

**March 10<sup>th</sup>, 2008**

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

Acting Mayor O'Keefe presided.

There were present also Councillors Duff, Colbert, Puddister, Galgay, Coombs, Ellsworth and Collins.

Regrets: Councillors Hickman and Hann

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

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

**SJMC2008-03-10/145R**

**It was decided on motion of Councillor Ellsworth ; seconded by Councillor Collins: That the agenda be adopted as presented with the following additional items:**

- a. Tender – Supply and Install Public Address and Security Systems – NL Sports Center
- b. Memorandum dated March 5, 2008 from the Director of Human Resources re Group Insurance Coverage for Council
- c. Memorandum dated March 10, 2008 from the Chief Commissioner and City Solicitor re Application of Access to Information and Protection of Privacy Act to City owned companies

**Adoption of Minutes**

**SJMC2008-03-10/146R**

**It was decided on motion of Councillor Duff; seconded by Councillor Ellsworth : That the Minutes of the March 3<sup>rd</sup>, 2008 meeting be adopted as presented.**

**Notice of Motion – Councillor Coombs**

**SJMC2008-03-10/147R**

**Pursuant to Notice of Motion, it was moved by Councillor Coombs; seconded by Councillor Ellsworth: That the St. John's Municipal Election Vote-By-Mail, (Amendment No. 1 – 2008) By-Law, to amend Section 3 of the St. John's Municipal Elections Vote By-Mail By-Law so as to grant the Chief Returning Officer the discretion to determine the number and location of Satellite Drop-Off Centres, be adopted.**

**Discussion ensued, during which Councillor Coombs withdrew the motion due to lack of support by members of Council.**

**Proposed Rezoning of Property, North Side of Stavanger Drive, (Ward 1)  
Cabot Development Corporation Ltd. and Hannex Development**

Under business arising, Council considered a memorandum dated March 7, 2008 from the Director of Planning regarding the above noted.

**SJMC2008-03-10/148R**

**It was moved by Councillor Ellsworth; seconded by Councillor Puddister: That the following Resolutions for St. John's Municipal Plan Amendment Number 59, 2008 and St. John's Development Regulations Amendment Number 430, 2008 with the provision that building height on those portions of the property proposed to be rezoned to the A3 Zone be restricted to a maximum building height of six (6) storeys be adopted; and further that Mr. Stan Clinton, a member of the City's commissioner list, be appointed as commissioner for these amendments.**

**RESOLUTION**

**ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 59, 2008**

**WHEREAS** the St. John's Municipal Council wishes to permit the construction of a mixed use residential development located on the north side of Stavanger Drive and west of Coultas Street.

**BE IT THEREFORE RESOLVED** that the St. John's Municipal Council hereby adopts the following map amendments to the St. John's Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000.

**Redesignate land located on the north side of Stavanger Drive and west of Coultas Street, from the Commercial General Land Use District, the Open Space Land Use District and the Residential Medium Land Use District to the Residential High Density Land Use District, the Residential Low Density Land Use District and the Open Space Land Use District as shown on Map III – 1A attached.**

**BE IT FURTHER RESOLVED** that the St. John's Municipal Council requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

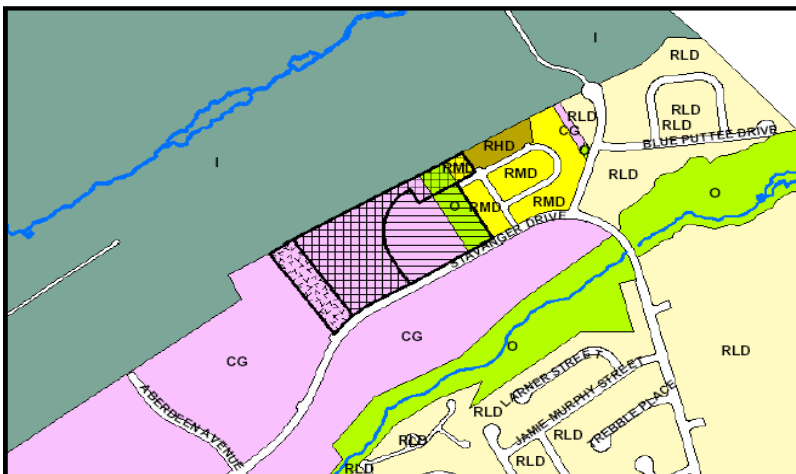
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 10<sup>th</sup> day of March, **2008**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services  
& City Clerk**

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.




\_\_\_\_\_  
MCIP



**CITY OF ST. JOHN'S**

**MUNICIPAL PLAN 2003  
AMENDMENT No. 59, 2008  
[MAP III-1A]**

SCALE= 1: 7500  
2008 02 19  
CITY OF ST. JOHN'S  
DEPARTMENT OF PLANNING

-  AREA PROPOSED TO BE REDESIGNATED FROM COMMERCIAL GENERAL (CG) LAND USE DISTRICT TO OPEN SPACE (O) LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM COMMERCIAL GENERAL (CG), OPEN SPACE (O) AND RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICTS TO RESIDENTIAL HIGH DENSITY (RHD) LAND USE DISTRICTS
-  AREA PROPOSED TO BE REDESIGNATED FROM COMMERCIAL GENERAL (CG) AND OPEN SPACE (O) LAND USE DISTRICTS TO RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

STAVANGER DRIVE

I hereby certify that this amendment has been prepared in accordance with the Urban and Rural Planning Act.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DIRECTOR CORP. SERVICES/CITY CLERK

\_\_\_\_\_  
COUNCIL ADOPTION

\_\_\_\_\_  
M.C.I.P. signature and seal

**RESOLUTION  
ST. JOHN’S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 430,  
2008**

**WHEREAS** the St. John’s Municipal Council wishes to permit the construction of a mixed use residential development located on the north side of Stavanger Drive and west of Coultas Street.

**BE IT THEREFORE RESOLVED** that the St. John’s Municipal Council hereby adopts the following map and text amendments to the St. John’s Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000.

1. Rezone land on the north side of Stavanger Drive situated west of Coultas Street from the Commercial Regional (CR) Zone, the Residential Medium Density (R2) Zone and the Open Space (O) Zone to the Apartment High Density (A3) Zone, the Residential Low Density (R1) Zone and the Open Space (O) Zone as shown on Map Z - 1A attached.
2. Repeal Section 10.14.3 (f) of the Development Regulations (Building Height – Apartment High Density (A3) Zone) and substitute the following:

**“(f) Building Height (maximum)  
Ten (10) storeys (not exceeding 37 metres) except those properties located at Civic Numbers 346-360 Empire Avenue and commonly referred to as the Kelly’s Brook Seniors’ Apartments, where the Building Height is restricted to a maximum of five (5) storeys; and except for the property located on Forest Road and commonly known as the Old General Hospital site, where the Building Height is restricted to a maximum of three (3) storeys; and except for the property located on the north side of Stavanger Drive and east of Coultas Street where the Building Height is restricted to six (6) storeys; and except for the property located on the north side of Stavanger Drive and west of Coultas Street where the Building Height is restricted to five (5) storeys.”**

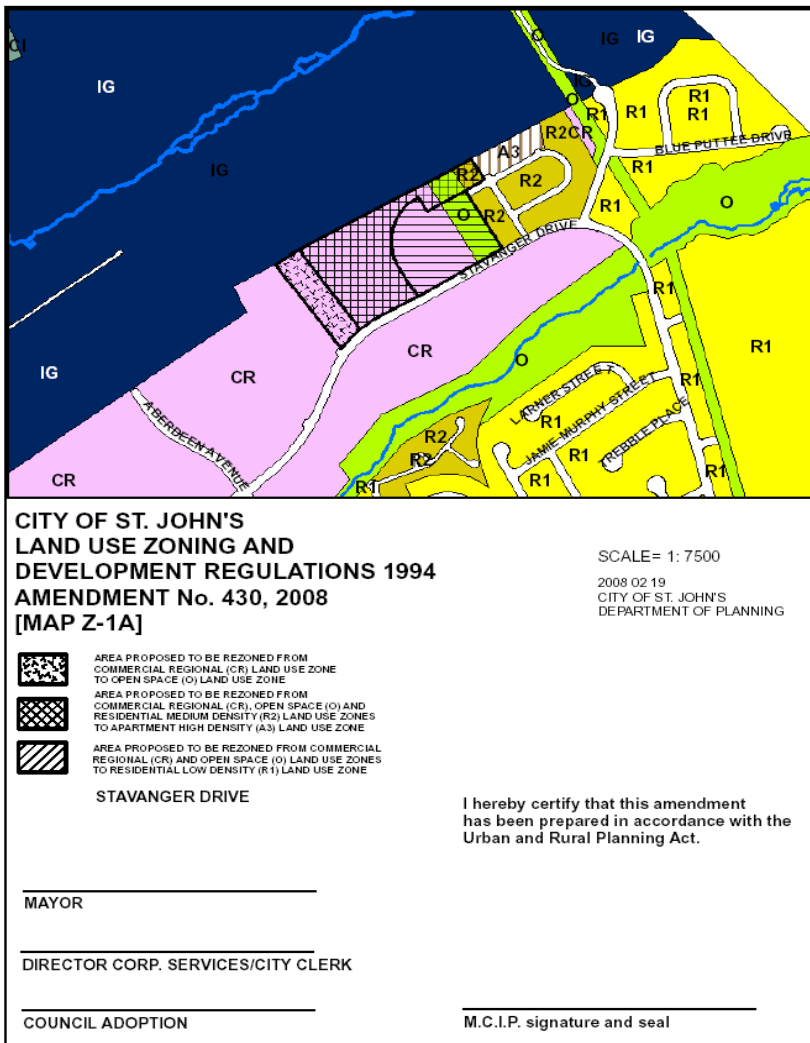
**BE IT FURTHER RESOLVED** that the St. John’s Municipal Council requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

**IN WITNESS THEREOF** the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 10<sup>th</sup> day of March, 2008.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services  
& City Clerk**

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____  MCIP</p>
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**The motion being put was unanimously carried.**

**Memorandum dated March 5, 2008 from the City Archivist re City's Art Collection**

Under business arising, Council considered as information a memorandum to the Associate Commissioner/Director of Corporate regarding the City's Art Collection. Councillor Collins enquired as to whether the City will continue to purchase art on an annual basis. Councillor Duff noted that the art work is enjoyed and displayed throughout the City's buildings and offices and is purchased to encourage and recognize the arts community. She noted in order for the City to discontinue acquiring art work a vote of Council to change its policy in this regard is required.

**Notices Published**

1. **A Discretionary Use/Infill Housing Application** by Nino Construction Limited to construct two(2) semi-detached housing units on the property located at **Civic No. 56 Liverpool Avenue**. Off-street parking for two (2) vehicles will be provided on the site. The subject property is currently zoned Residential High Density (R3) under the St. John's Development Regulations. Infill Housing may be permitted by Council as a Discretionary Use in this zone. **(Ward 2)**

**SJMC2008-03-10/149R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Puddister: That the application be approved.**

2. **A Discretionary Use Application** from Ms. Margot Gordon requesting permission to establish and operate a Massage Therapy Clinic as a Home Occupation in her residence located at **Civic No. 147 Old Petty Harbour Road**.

The proposed Massage Therapy Clinic will occupy a floor area of approximately 37 square metres within the dwelling. The applicant is a Registered Massage Therapist and will be the sole employee. Parking for eight (8) vehicles can be accommodated on the site.

The subject property is currently zoned Residential Low Density (R1) under the St. John's Development Regulations. A Home Occupation may be permitted by Council as a Discretionary Use in this zone. **(Ward 5)**

**SJMC2008-03-10/150R**

**It was decided on motion of Councillor Ellsworth; seconded by Councilor Puddister: That the application be approved.**

**Development Committee Report dated March 4, 2008**

Council considered the following Development Committee Report dated March 4, 2008:

1. **Proposed Subdivision  
Kam and Jessie Mong  
Civic No. 123/125 Portugal Cove Road (Smallwood's Lane) (Ward 4)**

The Development Committee recommends that Council grant approval to the above noted application, subject to the following conditions:

- a. The applicants will be responsible for installing new water and sewer mains in Smallwood's Lane in accordance with City standards. The applicants must retain a Professional Engineer to design the water and sewer mains in accordance with City design standards. All work must be performed in accordance with the requirements of applicable sections of the City of St. John's Specifications Book, including all testing requirements.

- b. If the applicants want Building Permits prior to acceptance of the water and sewer mains by the City, the applicants will be required to provide acceptable security for the cost of the servicing work to the City.
- c. The applicants will be required to deed land for the right-of-way of Smallwood's Lane to the City at no cost to the City, including land for a turn-around at the end of Smallwood's Lane.
- d. Council approve the paving of Smallwood's Lane as part of the 2008 Streets Rehabilitation Program as per the City's policy of taking acceptance of private lanes as public streets.

**2. Discretionary Use Application  
Proposed Medical Clinics for Eastern Health Outpatient Services  
MAE Design Ltd. for Morgan Enterprises Ltd.  
Civic Nos. 29-57 Major's Path (Ward 1)**

The Development Committee recommends that Council approve the **attached** Terms of Reference for the Land Use Assessment Report for the proposed medical clinics. It is also recommended that once the report has been received and reviewed by staff, that staff be directed to proceed with public notification of the Discretionary Use Application and Land Use Assessment Report. This process would include a newspaper notice, notices mailed to property owners in the area and posting of the Assessment Report on the City's website.

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

**SJMC2008-03-10/151R  
Regarding Item #1: It was moved by Councillor Ellsworth; seconded by Councillor Puddister: That the Committee's recommendation to grant approval to the application, subject to the conditions outlined, be accepted.**

During discussion, Councillor Colbert noted there were complaints a number of years ago with respect to the sharp right turn at the Portugal Cove Road intersection in the vicinity of #115 and suggested now might be an opportunity to revisit the situation. The matter was referred to the Associate Commissioner/Director of Engineering for follow-up.

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

**SJMC2008-03-10/152R  
Regarding Item #2: It was decided on motion of Councillor Ellsworth; seconded by Councillor Puddister: That the Committee's recommendation to approve the Terms of Reference for the LUAR for the proposed medical clinics be accepted; and once the report has been received and reviewed by staff, that staff be directed to proceed with public notification of the Discretionary Use Application and Land Use Assessment Report.**

**Development Permit List**

Council considered as information the following Development Permits List for the period February 29<sup>th</sup> to March 6<sup>th</sup>, 2008:

**DEVELOPMENT PERMITS LIST  
DEPARTMENT OF PLANNING  
FOR THE PERIOD OF FEBRUARY 29, 2008 TO MARCH 6, 2008**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Mr. John Roberts	Demolition and Reconstruction of a Single Detached Dwelling	Civic No. 30 Suvla Street	Ward 2	Application Approved	2008 02 29
Com.	Newfoundland & Labrador Hydro	Proposed Parking Lot Upgrading	Civic No. 500 Columbus Drive	Ward 3	Site Plan Approval	2008 03 04
Com.	Ron Fougere Associates Limited	Proposed Building Extension to Hickman Saturn Saab Dealership	Civic No. 20 Peet Street	Ward 4	Application Approved	2008 03 06
Ind.	Kirkland Balsom Associates	Bell Aliant OPI Site	Civic No. 88 Thorburn Road	Ward 4	Application Approved	2008 03 06
Ind.	Kirkland Balsom Associates	Bell Aliant OPI Site	Murphy's Lane at Mundy Pond Road	Ward 3	Application Approved	2008 03 06

*	Code Classification:			
	RES	- Residential	INST	-
	COM	- Commercial	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.			

**Ed Murray  
Development Officer  
Department of Planning**

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**Building Permits List**

**SJMC2008-03-10/153R**

**It was decided on motion of Councillor Ellsworth; 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:**



2008/03/05

Permits List

**CLASS: COMMERCIAL**

IMV PROJECTS ATLANTIC GARAGE	215 WATER ST, SUITE 608A	CO OFFICE
PETER'S PIZZA&GOLDEN FOODS LTD	AVALON MALL, GARAGE	SN RETAIL STORE
BODY QUEST	135 CAMPBELL AVE	MS RESTAURANT
GLOBAL GYM A LIFESTYLE FITNESS	92 ELIZABETH AVE - BODY QUEST	MS SERVICE SHOP
BANK OF NOVA SCOTIA	92 ELIZABETH AVE	MS CLUB
GOING MOBILE	21 ELIZABETH AVE -SCOTIABANK	MS BANK
FIRST ST. JOHN'S DEVELOPMENTS	336 FRESHWATER RD- GOING MOBIL	MS RETAIL STORE
LEGROW'S TRAVEL	41 KELSEY DR - MOORES	MS RETAIL STORE
DISCOUNT AUTO	75 KELSEY DR - LEGROWS TRAVEL	MS OFFICE
PENNEY KIA INC.	350 KENMOUNT RD-DISCOUNT AUTO	MS COMMERCIAL GARAGE
MICHAEL F. HOWARD	497 KENMOUNT RD - PENNEY KIA	MS CAR SALES LOT
PETERS PIZZA	123-125 LONG'S HILL	SN RETAIL STORE
ABC SIDING & WINDOWS INC.	431-435 MAIN RD	MS TAKE-OUT FOOD SERVICE
PIZZA EXPRESS #2	1 MARCONI PL - ABC SIDING	MS RETAIL STORE
HEALTH QUEST	446 NEWFOUNDLAND DR	MS RESTAURANT
BUDDY'S FISH & CHIPS LTD.	427 NEWFOUNDLAND DR	MS OFFICE
BUDDY'S FISH & CHIPS LTD.	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
DARRELL TUCKER	445 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
SECOND PAGE BOOK STORE	36 PEARSON ST	MS SERVICE SHOP
HICKMAN MOTORS LIMITED	36 PEARSON ST	MS RETAIL STORE
SATURN	20 PEET ST	MS CAR SALES LOT
EASTSIDE MARIOS	20 PEET ST - SATURN	MS CAR SALES LOT
COLOR YOUR WORLD	180 PORTUGAL COVE RD-EASTSIDE	MS RESTAURANT
STASSIS FOOD INC.	40 ROPEWALK LANE	MS RETAIL STORE
STASSIS INVESTMENTS INC.	38 ROPEWALK LANE	MS RESTAURANT
BASIL J. DOBBIN	38 ROPEWALK LANE	MS RESTAURANT
THE BUSINESS DEPOT LTD.	16 STAVANGER DR-NATIONS CREATI	MS RETAIL STORE
THE BUSINESS DEPOT LTD.	34 STAVANGER DR- BUSINESS DEPO	MS RETAIL STORE
TIM HORTONS DONUTS LTD.	34 STAVANGER DR - BUSINESS DEP	MS RETAIL STORE
ONE TO ONE PHARMACY INC.	92 THORBURN RD - TIM HORTON'S	MS EATING ESTABLISHMENT
SILVER BOWL (1998) LTD.	430 TOPSAIL RD - ONE TO ONE	SN PHARMACY
GENTARA COMPANY LIMITED	430 TOPSAIL RD, SILVER BOWL	SN EATING ESTABLISHMENT
PIPER'S DEPARTMENT STORES	655 TOPSAIL RD- BARKING BEAUTI	MS SERVICE SHOP
GRECO PIZZA	681 TOPSAIL RD	MS RETAIL STORE
PIPER'S DEPARTMENT STORES	286 TORBAY RD - GRECO PIZZA	MS RESTAURANT
BRITON HOLDINGS INC.	272-276 TORBAY RD	MS RETAIL STORE
PLANET BEACH	272-276 TORBAY RD - RUSTLERS	MS RESTAURANT
NORTH ATLANTIC REFINING LTD.	272-276 TORBAY RD - PLANET BCH	MS SERVICE SHOP
COLOR YOUR WORLD	280 TORBAY RD	MS RETAIL STORE
BULLDOG FITNESS	464 TORBAY RD - COLOR YOUR WOR	MS RETAIL STORE
JOSADA HAIR STUDIO	141 TORBAY RD -BULLDOG FITNESS	MS SERVICE SHOP
CASH CITY	TORBAY ROAD-TORBAY RD MALL	MS SERVICE SHOP
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
FRENCHY'S CLOTHING STORE LTD.	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
PIZZA EXPRESS LIMITED	TORBAY ROAD-TORBAY RD MALL	MS RESTAURANT
PETER'S PIZZA	411 TORBAY RD	MS RESTAURANT
PETER'S PIZZA & GOLDEN FOODS	411 TORBAY RD	MS RESTAURANT
JOY'S HAIR BOUTIQUE INC.	611 TORBAY RD -JOY'S HAIR BOUT	MS SERVICE SHOP
NORTH ATLANTIC REFINING LTD.	694 WATER ST	MS SERVICE STATION
HEALY'S PHARMACY LTD.	722 WATER ST - THERAPEUTIX	MS CLINIC
SOUTHWEST PROPERTIES	215 WATER ST	SN RESTAURANT
STAN COOK	67 CIRCULAR RD	EX ACCESSORY BUILDING
LOCAL 1208 TRAINING	1 NEWTOWN RD, LOCAL 1208 TRAIN	SW PARKING LOT
SUMMIT BUILDERS	139 WATER ST-5TH FLOOR	RN OFFICE
PHB GROUP INC.	136-140 WATER ST	TI OFFICE
SOUTHWEST PROPERTIES	215 WATER ST, 5TH & 6TH FLOORS	RN OFFICE
PROJECT MANAGEMENT SERVICES	120 NEW GOWER ST	RN OFFICE

GARAGE STORE  
BAINE JOHNSTON CORP.

AVALON MALL - GARAGE  
410 EAST WHITE HILLS RD, BAINE RN OFFICE

TI RETAIL STORE

THIS WEEK \$ 462,300.00  
TO DATE \$ 6,457,594.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

NLC 123-125 NEW GOWER ST SN ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 3,000.00  
TO DATE \$ 3,031,071.00

**CLASS: RESIDENTIAL**

PAUL MURPHY CONSTRUCTION	44 BRAD GUSHUE CRES - LOT 92	NC SINGLE DETACHED DWELLING
KEITH MCDONALD	21-23 HEFFERNAN'S LINE	NC FENCE
KAVANAGH'S CONSTRUCTION	10 HERCULES PL - LOT 89	NC SINGLE DETACHED & SUB.APT
KAVANAGH'S CONSTRUCTION LTD	21 HERCULES PL, LOT 79	NC SINGLE DETACHED DWELLING
PRO-TECH CONSTRUCTION LTD.	50 MACBETH DR - LOT 6-40	NC SINGLE DETACHED DWELLING
SKYMARK CONTRACTING	44 NAVAJO PL, LOT 246	NC SINGLE DETACHED DWELLING
SKYMARK CONSTRUCTION	51 NAVAJO PL - LOT 200	NC SINGLE DETACHED DWELLING
PRO TECH CONSTRUCTION	25 SHORTALL ST, LOT 11	NC SINGLE DETACHED DWELLING
MILTON & JEAN SHEARS	19 TUPPER ST	NC ACCESSORY BUILDING
WAYNE PARDY & TERESE ANDREWS	1 CALDWELL PL	CO HOME OFFICE
DAVID HUDSON	658 SOUTHSIDE RD	EX SINGLE DETACHED DWELLING
KARA INVESTMENTS	6 BAYBERRY PL	RN SINGLE DETACHED DWELLING
BARRY NEWHOOK	67 COLONIAL ST	RN TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	68 GISBORNE PL - LOT K2	RN SINGLE DETACHED DWELLING
JEFF REARDON	148 GOWER ST	RN SEMI-DETACHED DWELLING
NFLD & LABRADOR HOUSING CORP.	102-108 LIVINGSTONE ST	RN APARTMENT BUILDING
SKYMARK CONTRACTING LTD	19 MARGARET'S PL	RN TOWNHOUSING
CLIVE WINSOR	103 MILITARY RD	RN TOWNHOUSING
FLORENCE STONE	152 MUNDY POND RD	RN SINGLE DETACHED DWELLING
JENNIFER KING	158 PLEASANT ST	RN TOWNHOUSING
SIMON & LISA LOVELADY	38 PRINCE OF WALES ST	RN SINGLE DETACHED DWELLING
PAUL POPE & LISA PORTER	5 WALSH'S SQ	RN TOWNHOUSING
KEN EDWARDS	104 WHITEWAY ST	RN SINGLE DETACHED & SUB.APT
STEPHEN DALE	36 DELLA DR	SW SINGLE DETACHED DWELLING

THIS WEEK \$ 1,487,405.00  
TO DATE \$ 6,374,911.00

**CLASS: DEMOLITION**

BURSEY LAWN CARE 430 TOPSAIL RD, SEARS GARDEN DM RETAIL STORE

THIS WEEK \$ 4,000.00  
TO DATE \$ 254,500.00

THIS WEEK'S TOTAL: \$ 1,956,705.00

TOTAL YEAR TO DATE: \$ 16,118,076.00

REPAIR PERMITS ISSUED: 2008/02/28 TO 2008/03/05 \$ 17,000.00  
2007/12/13 TO 2008/03/05 \$ 226,350.00  
YTD

LEGEND

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

**Payrolls and Accounts**

**SJMC2008-03-10/154R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Colbert: That the following Payrolls and Accounts for the week ending March 6, 2008 be adopted as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending March 6, 2008**

**PAYROLL**

Public Works	\$ 392,539.29
Bi-Weekly Amalgamation	\$ 713,771.19
Bi-Weekly Management	\$ 525,576.87
Bi-Weekly Administration	\$ 612,965.79

**ACCOUNTS PAYABLE**

Cheque No. 129129 – 129399	\$3,336,952.14
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**Total: \$5,581,805.28**

**Tenders**

- a. Tender – Flowers (Annuals)
- b. Tender – Glass Beads
- c. Tender – Fall Bulbs
- d. Tender – Fertilizer and Seed
- e. Tender – Trees and Shrubs
- f. Tender – Building Supplies
- g. Tender - Swimming Pool Chemicals
- h. Tender - Lamps and Ballasts
- i. Tender – Supply and Install Public Address and Security Systems, NL Sports Center

**SJMC2008-03-10/155R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor**

**Collins:** 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. Stanley Flowers in the amount of \$72,626.60 (taxes not included)
- b. Construction Signs in the amount of \$26,750.00 (taxes not included)
- c. Pat's Plants in the amount of \$12,362.15 (taxes not included)
- d. Eastchem in the amount of \$33,180.00 (items 1-4 and items 6-9); and Gaze Seed at \$743.75 for item 5 (taxes not included)
- e. Sheridan Nurseries in the amount of \$48,860.99 (taxes not included)
- f. Lowest bidder meeting specifications on an item to item basis as per spread sheet presented, the lowest bidder of items required will be approached first to supply and if cannot the City Foreman may use the next low bidder (taxes not included)
- g. East-Chem Inc. in the amount of \$1,548.00 (Lines 4 & 7), taxes extra  
Clearwater Pools Ltd. in the amount of \$4,554.90 (Lines 2 & 9) taxes extra  
Rockwater in the amount of \$14,282.80 (lines 1,3,5,6,8,10,11 & 12) taxes extra
- h. Harris and Roome in the amount of \$18,820.91(taxes not included)
- i. Eastern Audio in the amount of \$19,594.00 (Public Address System portion), and Chubb Security Systems in the amount of \$7,376.25 (Security System portion) – HST extra

**Forest Glen Subdivision – Stage 6 – NF Power Easement**

Council considered a memorandum dated March 4, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2008-03-10/156R**

It was decided on motion of Councillor Colbert; seconded by Councillor Ellsworth: That the recommendation of the Chief Commissioner and City Solicitor that the Acting Mayor and City Clerk be authorized to execute Easement Agreement in connection with an easement required by NF Power over a small parcel of City land in order to be able to service Stage 6 of Forest Glen Subdivision, be approved.

**51 Aldershot Street – Phins Holding Co. Ltd.**

Council considered a memorandum dated March 4, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2008-03-10/157R**

It was decided on motion of Councillor Colbert; seconded by Councillor Ellsworth: That the recommendation of the Chief Commissioner and City Solicitor that City land located as per plan presented, be sold to the owner of 51 Aldershot Street, Phins Holdings Co. Ltd. at a price to be based on \$5.00 per square foot plus usual administration fees, be approved.

**NL Sports Center, Crosbie Road**

Council considered a memorandum dated March 6, 2008 from the Director of Building and Property Management regarding the above noted.

**SJMC2008-03-10/158R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Puddister: That the recommendation of the Director of Building and Property Management that the requirement of a security deposit for the completion of the NL Sports Center, Crosbie Road site work be waived, be accepted.**

**Snow Clearing Report for the period January 1<sup>st</sup> to March 7<sup>th</sup>, 2008**

Council considered the above noted snow clearing report for the period January 1<sup>st</sup> to March 7, 2008 showing a negative variance of \$569,426.

**March 2008 Economic Update**

Council considered as information the March 2008 Economic Update.

**Application of Access to Information and Protection of Privacy Act to City owned companies**

Council considered a memorandum dated March 10, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2008-03-10/159R**

**It was moved by Councillor Ellsworth; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that in order to bring clarity to the issue surrounding the application of Access to Information and Protection of Privacy Act to City owned Companies, and in the interest of open government, that Council ask the Minister of Municipal Affairs to seek an amendment including St. John's Sports and Entertainment Ltd. and the St. John's Transportation Commission, as local government bodies under the Act, be approved.**

The Associate Commissioner/Director of Corporate Services and City Clerk clarified the issue surrounding the information requested of SJSEL by The Telegram, noting that the City was operating within the intent of the Act. He indicated that the information requested could be termed personal information under the Act and was therefore denied. He advised that the other two pieces of information requested in this particular case were provided. When the issue of an appeal to the City's decision not to release the information came forward, the Provincial Department of Justice advised that SJSEL was not covered by the Act and for this reason the requester had no right to file an appeal, however, they will have that right if designated under the Act as a local governing body.

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

**Group Insurance Coverage for Council**

Council considered a memorandum dated March 5, 2008 from the Director of Human Resources regarding group insurance for Council.

**SJMC2008-03-10/160R**

**It was moved by Councillor Colbert; seconded by Councillor Collins: That group insurance for any member of Council who currently has group insurance with the City and who resigns as a result of the upcoming by-election, be maintained. The period of coverage for those that resign and are re-elected will be from April 18 to June 9, 2008. June 9 is the day that successful candidates will be put on payroll. For those that are not re-elected, the period of coverage will be from April 18 to June 3, 2008, June 3 being election day.**

Discussion ensued during which the cost of group insurance was discussed.

Councillor Ellsworth spoke against the motion and noted that he has advised Human Resources that he will not avail of the benefit.

Other members of Council supported the motion given the extra ordinary circumstances and the fact that the cost to the City to continue the insurance coverage is minimal.

**Following discussion, the motion being put was carried with Councillor Ellsworth dissenting.**

**Councillor Duff**

Councillor Duff reminded members of the Arts Community and Art Agencies that Friday, March 14<sup>th</sup>, 2008, 4:30 p.m. is the deadline date for registration for the upcoming Arts Symposium. She encouraged the community as well as members of Council to participate in the event if at all possible.

**Councillor Puddister**

Councillor Puddister asked for information on funding the upcoming municipal by-election.

The Chief Commissioner and City Solicitor noted he is hopeful revenues will increase, however, the City is permitted to run a deficit to fund this unexpected expenditure.

**Councillor Galay**

Councillor Galgay referenced the passing of a member of the Vera Perlin Society who was a popular user of Metrobus. He commended and thanked Metrobus for their very special service in his honour.

**Councillor Collins**

Councillor Collins advised residents of Kilbride area that the Department of Engineering has made application to the Province for funding towards the river cleanout in the area of Griffin's Lane to Connolly's Lane.

**Adjournment**

There being no further business, the meeting adjourned 5:15 p.m.

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**MAYOR**

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**CITY CLERK**