

January 11th, 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, Galgay, Tilley, Hanlon and Collins

Regrets: Councillor Breen

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

Call to Order and Adoption of the Agenda

SJMC2010-01-11/20R

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

Adoption of Minutes

SJMC2010-01-11/21R

It was decided on motion of Councillor Galgay; seconded by Councillor Hann: That the minutes of the January 4th, 2010 meeting be adopted as presented.

Notices Published

- 1. A Variance of Non-Conformity Application** has been submitted by Andrew Pratt requesting permission to occupy **Civic No. 40 Golf Avenue** (formerly the Children's Centre Day Care) for the purpose of operating "Personal Best Fitness Studio." The proposed studio will occupy 140 m² with the applicant as the sole employee offering private one-on-one training sessions by appointment only. On-site parking can accommodate two (2) vehicles. **(Ward 2)**

JMC2010-01-11/22R

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

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permit List for the period January 1 to 7, 2010:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF January 1, 2010 TO January 7, 2010**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Mimi Dong	Home Office	61 Larner Street	1	Approved	10-01-05
COM	Stan McIntyre	Home Office	28 Bayberry Place	5	Approved	10-01-05
RES	Fred O'Keefe	Building Lot	13 Portugal Cove Road	4	Rejected Contrary to Section 8.1.2	10-01-07

<p>* Code Classification: RES - Residential COM - Commercial AG - Agriculture</p>	<p>INST - Institutional IND - Industrial</p>
<p>** 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.</p>	

**Gerard Doran
Development Officer
Department of
Planning**

Building Permits List

SJMC2010-01-11/23R

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

2010/01/06

Permits List

CLASS: COMMERCIAL

SUMMIT MOTORS INC.	515 KENMOUNT RD	OC RETAIL STORE
THE WOMENS HOLISTIC HEALTH	4-6 BATES HILL	SN OFFICE
ULTRAMAR LTD	102 BAY BULLS RD	MS SERVICE STATION
ULTRAMAR LTD.	36 BLACKMARSH RD	MS SERVICE STATION
SALTWATER IMAGES INC.	203 BLACKMARSH RD	MS RETAIL STORE
X-STATIC HAIR SALON	271 BLACKMARSH RD	MS SERVICE SHOP
BLACKMARSH MINI MART	711 BLACKMARSH RD	MS CONVENIENCE STORE
ULTRAMAR LTD	42 ELIZABETH AVE	MS SERVICE STATION
LAURIER LOUNGE	301 HAMILTON AVE	MS TAVERN
ULTRAMAR LTD.	52 KENMOUNT RD	MS SERVICE STATION
HICKMAN MOTORS LIMITED	85-95 KENMOUNT RD	SN CAR SALES LOT
PET ZONE	193 KENMOUNT RD	MS RETAIL STORE
LOU'S AUTOMOTIVE & INDUSTRIAL	468 LOGY BAY RD	MS COMMERCIAL GARAGE
GOULDS IRVING	358 MAIN RD	MS COMMERCIAL GARAGE
ARIZONA HEAT INC.	38 ROPEWALK LANE	MS SERVICE SHOP
PC MEDIC INCORPORATED	16 STAVANGER DR	MS OFFICE
ARIZONA HEAT INC.	386 STAVANGER DR	MS SERVICE SHOP
PLAY IT AGAIN SPORTS	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
MEGA WRAPS	585 TORBAY RD	MS RESTAURANT
WAL-MART CANADA CORP.	90 ABERDEEN AVE, PHARMACY	RN RETAIL STORE
WAL MART	75 KELSEY DR	RN RETAIL STORE
ECLIPSE STORES INC.	50 KENMOUNT RD	RN RETAIL STORE
ATLANTIC HOMESTEAD LTD.	81 KENMOUNT RD	RN OFFICE
PENNECON GROUP	497 KENMOUNT RD	NC CAR SALES LOT
		THIS WEEK \$ 1,914,150.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

FAIRVIEW INVESTMENTS LIMITED	10 ICELAND PL, LOT 1	NC ACCESSORY BUILDING
ENCON CONSTRUCTION LTD.	1 JAMIE KORAB ST, LOT 133	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT LTD.	79 JULIEANN PL, LOT 131	NC SINGLE DETACHED DWELLING

DOUGLAS HICKEY	44 LADYSMITH DR - LOT 31	NC SINGLE DETACHED DWELLING
DAVID BECK	37 MEADOWBROOK DR	NC ACCESSORY BUILDING
J & P CONTRACTING	117 NEW PENNYWELL RD, LOT 64	NC SINGLE DETACHED DWELLING
BRYHANNA GREENOUGH AND	2 BATES HILL	CR MIXED USE
CASTLE ROCK CONSTRUCTION	25 NEWTOWN RD	CR SINGLE DETACHED & SUB.APT
ANTHONY GERARD BREEN & SHIRLEY	9 FAHEY ST	EX SINGLE DETACHED DWELLING
JEFF WHITE	7 GLASGOW PL	EX SINGLE DETACHED DWELLING
FORREST BURSEY	54 LONG POND RD	EX SINGLE DETACHED DWELLING
ERCO HOMES	30 SGT. CRAIG GILLAM AVE	EX SINGLE DETACHED DWELLING
GEORGE FIELD	149 CAMPBELL AVE	RN SINGLE DETACHED DWELLING
BRENDA L. KITCHEN	73 EDISON PL	RN SINGLE DETACHED DWELLING
CHRISTINA SMITH	16 MAXSE ST	RN ACCESSORY BUILDING
CHRISTOPHER GALE	24 OAKLEY PL	RN SINGLE DETACHED DWELLING
INTERIORS LIMITED	131 QUEEN'S RD	RN APARTMENT BUILDING
RODNEY AND CYNTHIA SHEPPARD	4 BLACKLER AVE	SW SINGLE DETACHED DWELLING

1,096,800.00

THIS WEEK \$

CLASS: DEMOLITION

ROBERT WHITE	114 PLEASANT ST	DM SINGLE DETACHED DWELLING
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THIS WEEK \$ 20,000.00

THIS WEEK'S TOTAL: \$ 3,030,950.00

REPAIR PERMITS ISSUED: 2009/12/30 TO 2010/01/06 \$ 48,700.00

LEGEND

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

Payrolls and Accounts

SJMC2010-01-11/24R

It was moved by Councillor Tilley; seconded by Councillor Hickman: That the following Payrolls and Accounts for the weeks ending December 24, 2009 and December 31, 2009, be approved:

**Weekly Payment Vouchers
For The
Week Ending December 24, 2009**

PAYROLL

Public Works	\$ 389,342.37
Bi-Weekly Amalgamation	\$ 472,660.38
Bi-Weekly Management	\$ 586,965.11
Bi-Weekly Administration	\$ 636.663/46

ACCOUNTS PAYABLE

Cheque No. 156991 - 157315	\$4,246,075.09
Total:	\$6,331,706.41

**Weekly Payment Vouchers
For The
Week Ending December 31, 2009**

PAYROLL

Public Works	\$ 370,229.94
Bi-Weekly Casual	\$ 9,646.06

ACCOUNTS PAYABLE

Cheque No. 157316 – 157789	\$4,312,259.03
Total:	\$4,692,135.03

The motion being put was unanimously carried.

2010 CAMA Annual Meeting

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

SJMC2010-01-11/25R

It was moved by Councillor Hickman; seconded by Councillor Tilley: That attendance by the City Manager at the 2010 Canadian Association of Municipal Administrators from May 31st to June 2nd, 2010 in Toronto, be approved, the costs of the three board meetings paid for by the Association, and further, that his attendance at a board meeting to take place the day before the annual meeting also be approved.

The motion being put was unanimously carried.

Anne Jeanette Park –Open Space Land

Council considered a memorandum dated January 5th, 20-10 from the City Manager, regarding the above noted.

SJMC2010-01-11/26R

It was moved by Councillor Hickman; seconded by Councillor Tilley: That the Mayor and City Clerk be authorized to execute the Deed of Confirmation to rectify the issue of the missing deed with respect to the Anne Jeanette Park, Open Space Land.

The motion being put was unanimously carried.

Membership Costs – Attendance at Events by Councillor Hanlon

Council considered a memorandum dated January 7th, 2010 from the Deputy City Manager/Director of Corporate Services and City Clerk regarding the above noted.

SJMC2010-01-11/27R

It was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That membership costs associated with Councillor Hanlon's attendance at (1) NOIA Event, Delta St. John's, January 14, 2010 (\$60.00); and (2) Monthly Meetings, St. John's Community Advisory Committee on Homelessness (January 12, 2010) (\$40.00/mo.), be approved.

The motion being put was unanimously carried.

Ratification of Phone Poll

Tender for Purchase of Two (2) Sidewalk Spreader Trailers
Awarded to S & S Supply Ltd. in the amount of \$32,943.80 (taxes not included)

SJMC2010-01-11/28R

It was moved by Councillor Tilley; seconded by Councillor O'Leary: That the above noted phone poll be ratified.

The motion being put was unanimously carried.

Councillor Collins

Councillor Collins extended congratulations to Luke Adam, Kilbride Native, and Team Canada Silver Medalist, who has now been drafted by the Buffalo Sabres Team.

Councillor Hanlon

Councillor Hanlon asked that the Director of Engineering provide information in relation to the City's experience in using LED lighting in its traffic system as opposed to the incandescent type of lighting. The matter was referred to the Director of Engineering for followup. Councillor Hanlon indicated she has research information which she will provide.

Councillor Hanlon advised that she is currently in the process of lodging a website for residents of Ward 4 and encouraged her constituents to use the site as a forum to make contact with her.

Councillor Hanlon raised the issue of household fireworks and asked for information and clarification pertaining to the City's policy on fireworks and suggested a research of other jurisdictions in this regard. The matter was referred to the Director of Regional Fire Services (Fire Chief) for follow-up.

Councillor Galgay

Councillor Galgay thanked staff for their work towards the restoration of the Monument located in Victoria Park dedicated in memory of Moses Monroe.

Councillor Colbert

Councillor Colbert noted that the situation wherein a number of tickets were inadvertently issued to residents of Southside Road, has now been rectified, and steps have been taken to avoid a repeat of the situation. He noted that over many years there has been an accepted practice that because of "the particular nuances of the section of street on the Southside", the City doesn't issue tickets during the winter on-street parking ban.

Councillor Hann

Councillor Hann expressed concern with respect to the outage of street lights in a number of areas of the City and noted residents have contacted him with regards to safety. Mayor O’Keefe advised that the City carried out a survey of the City’s light system and found approximately 500 lights out of order. He noted that Newfoundland Power was notified and they are taking action to rectify the situation. Councillor Colbert advised that he too contacted Newfoundland Power in this regard and was informed that the construction boom has resulted in increased demands on their work crews. The Mayor noted that Newfoundland Power will pursue the lighting omissions as identified and the City will continue to monitor the situation because it is a safety issue.

Councilor Hickman

Councillor Hickman also identified areas of Groves Road and Pitcher’s Path, which are without curb and sidewalks, as areas of particular concern where street lights are out.

Councillor Hickman asked what, if any, regulations the City has governing lighting standards for parking lots in public venues. **The matter was referred to the Public Works, Environment and Protection Standing Committee for follow-up.**

Councillor Hickman also asked for the following information:

- the number of enforcement officers and inspectors (numbers of each type)
- basic outline of duties and normal hours of work.

The matter was referred to the Director of Building and Property Management and the Director of Engineering, and subsequent referral to the Public Works, Environment and Protection Standing Committee.

Councillor O’Leary

Councillor O’Leary advised that she was approached by a constituent about the Learn Not to Burn Program and the fact there doesn’t seem to be a lot of activity in that area. She advised that she spoke with the Director of Regional

Fire services who advised that there was some transition with staff in terms of that program and he will work on pursuing the program.

Councillor O’Leary congratulated Engineers without Borders on there recent very successful national conference.

Councillor O’Leary referenced today’s telegram article with respect to comments by her and Clean and Beautiful relative to the amount of litter around the City. She indicated she would like stricter enforcement and a focus placed on education on littering and various other city issues. She also noted she received an outpour of email in support of a mandatory enforcement of the City’s recycling program.

Republic of Doyle

Member of Council praised the “Republic of Doyle” series being aired on CBC, and its “incredible profile” of the City.

Adjournment

There being no further business, the meeting adjourned at 5:00 p.m.

MAYOR

CITY CLERK