

March 18th, 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, Hickman, Hann, Puddister, Galgay, Coombs and Collins

Regrets: Councillor Ellsworth

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

Call to Order and Adoption of the Agenda

SJMC2008-03-18/161R

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

- a. Snow Clearing Report for the period January 1st to March 14th, 2008
- b. Tender – Robin Hood Bay Landfill Re-Engineering, Contract 4B – Scale House & Entrance Gate
- c. Proposal of Oblique Imagery and Digital Orthophotography

Adoption of Minutes

SJMC2008-03-18/162R

It was decided on motion of Councillor Hann; seconded by Councillor Hickman: That the Minutes of the March 10th, 2008 meeting be adopted as presented.

Group Insurance Coverage for Council

Under business arising, Councillor Colbert referenced Council's decision to maintain group insurance for any member of Council who resigns as a result of the upcoming by election. He noted that he put forward the motion based on a memorandum from the City's insurance company to the City. He also referred to a memorandum dated March 13, 2008 from the Chief Commissioner and City Solicitor and in view of his comments concerning the City's policy for unionized workers in the event of a strike that requires the union to pay the entire cost of group insurance if it wishes to maintain that coverage for its members, made the following amendment to Council's previous motion:

SJMC2008-03-18/163R

It was moved by Councillor Colbert; seconded by Councillor Duff: That if a member of Council resigns and wishes to continue his or her group insurance, that the member pay the full cost for coverage including the City's share, for the period April 18 to June 3, 2008.

The motion being put was unanimously carried.

Notices Published

1. An application has been submitted by Hennebury Engineering Limited on behalf of the Newfoundland Drive Medical Centre, located at Civic No. **427Newfoundland Drive**, requesting approval to **upgrade and expand their existing parking lot**. This project will involve the addition of thirty-eight (38) new parking spaces on the site. Twenty-three (23) of these parking spaces will be located in a portion of the landscaped buffer along the rear boundaries of the Residential properties located at Civic Nos. 10, 12 and 19 O'Derin Place. A landscaped buffer having a depth of approximately 1.0 meter will be maintained and a 1.8 meter high screen fence will be installed along the rear boundaries of Civic Nos. 10, 12 and 19 O'Derin Place. **(WARD 1)**

Two (2) submissions of concern

**MEMORANDUM DATED MARCH 14, 2008 FROM THE
DIRECTOR OF PLANNING**

SJMC2008-03-18/164R

It was decided on motion of Councillor Puddister ; seconded by Councillor Colbert : That the application be deferred in order to allow additional time to review concerns received by the City Clerk's Department from some of the adjacent property owners on O'Derin Place respecting the proposed parking lot expansion.

2. **A Variance of Non-Conformity Application** has been submitted by Mr. Angin Gao requesting permission to change to use of a portion of the first floor of Civic No. **176 Freshwater Road** from a video rental store to a barber shop. The proposed barber shop will occupy a floor area of approximately 43 square meters and will employ a staff of 2 to 5. Parking for five (5) vehicles can be accommodated on the site. The hours of operation will be from 10:00 am to 9:00 pm daily. (**WARD 2**)

One (1) submission of concern

SJMC2008-03-18/165R

It was decided on motion of Councillor Duff; seconded by Councilor Galgay: That the application be approved.

Development Permit List

Council considered as information the following Development Permits List for the period March 8 to 13, 2008.

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF MARCH 8, 2008 TO MARCH 13, 2008**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Com.	Hampton Architects Inc.	Proposed Extension to Browning Harvey Bottling Plant	Civic No. 15 Ropewalk Lane	Ward 3	Application Approved	2008 03 10
Res.	Mr. Patrick Dwyer	Proposed Demolition and Reconstruction of single Detached Dwelling	Civic No. 120 New Pennywell Road	Ward 4	Application Approved	2008 03 11
Com.	Calloway REIT	Proposed Commercial Buildings G & J	Kelsey Drive	Ward 4	Application Approved	2008 03 13

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

Building Permits List

SJMC2008-03-18/166R

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

2008/03/12

Permits List

CLASS: COMMERCIAL

SECOND CUP	AVALON MALL, SECOND CUP	SN RESTAURANT
SONY OF CANADA LTD.	AVALON MALL - SONY STORE	SN RETAIL STORE
GARAGE CLOTHING	AVALON MALL - GARAGE	SN RETAIL STORE
SCI FI ON THE ROCK	180 PORTUGAL COVE RD	MS HOTEL
HICKMANS	266 TORBAY RD, HICKMANS	MS CAR SALES LOT
NEWFOUNDLAND PAINTBALL SUPPLY	536-538 WATER ST	SN RETAIL STORE
LEON'S FURNITURE LTD.	410 EAST WHITE HILLS RD, LEONS	RN WAREHOUSE
KELLY'S	8 ADELAIDE ST	RN TAVERN
FORTIS PROPERTIES CORPORATION	100 NEW GOWER ST, SUITE 300	RN OFFICE
PAUL WORRALL	217 LEMARCHANT RD	RN MIXED USE
MODH ENTERPRISES	10 KING'S RD	CR RESTAURANT
KERR CONTROLS	683 WATER ST	RN WAREHOUSE
GREENSLEEVES LTD.	14 GEORGE ST	RN RESTAURANT
STACEY CONTRACTING	10 BARTER'S HILL-ACOA 3RD FL	RN ADMIN BLDG/GOV/NON-
PROFIT		
HSBC FINANCIAL CORP. LTD.	81 KENMOUNT RD -HSBC FINANCIAL	RN OFFICE
WOODGATE FURNITURE LTD.	410 EAST WHITE HILLS RD, WOODG	RN WAREHOUSE

THIS WEEK \$ 275,000.00
TO DATE \$ 6,732,594.00

CLASS: GOVERNMENT/INSTITUTIONAL

CITY OF ST. JOHN'S	570 NEWFOUNDLAND DR	CR ADMIN BLDG/GOV/NON-PROFIT
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THIS WEEK \$ 25,000.00
TO DATE \$ 3,056,071.00

CLASS: RESIDENTIAL

ELAINE & BRUCE BROPHY	55 BRAD GUSHUE CRES - LOT 5-63	NC SINGLE DETACHED DWELLING
RON SIMMS	34 CORPORAL JAMIE MURPHY ST	NC ACCESSORY BUILDING
DLG CONTRACTING	10 FIRDALE DR	NC SINGLE DETACHED & SUB.APT
KEITH MCDONALD	21-23 HEFFERNAN'S LINE	NC ACCESSORY BUILDING
GIBALTAR DEVELOPMENTS	53 JULIEANN PL, LOT 06	NC SINGLE DETACHED DWELLING
WILLIAM & COLLEEN SIMMS	4 KITCHENER AVE	NC ACCESSORY BUILDING
RAYMOND JOY JR	27 LANNON ST	NC ACCESSORY BUILDING
DALE AVERY	21 MEEKER PL	NC ACCESSORY BUILDING
SKYMARK CONSTRUCTION	24 PIPER ST, LOT 214	NC SINGLE DETACHED DWELLING
JOHN HILL	70 QUIDI VIDI VILLAGE RD	NC FENCE
NEW VICTORIAN HOMES	15 ROTARY DR, LOT 35	NC SINGLE DETACHED & SUB.APT
NEW VICTORIAN HOMES	27 ROTARY DR, LOT 29	NC SINGLE DETACHED DWELLING
BLUEWATER PROPERTY & DEV.	11 RUSS HOWARD ST, LOT 112	NC SINGLE DETACHED DWELLING
STEPHEN HANNAFORD	37 GIL EANNES DR	CR SUBSIDIARY APARTMENT
M & S HOLDINGS LTD.	27 COWAN AVE	RN SINGLE DETACHED DWELLING
JASON COLE	185 FRESHWATER RD	RN SINGLE DETACHED DWELLING
DONALD R. LEHMAN AND	4 GOWER ST	RN SEMI-DETACHED DWELLING

DERMOT LEO LAYMAN &	57 GREAT EASTERN AVE	RN SINGLE DETACHED DWELLING
ASHLEY CHITTAL	2 MACKLIN PL	RN SINGLE DETACHED DWELLING
MARGARET TIZZARD	27 MOUNT ROYAL AVE	RN SINGLE DETACHED & SUB.APT
GERARD COLBERT	105A PETTY HARBOUR RD	RN SINGLE DETACHED DWELLING
FRANK RASO	176 SIGNAL HILL RD	RN SINGLE DETACHED DWELLING
25 TIFFANY LANE CONDO CORP.	UNIT 102, 25 TIFFANY LANE	RN CONDOMINIUM
25 TIFFANY LANE CONDO CORP.	UNIT 202, 25 TIFFANY LANE	RN CONDOMINIUM
ROBERT CLARK	32 VEITCH CRES	RN SINGLE DETACHED DWELLING

THIS WEEK \$ 1,200,200.00
 TO DATE \$ 7,575,111.00

CLASS: DEMOLITION

STELLA BURRY COMMUNITY	84-86 PRESCOTT ST	DM SINGLE DETACHED & SUB.APT
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THIS WEEK \$ 60,000.00
 TO DATE \$ 314,500.00

THIS WEEK'S TOTAL: \$ 1,560,200.00

TOTAL YEAR TO DATE: \$ 17,678,276.00

REPAIR PERMITS ISSUED: 2008/03/06 TO 2008/03/12 \$ 40,000.00
 2007/12/13 TO 2008/03/12 \$ 266,350.00

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

SJMC2008-03-18/167R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending March 13, 2008 be adopted as presented:

Weekly Payment Vouchers

**For The
Week Ending March 13, 2008**

PAYROLL

Public Works	\$ 342,391.65
Bi-Weekly Casual	\$ 11,538.48

ACCOUNTS PAYABLE

Cheque No. 129400 - 129754	\$2,649,234.64
Total:	\$3,003,164.77

Tenders

- a. Tender – Traffic Paint
- b. Tender – Rental of Cars, Pickups and Vans
- c. Tender – Traffic Control Equipment
- d. Tender – Harbour Interceptor Sewer – Contract 9
- e. Tender – Oblique Imagery and Digital Orthophotography
- f. Tender – Robin Hood Bay Landfill Re-Engineering, Contract 4B – Scale House and Entrance Gate
- g. Contract - Acquisition and Implementation of HR/Payroll Software

SJMC2008-03-18/168R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendations of the Director of Finance and City Treasurer, the Associate Commissioner and Director of Engineering, the Associate Commissioner/Director of Corporate Services and City Clerk be approved and the tenders awarded as follows:

- a. **Ibis Products in the amount of \$118,600.00 (Taxes not included)**
- b. **As per Quotation Sheet presented (There will be an Open Order issued to each of the vendors that quoted with the City Departments using the lowest quote. Should the lowest bidder not have a unit available, City Departments will then use the next lowest price available).**
- c. **Items 1,2,7,8,10,19 and 20 awarded to Electromega Ltd. at \$15,224.60; items 3-6, 9, 11-18, 21-24, 26 and 27, 25 and 28 to Fortran Traffic at \$39,987.06, and items 25 and 28 to Sentinel Pole and Traffic at \$2,200.00 and Tacel Ltd. at \$1,560.00 (Taxes not included)**
- d. **RJG Construction Ltd. in the amount of \$15,186,635.00**
- e. **MDA Geospatial Services – in the amount of \$90,600.00 (Taxes included) –(Item #1 MDA GSI \$81,100.00; Item #2 MDA GSI \$9,500.00)**
- f. **Redwood Construction Ltd. in the amount of \$629,665.00**
- g. **Stargarden Group in the amount of \$299,475.00 (exclusive of HST)**

Frederick's Cove – Fort Amherst

Council considered a memorandum dated March 11, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-03-18/169R

It was decided on motion of Councillor Colbert; seconded by Councillor Collins: That the recommendation of the Chief Commissioner and City Solicitor that compensation in the amount of \$10,000.00 plus legal fees for land expropriated by the City at Fort Amherst from the Froude family in order to complete the Frederick's Cove open space development, be approved.

40 Sunset Street, David and Dorothy Wilson

Council considered a memorandum dated March 13, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-03-18/170R

It was decided on motion of Councillor Collins; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that land at the corner of Sunset Street and McConnell Place required by the City for street widening be acquired for \$550.00 plus legal fees, be accepted.

Correspondence from Mr. Bruce Pearce re St. John's Community Plan for Addressing Homelessness

SJMC2008-03-18/171R

It was moved by Councillor Duff; seconded by Councillor Hann: That Council endorse the 2007-2009 St. John's Community Plan for addressing Homelessness, and refer it to the City's Affordable Housing Action Committee for consideration in implementing the City's Affordable Housing Action Plan adopted by Council on December 17, 2007.

The motion being put was unanimously carried.

Letter dated March 3rd, 2008 from Honourable Lawrence Cannon, P.C., M.P. re Truck Side Guards

Council considered the above noted letter acknowledging Deputy Mayor O'Keefe's correspondence of February 18, 2008 requesting that Transport Canada review the feasibility of introducing a requirement for side guards on some classes of large trucks. The minister advised that departmental officials are reviewing the matter and will provide a more detailed reply on the issue once the review has been completed.

Snow Clearing Report

Council considered the snow clearing report for the period January 1st to March 14th, 2008 showing a negative variance of \$563,218.00

Members of Council commended snow clearing crews on a “tremendous job” in their snow clearing operations during the recent snow storm.

Councillor Puddister

Councillor Puddister noted that he received calls concerning residents throwing snow onto the streets and encouraged residents to call 311 when they witness this type of action.

Councillor Hickman

Councillor Hickman indicated that the residents of Riverhead Towers have complained to him of problems with second hand smoke throughout the building and asked that the matter be referred to the Director of Building and Property Management to determine the type of controls the City might have on that situation. The Acting Mayor advised that the matter has already been referred to the department and a recommendation is forthcoming.

Councillor Duff

Councillor Duff asked that letters of congratulated on behalf of Council be forwarded to Stephen Ryan and Scott McIssac of the City’s Parks and Recreation Department who attended the Inter-University National Curling Championships this past weekend in Guelph and who were voted an All-Canadian Third, with Stephen Ryan receiving the player of the tournament award which is voted on by all participating players.

Acting Mayor O’Keefe

Acting Mayor O'Keefe alluded to a recent Telegram article by CUPE Local 569 President William Sheppard titled "Time for St. John's to Hire a City Manager" and indicated to the Chief Commissioner and City Solicitor that he was pleased with his response to the article clarifying the fact that the City does indeed have an administrative head along with two associate commissioners. The Acting Mayor was further satisfied with the Chief Commissioner and City Solicitor's comments clarifying Mr. Sheppard's comments regarding the City's budgetary situation.

Adjournment

There being no further business, the meeting adjourned 4:55 p.m.

MAYOR

CITY CLERK