC SINGLE DETACHED DWELLING
ATLANTIC HOMES LTD	14 PLOVER ST, LOT 25	NC SINGLE DETACHED DWELLING
MICHAEL K. GRIFFITHS	225 AIRPORT HEIGHTS DR	NC SINGLE DETACHED DWELLING
SAMUEL MCGRATH	19 SUEZ STREET	NC SEMI-DETACHED DWELLING
SAMUEL MCGRATH	21 SUEZ STREET	NC SEMI-DETACHED DWELLING
MELISSA WATTON & PAUL JACKMAN	3 SYCAMORE PL	NC SINGLE DETACHED DWELLING
POWDERHOUSE HILL INVESTMENTS	2-42 WATER ST	NC APARTMENT BUILDING
CHARLES BUTLER	19 BALSAM ST	RN TOWNHOUSING
DAWN DOOLEY	52 BARNES RD	RN SEMI-DETACHED DWELLING
TARA HAYES	7 BARTER'S HILL PL	RN SINGLE DETACHED DWELLING
GARY HOLDEN	31 COCHRANE ST	RN TOWNHOUSING
D. GLENNIS GREEN	11 COVENTRY WAY	RN SINGLE DETACHED DWELLING
NANCY LOVELESS & TRUDY	11 COOKSTOWN RD	RN SINGLE DETACHED DWELLING
ROBERT F. MOORE	62 HUSSEY DR	RN MOBILE HOME
CLOVER CONSTRUCTION INC.	3 JAMIE KORAB ST	RN SINGLE DETACHED DWELLING
MIKE HEFFERNAN	15 MOUNTAINVIEW DR	RN APARTMENT BUILDING
RODNEY EHLE	6 NONIA ST	RN SINGLE DETACHED DWELLING
BRIAN & ALLISON COLLINS	24 OTTAWA ST	RN SINGLE DETACHED DWELLING
JEFFREY V. WHITE	31 PALM DR	RN SINGLE DETACHED DWELLING
JILL & JULIE WALSH	39 PRINCE OF WALES ST	RN SEMI-DETACHED DWELLING
DOUGLAS COLBERT SR.	284 NEW PENNYWELL RD	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 4,896,860.00

CLASS: DEMOLITION

MICHAEL K. GRIFFITHS	225 AIRPORT HEIGHTS DR	DM SINGLE DETACHED DWELLING
EASTERN DEMOLITION & RECYCLERS	275 SOUTHSIDE RD	DM ACCESSORY BUILDING
		THIS WEEK \$ 8,000.00

THIS WEEK'S TOTAL: \$ 5,902,090.00

REPAIR PERMITS ISSUED: 2009/04/02 TO 2009/04/08 \$ 143,700.00

LEGEND

CO CHANGE OF OCCUPANCY	MS MOBILE SIGN
CR CHNG OF OCC/RENOVTNS	SN SIGN
EX EXTENSION	TI TENANT IMPROVEMENTS
NC NEW CONSTRUCTION	CC CHIMNEY CONSTRUCTION
OC OCCUPANT CHANGE	DV DEVELOPMENT FILE
RN RENOVATIONS	DM DEMOLITION
SW SITE WORK	

Payrolls and Accounts

SJMC2009-04-13/221R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending April 9, 2009 be approved as presented:

**Weekly Payment Vouchers
For The
Week Ending April 9, 2009**

PAYROLL

Public Works	\$ 331,548.26
Bi-Weekly Casual	\$ 13,896.93

ACCOUNTS PAYABLE

Cheque No. 145501 – 145737	\$2,830,417.17
Total:	\$ 3,175,862.36

Tenders

- a. Tender – Three Rubber Tire Sidewalk Plows
- b. Tender – Robin Hood Bay Landfill Re-Engineering Contract 4C – Household Hazardous Waste Depot and Drop Off Attendant Kiosk

SJMC2009-04-13/222R

It was moved by Councillor Hann; seconded by Councillor Collins: That the recommendations of the Director of Finance and City Treasurer and the Associate Commissioner/Director of Engineering be approved, and the tenders awarded as follows:

- a. **Saunders Equipment in the amount of \$504,395.84 (taxes not included)**
- b. **Redwood Construction Ltd. In the amount of \$490,313.00**

Major's Path Street Reconstruction between 59-61 Major's Path

Council considered a memorandum dated April 7, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-04-13/223R

It was moved by Councillor Puddister; seconded by Councillor Duff: That the recommendation of the Chief Commissioner and City Solicitor that Mr. Roy Peach be compensated in the amount of \$255.00 plus legal fees for a leasehold interest in land expropriated by the City from him at Major's Path, be approved.

The motion being put was unanimously carried.

Snow Clearing Report for the period January 1st to April 10th, 2009

Council considered the snow clearing report for the period January 1st to April 10th, 2009 showing a negative variance of \$776,769.00.

Travel by His Worship the Mayor

SJMC2009-04-13/224R

It was moved by Councillor Hann; seconded by Councillor Colbert: That the following travel by His Worship the Mayor be approved:

- 1. **May 2-7, 2009 to Houston, Texas Offshore Technology Conference; and**

**2. June 3 -9, 2009 to Whistler, B.C.
Federation of Canadian Municipalities
Big City Mayor's Caucus Meeting**

and further, that Council's previous approval of travel by Councillor Galgay to Houston, Texas be amended to reflect the period May 2-7, 2009 instead of May 4-7, 2009.

The motion being put was unanimously carried.

**Report – Cruise Meetings/Seatrade Cruise Shipping Conference & Exhibition
March 11 to 19, 2009**

Council considered as information the above noted report.

**St. John's Sports and Entertainment Limited
Audited Financial Statements for the Seven Month period Ending December 31, 2008**

Council considered the St. John's Sports and Entertainment Limited
Audited Financial Statements for the Seven Month period Ending December 31, 2008

SJMC2009-04-13/225R

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Collins:
That the St. John's Sports and Entertainment Limited Audited Financial
Statements for the Seven Month period Ending December 31, 2008, be
adopted as presented.**

The Deputy Mayor read into the record a letter from Mr. Gerry Smith, Chair, St. John's Sports & Entertainment dated April 13, 2009 which indicated that SJSE has operated well within its operating grant of \$1.2 million with a surplus of almost \$700,000. SJSE has changed its reporting period to coincide with the City and will now report going forward on an annual calendar basis.

The motion being put was unanimously carried.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth urged the corporate community to make every effort to clean up their properties as the spring cleanup work commences.

Deputy Mayor Ellsworth reminded residents of the public meeting to be held Tuesday, April 14, 2009 to consider proposed amendments to the St. John's Municipal Plan and St. John's Development Regulations to allow potential future serviced development on lands above the 190 metre contour elevation which are located in the Southlands area and the Southwest Development Area.

Councillor Duff

Councillor Duff urged members of Council to take their time when registering their vote on Council issues to allow accurate recording of the vote.

Councillor Duff noted the fact that students of St. Bonaventure School have taken the initiative to clean up the school grounds and encouraged other schools to follow suit.

Councillor Duff advised that a lawyer from Maine will be holding a public forum on "urban sprawl" in the Foran Room April 15, 2009 at 7 p.m.

Councillor Hann

Councillor Hann acknowledged the presence in the Chamber of Provincial NDP Leader, Lorraine Michaels.

At the request of Councillor Hann the Associate Commissioner and Director of Engineering provided a verbal update on the Robin Hood Bay Landfill project.

Councillor Galgay

Councillor Galgay advised that he along with Councillor Duff recently attended a meeting with the newly formed Belvedere Neighbourhood Association. He noted the association has an executive and intends to establish various committees. He noted he looks forward to working with the group for the benefit of the area residents.

Councillor Coombs

Councillor Coombs raised a potential safety concern with respect to ducks crossing the street in certain areas of the city. He asked staff look at installing signage that would indicate wildlife crossing in particular areas.

At the request of Councillor Coombs the Associate Commissioner and Director of Engineering provided a verbal update on the status of the Riverhead Treatment Plant project.

Councillor Hanlon

Councillor Hanlon thanked City crews for their continuous efforts towards fixing the potholes on the City streets.

Councillor Collins

Councillor Collins advised that he met with the Transportation Engineer regarding concerns from residents of Mark Nichols Place of congestion due to contractors using the street. He noted that the Transportation Engineer is looking at installing temporary signage.

His Worship the Mayor

In response to a request that the public meeting scheduled for April 1, 2009 to consider proposed amendments to the St. John's Municipal Plan and Development Regulations to allow potential future serviced urban development above the 190 metre contour line in Southlands and the Southwest Development Area, be postponed, His Worship the Mayor advised that the meeting will go ahead as scheduled. He indicated that the April 14th meeting is only the initial step in the public consultation process and there will be extensive opportunities for public input into this issue throughout the amendment process. He further noted that anyone wishing to make a submission can forward it to the office of the City Clerk.

His Worship the Mayor referenced a Telegram article of two weeks ago regarding the Conflict of Interest Issue in which the Deputy Mayor made a comment about

him being part of a process of getting the Deputy Mayor and in his view as the election nears people can expect more in the way of attacks.

The Mayor took exception to the comments and indicated that his run for the position of Mayor will be on the basis of his many years of service and the Deputy Mayor need not in any way expect any kind of attacks from him.

Adjournment

There being no further business, the meeting adjourned 5:40 p.m.

MAYOR

CITY CLERK