

February 23, 2009

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

Mayor Dennis O'Keefe presided.

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

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

Call to Order and Adoption of the Agenda

SJMC2009-02-23/106R

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

- a. Tender – Robin Hood Bay Landfill Re-Engineering Contract 5C – Production of Interim Cover Material
- b. Travel by the Mayor to Miami March 10 to 20, 2009
- c. Memorandum dated February 19, 2009 from the Associate Commissioner/Director of Engineering re Ron Francis
- d. Memorandum dated February 10, 2009 from the Director of Recreation re Overview – Minor Baseball Funding

Adoption of Minutes

SJMC2009-02-23/107R

It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the Minutes of the February 16th, 2009 meeting be adopted as presented.

Redevelopment Plan for Pleasantville, Canada Lands Company (Ward 1)

Under business arising, Council considered as information a memorandum dated February 19, 2009 from the Director of Planning regarding information provided by Mr. John Dalton of Canada Lands Company regarding the Pleasantville redevelopment project.

Councillor Galgay noted that a traffic study on the flow of traffic in Quidi Vidi Village is underway and will be completed when the weather becomes more conducive.

Minor Baseball Funding

Under business arising, Council considered a memorandum dated February 10, 2009 from the Director of Recreation regarding minor baseball funding.

SJMC2009-02-23/108R

It was moved by Councilor Duff; seconded by Councillor Colbert: That \$3000 be allocated to St. John's Minor Baseball through the City's community grants fund.

The motion being put was unanimously carried.

Public Hearing

Councillor Hann presented a Public Meeting Report dated February 11, 2009 regarding the Proposed Hotel Development, Civic Number 123 Water Street.

In this regard, Council also considered a memorandum dated February 19, 2009 from the Director of Planning.

SJMC2009-02-23/109R

It was moved by Councillor Galgay; seconded by Councilor Duff : That the application by 3103301 NS Limited to construct a hotel development at the south-east corner of the intersection of Water Street and Prescott Street be rejected.

Discussion ensued during which members of Council supporting the motion indicated their objection to the project's proposed building height which is above the current

maximum allowable requirements of the Commercial Central Mixed Use Zone. They stressed the need for consistency in dealing with developers and strongly urged Council to adhere to its adopted regulations. They felt that granting a height variance for this development would be precedent setting and create serious negative spinoffs, as well as damage the City's architectural heritage which has an immense tourism value to the city.

Members of Council objecting to the motion did not see the proposed height variance as a major contravention of the Municipal Plan, felt that the proposed development will rejuvenate the area, will be a good economic generator, noting that Council has to be flexible in applying its regulations where appropriate.

Following discussion, the motion being put there voted for it the mover, seconder, Councillors Puddister, Hanlon, Collins, Colbert. Voting against the motion were Councillors Coombs, Hickman and Hann. Deputy Mayor Ellsworth abstained due to a conflict of interest.

The motion to reject was carried.

Development Committee Report dated February 17th, 2009

Council considered the following Development Committee Report dated February 17th, 2009:

RECOMMENDATION OF REJECTION:

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

The Development Committee recommends that Council reject the above noted application.

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

SJMC2009-02-23/110R

It was moved by Deputy Mayor Ellsworth ; seconded by Councillor Hickman: That the Committee's recommendation of rejection, be accepted.

The motion being put was unanimously carried.

Finance and Administration Standing Committee Report dated February 4th, 2009

Council considered the following Finance and Administration Standing Committee Report dated February 4th, 2009:

In Attendance: Deputy Mayor Ron Ellsworth, Chairperson
Councillor Gerry Colbert
Councillor Tom Hann
Councillor Art Puddister
Councillor Debbie Hanlon
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. Kevin Breen, Director of Human Resources
Mr. Paul Mackey, Director of Public Works & Parks
Ms. Jill Brewer, Director of Recreation
Ms. Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
Mr. Cliff Johnston, Director of Planning
Mr. Jason Silver, City Internal Auditor
Ms. Kelly Butler, Recording Secretary

Also in attendance were Mr. Jo Mark Zurel and Mr. Craig Ennis with the St. John's Board of Trade.

1. Delegation – Project Velocity Update

The Committee met with Mr. Sean Bray, Ms. Lori King and Ms. Sheila Farrell, Project Managers with Project Velocity to provide the Committee with status update on the project.

The Committee reviewed a PowerPoint presentation outlining the status of the various components/stages of Project Velocity, and the Change Management Plan. **(A copy of this presentation is attached for Council's information.)**

Following the presentation, there was a short discussion regarding the Change Management Plan, and what steps the City was taking to ensure that employees were prepared for the change over. The Director of Corporate Services advised that meetings had been held with all departments to provide an overview the project and the impending changes. Test sessions and training will be provided as the project proceeds.

2. Delegation – GrowthWorks Atlantic Ltd.

The Committee met with Mr. Keith Anstey, GrowthWorks Atlantic Ltd. and Mr. Reg Lawrence, Investia Financial Services Ltd. regarding their proposal for an employee payroll savings program.

Mr. Anstey provided copies of the company's promotional material to the Committee for its information. (A copy of the promotional material is on file with the City Clerk's Department.) He advised that the payroll deduction program would provide employees, who could not otherwise afford to do so, with the opportunity to invest for their retirement. Employees are interviewed and are fully briefed on what the program entails and what to expect before they sign on. Mr. Anstey noted that he had signatures from 42 City employees who had indicated they were interested in this program. (A copy of the employees' signatures was tabled for the Committee's information.)

(Prior to discussion on the proposal, Councillor Hanlon declared a possible conflict of interest and abstained from the discussion.)

The Committee discussed the proposal with it being noted that if the City accepts this company's proposal and allows employees to invest via payroll deduction, then the City could be seen as endorsing a particular company. In addition, if an employee suffers an investment loss, they may expect the City to reimburse the loss. It was also noted that if the City allows this request, then other investment firms may seek the same consideration.

The Committee recommends that a decision on this matter be deferred to allow further review of the proposal by staff, who will prepare a recommendation for the Committee's next meeting.

3. Request for Sustaining Operating Grant – Johnson GEO Centre

The Committee considered a memorandum dated January 30, 2009, from the Director of Finance regarding the above noted matter.

The Committee recommends that the request for a sustaining grant for the Johnson GEO Centre be denied as no funding is available in the 2009 budget to accommodate this request.

4. Environment Grants – 2009 Budget

The Committee considered a memorandum dated February 2, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance advised that during the 2009 budget discussions, it was recommended that the discretionary portion of the Environmental Grants program be eliminated. However, due to a misunderstanding by Department of Finance staff, the entire Environmental Grants budget was eliminated, including \$85,000 in sustaining grant funding for the Quidi Vidi Rennie's River Development Foundation (\$25,000) and St. John's Clean and Beautiful (\$60,000). Also during the budgeting process, an

additional \$100,000 was added to the Grants and Subsidies budget. In this regard, the Director of Finance recommended that \$85,000 in funding be allocated from the Grants and Subsidies budget to cover the two sustaining grants. The Director of Engineering advised that the sustaining grants were awarded four years ago, with the understanding that they would cease after the term of the present Council is finished, and the recipients have been made aware of that fact.

The Committee recommends that \$85,000 be allocated from the City’s Grants and Subsidies budget to cover the Environmental Sustaining Grants for the Quidi Vidi Rennies River Development Foundation (\$25,000) and St. John’s Clean and Beautiful (\$60,000).

5. Capital Works – St. John’s Sports and Entertainment Ltd.

The Committee considered a memorandum dated February 2, 2009, from the Director of Finance regarding the above noted matter.

The Director of Finance advised that St. John’s Sports and Entertainment Ltd. has submitted the following list of capital works requirements for Mile One Centre and the Convention Centre, totalling approximately \$323,000:

<u>Project Description</u>	<u>Amount Requested</u>
Pickup Truck	\$ 15,000
Sidewalk Replacement	\$127,000
Concession/Bar POS System	\$ 80,000
Back Stage Curtain	\$ 10,000
Concert Chairs	\$ 25,000
Restaurant Tables & Chairs	\$ 15,000
Stage Understructure	\$ 10,000
Trusses and Chainfalls for Curtain	\$ 20,000
Boardroom Furniture	\$ 15,000
Pizza Oven (Convention Centre)	<u>\$ 6,000</u>
Total Amount Requested	<u>\$323,000</u>

It was noted that the City has in the past agreed to use funds generated by the Accommodation Tax which are in excess of the funds required for debt service in the facilities, to fund capital expenditures. There is adequate funding available for these capital works projects.

The Committee recommends that \$323,000 be allocated from the Accommodation Tax fund for the above noted capital works projects for St. John’s Sports and Entertainment Ltd.

6. Portable Heater Use in City Facilities – New Policy

The Committee considered a memorandum dated January 20, 2009, from the Director of Human Resources regarding the above noted matter.

The Committee recommends that Council adopt the following policy governing the use of portable heaters in City facilities:

“Unattended heaters being left on after work hours create a major concern as this can lead to after hour fires. All staff requiring the use of a portable heater must obtain the approval of the Division of Property Management. Property Management when supplying a requested heater to an employee will ensure that the heater is not placed within three (3) feet of combustibles. Any employee using a portable heater device must ensure that it is turned off at the end of each work day. Employees are not to bring personally owned heaters into the workplace. Any such heaters will be immediately unplugged by Property Management, the employee’s supervisor, or OHS and relocated to a storage area for safe keeping until the employee arranges to remove the heater from City facilities.”

7. Business Use Insurance for Employee Owned Vehicles – Policy Amendment

The Committee considered a memorandum dated February 2, 2009, from the Director of Human Resources regarding the above noted matter.

The Committee recommends that Council approve the attached amendment to Section 5 of Policy 03-10-03: Proof of Valid Driver’s License and/or Business Use Insurance.

8. Requests for Financial Support for Meetings, Conventions and Sporting Events

The Committee considered a memorandum dated February 2, 2009, from the Director of Corporate Services regarding the above noted matter.

The Committee recommends that the following grants be awarded as per Policy 04-09-02: Financial Support for Meetings, Conventions and Sporting Events:

1. Aliant PeeWee Atlantic Hockey Tournament
\$500
2. Atlantic Provinces Automobile Dealers’ Association
Convention \$750
3. National Pharmacy Student Conference
\$750

9. Ryane Clowe Golf Classic

The Committee considered a memorandum dated January 27, 2009, from the Director of Recreation regarding the above noted matter.

The Committee recommends that the City sponsor a team in the Ryane Clowe Golf Classic taking place on July 30, 2009. It is further recommended

that the Director of Recreation put together a team to be comprised of youth and/or staff who are involved with the City's youth programs.

10. International Congress of Heterocyclic Chemistry

The Committee considered a memorandum dated February 2, 2009, from the Director of Economic Development, Tourism, and Culture regarding the above noted matter.

The Committee recommends that in accordance with Policy 04-09-02, the City approve \$2,500 in funding for the International Congress of Heterocyclic Chemistry taking place in St. John's in August.

11. Request for Travel Assistance – Work Pond Hockey Championship

The Committee considered correspondence to and from the Director of Regional Fire Services (Fire Chief) regarding a request for travel assistance for City fire fighters who will be attending the World Pond Hockey Championship in Plaster Rock, New Brunswick.

The Committee recommends that the request for travel assistance be denied as it does not meet the criteria for travel assistance funding.

12. Request for Cost Sharing of Playground Construction Project – St. Andrew's School

The Committee considered a letter dated November 17, 2008, from Wallace Gregory, St. Andrew's School Council regarding the above noted matter.

Deputy Mayor Ellsworth advised that he has been working with the school on this project, and Saturn has agreed to be partner on the playground construction. The school is also requesting that the City become a partner on this project as well. The Director of Public Works and Parks indicated that if the City does agree to partner on the playground project, then it would be in the City's best interest to have control of the land, through a lease or other means, for maintenance purposes. Discussion ensued regarding partnering with schools on infrastructure projects, with it being noted that if the City approves this request, it will open the doors for more schools to request the same consideration. It was also noted that one of the main recommendations of the City's Parks and Recreation Master Plan is to partner with schools to improve community access to outdoor recreation facilities, such as playgrounds and soccer fields. Councillor Hann inquired about how much money the City is being requested to contribute towards the playground project. Deputy Mayor Ellsworth advised that it is his understanding that the City would contribute 50% of the funding with the remainder to be contributed by Saturn and St. Andrew's.

Following the discussion, it was noted that while the Committee agrees in-principle with the proposal, additional information is required with respect to the amount of funding and/or in-kind support the City would be required to contribute. Therefore, the Committee recommends that a decision on the

cost sharing request be deferred to allow staff the opportunity to review the proposal and prepare a report on the expected contribution by the City.

13. Request for Cost Sharing of Expansion Project – MacMorran Community Centre

The Committee considered a letter dated November 19, 2008, from Jim Crockwell, MacMorran Community Centre regarding the above noted matter.

Deputy Mayor Ellsworth advised that the Centre has planned a 20 foot extension to the rear of its building, in order to accommodate more office space and increase the size of the gym. The City's contribution to the project would be 1/3 of the \$65,000 estimated cost (approximately \$21,666.66). It was also noted that the Centre may be able to access some Provincial funding for this project.

The Committee recommends that the City cost-share 1/3 of the MacMorran Community Centre's expansion project, with the stipulation that the Centre must provide confirmation of the Province's financial contribution before any funding is released by the City. It is further recommended that the MacMorran Community Centre submit formal building plans to the City's Department of Building and Property Management for the proposed extension.

14. Request for Cost Share of Ball Court Construction Project – St. Mary's School

The Committee considered a letter dated November 27, 2008, from Nancy Elkins, St. Mary's School regarding the above noted matter.

Discussion ensued regarding the proposal with it being noted that this school has been slated for closure in the past, and there is a concern with putting money into recreation infrastructure if the school is not going to remain open. It was suggested that perhaps before the City considers any requests from local schools for cost shared projects that staff contact the Eastern School Board to ascertain the Board's future plans for these schools.

The Committee recommends that the request for cost shared funding for the St. Mary's School ball court construction project be deferred to allow staff the opportunity to review the request, contact the Eastern School Board regarding future plans for the school, and prepare a report for the Committee's consideration.

15. Request for Financial Support for the Curtis Academy Memorial Project

The Committee considered a letter dated December 3, 2008, from Edwina Suley, Curtis Academy Alumni Committee regarding the above noted matter.

The Chief Commissioner and City Solicitor advised that this request is similar to other memorial projects that the City has cost shared in the past. The estimated cost of the

project is between \$25,000-\$30,000, with the City's portion being between \$12,500 and \$15,000.

The Committee recommends that the City cost share the Curtis Academy Memorial Project, with the City's estimated contribution being \$12,500-\$15,000.

16. Request for Support for the Refurbishment of the Cdr. MacDermott Plaque Project

The Committee considered a letter dated January 13, 2009, from Margaret Morris, Naval Officers' Association of Newfoundland and Labrador regarding the above noted matter.

The Committee recommends that a decision on the request be deferred to allow staff the opportunity to contact the Naval Officers' Association to ascertain the exact cost of the proposed project and determine if the Association is prepared to provide half the required funding.

17. 3rd Annual Winter Charity Ball Fundraiser – MUN Engineering Student Society B

The Committee considered a letter dated January 20, 2008, from David Sharpe, MUN Engineering Student Society B regarding the above noted request.

The Committee recommends that the request for sponsorship be denied as it is City policy to only approve the purchase of tables for fundraising dinners/events for those agencies or organizations that are directly related to the City's mandate.

18. Request for Financial Support for TheCRY Television Project

The Committee considered correspondence from Faytene Kryskow regarding the above noted matter.

The Committee recommends that the request for financial support be denied as it does not meet the criteria for funding.

19. Girls Decide Fundraising Event (Boys & Girls Club) – Request to Purchase a Table

The Committee considered a request for the City to purchase a table for the Girls Decide fundraising event. The Director of Recreation advised that this event is a fundraiser for the Girls Decide program, which is a program of the Boys and Girls Club. She noted that this request is in keeping with the City's policy. In addition, she suggested that the table be comprised of Councillors Duff and Hanlon as mentors/role models for the young girls, as well as other young women and/or staff from the City's youth programs.

The Committee recommends that the City purchase a table for the Girls Decide fundraising event at a cost of \$900. It is further recommended that the table be comprised of Councillors Duff and Hanlon as well as other

young women and/or staff from the City's youth program. The Director of Recreation will make the appropriate arrangements.

Note: Unfortunately, due to unforeseen circumstances, this event has been cancelled.

20. Request for Additional Conference Sponsorship – Canadian Red Cross

The Committee considered a letter dated February 3, 2009, from Al Pelley, Canadian Red Cross requesting that the City consider additional sponsorship for the upcoming Canadian Red Cross Atlantic Conference on Disaster Management. The request is for an additional \$7,500; the City has already approved \$2,500 in funding.

The Director of Building and Property Management advised that it was his understanding that there had been funding commitments for this conference made by two other municipalities on the condition that the City contributed \$10,000. This is the reason why the Canadian Red Cross is seeking additional conference funding.

The Committee made no recommendation regarding additional funding for the conference.

Deputy Mayor Ron Ellsworth
Chairperson

SJMC2009-02-23/111R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Collins: That the Committee's recommendations be approved.

Regarding Item #20 (request for additional Conference Sponsorship – Canadian Red Cross) His Worship the Mayor asked that the surrounding municipalities be approached on behalf of Council to consider a funding commitment for this conference.

Regarding #11 (Request for Travel Assistance – Work Pond Hockey Championship)

SJMC2009-02-23/112R

It was moved by Councillor Coombs; seconded by Councillor Collins: That the City provide \$500 travel assistance towards Work Pond Hockey Championship.

Members of Council objecting to the motion noted that the request does not meet the criteria for travel assistance funding.

The motion being put there voted for it the mover and seconder. The motion was lost.

Regarding Item #3 – (Request for Sustaining Operating Grant – Johnson GEO Centre) His Worship the Mayor asked that the Committee’s decision to deny the request be reconsidered , given the value of the GEO Centre from a tourism perspective.

SJMC2009-02-23/113R

**It was then moved by Councillor Duff; seconded by Councillor Hanlon:
That a decision be deferred and referred to 2010 budget discussions.**

Some members of Council opposed the motion due to the fact that the 2010 budget process would involve a future Council.

The motion being put there voted for it the mover, seconder and Councillor Hickman. The motion was lost.

The main motion being put was carried, with Councillor Hickman abstaining on Item #4.

Heritage Advisory Committee Report dated February 17th, 2009

Council considered the following Heritage Advisory Committee Report dated February 17th, 2009:

Attendees: Councillor Shannie Duff, Chairperson
Anne Hart, Resident Representative
Debbie O’Rielly, Heritage Foundation of NL
David Kelland, Newfoundland Association of Architects
Neil Hardy, Downtown Development Commission
Ken O’Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Helen Miller, Archivist
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

1. 362 Water St. – Colossal Pizza Sign

The Committee considered the attached elevations for the above noted application.

The Committee recommends approval of the proposed sign which fits within the storefront’s sign band.

2. 390 Duckworth St. – Sign at the Majestic

The Committee considered the sign application for the “S” Restaurant situated at the Majestic, 390 Duckworth St. This sign has already been installed without a permit.

The Committee recommends approval of the sign.

3. LSPU Hall – Exterior Renovations

The Committee considered the exterior renovation plans for the LSPU Hall as prepared by the PHB Group. The following was recommended by the Committee:

That the changes proposed for the building’s rear elevation be approved.

All other proposed changes to the building must be forwarded to the Heritage Foundation for review as this property is municipally and provincially designated. Some of the following suggestions from the Committee were also noted:

- **Clapboard should be installed rough side out subject to compliance with national building code and fire regulations.**
- **The size and shape of the original windows should be maintained.**

The detailed architectural work of the front façade should be preserved with the exterior architectural features remaining or replicating the original.

The Committee further recommends that once the applicant has had the opportunity to meet with the Heritage Foundation of Newfoundland and Labrador, that its revised elevations be resubmitted to the Heritage Advisory Committee to address any outstanding issues. The proponent may also wish to meet with the Committee at that time.

4. 10 Lemarchant Road

The Committee considered a sign application for an illuminated triple sign composed of narrow slats which enables messages to be changed through the flipping of these slats. Examples of the sign are attached.

The Committee recommends rejection of the proposed sign as it contravenes the Heritage Sign By-Law in that it is a non-conforming sign, contains third party advertising and is greater than the size dimension permitted under the Heritage Sign By-Law. It should be noted that this application proposes to replace an already existing non-conforming sign. The Committee would consider grandfathering

in the replacement of the existing third party sign as long as the new sign is similar in style and material to the existing non-conforming sign but which falls within the size dimensions outlined under the Heritage Sign By-Law.

The Committee feels that the proposed style of the sign which is a newer technology not currently covered under the Heritage Sign By-Law, requires further investigation by the Committee as to how such technology impacts the heritage area. The Committee may also wish to consult with the sign industry as well as Phillip Pratt of PHB Group, author of the Heritage View Planes Study.

5. Nomination of Yellowbelly Corner for Southcott Award

The Committee recommends that the owners of Yellowbelly Corner, 288-300 Water St. be nominated for a Southcott Award.

Councillor Shannie Duff
Chairperson

SJMC2009-02-23/114R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period February 13, 2009 to February 19, 2009:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF February 13, 2009 TO February 19, 2009**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	NEWALTA	Office Building	349 Incinerator Road	5	Approved	09-02-13
COM	Geoscott Exploration	Office Use	220-222 Main Road	5	Approved	09-02-19

* Code Classification:	RES	- Residential Institutional	INST	-
	COM	- Commercial Industrial	IND	-
	AG	- Agriculture		
**	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

SJMC2009-02-23/115R

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

2009/02/18

Permits List

CLASS: COMMERCIAL

SMART SET	79B ABERDEEN AVE	MS RETAIL STORE
PETS UNLIMITED	89 ABERDEEN AVE	MS RETAIL STORE
VACHON OUTLET	57 BLACKLER AVE	MS RETAIL STORE
ROYAL CANADIAN LEGION	59 BLACKMARSH RD	MS CLUB
MARIE'S MINI MART	44 CROSBIE RD	MS RETAIL STORE
ACHIEVA	11 ELIZABETH AVE	MS OFFICE
BOSTON PIZZA	35 KELSEY DR	MS RESTAURANT
GLOW TAN	30 KENMOUNT RD	MS SERVICE SHOP
KENMOUNT BILLIARDS INC.	58 KENMOUNT RD	MS PLACE OF AMUSEMENT
OXFORD MORTGAGE CONSULTING	58 KENMOUNT RD	MS OFFICE
KELSEYS USED CARS	364 KENMOUNT RD	MS RETAIL STORE
VORTEX AUTO	225 LOGY BAY RD	MS SERVICE STATION
MAJOR'S PATH AUTOMOTIVE	59 MAJOR'S PATH	MS COMMERCIAL GARAGE
MIKE FOLEY KEMPO	135 MAYOR AVE	MS COMMERCIAL SCHOOL
ABIGAIL'S HAIR STUDIO	200-232 NEWFOUNDLAND DR	MS SERVICE SHOP
PRO-GLO LIMITED	33 O'LEARY AVE	MS RETAIL STORE
PRO-GLO LIMITED	33 O'LEARY AVE	MS RETAIL STORE
CAREGIVERS	31 PEET ST	MS OFFICE
KOSY DESIGNS INC.	279 PORTUGAL COVE RD	MS RETAIL STORE
ACTION PHYSIOTHERAPY	279 PORTUGAL COVE RD	MS CLINIC
SELL OFF VACATIONS	38-42 ROPEWALK LANE	MS OFFICE
GALLERIA ENTEAK INC.	16 STAVANGER DR	MS RETAIL STORE
HERBAL MAGIC	386 STAVANGER DR	MS RETAIL STORE
PRINCESS AUTO LTD.	410 STAVANGER DR	MS RETAIL STORE
EARLY ACHIEVERS INC.	397 STAVANGER DR	MS OFFICE
STAVANGER DRIVE PIZZA COMPANY	415 STAVANGER DR -BOSTON PIZZA	MS RESTAURANT
KENNY ENTERPRISES LIMITED	462 TOPSAIL RD- MARIES MINI	MS CONVENIENCE STORE
SUBWAY	46 TORBAY RD	MS EATING ESTABLISHMENT
WEST SIDE CHARLIES	430 TORBAY RD	MS PLACE OF AMUSEMENT
HARVEY'S OIL LTD.	714 TORBAY RD	MS PETROLEUM USE

TOULON DEVELOPMENT	145 TORBAY RD - CAMPUS RINGS	MS RETAIL STORE
ORIENTAL STAR RESTAURANT INC.	TORBAY ROAD-TORBAY RD MALL	MS RESTAURANT
ICT CANADA GROUP INC.	TORBAY ROAD-TORBAY RD MALL	MS COMMUNICATIONS USE
COOK HOLDINGS LIMITED	1 NEW GOWER ST	RN TAVERN
BELL ALIANT	FACTORY LANE	RN OFFICE
WAYNE MOORE	215 WATER ST, FOG CITY	TI EATING ESTABLISHMENT
TOPSAIL ROAD DEVELOPMENTS	689 TOPSAIL RD	CR OFFICE

THIS WEEK \$ 635,139.00
TO DATE \$ 57,911,274.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 2,685,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

CITY OF ST. JOHN'S	40 MUNDY POND RD	MS ADMIN BLDG/GOV/NON-PROFIT
NFLD. LIQUOR COMMISSION	85 O'LEARY AVE, SIDING	RN ADMIN BLDG/GOV/NON-PROFIT
BR. RICE REG. HIGH SCHOOL	75 BONAVENTURE AVE	RN SCHOOL
FED GOVT (SIR HUMPH. GILBERT)	175-177 DUCKWORTH ST, CHILLER	RN OFFICE

THIS WEEK \$ 653,906.00
TO DATE \$ 44,641,852.00

CLASS: RESIDENTIAL

CARDINAL HOMES LTD.	12 LIONS RD. LOT 11	NC SINGLE DETACHED DWELLING
CARDINAL HOMES LTD	14 LIONS RD, LOT 12	NC SINGLE DETACHED & SUB.APT
GLEN NOSEWORTHY	95 OXEN POND RD	NC ACCESSORY BUILDING
LARRY MAHER	140 1/2 WATERFORD BRIDGE RD	NC SINGLE DETACHED DWELLING
MICHELE SMITH	31-33 GOLF AVE	CO SINGLE DETACHED DWELLING
MEMORY LANE LIMITED	135 CAMPBELL AVE	CR OFFICE
ALICE GOSSE	137 PROWSE AVE	CR SINGLE DETACHED DWELLING
GERALD & JOYCE NICHOLS	28 BAVIDGE ST	RN SINGLE DETACHED DWELLING
TAMIE WALSH	60 BURRY PORT ST	RN SINGLE DETACHED DWELLING
10714 NEWFOUNDLAND LTD.	20 KING EDWARD PL	RN CONDOMINIUM
GLEN NOSEWORTHY	95 OXEN POND RD	RN SINGLE DETACHED DWELLING
A. MILNE & ROMA EDWARDS	6 QUIDI VIDI RD	RN SINGLE DETACHED DWELLING
CRYSTAL A.G. CERNIVEC	116 QUIDI VIDI RD	RN SEMI-DETACHED DWELLING
MIKE SUMMERS	26 SGT. CRAIG GILLAM AVE	RN SINGLE DETACHED DWELLING

THIS WEEK \$ 1,107,450.00
TO DATE \$155,741,937.00

CLASS: DEMOLITION

THIS WEEK \$.00
TO DATE \$ 1,905,800.00

THIS WEEK'S TOTAL: \$ 2,396,495.00

TOTAL YEAR TO DATE: \$262,885,863.00

REPAIR PERMITS ISSUED: 2009/02/12 TO 2009/02/18 \$ 10,000.00
2007/12/13 TO 2009/02/18 \$ 3,690,160.00 YTD

LEGEND

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

Payrolls and Accounts

SJMC2009-02-23/116R

It was decided on motion of Councillor Hann; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending February 19, 2009 be approved as presented:

**Weekly Payment Vouchers
For The
Week Ending February 19, 2009**

PAYROLL

Public Works	\$ 370,943.76
Bi-Weekly Amalgamation	\$ 515,294.58
Bi-Weekly Management	\$ 579,925.55
Bi-Weekly Administration	\$ 577,989.26

ACCOUNTS PAYABLE

Cheque No. 143442 – 143741	\$2,503,482.96
Total:	\$4,547,636.11

Tenders

- a. Tender - Robin Hood Bay Landfill Re-Engineering
Contact 4E – Supply and Installation of Fencing

- b. Tender – Robin Hood Bay Landfill Re-Engineering, Contract 5C – Production of Interim Cover Material
- c. Tender – Supply of Glass Beads

SJMC2009-02-23/117R

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

- a. **Apex Construction Specialties in the amount of \$196,590.62**
- b. **Cabot Ready Mix in the amount of \$710,770.00**
- c. **Construction Signs in the amount of \$27,500.00 (taxes not included)**

The motion being put was unanimously carried.

Notice of Motion

Councillor Puddister gave the following Notice of Motion:

TAKE NOTICE that I will, at the next Regular Meeting of St. John’s Municipal Council, move a motion to amend the “On Street Parking Ban Hours” specifically Saturday from 12:30 a.m. to 2:30 a.m. and Sunday from 12:30 a.m. to 2:30 a.m.

DATED at St. John’s this 23rd day of February, 2009.

Councillor Art Puddister

565 Topsail Road – Sewer Easement

Council considered a memorandum dated February 16, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-02-23/118R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Hickman: That the recommendation of the Chief Commissioner and City Solicitor that approval be granted to proceed with the purchase of the easement over property at 565 Topsail Road at a cost of \$4,300.00, plus legal fees be accepted.

The motion being put was unanimously carried.

Last Reunion of the HMS Newfoundland Association

Council considered a memorandum dated February 19, 2009 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2009-02-23/119R

It was moved by Councillor Hann; seconded by Councillor Collins: That Council amend its approval of the travel by the Mayor and the Chief Commissioner and City Solicitor to attend the Last Reunion of the HMS Newfoundland - England - April 24 to 27, 2009 to include a brief visit to Waterford, Ireland.

The motion being put was unanimously carried.

Re: 1 Bannerman Street, Demolition

Council considered a memorandum dated February 16, 2009 from the Heritage Officer regarding the above noted.

SJMC2009-02-23/120R

It was moved by Councillor Galgay; seconded by Councillor Puddister: That a Demolition Order be issued with respect to property at 1 Bannerman Street, as per Section 375 of the City of St. John's Act.

The motion being put was unanimously carried.

Snow Clearing Report - January 1st to February 20th, 2009

Council considered the snow clearing report for the period January 1st to February 20th, 2009 showing a negative variance of \$350,352.00.

Travel by His Worship the Mayor to Miami

SJMC2009-02-23/121R

It was moved by Councillor Hickman; seconded by Councillor Colbert: That travel by His Worship the Mayor to Miami, March 10 to 20, 2009 to attend the SeaTrade Cruise Convention and Conference, Market and Promotion Meetings with Cruiselines, be approved, with cost to be shared with Cruise Newfoundland and Labrador.

The motion being put was unanimously carried.

Councillor Duff

Councillor Duff asked the status of the Parking Study being undertaken by the City in partnership with the DDC. The Associate Commissioner/Director of Engineering advised that the draft has been presented to the DDC and he anticipates presenting the plan to Council some time in March.

Councillor Duff talked about reviewing the City's Municipal Plan and how the City should undertake that exercise. The Director of Planning noted that Council requested that the Minister of Municipal Affairs allow the City to defer review of its Municipal Plan pending review and completion of the new Provincial Regional Plan for the North East Avalon.. The Minister has agreed to this request. It is expected preparation of the plan will take a minimum of two years.

Councillor Puddister

Councillor Puddister asked for clarification on the naming of property on the section known as Prescott Street between Water Street and Harbour Drive, bounded by the Royal Trust Building on the West and the T.D. Building on the North West corner. It was pointed out by a constituent that this section was known as Job's Cove.

Councillor Galgay

Councillor Galgay asked that a letter of condolence be forwarded to the family of the late Barry Maunder.

Councillor Coombs

Councillor Coombs asked that the Chief Commissioner and City Solicitor prepare a paper for Council's information on the Conflict of Interest By Law as it relates to the City and the Province.

Francis Street

His Worship the Mayor tabled a memorandum from the Associate Commissioner/Director of Engineering regarding Council's decision of last week to accept a recommendation of the Nomenclature Committee to name Street "B", Brookfield Plains Subdivision, "Francis Street".

Councillor unanimously endorsed the naming of the street in honour of long time employee of the City, Ron Francis, who retired on January 31. 2009.

Adjournment

There being no further business, the meeting adjourned at 6:00 p.m.

MAYOR

CITY CLERK