

**December 13 , 2010**

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

His Worship the Mayor presided

There were present also: Deputy Mayor Duff; Councillors O'Leary, Hickman, Hann, Colbert, Breen, Galgay, Tilley, Hanlon and Collins

The City Manager; Deputy City Manager/Director of Corporate Services and City Clerk; Deputy City Manager/Director of Public Works and Parks; Director of Engineering; Director of Planning, Director of Finance and City Treasurer; Director of Building and Property Management, Director of Recreation; Director of Regional Fire Services (Fire Chief); Director of Economic Development, Tourism and Culture; Director of Human Resources, City Solicitor, and Manager, Corporate Secretariat were also in attendance.

His Worship the Mayor acknowledged the presence of striking Metrobus workers in the chamber and noted it is Council's hope that the labour dispute between Metrobus Transit and the Amalgamated Transit Union can be resolved as expeditiously as possible.

The Deputy City Manager/Director of Public Works and Parks provided an update on the garbage and recycable holiday collection schedule, noting that the schedule will be advertised and placed on the City's website.

### **Adoption of the Agenda**

#### **SJMC2010-12-13/680R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins: That the Agenda be adopted as presented with the following additions:**

- a. Tender – Maintenance and Service Contract – Cleaning Services  
City of St. John's
- b. Submissions from Brenda Malone, 54 Colonial Street and Steven Penney, 18 Colonial Street re 84 Gower Street

**Adoption of Minutes**

**SJMC2010-12-13/681R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Hickman: That the minutes of the December 6, 2010 meeting be adopted as presented.**

**Notices Published**

**1. Change of Non-Conforming Use Application** has been submitted by Paul G. Emberley Designs requesting approval to convert the commercial space on the main floor of **Civic No. 84 Gower Street** into a residential dwelling unit. The existing building is 3 storeys in height and has a total floor area of approximately 670 m<sup>2</sup>. The building currently exists of 2 residential units, each on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, and a commercial space on the main floor of 230m<sup>2</sup>. It is located in the Residential Downtown (RD) Zone. There is no off-street parking provided. **(Ward 2)**

**Two (2) submissions of concern/objection**

**SJMC2010-12-13/682R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That the application be approved, noting a standard development agreement is required.**

As pointed out by Councillor Galgay, there are no issues with parking as per the Traffic Engineer's observation and all other issues appear to be related to the condition of the building which can be referred to the department of Building and Property Management as a separate issue.

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

**Nomenclature Committee Report dated November 26, 2010**

Council considered the following Nomenclature Committee Report dated November 26, 2010:

**Council approval is recommended for the following Street Names:**

**A. Southlands Development Area 3, Stage 1  
Developer – Fairview Investments Ltd.**

- 1. Sumac Street**
- 2. Ironwood Place**

**B. Renaming of Siberian Avenue to Hamlet Street**

**C. Brookfield Plains  
Developer – Brookfield Plains Inc.**

- 1. Lismore Place**
- 2. Ballylee Crescent**

**D. Westgate Subdivision (Phase 2)  
Developer – Fairview Investments Ltd.**

- 1. Oberon Street**
- 2. Pluto Street**

**SJMC2010-12-13/683R**

**It was decided on motion of Councillor Hanlon; seconded by Councillor Hickman: That the Committee’s recommendations be approved.**

**Development Permits List**

Council considered as information the following Development Permits List for the period of December 3 to 9, 2010

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
AG	Lester's Dairy Farm	Proposed Agricultural Building	187 Brookfield Road	5	<b>Approved</b>	2010-12-06
RES	Pamela Crossan	Proposed Attachment of Garage to Dwelling	11 Circular Road	2	<b>Rejected – As per section 10.3</b>	2010-12-09

\* Code Classification:  
 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.

**Gerard Doran**  
**Development Officer**  
**Department of Planning**

**Building Permits List**

**SJMC2010-12-13/684R**

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

2010/12/08

Permits List

**CLASS: COMMERCIAL**

KENNETH SOOLEY	38 OUTER BATTERY RD	CO BOARDING HOUSE (4 OR LESS)
BAADER CANADA LTD.	33 HALLETT CRES	CO WAREHOUSE
JOSHUA MUNDEN	413 THORBURN RD	CR COMMERCIAL SCHOOL
COBALT PROPERTIES LIMITED	632 TOPSAIL RD	RN SERVICE STATION
SALVSLIFE	40 ABERDEEN AVE	MS OFFICE
U WEIGHT LOSS	46A ABERDEEN AVE	MS CLINIC
LAZ-BOY FURNITURE	50 ABERDEEN AVE	MS RETAIL STORE
SMART SET	79B ABERDEEN AVE	MS RETAIL STORE
TOWN SHOES LIMITED	85A ABERDEEN AVE	MS RETAIL STORE
PETS UNLIMITED	89 ABERDEEN AVE	MS RETAIL STORE
FIREPLACE & CLOSET SOLUTIONS	18 CRAIG DOBBIN'S WAY	MS RETAIL STORE
ROYAL CANADIAN LEGION	57 BLACKMARSH RD	MS PLACE OF ASSEMBLY
DECORATIVE ASSISTANCE LIMITED	123 CAMPBELL AVE	MS RETAIL STORE
MARIE'S MINI MART	44 CROSBIE RD	MS CONVENIENCE STORE
A1 AUTOMOTIVE LIMITED	395 EAST WHITE HILLS RD	MS COMMERCIAL GARAGE
SMART KIDZ	10 ELIZABETH AVE	MS RETAIL STORE
SEQUERRA INVESTMENTS INC.	27 ELIZABETH AVE	MS RESTAURANT
DORSET INVESTMENTS LIMITED	391-395 EMPIRE AVE	SN OFFICE
MARIE'S MINI MART	324 FRECKER DR	MS CONVENIENCE STORE
BOSTON PIZZA	35 KELSEY DR	MS RESTAURANT
PETS UNLIMITED	39 KELSEY DR	MS RETAIL STORE
THE WOK BOX	55 KELSEY DR	MS RESTAURANT
SJJ ENTERPRISE LTD.	58 KENMOUNT RD	MS RETAIL STORE
KENMOUNT BILLIARDS INC.	58 KENMOUNT RD	MS TAVERN
MORTGAGE SHOP	58 KENMOUNT RD	MS OFFICE
FLOOR SOURCE	210 KENMOUNT RD	MS RETAIL STORE
COHEN'S HOME FURNISHINGS	81 KENMOUNT RD	MS RETAIL STORE

FURNITURE & MATTRESS	323 KENMOUNT RD	MS RETAIL STORE
SPEEDY GLASS	439 KENMOUNT RD	MS COMMERCIAL GARAGE
BALLY HALY GOLF & COUNTRY	90 LOGY BAY RD	MS CLUB
UNIVERSAL CORPORATE WEAR	484-490 MAIN RD	MS RETAIL STORE
ALEX FOLEY ACADAMY MARTIAL ART	484 MAIN RD	MS CLUB
TRIM SHOP	219 MAJOR'S PATH	MS RETAIL STORE
CITY OF ST. JOHN'S	40 MUNDY POND RD	MS ADMIN BLDG/GOV/NON-PROFIT
PIZZA EXPERTS	446 NEWFOUNDLAND DR	MS RESTAURANT
RONA	60 O'LEARY AVE	MS RETAIL STORE
SPARTAN FITNESS EQUIPMENT	71 O'LEARY AVE	MS RETAIL STORE
INSTA LOANS	36 PEARSON ST	MS OFFICE
KOSY DESIGNS INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS CLINIC
MARIE'S	27 AIRPORT HEIGHTS DR	MS CONVENIENCE STORE
NEWCO METAL & AUTO RECYCLING	46-50 ROBIN HOOD BAY RD	MS INDUSTRIAL USE
RENT CASH INC.	38-40 ROPEWALK LANE	MS BANK
PRINCESS AUTO LTD.	410 STAVANGER DR	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS OFFICE
BOSTON PIZZA	415 STAVANGER DR	MS RESTAURANT
KENNY ENTERPRISES LIMITED	THORBURN RD	MS RETAIL STORE
NORTH ATLANTIC REFINING	446 TOPSAIL RD	MS SERVICE STATION
STANLEY'S PUB	26-34 TORBAY RD	MS TAVERN
TOTALLY TANNED LTD.	120 TORBAY RD	MS SERVICE SHOP
CURVES	272-276 TORBAY RD	MS CLUB
CONVERGYS CUSTOMER MANAGEMENT	TORBAY RD	MS OFFICE
WEST SIDE CHARLIES	430 TORBAY RD	MS TAVERN
NORTH ATLANTIC	660 TORBAY RD	MS SERVICE STATION
RONA	710 TORBAY RD	MS RETAIL STORE
ICT CANADA GROUP INC.	TORBAY ROAD-TORBAY RD MALL	MS OFFICE
TROPICAL AND MARINE PETS INC.	611 TORBAY RD	MS RETAIL STORE
HAYWARD'S BOXING & FITNESS	516 TOPSAIL RD	RN CLUB
ATLANTIC DEVELOPMENTS INC.	12 GLENEYRE ST	RN OFFICE
UNIVERSAL CORPORATE WEAR	140 STAVANGER DR, UNIVERSAL CO	CR OFFICE
ATLANTIS DEVELOPMENTS INC	12 GLENEYRE ST	RN CLINIC
HEALY HOLDINGS LTD.	177-179 NEW GOWER ST	RN RESTAURANT
BAYVIEW ELECTRIC	MEWS PLACE	NC WAREHOUSE
ALBERT FINN & JEAN FINN	370 BACK LINE	EX AGRICULTURE
ROEBOTHAN, MCKAY AND MARSHALL	34 HARVEY RD	TI OFFICE
DOLLARAMA	KELSEY DRIVE	TI RETAIL STORE
CITY OF ST. JOHN'S	340 EAST WHITE HILLS RD	RN ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 5,116,781.00

**CLASS: INDUSTRIAL**

NEWALTA CORPORATION	349 INCINERATOR RD	RN LIGHT INDUSTRIAL USE
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THIS WEEK \$ 712,800.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

WATER TREATMENT PLANT	70 SOUTHERN SHORE HWY	RN ADMIN BLDG/GOV/NON-PROFIT
WATER TREATMENT PLANT	70 SOUTHERN SHORE HWY, ELECT	NC ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 9,500,000.00

**CLASS: RESIDENTIAL**

JEAN CURTIS	28 BELVEDERE ST	NC ACCESSORY BUILDING
RANDOLPH & ANNE BISHOP	7 BRIGHTON PL	NC ACCESSORY BUILDING
NARCISSUS WALSH	43 CARRICK DR	NC PATIO DECK
DR. NORMAN J. LUSH	62 CORNWALL CRES	NC FENCE

JASON ANDREWS	4 FORDE DR	NC ACCESSORY BUILDING
PRECISION ELECTRICAL	27 GEORGINA ST, LOT 370	NC SINGLE DETACHED & SUB.APT
CARDINAL HOMES	72 GLENLONAN ST, LOT 64	NC SINGLE DETACHED DWELLING
DOROTHY MILNE	15 HERDER PL	NC ACCESSORY BUILDING
RUDY NEWELL	54 HOPEDALE CRES	NC PATIO DECK
SKYMARK CONTRACTING LTD.	64 ICELAND PL, LOT 28	NC SINGLE DETACHED DWELLING
DEREK J. MOULAND	21 LIONS RD	NC PATIO DECK
EPIC CONSTRUCTION SERVICE INC.	9 MIKE ADAM PL, LOT 5-233	NC SINGLE DETACHED DWELLING
KEVIN & CAROL REID	44 MYRICK PL	NC ACCESSORY BUILDING
ANDREW DAWE	518 NEWFOUNDLAND DR	NC ACCESSORY BUILDING
TRIMMER HOMES	45 PETITE FORTE DR, LOT 307	NC SINGLE DETACHED & SUB.APT
PERHAM HOMES LIMITED	63 PETITE FORTE DR, LOT 330	NC SINGLE DETACHED DWELLING
DAVID SCHWARTZ	100 POWER'S RD	NC FENCE
PRO TECH CONSTRUCTION	3 ROSE ABBEY ST, LOT 150	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION LTD.	15 ROSE ABBEY ST, LOT 144	NC SINGLE DETACHED DWELLING
JEROME & FLORENCE KENNEDY	7 SILVERTON PL	NC ACCESSORY BUILDING
MICHELE BOLAND	48 SMITH AVE	NC FENCE
RACQUEL BUTT & EVAN PENNY	13 NAVAJO PL	CR SUBSIDIARY APARTMENT
LESLIE MCNAB/ALFRED HYNES	123-125 QUIDI VIDI RD	CR SINGLE DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	32 BROOKFIELD RD	RN HOME FOR AGED
JOSEPH SCANLON	26 FLEMING ST	RN TOWNHOUSING
AUSTIN'S CONTRACTING	10 GEORGINA ST	RN SINGLE DETACHED DWELLING
JASON NICHOLS/DANIELLE NICHOLS	85 MACBETH DR	RN SINGLE DETACHED DWELLING
SHARON GRAY AND LAURA L. POPE	29 MULLOCK ST	RN SINGLE DETACHED DWELLING
CHRIS MARTIN	10 SEABORN ST	RN SINGLE DETACHED DWELLING
MICHAEL HICKEY	11 SIGNAL HILL RD	RN SINGLE DETACHED DWELLING

THIS WEEK \$ 2,002,280.00

**CLASS: DEMOLITION**

JEROME QUINLAN	29 DILLON CRES	DM SINGLE DETACHED DWELLING
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THIS WEEK \$ 5,000.00

THIS WEEK'S TOTAL: \$ 17,336,861.00

REPAIR PERMITS ISSUED: 2010/12/02 TO 2010/12/08 \$ 36,650.00

LEGEND

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

**Payrolls and Accounts**

**SJMC2010-12-13/685R**

**It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending December 9, 2010 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending December 9, 2010**

**PAYROLL**

Public Works	\$	518,379.75
Bi-Weekly Management	\$	633,528.31
Bi-Weekly Admin.	\$	689,295.21
Bi-Weekly Regional Fire	\$	591,107.50

**ACCOUNTS PAYABLE** \$ 3,777,269.84

**Total:** \$ 6,209,580.61

**Tenders**

- a. Tender – Full Size SUV (SJRFD)
- b. Tender – Five Door Hatchback AWD/4WD (SJRD)
- c. Tender – Full Size Passenger Van (SJRF)
- d. Tender – Full Size Cargo Van (SJRFD)
- e. Tender – Full Size Pick-Up (SJRFD)
- f. Tender – Maintenance and Service Contract – Cleaning Services City of St. John’s Various Locations

**SJMC2010-12-13/686R**

**It was moved by Councillor Collins; seconded by Councillor Hann: That the recommendations of the Director of Finance and City Treasurer and the Director of Building and Property Management be approved and the tenders awarded as follows:**

- a. Terra Nova Motors @ \$49,196.81 (taxes included)
- b. Freshwater Suzuki @ \$22,889.28 (taxes included)
- c. Hickman Motors @ \$35,280.86 (taxes included)
- d. Hickman Motors @ \$27,905.35 (taxes included)

- e. **Avalon Ford Sales @ \$29,122.38 (taxes included)**
- f. **Kelloway Construction Ltd. for the composite amount of \$767,780.76 which includes HST and is for a two year period.**

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

**City of St. John's 2011 Budget**

His Worship the Mayor called upon Deputy Mayor Duff, Chair of the Finance and Administration Standing Committee, to present the City of St. John's 2011 Budget.

During her presentation, a copy of which is on file with the City Clerk's office, Deputy Mayor Duff noted that the City has seen unprecedented growth over the past decade and feels that this balanced budget allows the City to provide the type of services residents expect to see in a world-class City. In order to balance the budget the City is increasing the mil rate by 0.5 mils for 2011 for Residential Realty Tax, Commercial Realty Tax and the "General Rate" of Business Occupancy tax. The Water Tax, which is set at rates required to cover all the costs associated with providing treated water and waste water treatment to the City, is set at \$580, an increase of \$10 per residential unit. Metered water rates will increase as well in proportion to the increase in the flat residential rate. The City is projecting an approximate expenditure of \$224,228,000 for 2011, an increase of \$18,220,000 over 2010, with wages and benefits being one of the major factors driving this increase. Other increases in expenditure include curbside recycling; Riverhead Waste Water Treatment Plant; debt service; street rehabilitation; pension plan special payments; St. Johns Transportation Commission and materials recycling.

**SJMC2010-12-13/687R**

**It was moved by Deputy Mayor Duff; seconded by Councillor Galgay: That the City of St. John's Operating Budget for the 2011 fiscal year, and the following Tax and Interest Rate Resolutions for 2011 be adopted:**



**2011 WATER BY METER RESOLUTION**

**IT IS HEREBY RESOLVED** that under the provisions of the City of St. John's Municipal Taxation Act, and all other powers it enabling, the Council hereby fixes the rates for Water by Meter effective January 1, 2011, as follows:-

**Monthly Consumption Rates**

\$3.80 per 1,000 gallons  
or \$0.83 per cubic meter

**Monthly Base Charge**

5/8" meter	\$ 34.54
3/4" meter	51.89
1" meter	86.39
1½" meter	172.67
2" meter	275.44
3" meter	551.43
4" meter	881.46
6" meter	1,722.93
8" meter	2,799.90
10" meter	3,960.31

**RESOLUTION**  
**2011 BUSINESS TAX RATE ON UTILITIES**

**IT IS HEREBY RESOLVED** that pursuant to the provisions of the Taxation of Utilities and Cable Television Companies Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the Municipal Business Tax rate on utilities at 2.5 percent of the gross revenue of any and all utilities derived within the City limits of the City of St. John's during the year January 1, 2010 to December 31, 2010.

The said tax shall be due and payable at the time and in the manner prescribed by the Lieutenant-Governor in Council in the regulations made pursuant to the said **Taxation of Utilities and Cable Television Companies Act**.

**2011 25% PROPERTY TAX REDUCTION  
FOR SENIOR CITIZENS**

**IT IS HEREBY RESOLVED THAT A REDUCTION OF 25% OF THE PROPERTY TAX FOR 2011 BE PROVIDED TO SENIOR CITIZENS SUBJECT TO THE FOLLOWING CONDITIONS:-**

- (a) That the applicant is the assessed owner of the property as of January 1, 2011.
- (b) That the applicant occupies the property as his/her principal year-round residence.
- (c) That the applicant is in receipt of the guaranteed income supplement under the Old Age Security Act.

**2011 ACCOMMODATION TAX 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 Accommodation Tax at 3% of the amount charged for the accommodation, lodging or stay in a room in a building in the City which is:-

- (a) licensed under the Tourist Establishments Act;
- (b) owned by the Memorial University of Newfoundland; or
- (c) located at the Littledale Conference Centre.

The said tax shall be due and payable quarterly by April 15<sup>th</sup>., July 15<sup>th</sup>., October 15<sup>th</sup>. and January 15<sup>th</sup>.

**2011 WATER TAX RESOLUTION**

**IT IS HEREBY RESOLVED** that under the provisions of the City of St. John’s Municipal Taxation Act, and all other powers it enabling, the Water Tax shall be levied as follows:-

For residential units and for commercial properties not taxed by water meters, the sum of Five Hundred and Eighty Dollars (\$580.00) per annum per commercial unit for commercial properties or per residential unit for residential and apartment buildings.

The said tax shall be due and payable half-yearly on the 1st. day of January and the 1st. day of July, 2011.

**2011 BUSINESS TAX RATE 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 fixes the business tax rates for the 2011 fiscal year as follows:-

Banks/Trust Co/Credit Unions	6.739 percent per annum
Loan Companies/Investment Firms and Life Insurance Companies	4.813 percent per annum
Oil Companies Tank Farms	3.469 percent per annum
Breweries	2.407 percent per annum
Commercial Schools	2.407 percent per annum
Hotel/Motel	1.926 percent per annum
Bed and Breakfasts	1.154 percent per annum
Other Business Operations	1.733 percent per annum
Productive Agriculture Lands	0.265 percent per annum
Unproductive Agriculture Lands	0.0 percent per annum
Registered Charities	0.0 percent per annum

Communication/Cable operators not covered under the Utility Tax Resolution will be fixed at 3.469 percent per annum.

Container Terminals/Oil Industry Offshore Supply Bases rate will be fixed at 1.124 percent per annum.

Businesses operating in the Downtown St. John’s Business Improvement Area will be subject to an additional tax of 10% per annum of the Business Tax

imposed to a maximum annual additional tax levy of \$4,000 for each location from which the business, trade or profession is carried on.

A minimum Business Tax will be levied at \$267.50 per annum.

The said tax shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2011.

### **2011 PROPERTY TAX RATE RESOLUTION - COMMERCIAL PROPERTIES**

**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 commercial property tax rate for the 2011 fiscal year as follows, namely:-

1. for commercial properties and the commercial portion of mixed commercial/residential properties, the real property tax rate is 1.68 percent per annum of the assessed value of the property in respect of which the tax is imposed.
2. (a) where the real property tax applies to buildings to which water mains are not accessible for servicing such buildings with water services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value; and,  
  
(b) where the real property tax applies to buildings to which sewer mains are not accessible for servicing such buildings with sewer services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value.

The said taxes shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2011.

**2011 PROPERTY TAX RATE RESOLUTION - RESIDENTIAL PROPERTIES**

**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 real property tax rate for the 2011 fiscal year as follows, namely:-

1. for residential properties and the residential portion of mixed commercial/residential properties, the real property tax rate is 1.06 percent per annum of the assessed value of the property in respect of which the tax is imposed.
  
2. (a) where the real property tax applies to buildings to which water mains are not accessible for servicing such buildings with water services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value; and,  
  
(b) where the real property tax applies to buildings to which sewer mains are not accessible for servicing such buildings with sewer services, the tax rates referred to in (1) hereof shall be reduced by .05 percent per annum of the assessed value.

The said taxes shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2011.

**2011 INTEREST RATE RESOLUTION**

**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 2011 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.

Members of Council supporting the motion were satisfied to present a balanced budget that represents the cost of providing added services and the cost associated with providing existing services. They noted some of the new services such as water treatment, recycling program, sidewalk snow clearing and waste water treatment; the factors responsible for the tax increase such as wages and benefits; the need to invest extra funds toward capital budget in 2011 in anticipation of a renewed multi-year capital works cost-shared program with the provincial government.

In speaking against the motion Councillors Tilley, Hann and Breen indicated their support of a property tax reduction for seniors and increased capital expenditure. Councillor Breen noted he intends to bring forward a motion in the new year to broaden the scope of the audit committee to review City operations; would like lower operating expenses and increased capital funding; will strike a committee to review the community grants process. Councillor Tilley would like a review of all service levels; an enhancement of economic development. He listed projects which he argued should not have been funded and development proposals that were turned down by Council that could have added to the City's tax base. Councillor Hann agreed that Council has lost significant revenue; that the City should be more fiscally responsible; indicated the need to look at ways to support the arts community in a fair and equitable manner, and would like a complete review of expenditures.

**Following discussion, the motion being put was carried with Councillors Hann, Breen and Tilley dissenting.**

### **69 Brookfield Road – Thomas Murphy**

Council considered a memorandum dated December 9, 2010 from the City Manager regarding the above noted.

#### **SJMC2010-12-13/688R**

**It was moved by Councillor Hanlon; seconded by Councillor Breen: That the recommendation of the City Manager, that compensation for the removal of a tree and hedging on property of 69 Brookfield Road be revised from \$2,025.00 to \$2,205.00, since more hedging was removed than anticipated, be approved.**

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

**98 Portugal Cove Road – Pam Karasek**

Council considered a memorandum dated December 7, 2010 from the City Manager regarding the above noted.

**SJMC2010-12-13/689R**

**It was moved by Councillor Hickman; seconded by Councillor Colbert: That the property owner at 98 Portugal Cove Road be compensated in the amount of \$400.00 for the removal of shrubs as a result of infrastructure upgrading on Portugal Cove Road, as recommended by the City Manager.**

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

**St. John's Port Authority – U.S. Army Dock Road**

Council considered a memorandum dated December 7, 2010 from the City Manager regarding the above noted.

**SJMC2010-12-13/690R**

**It was moved by Councillor Hanlon; seconded by Councillor O'Leary: That the recommendation of the City Manager the St. John's Port Authority's agreement to reimburse the City for the cost of constructing a water metering room in its building at U.S. Army Dock Road by providing a License to use the room for water metering purposes, be approved.**

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

**99 Portugal Cove Road**

Council considered a memorandum dated December 7, 2010 from the City Manager regarding the above noted.

**SJMC2010-12-13/691R**

**It was moved by Councillor Hanlon; seconded by Councillor O'Leary: That the property owner at 99 Portugal Cove Road be compensated in the amount of \$1,250.00 for the removal of some hedging and a tree during infrastructure upgrading in Portugal Cove Road, as recommended by the City Manager.**

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

**Request for Waiver of Building & Development Fees**

Council considered a memorandum dated December 8, 2010 from the Director of Building and Property Management regarding the above noted.

**SJMC2010-12-13/692R**

**It was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That building and development fees for the following projects be waived**

- 1. Eastern Gate II – 12 Units of Affordable Housing Registered Charity**
- 2. Dream Home 23 – Canadian hard of Hearing Association Registered Charity**

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

**Ratification of Email Poll**

**SJMC2010-12-13/693R**

**It was decided on motion of Councillor Galgay; seconded by Councillor Hann: That the following email poll be ratified:**

**Top of Lake View Ave where it intersects with Forest Road closed to facilitate service connections on the watermain along Forest Road. The access to Lake View Ave from Forest Road closed for 2 days while the work was being completed. The projected dates - December 8 and 9, 2010.**

**Retirement of City Manager, Mr. Ron Penney**

Members of Council along with staff extended congratulations and best wishes to Mr. Ron Penney on his retirement effective January 1, 2011. Mr. Penney noted that it has been a tremendous honour for him to serve as manager of the City of St. John's and thanked members of Council and staff for their support over the years.

**Councillor O'Leary**

Councillor O'Leary asked on behalf of many constituents the status on the metrobus strike and how both parties can be encouraged to resume talks.



Councillor Hann advised that Council has been updated on a regular basis on the status of labour dispute between Metrobus Transit and the Amalgamated Transit Union, noting there has been a lot of activity behind the scenes in trying to get a resolution to the situation. He noted it is his understanding from the management and bargaining teams there may be an opportunity to resume negotiations, according to messages received from the conciliation officer.

His Worship the Mayor noted that Council was briefed earlier on the status of the strike and reiterated the fact that all members of Council have been briefed on a regular basis since the start of the dispute. He indicated it is his hope the situation can be resolved in a few days and encouraged all parties to take advantage of any opportunity to get back to the bargaining table.

**Councillor Breen**

Councillor Breen advised that the situation pertaining to complaints over the noise from the refrigerated trailers at the Dominion Supermarket, Lake Avenue, has been reviewed and Loblaws plan to construct a structure outside as a permanent solution to keep the noise down and while being built they have agreed the trucks will not be permitted to run after 11:00 pm. He thanked Loblaws for their cooperation.

**Adjournment**

There being no further business, the meeting adjourned at 6:20 p.m.

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**MAYOR**

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**CITY CLERK**