

February 14, 2011

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

The Acting City Manager/Director of Corporate Services and City Clerk; the Deputy City Manager/Director of Public Works and Parks; the Director of Engineering; the Acting City Solicitor; the Director of Planning, and the Recording Secretary were also in attendance.

Adoption of the Agenda

SJMC2011-02-14/74R

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

Adoption of the Minutes

SJMC2011-02-14/75R

It was decided on motion of Councillor Galgay; seconded by Councillor Tilley: That the minutes of the meeting held February 7, 2011, be adopted as presented.

Notice of Motion – Amendment to Animal Control Regulations

Councillor Collins asked that his Notice of Motion be deferred as he still exploring other options at this time.

Notice of Motion – Sale of City Owned Property at 90 Duckworth Street

Deputy Mayor Duff advised that at Council's Special Meeting held January 31, 2011, Council approved the sale of City owned property at 90 Duckworth Street, with a number of conditions on the sale of the property.

SJMC2011-02-14/76R

Pursuant to the Notice of Motion, it was moved by Deputy Mayor Duff; seconded by Councillor O'Leary: That the decision of Council on January 31, 2011, to enter into

an agreement with Republic Properties to sell 90 Duckworth Street, under the following conditions, be rescinded:

- a. purchase price to be \$556,000.00 (\$60.00/square foot, as is);**
- b. the proposed development must contain enough parking to satisfy the requirement for all space being developed at 83 Duckworth Street and 90 Duckworth Street; and**
- c. the sale be subject to the successful rezoning of the 90 Duckworth Street site and development approval being provided for the proposals for both 83 and 90 Duckworth Street.**

Members of Council supporting the motion indicated that the disposal of City owned property should be carried out in a more transparent and accountable fashion, therefore, the property should be offered for sale either through a public tender or call for expressions of interests. An analysis should be carried out to determine the value of the land and the best use for it, instead of selling it without any public consultation or input. The building could be used for other public purposes, and this should be investigated. If the City decides to utilize the west end fire station building for the property management division once a new fire station has been constructed, renovation work could take 2-3 years, and the City will be paying out rent for another space in the meantime. Any profit realized by the sale of the east end fire station will be negated in the interim. In addition, there has been no formal application submitted for the redevelopment of 83 Duckworth Street, and as such, no staff review or public consultation has taken place. Selling the City owned land before knowing all the variables is not good decision making.

Those members of Council opposing the motion noted that Council's decision is to provide the owners of 83 Duckworth Street with an option to purchase 90 Duckworth Street, however, before the purchase of the property can take place a number of conditions have to be met, including approval of rezoning and development applications for both properties. There is no binding sale of City property, the motion passed just gives the developer an option to purchase it once the specific conditions are met. Public consultation will likely be held as part of the process in considering the rezoning and development applications.

In response to a question from Councillor Tilley, the Acting City Manager advised that the public tender act only applies to the acquisition of goods and services. It does not apply to the disposal of property. The power of the City to acquire and sell land is contained within the City

of St. John's Act, and the City has the right under the Act to dispose of land without going to public tender. He provided two examples where this has taken place – the sale of the former Humane Services Building on Blackmarsh Road to Loblaws and the sale of the former CN Station building to the Railway Coastal Museum.

Deputy Mayor Duff closed debate noting that her intent in making the motion was to ensure that the sale of land was a fair and open process and to have the best use of the land determined before consideration was given to selling it. With respect to the question of whether or not the sale agreement is binding, the Acting City Solicitor advised that if all the conditions of the agreement are met, then it is considered to be a contract.

Following the discussion, voting for the motion were the mover, seconder and Councillors Galgay, Collins and Colbert. Voting against the motion were Mayor O'Keefe, and Councillors Breen, Tilley, Hann, Hickman, and Hanlon.

The motion was lost.

Downtown Snow Clearing

Councillors Tilley and Galgay raised the issue of concerns expressed by downtown merchants regarding snow clearing in the downtown. Due to the amount of snow accumulation, a number of parking meters have been bagged on Duckworth Street and Water Street in order to facilitate the flow of traffic. Downtown merchants are upset about the potential loss of business as a result.

The Director of Public Works and Parks advised that it became necessary today to take a number of parking meters out of services in the commercial core of the downtown due to snow clearing conditions and in the interest of keeping traffic flows open and eliminating congestion. This is only a temporary measure until snow removal crews are available to start snow removal on these streets. He indicated that while he understood the concerns of business owners, public safety is also a priority. Approximately 200 cm of snow has fallen in the last 4-5 weeks, without any melting. There have been two snow removals in the downtown core, with another scheduled for the next day or so. However, there are some streets that have become quite narrow with snow

accumulation and removal is necessary in order to ensure adequate access for emergency vehicles.

Development Committee Report – February 8, 2011

Council considered the following Development Committee Report dated February 8, 2011:

RECOMMENDATION OF APPROVAL:

**1. Proposed Ten (10) Lot Residential Subdivision
Harmony Homes Limited
Civic No. 560 Topsail Road (Ward 3)**

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

- a. compliance with the requirements of the Departments of Planning and Engineering, including conformance with the City's Subdivision Development Policy;
- b. payment of all development fees and assessments in accordance with Section 6.4 of the St. John's Development Regulations; and
- c. the required Building Permits must be obtained from the City, prior to the commencement of any development.

**2. Proposed Building Line Reduction
Redwood Construction
Civic No. 89 O'Leary Avenue (Ward 4)**

The Development Committee recommends that Council approve the 17.37 metre building line.

**3. Application to Add a Fourth Floor with 11 Residential Units to a
Seniors' Condominium Apartment Building
Capital Holdings Ltd.
Margaret's Place (Ward 2)**

The Development Committee recommends that Council approve the **attached** Terms of Reference for the Land Use Assessment Report for the proposed 4th floor (with 11 additional residential dwelling units) to the previously approved three (3) storey, thirty-three (33) unit Seniors' Condominium Apartment Building now under construction on

Margaret's Place. It is also recommended that once the report has been received and reviewed by staff, that staff be directed to schedule a public meeting, to be chaired by a member of Council, on the application and the Land Use Assessment Report.

**4. Proposed Addition of 28 Storage Tanks to an Existing Tank Farm
Atlantic Planning and Management
Civic No. 410 Logy Bay Road (Ward 4)**

The Development Committee recommends that Council approval the above noted application. It is further recommended that the Planning Committee be asked to examine the possibility of changing the current zoning for this area to recognize the predominantly industrial activity taking place.

RECOMMENDATION OF REJECTION:

**5. Proposed Topsoil Screening/Heavy Equipment Storage/Recycling
Concrete Operation
Infinity Construction
Albert Mitchell Property – Thorburn Road (Ward 4)**

The Development Committee recommends that Council reject the above noted application by Infinity Construction pursuant to Section 104 of the City of St. John's Act.

Neil A. Martin
Acting City Manager
Chair – Development Committee

SJMC2011-02-14/77R

It was moved by Councillor Hann; seconded by Councillor Hanlon: That the Committee's recommendations be approved.

Regarding Item #2, Deputy Mayor Duff asked about the rationale for establishing the building line. The Director of Planning advised that Section 10 of the Development Regulations sets out the minimum building line requirements for all the zones in the City. Section 8.3.1 of the same regulations states that Council may establish the building line for a particular property, notwithstanding the provisions of Section 10.

Regarding Item #1, Councillor Tilley advised that the subject property is in his ward and he supported the development application. He noted that the initial proposal was for townhousing units, but the developer revised his application after some opposition was expressed by area residents.

Regarding Item #3, Councillor O'Leary indicated that she had some concern with the access and egress for Margaret's Place, noting that it is a particularly long cul-de-sac, and there should be an alternate access/egress route installed. Mayor O'Keefe noted that this particular issue is covered in the Terms of Reference for the Land Use Assessment Report.

The motion being put was carried unanimously.

Audit Committee Report – January 20, 2011

Council considered the following Audit Committee Report dated January 20, 2011:

**REPORT/RECOMMENDATIONS
AUDIT COMMITTEE
January 20, 2011**

In Attendance: Councillor Danny Breen, Chairperson
Councillor Tom Hann
Councillor Bruce Tilley
Mr. Harold Squires, Citizen Representative
Mr. Neil Martin, Acting City Manager/Director of Corporate Services & City Clerk
Mr. Bob Bishop, Director of Finance & City Treasurer
Mr. Cliff Johnston, Director of Planning
Mr. Jason Silver, City Internal Auditor
Mr. Sean Janes, Auditor I
Mr. Joe Sampson, Manager of Development
Mr. Ken O'Brien, Manager of Planning & Information
Ms. Aggi Wescott, Manager of Administrative Services
Ms. Kelly Butler, Recording Secretary

1 Internal Audit Report – Follow Up: Department of Planning (Assignment No. 10-03)

The Committee considered the above noted report and reviewed a presentation by the Auditor I which highlighted the report's main points. **(A copy of the report is on file with the City Clerk's Department and forms part of these minutes.)**

Mr. Janes noted that the initial report was issued on August 6, 2007, and Council adopted the report and its recommendations on October 1, 2007. The main purpose of the follow up review is to determine the adequacy, effectiveness and timeliness of actions taken by management in response to the recommendations contained in the report.

The following recommendations contained in the follow-up report were highlighted during the presentation:

- Recommendation 1.1 – Performance Measurement – Continue with the initiatives that have been implemented to help increase the Planning Department’s efficiency and effectiveness as previously noted in the report. Management should expand the areas where performance is being measured, paying particular attention to those areas where it is still difficult to measure performance as noted in the report (e.g. time taken to approve/reject an application; number of applications processed per year; timeliness of receipt of payment of application fees, etc.) The new ERP computer systems being implemented should help management better control and measure performance in the areas of application processing and compliance letter processing. To improve performance measurement, management should identify key performance indicators and ensure they are tracked using the new systems.
- Recommendation 2.1 – Compliance Letters – Continue with the plan to work with the ERP team to design and implement a computerized compliance letter process that will help lower the chances that the compliance letters issued will contain errors and, therefore, reduce the risk to the City. Sample reviews of compliance letters should continue.
- Recommendation 2.2 – Review of Applications – Continue to stress to staff the importance of completing all application and referral checklists and ensuring that copies of all receipts are maintained in the appropriate files. Provide staff with a definition of what is considered to be a major and/or sensitive application be reviewed during the weekly meetings between the Departments of Planning and Engineering to ensure that there is no confusion regarding which applications should or should not be reviewed. Continue with management’s plan to have Department of Planning staff assist the ERP implementation team with the design and implementation of the new system to ensure that adequate controls are built into the system to make certain applications are complete prior to the accept/reject decision being made and prior to issuance of any permits.
- Recommendation 3.1 – Application Fees – Develop and implement a method of logging all applications received. Inquiries should be kept separate from applications and should not be included in this log. The log should contain areas to capture the required information to help ensure completeness of the application fee revenue. Ensure that an application identifier is added to each individual application and to each receipt so that the applications can be easily matched to the corresponding payment. An individual with no application processing responsibilities should be appointed to regularly reconcile the application fee payments to the applications received. Work with the ERP

implementation team to ensure the above noted controls are built into the ERP computer system wherever possible.

- Recommendation 3.2 – Application Checklist – Determine what major items need to be checked and reviewed by the Development Officers for each different application type to ensure that each application is thoroughly reviewed. Determine what referrals are usually required for each different application type. This information should be documented in a work procedure and included in the departmental procedures manual. Information should be provided to the ERP implementation team to be appropriately incorporated into the automation of the current manual application review process.
- Recommendation 3.3 – Application Review – Have a second qualified employee perform a complete review and sign-off on all application files prior to issuing the approve or reject decision to obtain assurance that the correct decision has been made which will considerably reduce risk in the application review process. The new ERP system, when implemented, may be able to aide in this process by streamlining the review process.
- Recommendation 4.1 – Office Procedures Manual – Develop an office procedures manual for the Department of Planning. This should be done prior to the retirement of the Department’s most senior, experienced staff members in an effort to document their knowledge of the current practices and procedures.
- Recommendation 5.1 – Revenue Completeness – Develop a control log or some other method to track all compliance letter requests received. The log should contain pertinent information such as requester name, property request made for, date received, method of payment, receipt number, etc. The log should be reviewed and signed off by management on a regular basis, and the log should be maintained by a staff member with no other responsibility for compliance letters. Compliance letters should not be issued unless a receipt for payment is attached and on file.

Management has agreed to implement the recommendations outlined in the report.

The Committee discussed the report at length, particularly the time and cost saving benefits and risk mitigation that will be realized when the new ERP system is completed and implemented for the Department of Planning.

The Committee recommends that the attached follow-up report and recommendations on the Department of Planning be adopted as presented.

2. Three Year Audit Plan (2011, 2012, 2013)

The Committee considered as information a memorandum dated December 30, 2010, from the City Internal Auditor.

The City Internal Auditor advised that in preparing the audit plan, Internal Audit reviews various operational areas with each of the City’s Directors to get an idea of their concerns and possible areas where there may be significant risk to the City. The audit plan is then prepared and

presented to the Audit Committee for their approval. It should be noted that the plan also incorporates some areas of lower risk as well. He cautioned that the audit plan is generally a guideline of areas to be reviewed; however, it can be changed if necessary. He noted that Councillor Breen has put forward a proposal for some work this year, which may cause the plan to be amended.

Councillor Breen referenced the planned follow-up review of the Budget Process, and he inquired about exactly what it entailed. The City Internal Auditor explained that the initial review was undertaken in 2009, with most of the research into the budgetary process based on examination of the City's 2009 budget process through direct observation, review of budget documents, and interviews with key stakeholders that were directly involved in the process. He indicated that he would provide Councillor Breen with a copy of the review report for his information.

Discussion ensued regarding the budget process, with it being noted that Council adopts its Fiscal and Service Strategy each year, and staff use the contents of this document to prepare their budgets for the following year. The budget as a whole is then prepared and based on the revenue forecast, a funding line is determined. Senior staff then ask Council if they agree with the service levels rankings above the funding line. During the 2011 budget review, greater detail on the service level breakdowns was provided to Council at its request. After much review, deliberation, and consultation with staff, a final decision on the budget is made by Council.

The Acting City Manager indicated that the whole budgetary process begins with Council's review and approval of the Fiscal and Service Strategy. This document lays out Council's priorities for the ensuing year and aids staff in preparing their budgets in accordance with Council's wishes. The City Internal Auditor commented that Council normally waits to make a decision on service levels well into the budget process, which limits its ability to make changes. Councillor Breen suggested that Council may want to consider, on a go-forward basis, having a stand alone meeting on the Fiscal and Service Strategy to determine its key priorities and objectives. This will help Council take more ownership over the budget process by assessing key priorities and giving staff clear direction on what Council's priorities are for the upcoming budget year. Determining Council's goals and objectives may be difficult because each person has their own thoughts on where Council should be spending its money, and having a stand alone meeting to hash out all those priorities is a good idea. Mr. Squires agreed that no one likes to deal with budgets, but it is an important process that must take place. With respect to Council's responsibility for budgeting, he referenced Section 302 of the City Act which states: "Where a debt is incurred or money is spent by the council or under its authority beyond the amount authorized by the Minister of Municipal and Provincial Affairs, the members of the council voting for it shall be jointly and individually liable to a person who sues for it."

The Committee recommends that the Three Year Audit Plan be adopted as presented.

Councillor Danny Breen
Chairperson

SJMC2011-02-14/78R

It was decided on motion of Councillor Breen; seconded by Councillor Tilley: That the Committee's recommendations be approved.

Development Permits List

Council considered the following Development Permits List for the period February 4 to 10, 2011:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF February 4, 2011 TO February 10, 2011

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Genivar	COSTCO Gas Bar	28 Stavanger Drive	1	Approved	11-02-08
RES	Brendan Rees	Infill Housing (one unit)	6 Bulley Street	2	Rejected- Insufficient Lot Area-Contrary to Section 7.10	11-02-09
RES	Bodan Construction Limited	Demolition & Rebuild of Dwelling	10 Forest Road	2	Approved	11-02-04
RES	Nick Vinicombe	Demolition & Rebuild of Dwelling	17 Gooseberry Lane	4	Approved	11-02-08
COM	Buy and Sell Magazine	Extension to Building	50 O'Leary Avenue	4	Approved	11-02-10

* 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

SJMC2011-02-14/79R

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

2011/02/09

Permits List

CLASS: COMMERCIAL

53653 NEWFOUNDLAND AND U-WEIGHT LOSS	40 ABERDEEN AVE	MS OFFICE
SMART SET	46A ABERDEEN AVE	MS CLINIC
PETS UNLIMITED	79B ABERDEEN AVE	MS RETAIL STORE
FIREPLACE & CLOSET SOLUTIONS	89 ABERDEEN AVE	MS RETAIL STORE
ROYAL CANADIAN LEGION	18 CRAIG DOBBIN'S WAY	MS RETAIL STORE
KELSEY DRIVE PIZZA COMPANY	57 BLACKMARSH RD	MS PLACE OF ASSEMBLY
PETS UNLIMITED	35 KELSEY DR	MS RESTAURANT
KIDDIE KOBBLER	39 KELSEY DR	MS RETAIL STORE
OXFORD MORTGAGE CONSULTING	58 KENMOUNT RD	MS RETAIL STORE
COHEN'S HOME FURNISHINGS	58 KENMOUNT RD	MS OFFICE
FURNITURE AND MATTRESS	81 KENMOUNT RD	MS RETAIL STORE
SUMMIT MOTORS LTD	323 KENMOUNT RD	MS RETAIL STORE
BALLY HALY GOLF & COUNTRY	409 KENMOUNT RD	SN CAR SALES LOT
A.I.M.E. PHYSIOTHERAPY INC.	90 LOGY BAY RD	MS CLUB
ALEX FOLEY ACADEMY	204-206 MAIN RD	MS CLINIC
TRIM SHOP	484 MAIN RD	MS CLUB
PIZZA EXPERTS	219 MAJOR'S PATH	MS RETAIL STORE
KOSY DESIGNS INC.	446 NEWFOUNDLAND DR	MS RESTAURANT
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS RETAIL STORE
MARIE'S MINI MART	279 PORTUGAL COVE RD	MS CLINIC
EARLY ACHIEVERS INC.	27 AIRPORT HEIGHTS DR	MS CONVENIENCE STORE
STAVANGER DRIVE PIZZA COMPANY	397 STAVANGER DR	MS RETAIL STORE
KENNY ENTERPRISES LIMITED	415 STAVANGER DR	MS RESTAURANT
NORTH ATLANTIC REFINING	THORBURN RD	MS RETAIL STORE
BELLA VISTA LIMITED	446 TOPSAIL RD	MS SERVICE STATION
TOTALLY TANNED LTD.	26-34 TORBAY RD	MS TAVERN
CURVES FOR WOMEN	120 TORBAY RD	MS SERVICE SHOP
SIEMENS CANADA LIMITED	272-276 TORBAY RD	MS CLUB
GENTARA CO LTD.	89 O'LEARY AVE	NC ACCESSORY BUILDING
BROAD COVE FOOD SERVICES	354 WATER ST, 4TH FL WASHROOMS	RN OFFICE
SEARS CANADA INC.	50 KENMOUNT RD, A&W	RN EATING ESTABLISHMENT
MCLOUGHLAN ESTATES LIMITED	AVALON MALL	RN RETAIL STORE
JOHNSON INC.	22-24 BLACKMARSH RD	RN RETAIL STORE
T.D.L. GROUP LTD.	13-15 DUFFY PL	RN OFFICE
	78 HARVEY RD	SW EATING ESTABLISHMENT

THIS WEEK \$ 258,563.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

PATISON OUTDOOR ADVERTISING	101 MACDONALD DR	SN PARISH HALL
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FED GOVT (SIR HUMPH. GILBERT)	175-177 DUCKWORTH ST	RN ADMIN BLDG/GOV/NON-PROFIT
		THIS WEEK \$ 45,000.00

CLASS: RESIDENTIAL

CLOVER CONSTRUCTION INC.	CAPE PINE ST, LOT 79	NC SINGLE DETACHED DWELLING
CLOVER CONSTRUCTION INC.	CAPE PINE ST, LOT 81	NC SINGLE DETACHED DWELLING
JEFFREY REARDON	31 SHAW ST	NC ACCESSORY BUILDING
JEFF REARDON	31 SHAW ST	NC FENCE
SEAN HANRAHAN	40 SMITHVILLE CRES	NC FENCE
REDWOOD CONSTRUCTION LTD.	STONEBRIDGE PL - LOT 22	NC ACCESSORY BUILDING
ROBERT MILLER	67 KEITH DR	CO HOME OFFICE
MICHAEL O'KEEFE	102 BOULEVARD	RN SINGLE DETACHED & SUB.APT
NICKY ALLEN	7 DARLING ST	RN SINGLE DETACHED DWELLING
MARK EDWARD PIPPY	4 DUNSCOMBE PL	RN SINGLE DETACHED DWELLING
JASON THISTLE	15 GLASGOW PL	RN SINGLE DETACHED DWELLING
TOM MURPHY	7 KEATS PL	RN SUBSIDIARY APARTMENT
JAMIE WILLIAMS	20 KERR ST	RN SINGLE DETACHED DWELLING
KURT SULLIVAN	21 LARNER ST	RN SINGLE DETACHED DWELLING
QIYING CHEN & LIQIU MEN	35 LARNER ST	RN SINGLE DETACHED DWELLING
ROSS TANSLEY	55 MACBETH DR	RN SINGLE DETACHED DWELLING
GRACE THOMPSON-WINTER	5 O'GRADY ST	RN SINGLE DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	15 PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	15A PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	17 PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	17A PROSPERO PL	RN SEMI-DETACHED DWELLING
NLLD & LABRDOR HOUSING CORP	19 PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	19A PROSPERO PL	RN SEMI-DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	21 PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	21A PROSPERO PL	RN SEMI-DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP	27 PROSPERO PL	RN SEMI-DETACHED DWELLING
NLFD & LABRADOR HOUSING CORP	27A PROSPERO PL	RN SEMI-DETACHED DWELLING
JOSEPHINE TYLER	39 TUNIS CRT	RN SINGLE DETACHED DWELLING
RAYMOND SPURRELL & JODIE	7 CHAFE'S LANE	SW SINGLE DETACHED DWELLING
		THIS WEEK \$ 886,600.00

CLASS: DEMOLITION

LEX HOLDINGS LTD.	205-211 DUCKWORTH ST	DM OFFICE
		THIS WEEK \$ 100,000.00

THIS WEEK'S TOTAL: \$ 1,290,163.00

REPAIR PERMITS ISSUED: 2011/02/03 TO 2011/02/09 \$ 58,000.00

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

SJMC2011-02-14/80R

It was decided on motion of Councillor Hanlon; seconded by Councillor Colbert: That the following Payrolls and Accounts for the week ending February 10, 2011, be approved:

**Weekly Payment Vouchers
For The
Week Ending February 10, 2011**

PAYROLL

Public Works	\$ 752,756.13
Bi-Weekly Casual	\$ 16,195.17

ACCOUNTS PAYABLE	\$ 2,883,845.41
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Total: \$ 3,652,796.71

Tenders

- a. Tender – Maintenance and Service Contract – Plumbing – Non-Profit Housing
- b. RFP – Preliminary Concept Design Services – Multi-Purpose Recreational and Sports Facility

SJMC2011-02-14/81R

It was moved by Councillor Hann; seconded by Councillor Colbert: That the recommendation of the Director of Building and Property Management be approved and the tenders awarded as follows:

- a. **Kelloway Construction Limited @ \$91,537.75 (HST included) for a 3 year period**
- b. **Ron Fougere Associates Limited/CEI Architecture Planning Interiors**

Regarding the RFP for the Multi-Purpose Recreational and Sports Facility, Councillor Colbert inquired if the drawings for the facility would be posted on the City's website. The Acting City Manager advised that once the drawings were completed, they would be posted on the City's website.

The motion being put was carried unanimously.

Request by Councillor O'Leary to Attend Premier Dunderdale's Address to the St. John's Board of Trade – February 23, 2011

Council considered a memorandum dated February 8, 2011, from the Acting City Manager/Director of Corporate Services and City Clerk regarding the above noted matter.

SJMC2011-02-14/82R

It was decided on motion of Deputy Mayor Duff; seconded by Councillor Hickman: That Councillors O'Leary and Hanlon attend Premier Dunderdale's Address to the St. John's Board of Trade on February 23, 2011, at a cost of \$96.00 per person

Civic No. 107 Bay Bulls Road

Council considered a memorandum dated February 7, 2011, from the City Solicitor regarding the above noted matter.

SJMC2011-02-14/83R

It was decided on motion of Councillor Collins; seconded by Councillor Tilley: That the recommendation of the City Solicitor be approved to acquire a portion of land at the corner of Bay Bulls Road and Cemetery Lane for street upgrading at a cost of \$3,500.00 plus legal fees.

Snow Clearing Report

Council considered as information the Snow Clearing Report for the period January 1st to February 11, 2011.

Notice to Motorists

Council considered as information a Notice to Motorists from the Deputy City Manager/Director of Public Works and Parks regarding Downtown Snow Removal Operations.

Councillor Hann advised that there is an old hearse parked on Patrick Street which has not moved for months and it is now covered in snow. It has become an issue and the vehicle is causing a hazard. He also noted that there is an old Land Rover parked on Long's Hill which has not been moved for a long time as well.

The matter was referred to the Traffic Enforcement Division for action.

Councillor Collins

- Councillor Collins expressed his appreciation to the City's snow clearing crews for the great job they have been doing with snow clearing. With respect to the City's snow clearing equipment, he inquired about the possibility of installing flashing blue lights to the plow blades similar to what the Department of Highways has installed on their trucks. He noted that the flashing lights will help motorists and pedestrians to be better able to judge the distance between themselves and the plow blade, especially in adverse winter conditions.

The Director of Public Works and Parks advised that flashing blue lights have been installed on a lot of the wing blades as a first step. However, he noted that the City's equipment plows to the curb so the lights have to be more durable. Staff are currently exploring options for different types of lights that can be used on the City's equipment.

Councillor Hanlon

- Councillor Hanlon noted that City staff have been clearing out the hydrant on Nascopie Crescent, however, residents keep piling their snow back on top of the hydrant. She urged residents to keep public safety in mind and not to put their snow on top of the hydrant once it has been cleared.
- Councillor Hanlon advised that she has been receiving complaints from residents of Airport Heights with respect to the use of skidoos on the trails. She asked that skidoo operators have consideration for other people when operating their vehicles. The trails are meant to be used for walking, not for snowmobiling.

- Councillor Hanlon referenced the lack of parking in the downtown due to the snow accumulation, and she suggested that this is the perfect opportunity for people to start using the bus as an alternative means of transportation to the downtown.
- Councillor Hanlon noted that there are several commercial buildings in the downtown with large icicles hanging from the eave, and she asked property owners, both commercial and residential, to ensure that the icicles are removed for the safety of pedestrians who might be injured if the icicles should fall onto the sidewalk.
- Councillor Hanlon advised that a private citizen, Mr. Pat Clarke, has offered to provide the funding for the new dog park in the west end of the City. She thanked him for his generosity and commitment to the City. She noted that she would refer this matter to the Parks and Recreation Committee for further discussion.

Councillor Tilley

- Councillor Tilley inquired about the provisions of the Sanitation By-Law with respect to putting garbage out overnight for collection the following day. The Director of Public Works and Parks advised that the Sanitation Regulations state that garbage can only be put out on collection day, at the earliest time of 6 a.m. If residents put garbage out for collection earlier than 6 am. on the scheduled pick up day, they can be subject to fines. He noted that putting garbage out earlier, especially during the winter, can be dangerous, especially if a bag of garbage happens to be sucked into a snow blower.

Councillor Galgay

- Councillor Galgay also offered his sincere appreciation to snow clearing crews, noting that the City has over 500 km of roads to keep clear, and it has been a particularly difficult chore over the last 4-5 weeks, with the accumulation of 200 cm of snow in that short period of time.

Councillor Breen

- Councillor Breen reminded residents that the public meeting on the Burger King restaurant application for Torbay Road has been rescheduled for tomorrow evening, Tuesday, February 15th, at 7 p.m. in the Foran Greene Room, City Hall.

Councillor Hann

- Councillor Hann advised that CBC has announced that the Republic of Doyle has been picked up for a third season, and he asked that the Mayor send the cast and crew a letter of congratulations in this regard.

Councillor O’Leary

- Councillor O’Leary referenced the LUAR for the additional storey on the proposed seniors’ condominium building on Margaret’s Place, and she asked for clarification as to whether the LUAR included a requirement for a parking/vehicle impact study and identification of an alternate access/egress for the cul-de-sac. Mayor O’Keefe noted that this provision is included in Item F of the Terms of Reference for the LUAR.
- Councillor O’Leary advised that the Coalition for Pesticide Alternatives is holding a public forum on Thursday, February 17th at 7 p.m. in the Foran Greene Room. The guest speaker Gideon Forman, Executive Director of the Canadian Association of Physicians for the Environment. He has worked with other provinces to enact legislation to ban cosmetic pesticides.

Deputy Mayor Duff

- Deputy Mayor Duff advised that she recently did a radio interview with respect to snow clearing, and she noted that people tend to compare St. John’s snow clearing operations with other cities like Toronto. However, they tend to forget that St. John’s gets the worst winters of any city in Canada. She also commended the City’s snow clearing crews for their efforts to date.

- Deputy Mayor Duff referenced the Downtown Parking Study, and she noted that it is very much predicated on improved bus transit and a Park and Ride Program. In this regard, she inquired if the ongoing study on Metrobus would address those issues or if it would be more specific to route re-organization. She also inquired if the Terms of Reference for the study were available on the Metrobus website.

Councillor Hann advised that the Metrobus study is looking at all aspects of public transportation including a fast shuttle service, reconfiguration of routes, and improving the overall service for existing users. He noted that Metrobus is under extreme financial pressure, with a \$10 million subsidy from the City, and having to purchase 15-20 buses in the next 3-5 years, at a cost of \$500,000 per bus. With respect to the Terms of Reference for the study, he advised that there was no Terms of Reference as there are a limited number of experts who are qualified to do this type of work. Deputy Mayor Duff also inquired if another public meeting would be held once the draft report has been released by the consultant. Councillor Hann indicated that the consultant held in depth public consultations with numerous stakeholders and organizations as part of the study, and no further public consultations are planned.

Adjournment

There being no further business, the meeting was adjourned at 6:05 p.m.

MAYOR

CITY CLERK