

March 23<sup>rd</sup>, 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.

His Worship the Mayor presided.

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

Regrets: Councillors Duff and Hann

The Chief Commissioner and City Solicitor, the Associate Commissioner/Director of Information & Corporate Services & City Clerk, the Director of Planning, Manager, Corporate Secretariat and Recording Secretary (Karen Chafe) were also in attendance.

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

**SJMC2009-03-23/163R**

**It was decided on motion of Councillor Hanlon; seconded by Councillor Puddister: That the Agenda be adopted as presented with the following additional items.**

- a. Letter from Brad Coady, 42 Charlton Street re Earth Hour 2009 encouraging Council to shut off their lights and to encourage residents to do the same
- b. Letter from Sport NL requesting that the City purchase a table in support of the Sport Newfoundland NL Stars and Legends Awards Gala to take place March 28, 2009
- c. Tender – Robin Hood Bay Landfill, Contract 20 Site Remediation – Metal Recycling Site

**Adoption of Minutes**

**SJMC2009-03-23/164R**

It was decided on motion of Councillor Hickman; seconded by Councillor Galgay: That the Minutes of the March 17<sup>th</sup>, 2009 meeting be adopted as presented.

**Business Arising**

**Notice of Motion - Councillor Coombs  
Amendment to Rules of Procedure**

**SJMC2009-03-23/165R**

Pursuant to Notice of Motion, it was moved by Councillor Coombs; seconded by Councillor Puddister: That the following St. John's Rules of Procedure (Amendment No. 1 – 2009) By-Law be Adopted:

**BY-LAW NO.**

**ST. JOHN'S RULES OF PROCEDURE (AMENDMENT NO. 1 – 2009) BY-LAW**

**PASSED BY COUNCIL ON MARCH 23 , 2009**

Pursuant to the powers vested in it under Section 22 of the City of St. John's Act and all other powers it enabling, the St. John's Municipal Council in regular session convened on the 23<sup>rd</sup> day of March, 2009 hereby passes and enacts the following amendment.

**BY-LAW**

1. This By-Law may be cited as the "St. John's Rules of Procedure (Amendment No. 1 – 2009) By-Law".
2. Section 84 of the Rules of Procedure for the St. John's Municipal Council is repealed and replaced by the following:
  - "84. (1) A motion or resolution before a council shall be decided by a majority vote of the councillors in attendance at the meeting except where a 2/3 vote of the councillors in office is required.
  - (2) A councillor shall not abstain from voting on a motion or resolution before the council unless he or she is required to abstain from voting because of a conflict of interest under the City of St. John's Conflict of Interest By-Law or he or she has been permitted to abstain by a majority vote of the other councillors in attendance at the meeting.
  - (3) Where a councillor abstains from voting on a motion or resolution, a decision shall not be made on that motion or resolution unless the number of councillors in favour of the motion or resolution is

equivalent to or more than a majority of the councillors in attendance at the meeting.

- (4) The minutes of a council meeting shall indicate the names of the councillors who vote for and against and who abstain from voting on a motion or resolution.”

**IN WITNESS WHEREOF** the Seal of the City of St. John’s has been hereunto affixed and this By-Law has been signed by the Mayor and City Clerk this 23<sup>rd</sup> day of March, 2009.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Councillor Coombs advised that there are two components to this By-Law: abstaining from voting and conflict of interest. To determine whether or not a conflict of interest exists, the following steps would have to be taken:

- A member of Council would have to consult the City Clerk and the Chief Commissioner/City Solicitor for such ruling. If a conflict of interest is declared, the member of Council declaring conflict has to explain what the conflict is.
- Where there is not an obvious conflict of interest, i.e. where there is no pecuniary interest, but perhaps the perception that one may exist, and having consulted with the Chief Commissioner/City Solicitor and City Clerk, the matter would then be referred to Council for a vote to determine whether or not the member in question should be permitted to vote.
- With regard to the issue of abstaining from a vote without reason for a conflict of interest, such would only be permitted by a majority vote of Council.

Deputy Mayor Ellsworth expressed concern about the varying opinions as to whether or not a conflict of interest exists, particularly if there is a difference of opinion between the City Clerk and the Chief Commissioner. He also expressed concern about the possible scenario of having a 5 to 4 vote in favour of a particular motion which would be lost despite there

being a majority vote. In order for a motion to pass in such a case, there would have to be six voting in favour.

In response to Deputy Mayor Ellsworth's question about the discrepancy between this By-Law and the Conflict of Interest By-Law No. 1305, specifically Section 5(2), the Chief Commissioner/City Solicitor advised that the Rules of Procedure are specific and would prevail, though he would prepare a Notice of Motion to have the Conflict of Interest By-law amended to reflect the proposed By-Law amendment now under discussion.

**The motion being put was unanimously carried.**

**Development Committee Report dated March 17<sup>th</sup>, 2009**

Council considered the following Development Committee Report dated March 17<sup>th</sup>, 2009:

**RECOMMENDATION OF REJECTION:**

- 1. Discretionary Use Application  
Daycare Operation  
Carol Goodman (The Children's Centre)  
Civic No. 89 St. Clare Avenue (Ward 2)**

The Development Committee recommends that Council reject the above noted application based on traffic safety considerations.

**Ron Penney, Acting Chairperson  
Chief Commissioner & City Solicitor**

**SJMC2009-03-23/165R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Collins: That the Committee's recommendation of rejection be accepted.**

**Economic Development Standing Committee Report dated March 11<sup>th</sup>, 2009**

Council considered the following Economic Development Standing Committee Report dated March 11<sup>th</sup>, 2009:

In Attendance: Councillor Frank Galgay, Chairperson  
Councillor Art Puddister

Councillor Debbie Hanlon  
Ron Penney, Chief Commissioner & City Solicitor  
Elizabeth Lawrence, Director of Economic Development, Tourism, & Culture  
Kevin Breen, Director of Human Resources  
Jill Brewer, Director of Recreation  
Bob Bishop, Director of Finance & City Treasurer  
Dave Blackmore, Director of Building & Property Management  
Paul Mackey, Director of Public Works & Parks  
Vicki Button, Marketing & Business Development Officer  
Heather Mills-Snow, Economic Development Coordinator  
Karen Chafe, Recording Secretary

Curtis Rumbolt with CBC Radio was also present.

**Meeting with Dr. Wade Locke, Economist with Memorial University**

The Committee met with Dr. Wade Locke, Economist at Memorial University, to discuss the long-term economic outlook for the City of St. John's and the Province as a whole as it relates to the global economic state. Dr. Locke conducted a power point presentation entitled: *"The World is Not Falling Apart: Putting the Nots in Economic Perspective"*. The power point elaborated on the circumstances that led to the current world-wide financial crisis as well as when one should expect to see positive results. A copy of the presentation is on file with the City Clerk's Department. Experts predict a recovery in economic activity by the third quarter of 2009 in both Canada and the United States, however, elevated unemployment levels will continue well into 2010. According to the International Energy Information Agency, the price of oil is expected to rise, particularly as the reduction in supply will increase the demand. The Province is well positioned to take advantage of this increase considering the number of projects underway and proposed in the oil industry, i.e. Hebron, White Rose Extension, Hibernia South, etc., not to mention other natural resource projects.

Dr. Locke reinforced the importance of remaining positive during these economic times, as beliefs determine behaviour. He expressed great optimism that the future economic climate in the Province is very good, and this will become more imminent as world economies start to recover. He particularly referenced the recovery of the Chinese economy which will have beneficial results in Canada, in what he termed the "donut effect" wherein the periphery of Canada, including the Atlantic Provinces will stand to benefit the most.

Dr. Locke also stated that discussion should now center around how the City and the Province should go forward in light of increasing prosperity and he outlined the following points:

- How will the City and the Province deal with social challenges, i.e. homelessness, the increased need for affordable housing, etc., which will become more acute with increased prosperity.
- What role should be played by post secondary institutions to fulfill the demand in this changing economy. How do we increase the role of post secondary

institutions to more fully integrate with the private sector community to ensure knowledge is competitive.

- How are alternative energy sources dealt with, what are the issues and how can we bring the expertise of university institutions to bear on the City, Province and Country.

Chairperson Galgay thanked Dr. Locke for his enlightening presentation. Dr. Locke retired from the meeting at 1:20 p.m.

### **Adoption of Minutes**

The minutes of the meeting held August 28<sup>th</sup>, 2008 were approved and adopted.

### **Conference Board of Canada – 2<sup>nd</sup> Benchmarking Study**

The Committee considered as information, the above noted Study, a copy of which is on file with the City Clerk's Department. The Director of Economic Development, Tourism & Culture advised that the City has reconfirmed its commitment to the study and staff will be working with the Conference Board from which a report is expected to be completed in the Fall.

### **“Wolfe” Project Update - Innovation City Regions**

The Committee considered as information, a backgrounder report on the above noted project which is scheduled to take place over a three year period. The City of St. John's is one of the fifteen regions selected to take part in the Study and the three themes of focus are:

- Social dynamics of the innovation process
- Social foundations of talent attraction and retention
- Civic engagement/governance capacity.

It is anticipated that a research report will be completed some time in the Fall.

### **BizPal Verbal Update from Staff**

The Director of Economic Development, Tourism & Culture updated the Committee on the launching of BizPal by the Provincial Government which occurred two weeks ago. BizPal is an online service that simplifies the business permit and licence process for entrepreneurs, governments, and third party business service providers. As the Committee may recall, this was an initiative first introduced by this Committee, and staff have been pushing to move this forward with the Province.

Councillor Puddister questioned if the cost to undertake the BizPal project was limited to \$13 million and whether or not this amount was cost-shared with the federal government as well as the municipal and provincial levels. The Director of Economic Development, Tourism & Culture agreed to investigate the cost break-down.

### **Oil & Gas Week**

Heather Mills-Snow, Economic Development Coordinator, updated the Committee on the success of the Oil & Gas Week which was launched on February 27<sup>th</sup>, 2009. The Committee commended staff for their excellent work in this regard.

### **Municipal Planning Session – Capital Coast Development Alliance (Friday, March 27-28)**

The Committee considered the proposed agenda for the above noted planning session which will be taking place at the Capital Hotel, Kenmount Road, as well as a cover letter from Bill Stirling, Chair and Christine Snow. A copy of this information is on file with the City Clerk's Department.

It was agreed that Councillor Hanlon represent Council at this planning session. Though Councillor Duff may also be interested, she will be out of the province during that period.

### **Students in Free Enterprise (SIFE) Memorial**

The Committee considered an e-mail to Mayor O'Keefe from Ryan Hopkins regarding the Students In Free Enterprise (SIFE) Memorial, a not-for-profit student-run organization which recently represented Canada at the 2008 SIFE World Cup where they were named World Champions (based on their dedication to creating economic opportunity). SIFE Memorial conducts a number of community outreach projects each year that are truly making a difference in the community, province, and country. The Committee endorsed the following recommendation of the Department of Economic Development, Tourism & Culture:

**That Council recognize Students in Free Enterprise (SIFE) in an upcoming Regular Meeting of Council, to be coordinated by the Director of Economic Development, Tourism & Culture.**

**The Committee further recommended that the Department of Economic Development, Tourism & Culture also explore areas of potential collaboration with SIFE as the group aligns with Departmental objectives of retaining and developing youth/business.**

### **Fair Trade Town**

The Committee considered an e-mail to Mayor O'Keefe from Luke Power requesting that Council give consideration to imposing fair trade status for the City of St. John's. More information can be found on this idea on the TransFair website: <http://transfair.ca/en/fairtradetown>. According to TransFair Canada, fair trade is an international system of doing business based on dialogue, transparency and respect. It contributes to sustainable development by offering better trading conditions for producers and workers in developing countries. Behind the principles and goals of Fair Trade is a rigorous international system of monitoring, auditing and certification.

**The Committee recommended that Council take the lead role in investigating the possibility of instituting the City of St. John's as a Fair Trade Town. One of**

**the first steps which should be taken toward this endeavour is to identify various stakeholders to come to a meeting to develop a strategy as to how this should unfold.**

### **Events 2009**

The Committee considered background information on the following upcoming events for 2009:

- WECP, May 4 – 5<sup>th</sup>, 2009, Houston Texas
- Offshore Technology Conference (OTC), May 4 – 7<sup>th</sup>, 2009, Houston Texas
- Atlantic Canada Petroleum Show, June 16 – 17<sup>th</sup>, 2009, St. John's NL

**The Committee on motion of Councillor Hanlon; seconded by Councillor Puddister: recommended that: Council authorize Councillor Frank Galgay to attend the WECP and OTC Conferences being held in Houston, Texas from May 4<sup>th</sup> – 7<sup>th</sup>, 2009.**

**With regard to the Atlantic Canada Petroleum Show being held in St. John's, all members of Council can attend this event.**

Councillor Puddister referenced the possibility of having Council representation at the Petroleum Show in Aberdeen this coming September, particularly in light of the Hebron agreement. The Director of Economic Development, Tourism & Culture agreed to investigate the details and report back to the Committee.

### **Other Business**

Staff updated the Committee on the following additional items:

- The Hebron Procurement Information Session will be taking place at the St. John's Convention Centre on April 7<sup>th</sup>, 2009. Registration for this event takes place at 8:00 a.m.
- Mad Rock Marine Solutions Inc., a world leader in marine evacuation technologies and a privately held Canadian company, has won the Rogers Cable and PROFIT Magazine Innovation@Work Award for 2008. This year marks the second year of the Innovation@Work Awards. This Award recognizes Canadian small business, with less than 20 employees, for their innovative solutions to a problem, a product, staff retention or any innovative solution that moves a company forward in its niche. Mad Rock's RocLoc lifeboat release hook system won this year's award for an Innovative Product.
- Plans for the proposed federal St. John's office are somewhat sketchy though it is noted that there will be a small team of officials situated in the office. Staff will keep the Committee apprised as new developments occur.
- March 21-27 is Multicultural Week and also the launch of the immigration portal. The City has been working with the Province on that item which will be released in two weeks time. The Christmas lights at City Hall will be turned on to commemorate Multicultural Week.



**Adjournment**

There being no further business, the meeting adjourned at 1:50 p.m.

Councillor Frank Galgay  
Chairperson

**SJMC2009-03-23/166R**

**It was moved by Councillor Galgay; seconded by Councillor Puddister: That the Committee's recommendations be approved.**

**The motion being put was unanimously carried.**

**Planning and Housing Standing Committee Report dated March 18<sup>th</sup>, 2009**

Council considered the following Planning and Housing Standing Committee Report dated March 18<sup>th</sup>, 2009:

In Attendance:           Councillor Keith Coombs, Chairperson  
                                  Councillor Sandy Hickman  
                                  Councillor Art Puddister  
                                  Councillor Frank Galgay  
                                  Councillor Wally Collins  
                                  Mr. Ron Penney, Chief Commissioner & Solicitor  
                                  Mr. Cliff Johnston, Director of Planning  
                                  Mr. Dave Blackmore, Director of Building & Property Management  
                                  Mr. Walt Mills, Acting Director of Engineering  
                                  Mr. Ken O'Brien, Manager of Planning & Information  
                                  Mr. Jim Clarke, Manager of Streets & Parks  
                                  Mr. Chris Small, Planning Technician  
                                  Ms. Kelly Butler, Recording Secretary

Also in attendance was Mr. Curtis Rumbolt, with CBC Radio.

**1.     Delegation – Mr. Philip Pratt, PHB Group re: Proposed Condominium Hotel –  
          Temperance Street (Ward 2)**

The Committee met with Mr. Philip Pratt to discuss the above noted application. The Committee also considered the **attached** memorandum dated March 12, 2009, from the Director of Planning and reviewed a Power Point View Plan Analysis prepared by the Department of Planning on the proposed development.

**The Committee recommends that the applicant be asked to undertake a Land Use Assessment Report (LUAR) at their expense for the proposed condominium hotel development under Terms of Reference that would be prepared by City staff and approved by Council. Upon completion of the assessment report and review of the report by City staff to determine that all**

applicable information has been provided, it is recommended that the application be referred to a public meeting to be chaired by a member of Council.

*The proposed Terms of Reference for the Land Use Assessment Report have been prepared by the Department of Planning and are attached for Council's consideration of approval.*

**2. Delegation – Jerome and Dave Quinlan re: Proposed Rezoning of Property for a Building Lot – Land Between Civic Nos. 26 and 34 Cousens Place (Ward 5)**

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The Committee met with Messrs. Jerome and Dave Quinlan regarding the above noted application. The Committee also considered the attached memorandum dated March 11, 2009, from the Manager of Planning and Information and the Director of Planning.

**The Committee agreed that a public meeting be held on the rezoning application to be chaired by a member of Council once the Department of Engineering has had an opportunity to complete its technical review of the application to determine that there are no engineering issues which would preclude rezoning of the property.**

**3. Proposed Rezoning of Property from Open Space (OS) to Residential Medium Density (R2) – Newfoundland & Labrador Housing Corporation – Vickers Avenue (Ward 3)**

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The Committee considered the attached memorandum dated March 12, 2009, from the Manager of Planning and Information and the Director of Planning regarding the above noted application.

**The Committee directed the Department of Planning to advertise the proposed rezoning of the subject property from the Open Space (O) Zone to the Residential High Density (R3) Zone. Upon completion of this process, the rezoning application will be referred back to a future Regular Meeting of Council for decision along with any written public representations that are received by the City Clerk's Department in response to the City's notification process.**

Councillor Keith Coombs  
Chairperson

**SJMC2009-03-23/167R**

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

Councillor Hickman referenced item # 1 of the report with respect to the proposed condominium hotel on Temperance Street, noting that he is pleased to see this come

forward. He felt that there were areas of the Downtown where a review of the City's Development Regulations would be merited, particularly with regard to height restrictions and the use of building materials which should be more reflective of the Downtown vernacular. He requested that these matters be discussed during the next meeting of the Planning and Housing Standing Committee.

Councillor Galgay referenced an article from the Telegram entitled "How high is too high?" which supports the above noted comments of Councillor Hickman about the need for a review. The Director of Planning indicated that the last review of the Municipal Plan took place in 2003/04 which included a series of public consultation sessions with the general public.

Councillor Coombs also referenced an article from the Downtown Development Commission and their concern about vacant derelict buildings which create "dead zones". This is another aspect of the Downtown debate which should be referred to the Planning & Housing Standing Committee for review. Councillor Puddister took exception to some of the comments in the article which give the perception that the City is not doing enough to solve the problem, noting that they cannot determine the market place nor force owners to tear down buildings. He further added that the City has been very proactive in working with property owners to develop the Downtown. Councillor Puddister requested that the DDC article be referred to the Chief Commissioner/City Solicitor and the Director of Planning for appropriate response.

At this point, Councillor Galgay wished to table an article he referenced earlier in discussion, from which he proceeded to read, however, was deemed out of order by the Chair, as exceeding his time limit.

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

**Building Permits List**

**SJMC2009-03-23/168R**

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

2009/03/18  
Permits List

**CLASS: COMMERCIAL**

THE ELEGANT YARD SALE	362 WATER ST	CO RETAIL STORE
DOWNEAST TAS COMMUNICATIONS	40 ABERDEEN AVE	MS RETAIL STORE
CORE INSIGHT CHIROPRACTIC	40 ABERDEEN AVE	MS CLINIC
PIZZA DELIGHT ENTERPRISES INC.	46 ABERDEEN AVE	MS RESTAURANT
WAL-MART CANADA CORP.	90 ABERDEEN AVE	MAGIC CUTS
ECLIPSE	42 KENMOUNT RD,	ECLIPSE
IRVING OIL MARKETING LIMITED	8 BAY BULLS RD	MS COMMERCIAL GARAGE
PROFESSIONAL APPAREL MARKETING	203 BLACKMARSH RD	MS RETAIL STORE
GDP ENTERPRISES INC.	100 BROOKFIELD RD - NEEDS	MS CONVENIENCE STORE
B.P.O. ELKS	CARPASIAN RD	MS COMMUNICATIONS USE
FIRST CHOICE HAIRCUTTERS	84-86 ELIZABETH AVE	MS SERVICE SHOP
ELIZABETH PLAZA LIMITED/	92 ELIZABETH AVE	BUSHIDO
NELLA LTD (J.W. ALLAN CO LTD)	94 ELIZABETH AVE	MS RETAIL STORE
IRVING OIL LTD.	71-77 ELIZABETH AVE	MS SERVICE STATION
CUSTOM WHEELS	377 EMPIRE AVE	MS RETAIL STORE
NEEDS CONVENIENCE	174 FRESHWATER RD	MS CONVENIENCE STORE
FIRST CHOICE HAIRCUTTERS	336 FRESHWATER RD	MS SERVICE SHOP
10768 NEWFOUNDLAND LIMITED	336 FRESHWATER RD	MONEYMART
SALON 56	15 GOLDSTONE ST	MS SERVICE SHOP
UPTOWN HAIR DESIGN &	169 HAMLYN RD	MS SERVICE SHOP
JUMBO VIDEO	12-20 HIGHLAND DR	MS RETAIL STORE
KENNY ENTERPRISES LIMITED	12-20 HIGHLAND DR	MS CONVENIENCE STORE
W.L.B. SERVICES LTD.	55C KELSEY DR	FIRST CHOICE
CROMBIE DEVELOPMENTS LIMITED	30 KENMOUNT RD,	ADDITIONELLE
WICKER EMPORIUM	30 KENMOUNT RD	MS RETAIL STORE
SJJ ENTERPRISE LTD.	58 KENMOUNT RD	KIDDIE KOBBLER
INDIGO BOOKS & MUSIC INC.	70 KENMOUNT RD	CHAPTERS
SALVATION ARMY NAT.RECYCLING	49-51 KENMOUNT RD	MS RETAIL STORE
VALUE VILLAGE STORES INC.	161 KENMOUNT RD	MS RETAIL STORE
VOGUE	193 KENMOUNT RD	MS SERVICE SHOP
LOOKING GOOD	409 KENMOUNT RD	MS RETAIL STORE
NEEDS CONVENIENCE	330 LEMARCHANT RD	MS CONVENIENCE STORE
CORE HEALTH SPA	299 LEMARCHANT RD	MS CLINIC
T.R.A.	430-432 MAIN RD - NEEDS	MS CONVENIENCE STORE
TRAVEL QUEST	239 MAJOR'S PATH	MS OFFICE
YW-YMCA	NEW COVE RD	MS CLUB
VACANT (SOOTHE)	119 NEW COVE RD	MS RETAIL STORE
CANTON RESTAURANT	200-232 NEWFOUNDLAND DR	MS RESTAURANT
PIZZA EXPERTS	446 NEWFOUNDLAND DR	MS EATING ESTABLISHMENT
ACTIVE WOMEN	446 NEWFOUNDLAND DR	MS CLUB
NEEDS CONVENIENCE	449 NEWFOUNDLAND DR	MS CONVENIENCE STORE
JENNICK ENTERPRISES INC	199-201 NEW GOWER ST	SN RETAIL STORE
THE BUY & SELL MAGAZINE INC.	50 O'LEARY AVE	MS RETAIL STORE
FURR FACTORY	71 O'LEARY AVE	MS RETAIL STORE
SOBEYS CAPITAL LTD.	36 PEARSON ST,	NEEDS
NORTH ATLANTIC REFINING LTD.	154 PENNYWELL RD	MS SERVICE STATION
DOWNEAST-TAS COMMUNICATIONS	34 PIPPY PL	MS RETAIL STORE
JUMBO VIDEO #46	20 ROPEWALK LANE	MS RETAIL STORE
STAND 'N' TAN LIMITED	20 ROPEWALK LANE	MS SERVICE SHOP
RRG FITNESS CENTERS INC.	117 ROPEWALK LANE	CURVES
IRVING OIL MARKETING LIMITED	2 STAVANGER DR	MS RETAIL STORE
KENT	10 STAVANGER DR	MS RETAIL STORE
FIRST CHOICE HAIRCUTTERS LTD.	95E STAVANGER DR	MS SERVICE SHOP
NORTH ATLANTIC REFINING LTD.	446 TOPSAIL RD	MS SERVICE STATION
NORTH ATLANTIC REFINING LTD.	446 TOPSAIL RD	MS SERVICE STATION
FIRST CHOICE HAIRCUTTERS LTD.	468 TOPSAIL RD	MS SERVICE SHOP
IRVING OIL CO. LTD.	632 TOPSAIL RD	MS COMMERCIAL GARAGE
SOLO INVESTMENTS INC.	681 TOPSAIL RD	SPARTAN
		MS RETAIL STORE

TOPSAIL BILLIARD INC.	681 TOPSAIL RD	MS PLACE OF AMUSEMENT
BELLA VISTA LIMITED	26-34 TORBAY RD	MS TAVERN
BELLA VISTA LIMITED	26-34 TORBAY RD	MS TAVERN
DOWNEAST COMMUNICATIONS	10 ELIZABETH AVE	MS RETAIL STORE
LEGROWS TRAVEL	10 ELIZABETH AVE	MS OFFICE
IRVING OIL CO. LTD.	192-194 TORBAY RD	MS SERVICE STATION
STEPPING STONE INC.	272-276 TORBAY RD	MS COMMERCIAL SCHOOL
FIRST CHOICE HAIRCUTTERS LTD.	TORBAY RD	MS SERVICE SHOP
TOYS "R" US (CANADA) LTD.	58 KENMOUNT RD	NC FENCE
10793 NEWFOUNDLAND INC.	2 HOLDSWORTH ST- JUNGLE JIM'S	RN RESTAURANT
SNC LAVALIN PROFAC	354 WATER ST, SUITE 300	CR OFFICE

THIS WEEK \$ 80,700.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

CITY DEPOT	25 BLACKLER AVE	MS ADMIN BLDG/GOV/NON-PROFIT
ST. BONAVENTURE'S SCHOOL	BONAVENTURE AVE	MS SCHOOL
NEWFOUNDLAND LIQUOR CORP.	85 O'LEARY AVE, NF LIQUOR	EX ADMIN BLDG/GOV/NON-PROFIT

THIS WEEK \$ 601,000.00

**CLASS: RESIDENTIAL**

STEVEN J. WALSH	25 ALEXIS PL	NC ACCESSORY BUILDING
CRYSTON HOMES INC	196 BAY BULLS RD	NC SINGLE DETACHED DWELLING
DON & DOROTHY PIKE	466 BAY BULLS RD	NC SINGLE DETACHED DWELLING
NEW VICTORIAN HOMES	9 SPRUCE GROVE AVE	NC SINGLE DETACHED DWELLING
RICHARD BURSEY	87 BRAD GUSHUE CRES LOT 5-152	NC SINGLE DETACHED DWELLING
ROBERT HOLDEN	181 DOYLE'S RD	NC ACCESSORY BUILDING
JOHN ROBERTS THE TRIMMER INC.	36 GREAT EASTERN AVE, LOT 62	NC SINGLE DETACHED DWELLING
JOHN & DIANE BAIRD	66 HUNTINGDALE DR	NC FENCE
JOHN & DIANE BAIRD	66 HUNTINGDALE DR	NC PATIO DECK
ERCO HOMES	8 KERR ST, LOT 32	NC SINGLE DETACHED DWELLING
ERCO HOMES	7 KERR ST, LOT 47	NC SINGLE DETACHED DWELLING
RANDY NOSEWORTHY	4 TOBY MCDONALD ST, LOT 255	NC SINGLE DETACHED DWELLING
JOSEPH ABBOTT LIMITED	42 MARK NICHOLS PL, LOT 199	NC SINGLE DETACHED DWELLING
JOSEPH ABBOTT LIMITED	54 MARK NICHOLS PL, LOT 205	NC SINGLE DETACHED DWELLING
GUARDIAN HOMES INC	19 MIKE ADAM PL, LOT 251	NC SINGLE DETACHED DWELLING
CARDINAL HOMES LIMITED	111 NEW PENNYWELL RD, LOT 61	NC SINGLE DETACHED DWELLING
TERRA NOVA CONDOMINIUMS	122 TERRA NOVA RD	NC FENCE
MORGAN & BARBARA HINCHEY	15 CESSNA ST	CO HOME OFFICE
GEORGE OSMOND &	26 BALNAFAD PL	CR SUBSIDIARY APARTMENT
KEITH WARD	437-439 MAIN RD	CR SUBSIDIARY APARTMENT
BRADLEY HICKEY	5 BAYBERRY PL	RN SINGLE DETACHED DWELLING
ANNE TROAKE	146 CASEY ST	RN MIXED USE
PRO-TECH CONSTRUCTION	54 GAIRLOCK ST	RN SINGLE DETACHED DWELLING
TINA WALL	19 GREEN ST	RN MOBILE HOME
JULIE, JILL & YVONNE WALSH	52 BARACHOIS ST	RN SINGLE DETACHED & SUB.APT
NEW VICTORIAN HOMES	60 LARNER ST	RN SINGLE DETACHED DWELLING
MICHAEL J. POWER	13 MULLOCK ST	RN TOWNHOUSING
GIBRALTAR DEVELOPMENT LTD	110 OLD PETTY HARBOUR RD	RN SINGLE DETACHED DWELLING
CRYSTAL A.G. CERNIVEC	116 QUIDI VIDI RD	RN SEMI-DETACHED DWELLING
TONI RYAN	15 SUDBURY ST	RN SINGLE DETACHED DWELLING
MR. DAVE HEFFERMAN	98 TOPSAIL RD	RN SINGLE DETACHED DWELLING

SANDRA LAFLEUR-NASH

191 UNIVERSITY AVE

RN SINGLE DETACHED DWELLING

THIS WEEK \$ 2,703,550.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00

THIS WEEK'S TOTAL: \$ 3,385,250.00

REPAIR PERMITS ISSUED: 2009/03/12 TO 2009/03/18 \$ 47,300.00

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**

**SJMC2009-03-23/169R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending March 19, 2009 be approved as presented:**

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

**PAYROLL**

Public Works	\$ 191,158.51
Bi-Weekly Amalgamation	\$ 463,090.98
Bi-Weekly Management	\$ 580,476.47
Bi-Weekly Administration	\$ 572,221.18

**ACCOUNTS PAYABLE**

Cheque No. 144647 - 144897	<b>\$1,950,798.57</b>
<b>Total:</b>	<b>\$3,757,745.71</b>

**Tenders**

- a. Tender - Lime Hydrated Bulk
- b. Tender – Traffic Paint
- c. Tender – Vehicle Rentals
- d. Tender – Robin Hood Bay Landfill, Contract 20 Site Remediation, Metal Recycling Site

**SJMC2009-03-23/170R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hickman: That the recommendations of the Director of Finance and City Treasurer and the Chief Commissioner and City Solicitor be approved and the tenders awarded as follows:**

- a. Graymont (NB) in the amount of \$242,000.00 (taxes not included)
- b. Ennis Paints Inc. in the amount of \$199,401.32 (taxes not included)
- c. As per analysis sheet presented with memorandum from the Director of Finance and City Treasurer dated March 18, 2009 (taxes not included)
- d. Pyramid Construction Ltd. in the amount of \$203,654.25

**Bennett's River Storm Sewer, Ozark Services Group Inc.**

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

**SJMC2009-03-23/171R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Coombs: That the recommendation of the Chief Commissioner and City Solicitor that approval be granted to proceed with the acquisition of a storm sewer easement from Ozark Services Group Inc. at 650 Water Street at an appraised value of \$11,150.00 plus legal fees, be approved.**

**Snow Clearing Report for the period January 1<sup>st</sup> to March 20<sup>th</sup>, 2009**

Council considered as information the snow clearing report for the period January 1<sup>st</sup> to March 20<sup>th</sup>, 2009 showing a negative variance of \$151,355.00.

**Letters of sympathy from Senator Denis Detcheverry, Saint-Pierre and Miquelon and Mayor Basil Stewart, City of Summerside and FCM 1<sup>st</sup> Vice President in relation to the Cougar helicopter crash offshore**

Council acknowledged the above noted letters.

**Cabot Habitat for Humanity – Request for Waiver of Municipal Fees**

Council considered the letter dated March 16, 2009 from Cathy Carroll, Chair, Board of Directors, Habitat for Humanity requesting waiver of building fees and water/sewer hook-up fees associated with construction of a single wheelchair accessible unit on Eastaff Street.

**SJMC2009-03-23/172R**

**It was decided on motion of Councillor Colbert; seconded by Councillor Hanlon: That the request from Habitat for Humanity for the waiver of building fees and water/sewer hook-up fees associated with construction of a single wheelchair accessible unit on Eastaff Street, be approved.**

**Request for Funding Support – DDC 20 Year Birthday Party Celebration**

Council considered a letter from the DDC requesting financial support towards the DDC's 20 Year Birthday Party Celebration to be held on March 31, 2009 in the Foran/Greene Room.

**SJMC2009-03-23/173R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Coombs: That the request from DDC that the City cover the cost of the launching of the DDC's 20 Year Birthday Party Celebrations to be held on March 31, 2009 in the Foran/Greene Room, be approved.**

**Proclamation of Safety Week – JESSICA Campaign**

Council considered a letter dated March 2<sup>nd</sup>, 2009 from Jeannette Holman-Price of the Jessica campaign, proposing a Safety Week to be held this year (some time during the summer months, possibly August 1st) for the first time in St. John's with a focus on the primary goal of the campaign that is to "Just Enhance Safety through Sideguards Implementation and Community Action" (JESSICA).

**SJMC2009-03-23/174R**

**It was decided on motion of Councillor Hanlon; seconded by Councillor Hickman: That Council proclaim Safety Week, commencing Saturday, August 1<sup>st</sup>, 2009 in commemoration of the JESSICA Campaign and to promote safety through the use of sideguards.**



### **Sport NL Stars and Legends Awards Gala**

Council considered a letter to Mayor O'Keefe from Troy Croft, Executive Director of Sport NL requesting the City's financial support through the purchase of a table at the Sports NL Stars and Legends Awards Gala taking place on Saturday, March 28<sup>th</sup>, 2009 at a cost of \$600 for a table of 10.

### **SJMC2009-03-23/175R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Colbert: That a table be purchased for the March 28<sup>th</sup> event of the Sports NL Stars and Legends Awards Gala at a cost of \$600 for a table of 10.**

### **Earth Hour**

Council tabled an e-mail dated March 23<sup>rd</sup>, 2009 from Brad Coady to Mayor O'Keefe petitioning Council to raise awareness of the Earth Hour 2009 event happening world-wide this coming Saturday, March 28<sup>th</sup>, 2009 from 8:30 - 9:30 pm (local time). Council encouraged fellow members and the general public to shut off their lights for one hour in the name of the environment.

### **Councillor Wally Collins**

- Councillor Collins indicated that he will endeavour to set up a meeting with the Associate Commissioner/Director of Engineering regarding the sidewalk situation in front of schools in the Goulds.

### **Councillor Debbie Hanlon**

- Councillor Hanlon advised that the City is excited to host the 54<sup>th</sup> Canadian Police Curling Championship being held this week at Bally Haly Golf and Curling Club.
- The City of St. John's will be undergoing water testing through the Federal Government Dept. of Health Canada. This is a routine test taking place across the Country, the data from which will be used to help develop guidelines for drinking water.

- Councillor Hanlon commended the Town of Portugal Cove/St. Phillips for requiring their Council trucks to be equipped with side guards. She questioned if the City of St. John's is considering a similar practice. Mayor O'Keefe indicated that the City has been working closely with the Jessica Campaign to impose a federal resolution that would require all Canadian municipalities to use side guards. It is hoped that once the resolution has been adopted by the FCM that it will be referred to the Dept. of Transportation to impose national standards so that there is uniformity across the country.
- Councillor Hanlon has received some calls and suggestions about crosswalks and street marking solutions that may assist with greater longevity of street markings. She has passed this information on to the appropriate staff for review and investigation. Councillor Puddister advised that it is the City's policy to have signs on poles adjacent to cross walks to identify their location, particularly when the paint has deteriorated. Councillor Hickman suggested that the street painting program be expanded to take place twice per year, noting that this would be a capital budget issue for 2010.

**Councillor Frank Galgay**

- Councillor Galgay tabled the article from the Telegram entitled "How high is too high?", written by James McLeod, for referral to the next meeting of the Planning and Housing Standing Committee.

**Councillor Art Puddister**

- Councillor Puddister wished to advise the general public that the on-street parking ban will be lifted on March 31<sup>st</sup>, 2009.

**Councillor Sandy Hickman**

- Councillor Hickman referenced the upcoming 8<sup>th</sup> annual Tourism Awards and advised that nominations are being received by the Dept. of Economic Development,

Tourism & Culture. Mayor O'Keefe advised that the economic impact of tourism is closing in on close to \$1 billion per year which is an excellent indication of the City's product and the need to acknowledge the excellent work of tourism operators.

**Deputy Mayor Ron Ellsworth**

- Deputy Mayor Ellsworth questioned if proxy votes are permitted, to which the City Clerk advised that the Rules of Procedure do not reference proxy voting and that members of Council have to be present in order to cast their vote. Councillor Coombs questioned if proxy votes would be permissible either by a two-thirds vote of Council or by the suspension of the Rules of Order. The Chief Commissioner/City Solicitor advised that the only reason for suspending the Rules of Order is to deal with Notices of Motion. Proxy voting, is therefore, not permitted under any circumstance.
- Deputy Mayor Ellsworth acknowledged the tremendous work of the Royal Newfoundland Constabulary, particularly relative to traffic enforcement in the school zones.
- Deputy Mayor Ellsworth encouraged the general public to consider volunteering for Meals on Wheels which is organized by the VON.

**Adjournment**

There being no further business, the meeting adjourned at 5:50 p.m.

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**MAYOR**

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**CITY CLERK**