

**December 10, 2007**

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall, at 4:45 p.m. today.

His Worship the Mayor presided.

There were present also Deputy Mayor O'Keefe, Councillors Duff, Colbert, Hickman, Hann, Puddister, Galgay, Coombs, Ellsworth and Collins.

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

**Call to Order and Adoption of the Agenda**

**SJMC2007-12-10/693R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the Agenda be adopted as presented.**

**Adoption of Minutes**

**SJMC2007-12-10/694R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Duff: That the Minutes of the December 3<sup>rd</sup>, 2007 meeting be adopted as presented.**

**Notice of Motion – St. John's Electrical By-Law**

**SJMC2007-12-10/695R**

**Pursuant to Notice of Motion, it was moved by Councillor Ellsworth, seconded by Councillor Galgay: That the following St. John's Electrical (Amendment No. 3 – 2007) By-Law be adopted:**

BY-LAW NO.

ST. JOHN'S ELECTRICAL BY-LAW

PASSED BY COUNCIL ON DECEMBER 10<sup>th</sup>, 2007

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Pursuant to the powers vested in it under the City of St. John's Act, R.S.N.L. 1990 c.C-17 as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to electrical wiring and installations in the City of St. John's.

**BY-LAW**

1. This By-Law may be cited as the St. John's Electrical (Amendment No. 3 – 2007) By-Law.
2. Section 8 of the St. John's Electrical By-Law is repealed and the following substituted:

“8. Before commencing any electrical work or installations, a person shall file with the Inspector an application for a permit for such work or installation and such application shall describe and specify in detail, with plans if required by the Inspector, the work or installation proposed to be done or made, the materials and apparatus to be used, and the cost of labour, materials and apparatus to be used, and shall furnish the street address and number of the building, structure of place in or upon which such or installation is to be done or made and the name of the owner or occupancy for whom such work or installation is to be performed.”
3. Section 9 of the St. John's Electrical By-Law is amended by removing the phrase “all fees” and replacing it with “all applicable fees as set by Council.”

**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 this 10<sup>th</sup> day of December, 2007.

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Mayor

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City Clerk

**The motion being put was unanimously carried.**

**Notices Published:**

1. **A Discretionary Use Application** from Mr. Matthew Prim requesting permission to establish and operate an Art Studio as a Home Occupation from his residence located at **Civic No. 34 Shaw Street**. The proposed Art Studio will occupy a floor area of approximately 25 sq. m within the dwelling unit. Paintings will be produced on the site and advertised for sale on the internet. The applicant and his wife will be the only employees. Off-street parking for one (1) vehicle can be accommodated on the site.

The subject property is currently zoned Residential Medium Density (R2) under the St. John's Development Regulations. A Home Occupation may be permitted as a Discretionary Use by Council in the zone. **(Ward 2)**

**SJMC2007-12-10/696R**

**It was moved by Councillor Galgay; seconded by Councillor Hann:  
That the application be approved.**

**The motion being put was unanimously carried.**

**Development Committee Report dated December 4, 2007**

Council considered the following Development Committee Report dated December 4, 2007:

**RECOMMENDATION OF APPROVAL**

1. **Proposed Subdivision of Property  
One Additional Residential Building Lot  
Mr. Bernard M. Ballard  
Civic No. 44 Bell's Turn – Ward 4**

The Development Committee recommends that Council grant Approval-in-Principle to the above noted application subject to the following conditions:

- a. payment of the \$100.00 Subdivision Application Fee and the \$1,000.00 Development Fee as required under Section 6.4 of the St. John's Development Regulations;
- b. compliance with all requirements of the Departments of Engineering, Planning and Building and Property Management; and
- c. due to the irregular shape of the proposed new building lot, there may be restrictions or limitations on the type and size of the dwelling unit to be constructed on the site.

**RECOMMENDATION OF REJECTION:**

**2. Proposed Residential Building Lot  
Mr. John Molloy  
Fowler's Road – Ward 5**

The Development Committee recommends that Council reject the above noted application as being contrary to:

- a. Section 10.38.3(a)(ii) of the St. John's Development Regulations due to insufficient lot frontage on a public street; and
- b. Section 5.1.3(3) of the St. John's Development Regulations (Premature Development), which states : "*No permit shall be issued for development within the City when it is, in the opinion of Council, premature by reason of the site lacking adequate road access, drainage, sanitary facilities, or domestic water supply or being beyond the natural development of the area at the time of application unless the applicant contracts to pay the full costs of construction of the services deemed necessary by Council and such costs shall attached to and upon the property in respect of which it is imposed.*"

**3. Application to Subdivide Property to Accommodate One (1) Reduced Building Lot  
Mr. Max Wotton  
Civic No. 19 Portugal Cove Road – Ward 4**

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

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

**SJMC2007-12-10/697R**

**Regarding Item #1: It was moved by Councillor Duff; seconded by Councillor Hickman: That the Committee's recommendation of approval be accepted.**

**The motion being put was unanimously carried.**

**Regarding Item #2: At the request of Councillor Collins, Council agreed to defer a decision on Item #2 until next week pending review of further information.**

**SJMC2007-12-10/698R**

**Regarding Item #3: It was moved by Councillor Duff; seconded by Councillor Hickman: That the Committee's recommendation of rejection be approved.**

**The motion being put was unanimously carried.**

**Finance and Administration Standing Committee Report dated November 28, 2007**

Council considered the following Finance and Administration Standing Committee Report dated November 28, 2007:

In Attendance: Deputy Mayor Dennis O'Keefe, Chairperson  
Councillor Shannie Duff  
Councillor Tom Hann  
Councillor Art Puddister  
Councillor Frank Galgay  
Councillor Ron Ellsworth  
Councillor Wally Collins  
Mr. Ron Penney, Chief Commissioner & City Solicitor  
Mr. Art Cheeseman, Associate Commissioner/Director of Engineering  
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  
Ms. Jill Brewer, Director of Recreation  
Mr. Kevin Breen, Director of Human Resources  
Ms. Elizabeth Lawrence, Director of Economic Development, Tourism & Culture  
Mr. Cliff Johnston, Director of Planning  
Ms. Debbie Reid, City Internal Auditor  
Ms. Kelly Butler, Recording Secretary

**1. Martin's Meadow Redevelopment**

The Committee considered a memorandum dated November 23, 2007, from the Director of Finance regarding the above noted matter.

**The Committee recommends that the City approve the request from the Martin's Meadow Redevelopment Committee that the City accept the Provincial funding which has been allocated to Redevelopment Committee for the Martin's Meadow project.**

**2. Approval to Borrow**

The Committee considered a memorandum dated November 23, 2007, from the Director of Finance regarding the above noted matter.

**The Committee recommends that Council adopt/approve the attached Resolution requesting the approval of the Minister of Municipal Affairs to borrow \$15 million in the form of a 20 year sinking fund bond issue.**

**3. Interest Rate on Arrears**

The Committee considered a memorandum dated November 26, 2007, from the Director of Finance regarding the above noted matter.

**The Committee recommends that Council adopt/approve the attached Resolution under the authority of Section 23 of the City of St. John's Municipal Tax Act.**

**4. Changes to Policy No. 03-01-08: Employment Policy**

The Committee considered a memorandum dated October 18, 2007, from the Director of Human Resources regarding the above noted matter.

**The Committee recommends that Council adopt the attached policy as amended.**

**5. Request for Financial Support for Meetings, Conventions, and Sporting Events (Policy 04-09-02)**

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The Committee considered a memorandum dated November 26, 2007, from the Director of Corporate Services and City Clerk regarding the above noted matter.

**The Committee recommends that Council approve the following grants:**

- |           |                                  |  |
|-----------|----------------------------------|--|
| <b>a.</b> | <b>Master Mariners of Canada</b> | <b>\$500</b>                               |
| <b>b.</b> | <b>NRC-IOT Workshop</b>          | <b>\$0 (does not meet policy criteria)</b> |

**6. Proposal – Choices for Youth**

The Committee considered a memorandum dated November 19, 2007, from the Director of Building & Property Management regarding the above noted matter.

**The Committee recommends that the proposal from Choices for Youth to utilize two (2) adjacent City housing units in Sebastian Court to house 3 or 4 youth and a supportive mentor be approved.**

**7. 2008 ILRC Calendar Fundraiser**

The Committee considered correspondence dated November 5, 2007, from Barry Galloway, Independent Living Resource Centre (ILRC), requesting financial support for the 2008 Calendar Fundraiser.

**The Committee recommends that the request be denied as it is contrary to City Policy.**

**8. Request for Financial Assistance for Travel – Holy Heart of Mary Alumnae Choir**

The Committee considered a letter dated November 6, 2007, from Joan Dawe, Holy Heart of Mary Alumnae Choir, requesting financial assistance for the choir to travel to Europe in July 2008 to perform at the official ceremonies at Beaumont Hamel on July 1<sup>st</sup>.

The Director of Finance advised that under Policy 04-04-06: Funding for Individuals/Teams, the choir would be eligible for \$400 in funding.

**The Committee recommends that the City approve \$400 in travel funding for the Holy Heart of Mary Alumnae Choir as per Policy 04-04-06.**

**9. Sponsorship of Senior Rose Bowl Award – Kiwanis Music Festival Association**

The Committee considered a letter dated October 15, 2007, from Mary Anne Tobin, Kiwanis Music Festival Association regarding the above noted matter. Councillor Ellsworth abstained from discussion on this matter due to a conflict of interest.

**The Committee recommends that the City continue its annual sponsorship of the Kiwanis Music Festival Senior Rose Bowl Award in the amount of \$2,500.**

**10. Request for Financial Assistance to Attend the Canadian University Press National Conference**

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The Committee considered a letter dated November 22, 2007, from Sheena Goodyear, the MUSE, regarding the above noted matter.

**The Committee recommends that the request be denied as it is contrary to City Policy.**

**11. Brain Injury Association Fundraiser**

Councillor Hann noted that he was withdrawing his request for the purchase of a table for the Brain Injury Association's Christmas fundraiser as it would be contrary to City policy to approve the request.

**12. Request for Travel Assistance Grant**

The Director of Recreation advised that she had received a request for a travel assistance grant from three youth who will be travelling outside the Province for a sporting competition. She noted that the budget for travel grants has been expended, and she requested the Committee's approval to use the Community Grants budget to cover the travel grant of between \$250-400.

**The Committee recommends that the request be approved.**

Deputy Mayor Dennis O'Keefe  
Chairperson

**SJMC2007-12-10/699R**

**It was moved by Deputy Mayor O'Keefe; seconded by Councillor Hann:  
That the Committee's recommendations including the following Resolutions  
be approved:**

**RESOLUTION**

**WHEREAS** the City of St. John's Municipal Council is empowered under the provisions of the City of St. John's (Loan) Act, 1978, as amended, to borrow money on the credit of the City by the issue and sale of bonds of the City subject to the approval of the Minister of Municipal Affairs;

**AND WHEREAS** the Council deems it advisable to issue and sell bonds in an amount of Fifteen Million Dollars (\$15,000,000) under the said Act for the purpose of repayment of loans of the City and to seek the approval of the Minister of Municipal Affairs to issue and sell bonds in the said amount for the said purpose;

**BE IT THEREFORE RESOLVED** that the required approval of the Minister of Municipal Affairs, be sought to issue and sell bonds in the amount of Fifteen Million Dollars (\$15,000,000) the proceeds of such sale to be applied towards the repayment of loans of the City.

**RESOLUTION**

**IT IS HEREBY RESOLVED** that pursuant to the provisions of the City of St. John's Municipal Taxation Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the interest rate on arrears of tax and any other arrears of amounts owing to the City for the 2008 and future fiscal years, at 1.25% per month, with the interest charged each month added to the balance owing and subject to interest in the following months.



Discussion ensued during which His Worship the Mayor expressed concern that Council has been inconsistent in providing financial donations to charitable organizations, referencing Council's recent decision to support the Canadian Cancer Society. He listed a number of similar organizations that had been denied by Council. He asked that a policy be developed. Councillor Hann advised that the City Clerk is working on developing policy which will be forwarded to the next meeting of the Finance and Administration Standing Committee for consideration.

**Following discussion, the motion being put was unanimously carried.**

**Heritage Advisory Committee Report dated December 5<sup>th</sup>, 2007**

Council considered the following Heritage Advisory Committee Report dated December 5<sup>th</sup>, 2007:

**Attendees:** Councillor Shannie Duff, Chairperson  
Bernadine Simmonds  
David Kelland  
Debbie O'Rielly  
Neil Hardy  
Gerard Hayes  
Ken O'Brien, Manager of Planning & Information  
Jim Ford, Manager of Regulatory Services  
Peter Mercer, Heritage Officer  
Margaret Donovan, Tourism Industry Coordinator  
Karen Chafe, Recording Secretary

**Report:**

**3 Barnes Road**

The Committee met with Sister Helen Harding and Sister Patricia March of the Sisters of Mercy Generalate as well as Mr. Sandy Gibbons to discuss the Sisters' application to demolish civic no. 3 Barnes Road. The delegation provided an indepth overview of their association with the building which neighbours Mercy Convent. The Sisters purchased the building in 1951 as a place where their business education school and commercial classes could take place. Over the years, the building has been used as a classroom and daycare center, but is now vacant. The Sisters had given serious consideration to the building's use as a residence for the Sisters or a place to conduct their ministry, and on that basis had investigated the costs to rehabilitate and restore the building, particularly its interior which had almost completely lost its original character defining elements. The

costs to restore the building were quite prohibitive and the Sisters felt that demolition was the only feasible solution which would offset further unnecessary investment in the property. The Sisters have confirmed that they have no plans for the site's redevelopment and have expressed an interest in keeping the site and the neighbouring land (where the Balsom Hotel once stood) a green space, which they feel is much needed in this area.

The Committee acknowledged the Sisters' concerns about the building, but relayed to them the historic significance of the building which is one of the few remaining single detached properties in the Second Empire Style in the City of St. John's with an intact central tower. Its construction is circa 1850-1880 and the attached Statement of Significance from the Heritage Foundation of Newfoundland and Labrador outlines in great detail the building's description and heritage value. It is also worthy to note that the property which is located in Georgestown, meters away from the boundary of the 1892 Fire (in the middle of Military Road), actually *predates* the Fire.

The Committee outlined a number of alternatives to demolition for the Sisters' consideration, alternatives which would be far less costly; i.e.: renovation (as opposed to the far more costly restoration) of the building's interior. The Sisters may also consider advertising for expressions of interest to determine if there are developers willing to work with them to save the building through innovative adaptive reuse proposals. The City is willing to work with the Sisters to assist them through the regulatory process in an effort to find creative solutions. Perhaps there may be opportunities for various community groups to work toward a use that would coincide with the Sisters' ministry. The Sisters agreed to forward all suggestions expressed during the meeting to their Congregation for further discussion, however, they wished to keep the application for demolition active.

The Committee recommends the following:

**That the application for demolition of 3 Barnes Road be rejected on the basis of this building's historic significance as outlined in the attached Statement of Significance prepared by the Heritage Foundation of Newfoundland and Labrador. It should be noted that the Heritage Officer has inspected the Building and confirmed that it is in generally good structural condition and does not fit the fifty percent deterioration standard for condemnation of a building.**

**The Committee further recommends that Council as per the Notice of Motion included in this week's Council agenda, proceed with the heritage designation of 3 Barnes Road. The Committee stresses that the preservation of the structure enables Council to continue working with the Sisters of Mercy to preserve the building.**

**Councillor Shannie Duff  
Chairperson**

Councillor Duff advised that the Sisters of Mercy have withdrawn their application to demolish #3 Barnes Road and are looking at other options for development of the property.

Discussion ensued during which His Worship the Mayor and other members of Council suggested that before making a decision with respect to heritage designation of the property that Council be provided with information on the monthly cost to the Sisters of Mercy to maintain the building in its present state. Councillor Duff advised that the Committee met with the Sisters who were unaware of the historic value of the building. She noted the sisters are fully aware of the process being taken with respect to proceeding with heritage designation of the property. She noted that designation will protect the building at 3 Barnes Road from demolition thereby preserving its heritage value to the community while enabling City staff and the Committee members to work with the Congregation of the Sisters of Mercy on creative solutions for adaptive reuse of the property. She further noted that heritage designation qualifies the developer to avail of the municipal tax back incentive funding program.

**Development Permit List**

Council considered as information the following Development Permits List for the period November 23<sup>rd</sup>, to December 6<sup>th</sup>, 2007:

DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF NOVEMBER 23, 2007 TO DECEMBER 6, 2007

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Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Mr. Larry Murphy	Residential Building Lot	Adjacent to Civic No. 304 Bay Bulls Road	Ward 5	Application Approved	07 11 30
Ind.	Metrobus	Proposed Bus Shelter	Thorburn Road (near Austin Street)	Ward 4	Application Approved	07 11 30
Com.	Alan White & Wanda Mercer	Home Office / Cleaning Service	Civic No. 127 Bay Bulls Road	Ward 5	Application Approved	07 12 04
Res.	Mr. Brian Walsh	Proposed 24' x 24' 2 Car Garage	Civic No. 627 Main Road	Ward 5	Application Rejected: Contrary to Section 8.3.1	07 12 05

*	<b>Code Classification:</b> RES - Residential COM - Commercial AG - Agriculture	INST - Institutional IND - Industrial
**	This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.	

**Ed Murray**  
**Development Officer**  
**Department of Planning**

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**Building Permits List**

**SJMC2007-12-10/700R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Coombs: That the recommendation of the Director of Building and Property Management with respect to the following Building Permits list be approved:**

2007/12/05

Permits List

**CLASS: COMMERCIAL**

TRACIE BOUDREAULT	39 AIRPORT HEIGHTS DR	CO SERVICE SHOP
OAKLAND ENTERPRISES	45 DUCKWORTH ST	NC ACCESSORY BUILDING
CHARTER GROUP INC.	284 LEMARCHANT RD	SN OTHER
CIR MANAGEMENT LTD	25 ABERDEEN AVE-TIM HORTON'S	NC ACCESSORY BUILDING
ST JOHN'S TRANSPORTATION COM	FRESHWATER RD	NC ACCESSORY BUILDING
HICKMAN MOTORS	266 TORBAY RD	CR CAR SALES LOT
COUNTRY RIBBON INC.	EAST WHITE HILLS RD	RN INDUSTRIAL USE

THIS WEEK \$ 50,600.00  
 TO DATE \$ 40,410,582.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00  
 TO DATE \$ 1,924,967.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00  
 TO DATE \$ 17,897,995.00

**CLASS: RESIDENTIAL**

HANN CONSTRUCTION LIMITED	20 BLUE PUTTEE DR, LOT 20	NC SINGLE DETACHED DWELLING
JOCELYN COSTELLO	51 BRAZIL ST	NC ACCESSORY BUILDING
SHYBAYOGA HOMES INC.	3 GALAXY CRES, LOT 28	NC SINGLE DETACHED DWELLING

EARLE KEATS	62 HOPEDALE CRES	NC ACCESSORY BUILDING
NEW VICTORIAN HOMES	62 LARNER ST, LOT 257	NC SINGLE DETACHED DWELLING
ERCO HOMES	112 LOGY BAY RD, LOT 2	NC SINGLE DETACHED & SUB.APT
FABIAN O'DEA	16 MOUNT ROYAL AVE	NC FENCE
FABIAN O'DEA	16 MOUNT ROYAL AVE	NC FENCE
IRVING & MARGARET DICKS	6 NOAD PL	NC ACCESSORY BUILDING
ERCO HOME	4 OAKLEY PL - LOT 261	NC SINGLE DETACHED DWELLING
CHAD DAVIS	32 OAKLEY PL	NC FENCE
DAVE BURT & KRISTA STEVENSON	9 PETITE FORTE DR, LOT 225	NC SINGLE DETACHED & SUB.APT
STEVE SAUNDERS	9 RUSS HOWARD ST, LOT 113	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	18 SERPENTINE ST, LOT 9	NC SINGLE DETACHED DWELLING
JOHN MCGRATH	318 STAVANGER DR	NC ACCESSORY BUILDING
MICHAEL & SUSAN DROVER	22 STONEBRIDGE PL, LOT 3.32	NC SINGLE DETACHED DWELLING
ALWIN SPURRELL	29 SYMONDS PL	NC PATIO DECK
KARA INVESTMENTS LTD.	21 TEAKWOOD DR, LOT 80	NC SINGLE DETACHED & SUB.APT
BERNARD & MARY HOWLETT	52 TORNGAT CRES	NC ACCESSORY BUILDING
DOUGLAS PIERCY	15 WHITEFORD PL	NC ACCESSORY BUILDING
NFLD & LABRADOR HOUSING CORP.	5 WIGMORE CRT, BLDG 6	NC PATIO DECK
NFLD & LABRADOR HOUSING CORP.	12 WIGMORE CRT, BLDG 6	NC PATIO DECK
DR. SAL M. ZAYAT	296 BROOKFIELD RD	CO HOME OCCUPATION
MICHAEL & CHASTITY QUINLAN	45 HUSSEY DR	EX MOBILE HOME
ELIZABETH ADEY	244 CANADA DR	RN SINGLE DETACHED & SUB.APT
B. KANNENBERG. &	8 EASTMEADOWS AVE	RN SINGLE DETACHED DWELLING
CHRIS SQUIRES	27 HOPEDALE CRES	RN SINGLE DETACHED DWELLING
MICHAEL & RUTH MERCER	16 JOHNSON CRES	RN SUBSIDIARY APARTMENT
JEHAN Z. SIDDIQUI AND	7 KINGFISHER PL	RN SINGLE DETACHED DWELLING
REGINALD STAPLETON	11 LUCYROSE LANE	RN SINGLE DETACHED DWELLING
TIM R. LOEHR & LINDSEY ANNE	82 PALM DR	RN SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	1 PORTIA PL	RN TOWNHOUSING

THIS WEEK \$ 2,664,110.00  
TO DATE \$154,900,595.00

**CLASS: DEMOLITION**

SERVICE PLUS INC	435 SOUTHSIDE RD	DM SINGLE DETACHED DWELLING
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THIS WEEK \$ 8,000.00  
TO DATE \$ 535,204.00

THIS WEEK'S TOTAL: \$ 2,722,710.00

TOTAL YEAR TO DATE: \$215,669,343.00

REPAIR PERMITS ISSUED: 2007/11/29 TO 2007/12/05 \$ 44,000.00  
2006/12/28 TO 2007/12/05 \$ 3,119,096.00 YTD

LEGEND

CO CHANGE OF OCCUPANCY	SW SITE WORK
EX EXTENSION	OB OIL BURNING EQT
NC NEW CONSTRUCTION	TI TENANT IMPROVEMENTS
OC OCCUPANT CHANGE	CC CHIMNEY CONSTRUCTION
RN RENOVATIONS	CD CHIMNEY DEMOLITION
MS MOBILE SIGN	WS WOODSTOVE
SN SIGN	DM DEMOLITION
CR CHNG OF OCC/RENOVTNS	

**Payrolls and Accounts**

**SJMC2007-12-10/701R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Coombs: That the following Payrolls and Accounts for the week ending December 6<sup>th</sup>, 2007 be approved as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending December 6, 2007**

**PAYROLL**

Public Works	\$ 343,481.07
Bi-Weekly Casual	\$ 14,399.51

**ACCOUNTS PAYABLE**

Cheque No. 125225 – 125528	<b>\$3,301,040.93</b>
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**Total: \$3,658,921.51**

**Notices of Motion**

Councillor Duff gave the following Notice of Motion:

**NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next Regular Meeting of the St. John’s Municipal Council move to enact a by-law pursuant to section 355 of the City of St. John’s Act to designate the existing structure at 3 Barnes Road as a heritage building so as to preserve this unique structure.

DATED at St. John’s, NL this 10<sup>th</sup> day of December, 2007.

**Taxi By-Law**

At this point His Worship the Mayor raised the issue of deregulating the taxi industry rates. Councillor Hann agreed and indicated he would bring forward a motion next week to deregulate the industry rates. Deputy Mayor O’Keefe and Councillor Duff indicated they would like more information before making a decision in this regard. The Deputy Mayor asked that the Chief Commissioner and City Solicitor provide information on the pros and cons of deregulating the taxi industry rates vs the status quo. Councillor Hann agreed to take the matter to the Committee, but in the meantime would bring forward the Notice of Motion for a rate increase.

Councillor Hann gave the following Notice of Motion:

**NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next Regular Meeting of the St. John’s Municipal Council move to enact an amendment to the St. John’s Taxi By-Law so as to provide for a rate increase to reflect the increased costs to provide the service.

DATED at St. John’s , NL this 10<sup>th</sup> day of December, 2007.

Councillor Ellsworth gave the following Notice of Motion:

**NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next regular meeting of the St. John’s Municipal Council move to enact an amendment to the St. John’s Sanitation Regulations so as to provide for the cancellation of licenses currently required for vehicles carrying garbage and refuse should the license holders fail to comply with the Regulations.

DATED at St. John’s, NL this 10<sup>th</sup> day of December, 2007.

### **Petitions**

Deputy Mayor O'Keefe tabled for the record a petition the prayer of which reads as follows, noting that Council at its Special Meeting held today decided to reinstate the Aquarena funding:

**As customers of The Works and regular users of the Aquarena, we wish to advise St. John's City Council that we want the City to continue its funding to the Aquarena at its present level.**

**The Aquarena provides residents of St. John's with a variety of programs and activities. The City should value its partnership with the Aquarena and continue its financial support.**

**Please vote in favour of the subsidy of \$150,000 to the Aquarena.**

Councillor Collins tabled a petition the prayer of which reads as follows, and which was referred to the Associate Commissioner/ Director of Engineering:

**We the undersigned residents of Park Lane and Mill Road, Goulds, hereby petition the City of St. John's to install water and sewer on our streets as part of your 2008 Capital Works Programs.**

**Three years ago the City fixed the problems on Shoal Bay Road related to water and sewer issues. Now, we have the very same problems. Ground water in the area is of a very poor quality and unsuitable for drinking and everyday household use. Our septic systems are continuously backing up into our homes. As well, septic smells are constant in the roadside ditches. This environment represents very unhealthy conditions.**

**We understand there is a problem with the Goulds pumping station, but we represent only 15 houses in total on our 2 streets and we are sure that 15 more houses hooked onto this system will not cause undue stress on the system. If this system is so bad that it cannot handle 15 more hookups, then you have a very serious problem on your hands and shouldn't be approving new subdivisions anywhere in the Goulds.**

**We are now living in the 21<sup>st</sup> Century and should not have to put up with situations like this. We are unable to fix the problems ourselves. We have tried everything possible to address these conditions individually.**



**Basic services such as water and sewer should take priority over everything else on Council's agenda.**

Councillor Collins tabled a second petition the prayer of which reads as follows and which was referred to the St. John's Transportation Commission for consideration:

**Bus Service for Shea Heights stops at 6 p.m. weekdays and Saturdays, and there is no bus service on Sundays. This means families here cannot go to work, to movies, shopping, to night courses, to bingo, to visit friends or family, swimming, to sporting events, to recreational activities off the hill during these hours unless they have access to a car. The signatures on this petition will be presented to the proper authorities to show there is a need for bus service after hours here in Shea Heights.**

Councillor Ellsworth tabled a petition the prayer of which reads as follows and which was referred to the St. John's Transportation Commission for consideration:

**The undersigned residents of Rodney Street hereby wish to express to the St. John's Transportation Commission, Metrobus, Council of the City of St. John's or any other party in a position to influence such matters that we are strongly opposed to the construction of any additional bus stops on Rodney Street.**

**City land adjacent to 24 The Boulevard – Jim Case**

Council considered a memorandum dated December 6, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-12-10/702R**

**It was decided on motion of Councillor Duff; seconded by Councillor Hann: That City land adjacent to 24 The Boulevard, be sold to the owner of #24, Jim Case at a rate of \$3.00 per square foot (approximately \$6,000.00) plus the usual administration fee and HST.**

**Chairing Public Meetings 2008**

Council considered a memorandum dated December 7, 2007 from the Associate Commissioner/Director of Corporate Services and City Clerk regarding the above noted.

**SJMC2007-12-10/703R**

**It was decided on motion of Councillor Duff; seconded by Councillor Hickman: That the following rotation for Chairing Public Meetings for 2008 be approved:**

January	Councillor Galgay
February	Councillor Duff
March	Councillor Hann
April	Councillor Collins
May	Councillor Ellsworth
June	Deputy Mayor O'Keefe
July	Councillor Coombs
August	Councillor Hickman
September	Councillor Galgay
October	Councillor Duff
November	Councillor Colbert
December	Councillor Puddister

**Proposed Residential Subdivision, Bill Clarke and Gerard Edwards – 10714 Newfoundland Limited, Patrick Dunne Estate Airport Heights**

Council considered a memorandum dated December 5, 2007 from the Associate Commissioner/Director of Engineering regarding the above noted. Council agreed to defer this item for one week at the request of Councillor Hann.

**Robin Hood Bay Landfill, Proposed Amendment to Sanitation Regulations, Revocation of Permits**

Council considered a memorandum dated December 6, 2007 from the Director of Public Works and Parks regarding the above noted.

**SJMC2007-12-10/704R**

**It was moved by Councillor Ellsworth; seconded by Councillor Hann: That the recommendation of the Director of Public Works and Parks that Council amend the Sanitation Regulations to provide for the option to revoke a user permit for failure to observe or comply with the provision of the Regulations, be approved.**

**The motion being put was unanimously carried.**

**Waste Diversion Pilot Project – Supply of Collection Bags**

Council considered a memorandum dated December 6, 2007 from the Director of Public Works and Parks regarding the above noted.

Council agreed that the supply of free bags to the Waste Diversion Pilot Project on the garbage collection route in the Downtown and one route in Cowan Heights will be discontinued effective December 31, 2007.

**Needs Assessment and Feasibility Analysis for Mid-Sized Performing Arts Venue**

Council considered a memorandum dated December 6, 2007 from the Director of Economic Development, Tourism and Culture regarding the above noted.

**SJMC2007-12-10/705R**

**It was decided on motion of Councillor Hickman ; seconded by Councillor Duff: That the recommendation of the Steering Committee that D.W. Knight Associates be awarded the contract to complete the Needs Assessment and Feasibility Analysis for a Mid-Sized Performing Arts Venue, be approved.**

**Deputy Mayor O’Keefe**

Deputy Mayor O’Keefe advised that the Building and Property Management Division are concerned about the condition of property located 68 Hayward Avenue and if the situation is not resolved by next week the matter will be brought forward to Council.

Deputy Mayor O’Keefe tabled a letter from a senior citizen living in Maplewood Apartments on Shaw Street asking that the City consider installing flashing lights on all City crosswalks. The matter was referred to the Police and Traffic Committee.

The senior also expressed concern about the lack of snowing clearing on sidewalks and bus shelters.

Deputy Mayor O'Keefe congratulated the Eastern School Board on behalf of the residents of the west end on recommending the placement of a high school in the west end of the City. He thanked Councillors Coombs and Hickman for their support and as well thanked members of staff for the role they played with respect to the provision of information.

**Councillor Galgay**

Councillor Galgay noted that a group of senior citizens residing at Riverhead Towers have complained to him about the icy condition of sidewalks in the area of Riverhead Towers at the bottom of Hamilton Avenue to Springdale Street. They have asked that the matter be referred to the Public Works Committee to consider salting or sanding the sidewalks. His Worship the Mayor pointed out that the problem is not unique to just this area and, except for high pedestrian areas, the City does not have a salting program.

Councillor Galgay acknowledged the presence in the Chamber of Jeff Chalk, CMHA, concerned about the deficiencies within the residence at 68 Hayward Avenue which was alluded to by the Deputy Mayor and which has been referred to staff for follow-up.

**Councillor Ellsworth**

Councillor Ellsworth noted the concern of the residents of Riverhead Towers raised by Councillor Galgay, which has been referred to the Public Works Committee and reiterated the Mayor's comments that there is no budget for salting of sidewalks.

Councillor Ellsworth noted that he received complaints about the use of snowmobiles in and around Pippy Park, especially in the Golf Course area. The Pippy Park Commission have experienced damage to their property. Councillor Ellsworth noted that it is his understanding that an individual on behalf of the Park

will be looking into the issue and he, along with the RNC, plans to meet to find a solution to the problem.

**Councillor Collins**

Councillor Collins noted that the traffic light for Columbus Drive in the area of Irving Service Station will be installed within the next three weeks.

Councillor Collins advised that a number of rivers in Ward 5 have been recommended for cleanup to the Provincial Department of Environment.

**His Worship the Mayor**

His Worship the Mayor asked that the Public Works Committee investigate the idea of the City implementing a garbage pickup program on a user pay basis.

**Adjournment**

There being no further business, the meeting adjourned at 5:30 p.m.

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**MAYOR**

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**CITY CLERK**