

November 10, 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.

His Worship the Mayor presided.

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

Regrets: Councillor Hann

The Chief Commissioner and City Solicitor, the Associate Commissioner/Director of Engineering, the Director of Planning, the Director of Finance and City Treasurer, Manager, Corporate Secretariat and Recording Secretary were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2008-11-10/685R

It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Galgay: That the Agenda be adopted as presented with the following additional Items:

- a. Proposal Call – New Year's Eve Pyromusical Display

Adoption of Minutes

SJMC2008-11-10/686R

It was decided on motion of Councillor Puddister; seconded by Councillor Hanlon: That the Minutes of the November 3rd, 2008 meeting be adopted as presented.

Proposed Rezoning of Properties to the Commercial Local (CL) Zone, 5 Stamp's Lane, 342 and 344 Penneywell Road (Ward 3)

Council considered a memorandum dated November 5, 2008 from the Director of Planning regarding the above noted.

SJMC2008-11-10/687R

It was moved by Councillor Coombs; seconded by Councillor Hickman: That the following Resolutions for St. John’s Municipal Plan Amendment Number 66, 2008 and St. John’s Development Regulations Amendment Number 447, 2008 be adopted: and further; that Mr. Glenn Barnes, a member of the City’s commissioner list, be appointed as the commissioner for the public hearing on these amendments (subject to Mr. Barnes’ availability):

**RESOLUTION
ST. JOHN’S MUNICIPAL PLAN
AMENDMENT NUMBER 66, 2008**

WHEREAS the City of St. John’s wishes to permit the commercial use of the property at 5 Stamp's Lane, as well as to recognize the long-standing commercial use of the neighbouring properties at 342 and 344 Pennywell Road,

BE IT THEREFORE RESOLVED that the City of St. John’s hereby adopts the following map amendment to the St. John’s Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Redesignate properties at 5 Stamp's Lane and 342 and 344 Pennywell Road from the Institutional Land Use District to the Commercial General Land Use District as shown on Map III-1A attached.

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

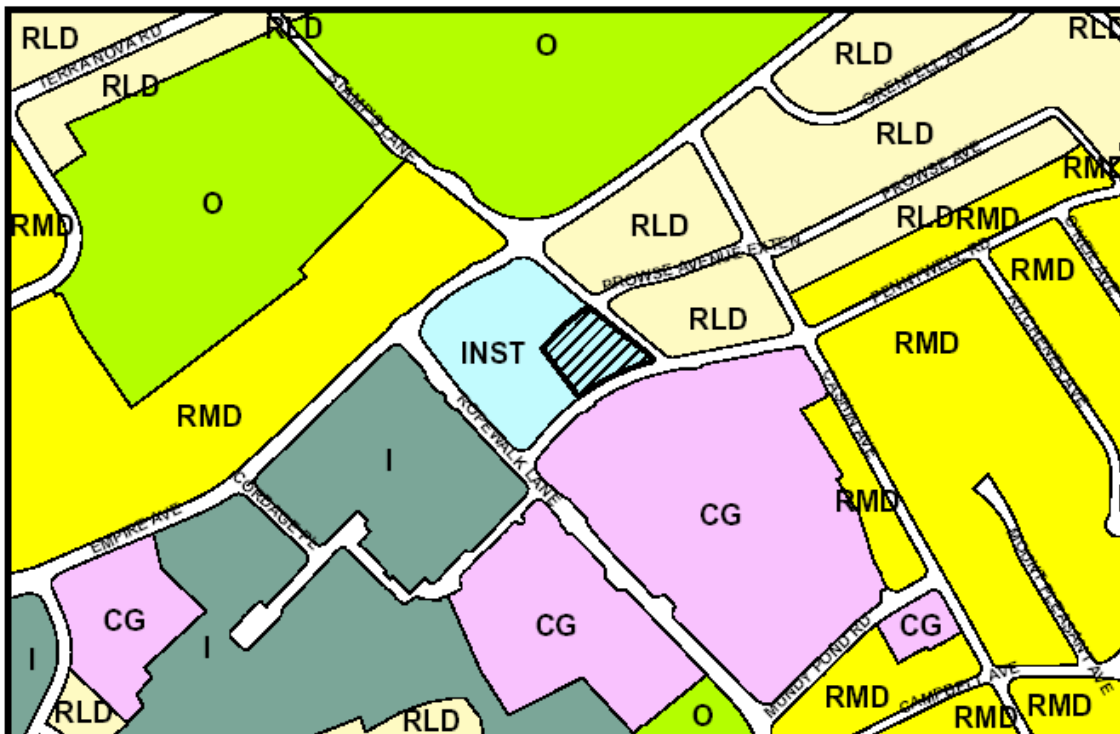
IN WITNESS THEREOF the Seal of the City of St. John’s has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 10th day of November, 2008.

Mayor

**Director of Corporate Services
and 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. 66, 2008
[MAP III-1A]**

SCALE: 1:5,000

2008 10 23
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REDESIGNATED FROM INSTITUTIONAL (INST) LAND USE DISTRICT TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT

5 Stamp's Lane and 342 and 344 Pennywell Road

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 447, 2008**

WHEREAS the City of St. John's wishes to permit the commercial use of the property at 5 Stamp's Lane, as well as to recognize the long-standing commercial use of the neighbouring properties at 342 and 344 Pennywell Road,

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Rezone properties at 5 Stamp's Lane and 342 and 344 Pennywell Road from the Residential Medium Density (R2) Zone to the Commercial Local (CL) Zone as shown on MapZ-1A attached.

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

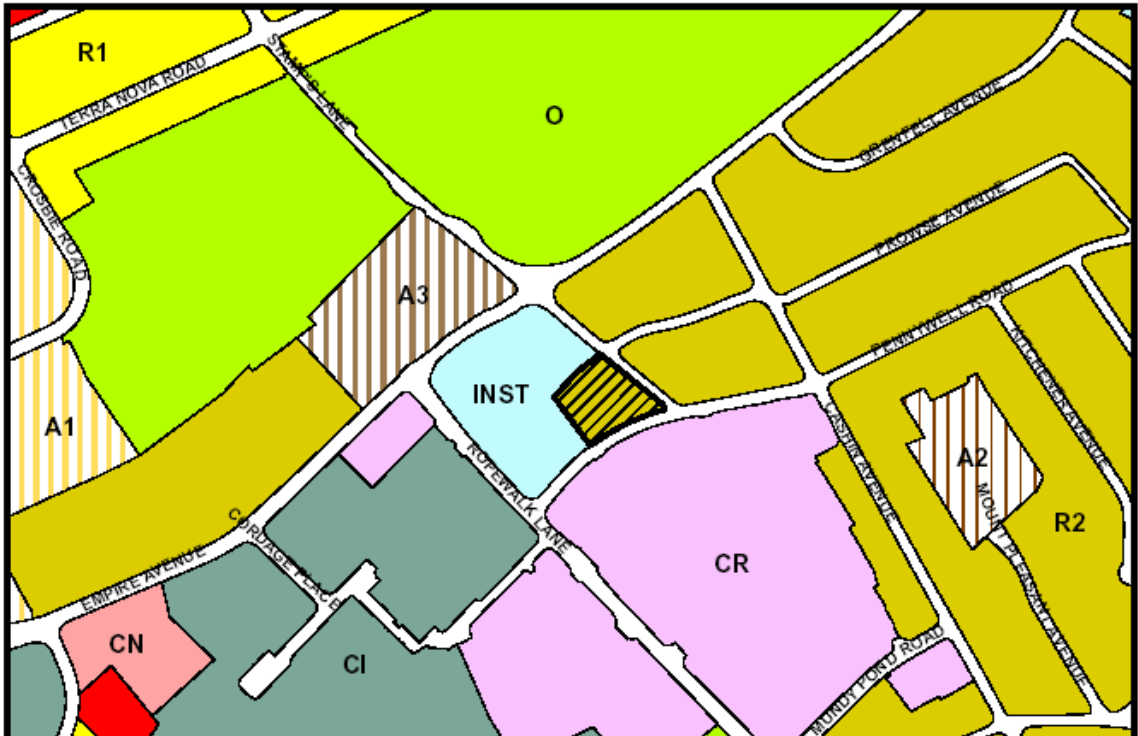
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 10th day of November, 2008.

Mayor

**Director of Corporate Services
and 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
 LAND USE ZONING AND
 DEVELOPMENT REGULATIONS 1994
 AMENDMENT No. 447, 2008
 [MAP Z-1A]**

SCALE: 1:5,000

2008 10 23
 CITY OF ST. JOHN'S
 DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED
 FROM RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE
 TO COMMERCIAL LOCAL (CL) LAND USE ZONE

5 Stamp's Lane and 342 and 344 Pennywell Road

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

The motion being put was unanimously carried.

Proposed Rezoning of the Littledale Complex, Waterford Bridge Road, Applicant - Jendore Ltd. (Ward 3)

Council considered a memorandum dated November 6, 2008 from the Director of Planning regarding the above noted.

SJMC2008-11-10/688R

It was moved by Councillor Coombs; seconded by Councillor Hickman: That the following Resolutions for St. John's Municipal Plan Amendment Number 65, 2008 and St. John's Development Regulations Amendment Number 446, 2008 be adopted; and further that Mr. Chris Sharpe, a member of the City commissioner list, be appointed as the commissioner for the public hearing on these amendments:

RESOLUTION

ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 65, 2008

WHEREAS the City of St. John's wishes to permit the redevelopment of the Littledale Complex on Waterford Bridge Road.

BE IT THEREFORE RESOLVED that the City of St. John's adopts the following map amendment to the St. John's Municipal Plan pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Redesignate the Littledale Complex at Waterford bridge Road from the Institutional Land Use District to the Commercial General Land Use District as shown on Map III-1A attached.

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

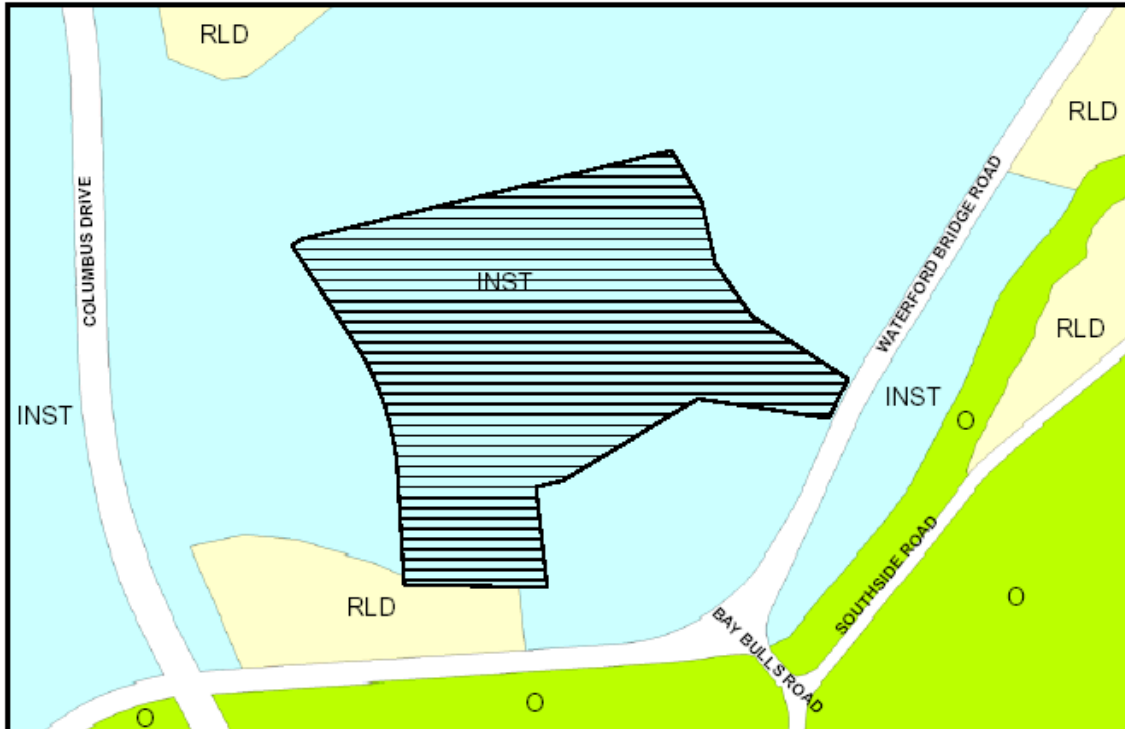
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk this 10th day of November, 2008.

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. 65, 2008
[MAP III-1A]

SCALE= 1:3000
 2008 10 06
 CITY OF ST. JOHN'S
 DEPARTMENT OF PLANNING

 AREA PROPOSED TO BE REDESIGNATED FROM INSTITUTIONAL (INST) LAND USE DISTRICT TO COMMERCIAL GENERAL (CG) LAND USE DISTRICT

220 WATERFORD BRIDGE ROAD
 (LITTLEDALE COMPLEX)

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 446, 2008**

WHEREAS the City of St. John's wishes to permit the redevelopment of the Littledale Complex on Waterford Bridge Road.

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

- 1. Rezone property on Waterford Bridge Road known as the Littledale Complex from the Institutional Zone to the Commercial Office Hotel (COH) Zone as shown on Map Z-1A attached.**
- 2. Modify Section 10.19.3 (Building Height Requirements in the Commercial Office Hotel (COH) Zone) to read as follows:**

“Building Height (Maximum): As determined by the Municipal Plan, but shall not exceed 10 storeys (not exceeding 40 metres) except at the property situated at Waterford Bridge Road known as the Littledale Complex, where the maximum building height is limited to 4 storeys (not exceeding 15 metres).”

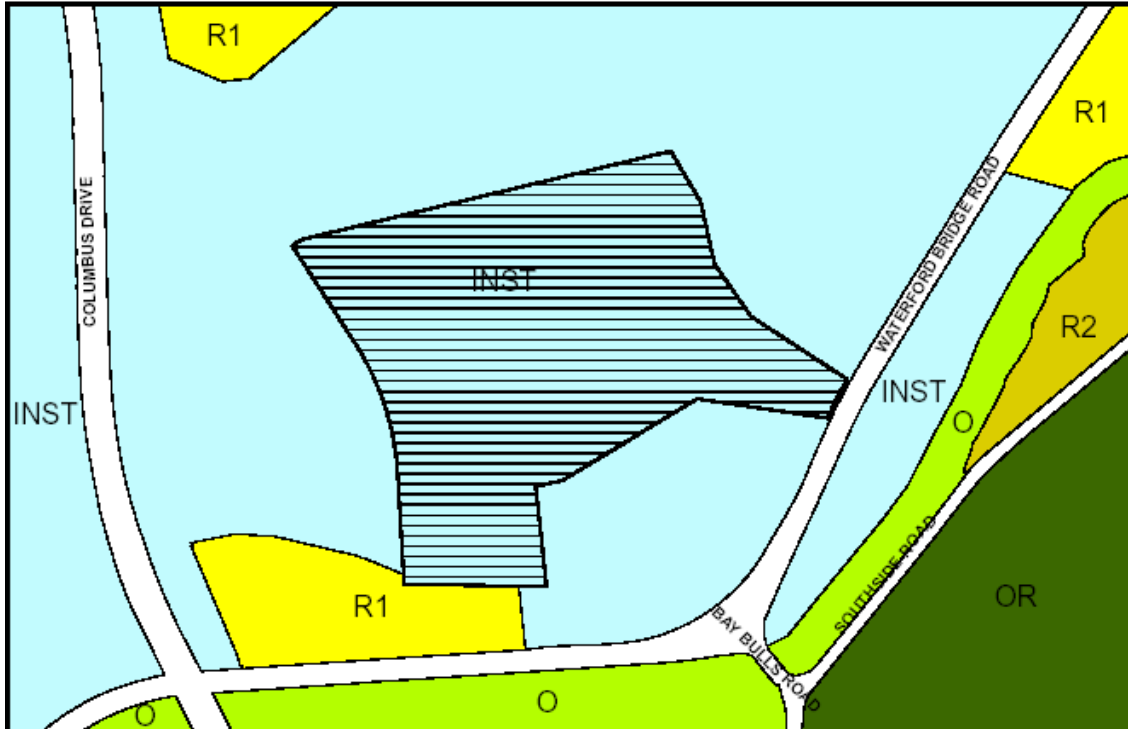
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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 10th day of November, 2008.

Mayor

**Director of Corporate Services
and City Clerk**

<p>I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.</p> <p>_____</p> <p>MCIP</p>
--



CITY OF ST. JOHN'S

SCALE= 1:3000

**LAND USE ZONING AND
SUBDIVISION REGULATIONS 1994
AMENDMENT No. 446, 2008
[MAP Z-1A]**

2008 10 06
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING



AREA PROPOSED TO BE REZONED FROM
INSTITUTIONAL (INST) LAND USE ZONETO
COMMERCIAL OFFICE HOTEL (COH) LAND USE ZONE

220 WATERFORD BRIDGE ROAD
(LITLEDALE COMPLEX)

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

The motion being put was unanimously carried.

Notices Published

1 **A Discretionary Use Application** has been submitted by Ms. Wendy O’Keefe requesting permission to construct a single family dwelling at **Civic Number 15 Hutchings Street**. The subject building is located in the CCM Zone where a residential dwelling unit on the 2nd or higher floors is a permitted use, and a residential use on the 1st floor of a building is a Discretionary Use. This property is situated in the Parking Exempt Area. (**WARD 2**)

SJMC2008-11-10/689R

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

2. **A Discretionary Use Application** has been submitted by Wayne Hickey requesting approval for one (1) additional Infill Dwelling Unit in the basement area of **Civic Number 16 Gower Street**. The property currently has occupancies for three (3) dwelling units. The subject property is located in the RD Zone. (**WARD 2**)

SJMC2008-11-10/690R

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

Development Committee Report dated November 4, 2008

Council considered a Development Committee Report dated November 4, 2008:

RECOMMENDATION OF REJECTION:

1. **Proposed Coffee Shop**
Mr. Alfred Hynes
Civic No. 123-125 Quidi Vidi Road (Ward 1)

The Development Committee considered a similar application for the same location in March 2005, which was rejected. It is therefore recommended that the above noted application also be rejected for the following reasons:

- a. the application site does not meet the minimum lot area required for Converted Buildings in the Residential High Density (R3) Zone;
- b. the property is presently used for residential use and is located immediately adjacent to other residential uses with potential for negative impacts for adjoining residential uses; and

- c. the proposed coffee shop would place additional pressure on the existing on-street parking situation in the area.

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

SJMC2008-11-10/691R

It was moved by Councillor Galgay; seconded by Councillor Coombs: That a decision on the application be deferred and the matter referred back to the Committee to determine if anything can be done to accommodate the proposal.

During discussion, the mover of the motion and all other members of Council consented to a “friendly amendment” to the motion by Councillor Duff, that the application be referred for consideration to the Planning & Housing Committee.

The amended motion that the application be referred for consideration to the Planning & Housing Committee, was unanimously carried.

Finance and Administration Standing Committee Report dated October 23, 2008

Council considered the following Finance and Administration Standing Committee dated October 23, 2008:

In Attendance:

- Deputy Mayor Ron Ellsworth, Chairperson
- Councillor Gerry Colbert
- Councillor Tom Hann
- Councillor Art Puddister
- Mr. Ron Penney, Chief Commissioner & City Solicitor
- Mr. Art Cheeseman, Associate Commissioner/Director of Engineering
- Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk
- Mr. Bob Bishop, Director of Finance & City Treasurer
- Mr. Kevin Breen, Director of Human Resources
- Ms. Jill Brewer, Director of Recreation
- Ms. Elizabeth Lawrence, Director of Economic Development, Tourism & Culture
- Mr. Jim Ford, Acting Director of Building & Property Management
- Mr. Jim Clarke, Acting Director of Public Works & Parks
- Mr. Derek Coffey, Team Lead – ERP/IMM
- Ms. Kelly Butler, Recording Secretary

1. Purchase of Tables at Fund Raising Dinners

The Committee considered a memorandum dated October 3, 2008, from the Director of Corporate Services regarding the above noted matter.

A short discussion ensued regarding the merits of supporting these types of requests, with it being noted that if the City is going to approve one request, it should approve all of them or none of them; the City should not be making charitable contributions on behalf of its citizens; and many of these charitable organizations are struggling financially and rely on these fundraisers to raise operating capital.

The Committee recommends that Council only approve the purchase of tables for fund raising dinners/events for those agencies or organizations that are directly related to the City's mandate.

2. Proposal to Establish an Oral History Archive

The Committee considered a proposal from the City's Poet Laureate, Agnes Walsh, to establish an oral history archive for the City of St. John's.

The Committee recommends that the proposal be referred to the City Archivist for review and recommendation.

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

The Committee considered a memorandum dated October 21, 2008, from the Director of Corporate Services regarding the above noted matter.

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

- a. **Rock Can Roll Independent Music & Media Festival/Conference \$0****
- b. **Professional Seminar on Maritime Human Resources
\$500**
- c. **Volleyfest 2008
\$1,000**

***Doesn't meet criteria – provincial conferences are not funded under the policy.*

4. Writers' Alliance of Newfoundland and Labrador

The Committee considered a letter dated September 23, 2008, from Thea Morash, Writers' Alliance of Newfoundland and Labrador requesting \$10,000 in funding from the City as a contribution towards the organization's operations and programs.

The Committee recommends that this request be denied as it doesn't meet the City's criteria for funding.

5. Bridges to Hope

The Committee considered a letter dated October 3, 2008, from Derek Winsor, Bridges to Hope, requesting assistance with cost of repairs to the water valve to the organization's property at 39 Cookstown Road.

The Committee discussed the matter, with it being noted that to approve this request, Council would be setting a precedent, and other organizations would expect the same consideration.

The Committee recommends that the request be denied as it is contrary to City policy.

Councillor Colbert indicated that he was opposed to the Committee's recommendation.

6. Pippy Park Commission – Playground Replacement Project

The Committee considered a letter dated October 8, 2008, from Bernie Halloran, Pippy Park Commission, requesting financial support towards the purchase of a new play structure and landscape repairs as part of the Commission's Playground Replacement Project.

The Committee recommends that the request be denied.

7. Recreational Site at Rear of Mary Queen of Peace Parish Hall

Councillor Puddister declared a conflict of interest on the above noted matter and retired from the meeting during the discussion.

The Committee considered a letter dated September 29, 2008, from Mr. George Hynes, St. Paul's Knights of Columbus requesting that the City consider cost-sharing the improvements to the recreational site at the rear of Mary Queen of Peace Parish Hall.

The Committee recommends that the proposal be referred to the Director of Recreation and the Manager of Streets and Parks for review and recommendation.

8. Downtown Development Commission Santa Shuttle

The Committee considered a letter dated October 16, 2008, from Gaylyne Lambert requesting a financial contribution for the Santa Shuttle to assist in transporting people to the downtown to attend the DDC's annual Christmas Parade.

The Committee recommends that the City provide \$3,000 in funding for the DDC's Santa Shuttle. It is also recommended that shuttle patrons be requested to make a donation to the food bank (either monetary or a non-perishable food item).

9. Daybreak Parent Child Centre – Christmas Drive

The Committee considered a letter dated October 2008 from Paula Rodgers, Daybreak Parent Child Centre requesting a contribution to the Christmas Drive program.

The Committee recommends that the request be denied as it does not meet the City's policy for funding. However, the Committee also recommends that the request be posted on the City's Employee Intranet in the event that an employee may wish to make a contribution to the project.

10. Pumpkin Fest – REAL Program Fundraiser

The Committee considered a letter dated October 21, 2008, from John Lester, Lester's Farm Market, requesting that the fees for traffic enforcement services for Pumpkin Fest, in the

amount of \$1,200, be waived as this amount will have to be deducted from the charitable contributions received during the event.

The Committee recommends that the funding of traffic enforcement services for Pumpkin Fest (approximately \$1,200) be allocated from the budget for the City's suite at Mile One Centre.

11. Canadian Cancer Society 13th Annual Festival of Trees Event

The Committee considered a letter dated October 23, 2008, from Heather McKinnon requesting that the City purchase a table for the annual Festival of Trees event.

The Committee recommends that this request be denied as it is contrary to City policy.

12. Public Consultations on the City's Budget Process

The Director of Finance advised that the budget presentation has been finalized and he will be contacting Rogers Cable about a broadcast date. It was agreed that the consultations/broadcast would take place following Council's regular meeting on Monday, November 10th.

The Director of Finance indicated that he would contact Rogers Cable to make the appropriate arrangements for the broadcast and public notification of same.

13. Payroll Deductions

The Committee considered the attached memorandum dated October 21, 2008, from the Director of Finance regarding the above noted matter.

The Director of Finance explained that the City allows three "convenience" deductions from employees' wages to cover computer purchases, payment of municipal taxes, and rent for non-profit housing units. He noted that the Employee Computer Purchase Program was started many years ago to encourage employees to improve their computer literacy by helping them purchase expensive computer equipment. However, in recent years the program has basically become obsolete as computer equipment is substantially cheaper than it ever was and most employees are well versed in the use of computers.

The Director of Finance further explained that every separate type of payroll deduction requires manual reconciliation and administration for each separate payroll (1289, 569, Management, NAPE, IAFF) and is onerous and time consuming for staff. Mr. Coffey also noted that the continuation of offering these convenience deductions raises an integration issue for the City's new ERP. Project Velocity aims to streamline the City's business process and continuation of these convenience deductions negates that goal.

Discussion ensued with it being noted that discontinuing these convenience deductions may adversely affect some employees; advanced technology allows for these types of payment deductions to come directly out of an employee's bank account; in order to continue the practice, a software interface program will need to be written for the new payroll software and the new accounts receivable software, which could cost between \$25,000-30,000; and employee education will be necessary so that everyone understands what the proposed change means and what options are available to them.

The Committee recommends that the City cease allowing employees to pay for computer purchase loans, non-profit housing rent, and municipal taxes through payroll deductions. A proper transition period and an employee education campaign will be developed to ensure that there is no adverse effect on employees.

The Committee further recommends that Policy No. 02-01-11: Employee Computer Purchase Program be rescinded.

14. Increase in Minimum Wage

The Committee considered a memorandum dated September 26, 2008, from the Director of Human Resources regarding the above noted matter.

The Committee recommends that the City's casual salary scales be increased as follows in order to reflect the changes to the provincial minimum wage rate:

- **50¢ increase in the hourly wage effective January 1, 2009**
- **50¢ increase in the hourly wage effective July 1, 2009**

Deputy Mayor Ron Ellsworth
Chairperson

SJMC2008-11-10/692R

It was moved by Deputy Mayor Ellsworth; seconded by Councillor Colbert: That the Committee's recommendations with the exception of Item #6 be adopted as presented.

Regarding Item#5, Deputy Mayor Ellsworth advised that he was advised by the Manager of Streets and Parks that the problem with respect to water valve repairs, has been rectified.

Following discussion, the main motion being put was carried with Councillor Puddister abstaining on Item #7.

Regarding Item #6, Councillor Coombs questioned the Committee's decision to deny this request and refer a similar request, Item #7, to staff for review. The Deputy Mayor advised that Item #6 is a direct request for funding towards a playground, and that Item #7 need further consultation with the proponent.

During discussion on Item #6, Councillor Hickman moved a motion that the City cost share the playground replacement project at Pippy Park. The motion was lost for lack of a seconder.

SJMC2008-11-10/693R

It was then moved by Councillor Duff; seconded by Councillor Hanlon: That Item #6 – Pippy Park Commission – Playground Replacement Project, be referred to staff for review and recommendation as is Item #7.

During discussion, the Chief Commissioner and City Solicitor advised that the Pippy Park Commission indicated they would be interested in cost sharing with the City the playground replacement project.

Councillor Duff noted that the City is about to unveil its Recreation and Parks Master Plan for the next 10 years and urged members of Council to consider the priorities that have been assigned as well as the implementation plan before making any decisions in the area of recreation.

The motion being put was carried with Councillor Hickman objecting.

Harbour Oversight Committee Report dated October 27th, 2008

Council considered the following Harbour Oversight Committee Report dated October 27th, 2008:

In Attendance: Councillor Keith Coombs, Chairperson
Councillor Frank Galgay, City of St. John's
Councillor John Walsh, City of Mount Pearl
Councillor Allan English, Town of Paradise
Ron Penney, Chief Commissioner/City Solicitor
Art Cheeseman, Associate Commissioner/Director of Engineering
Bob Bishop, Director of Finance & City Treasurer
Gerard Lewis, Chief Administrative Officer, City of Mount Pearl
Ken Bartlett, City Engineer, City of Mount Pearl
Dave Strong, Chief Administrative Officer, Town of Paradise
Rick Appleby, Director of Operations, Town of Paradise
Karen Chafe, Recording Secretary

Adoption of Minutes

The minutes of the meeting held March 27th, 2008 were approved on motion of Councillor John Walsh; seconded by Councillor Frank Galgay.

Financial Update – Harbour Cleanup Project

The Committee considered as information a memo dated October 24th, 2008 from the Associate Commissioner/Director of Engineering regarding the financial update for the Harbour Clean-up Project. A copy of the memo is on file with the City Clerk's Department.

The estimated project costs have increased from the March figures presented at the last meeting: from \$137,382,000 to \$144,272,000 for a total overall increase of \$6,890,000. These additional costs are attributed to the following, as outlined in the October 24th memo:

- the tender price received for Contract 6 – Water St. West was \$2,800,000 above the allocated estimate of \$7,300,000.
- Under contract 9 – Harbour Drive West there was an additional expenditures of 4300,000 for the removal of unsuitable material in the area where Harbour Drive had been realigned a number of years ago.
- Under Contract 12 – Water Street East extra work was undertaken at a value of \$1,200,000 because of the necessity to replace the Beck's Cove Outfall due to its collapse. This outfall was scheduled to be replaced under Contract 6.
- Change orders in the amount of \$2,650,000 have been issued for further rock stabilization and treatment plant construction. The change order amount added to the treatment plant construction contract now equates to approximately 8% of the awarded contract amount.

The remaining contract to be awarded is Contract 14 – Combined Sewer Overflows. The design for this contract is presently being done and it is anticipated that there will be a public tender call before the end of the year or early in 2009. Given the history of tender prices received, particularly in the past year, staff anticipates prices above those shown in the present financial report. Staff anticipates receiving a detailed design for the Combined Sewer Overflows by year-end.

Project Schedule Update

The Associate Commissioner/Director of Engineering advised that the commissioning of the Riverhead Waste Water Treatment Plant has now been postponed from the original opening date of November 30th to April or May of 2009. The City has been advised by its general contractor that it now does not anticipate substantial completion of the project until the spring of 2009. Mr. Cheeseman advised that we should be receiving a revised construction schedule within the next several weeks from the general contractor.

Operational Organization Chart

The Committee reviewed as information the draft Organization Chart for the Riverhead Waste Water Treatment Facility, a copy of which is on file with the City Clerk's Department. A total of sixteen positions have been outlined as the staffing requirements for the facility. It is anticipated that the hiring of staff for the facility will commence in the new year.

Proposed 2009 Riverhead Operational Budget

The Committee considered as information the proposed 2009 Riverhead Operational Budget, a copy of which is on file with the City Clerk's Department. The total yearly expenditure outlined is \$4,578,450. It is now proposed that there will only be a requirement to fund three-quarters of the above-noted annual operating budget due to the start-up of the facility not taking place until the spring of 2009.

Status Report on Flow Meter Construction Project

The Committee considered as information a memo dated October 23rd, 2008 from the Associate Commissioner/Director of Engineering regarding the above noted matter, a copy of which is on file with the City Clerk's Department. The following five permanent flow monitoring stations are either completed or near completion:

- Upper Waterford Valley Relief Trunk Sewer – Mount Pearl/St. John's Boundary
- Lower Waterford Valley Relief Trunk Sewer
- Northern Interceptor Trunk Sewer
- Quidi Vidi Trunk Sewer
- Mount Pearl Bypass Trunk Sewer – Paradise/Mount Pearl Boundary

The Associate Commissioner/Director of Engineering advised that the City should be in a position in the New Year to start recording flows from these monitoring stations. There is indication that there is significant storm water infiltration getting through the trunk sewer in Mount Pearl and this is something that that City of Mount Pearl may wish to further investigate. Mr. Ken Bartlett, City Engineer with Mount Pearl advised that they are aware of the problem and are working to address it.

Meeting with the Minister of Municipal & Provincial Affairs

The Committee referenced the cost overages that have occurred as outlined during the last meeting which are a result of the marketplace. No assurance has been given by the Province that they would be willing to help offset the over-runs on the basis of the original one-third cost-shared funding formula. There was no response from the former Minister of Municipal Affairs after the municipalities met with him this past spring on the issue of project over-expenditures. The City of Mount Pearl felt that another meeting with the Minister would be in order to further discuss these matters.

Adjournment

There being no further business, the meeting adjourned at 12:50 p.m.

Councillor Keith Coombs
Chairperson

SJMC2008-11-10/694R

It was moved by Councillor Coombs; seconded by Councillor Galgay: That the report be adopted as presented.

Building Permits List

SJMC2008-11-10/695R

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

2008/11/05

Permits List

CLASS: COMMERCIAL

BUTTERFLY WISHES	AVALON MALL, HARMONY THOMAS	CO RETAIL STORE
ATLANTIC STUDIOS CO-OPERATIVES	64 PIPPY PL, ATLANTIC STUDIOS	CO WAREHOUSE
PFC PF COLLINS CUSTOMS BROKER	EAST WHITE HILLS RD	NC OFFICE
OMI SERVICES LTD.	37-85 PEPPERRELL RD	NC OFFICE
KATHIE HICKS & PETER HALLEY	21 QUEEN'S RD	RN MIXED USE
ATLANTIC SHOPPING CENTER LTD.	AVALON MALL NO. 1	SN SHOPPING CENTRE
BLACKMARSH SUPERETTE	137 BLACKMARSH RD	MS CONVENIENCE STORE
SALTWATER IMAGES INC.	203 BLACKMARSH RD	MS RETAIL STORE
X-STATIC HAIR SALON	271 BLACKMARSH RD	MS SERVICE SHOP
GALAXY TRAVEL INC.	271 BLACKMARSH RD	MS OFFICE
BLACKMARSH MINI MART	711 BLACKMARSH RD	MS CONVENIENCE STORE
LAURIER LOUNGE	301 HAMILTON AVE	MS TAVERN
YMCA-YWCA OF NORTHEAST AVALON	HIGGIN'S LINE/RIDGE ROAD	SN VACANT LAND
CANADIAN TIRE	50 KELSEY DR	MS RETAIL STORE
57770 NEWFOUNDLAND & LABRADOR	207 KENMOUNT RD	MS OFFICE
NL TOY STORE INC.	409 KENMOUNT RD	MS RETAIL STORE
LOU'S AUTOMOTIVE INC.	468 LOGY BAY RD	MS COMMERCIAL GARAGE
HICKMAN MOTORS LIMITED	20 PEET ST	MS CAR SALES LOT
PC MEDIC INCORPORATED	16 STAVANGER DR	MS RETAIL STORE
ARIZONA HEAT INC.	386 STAVANGER DR	MS SERVICE SHOP
MUSIC CITY	15-27 STAVANGER DR	MS RETAIL STORE
PLAY IT AGAIN SPORTS	TORBAY ROAD-TORBAY RD MALL	MS RETAIL STORE
CLARKE ENTERPRISES LIMITED	585 TORBAY RD	MS RESTAURANT
MUSIC CITY	278 B WATERFORD BRIDGE RD	MS RETAIL STORE
COWAN HEIGHTS DENTAL CENTRE	181 HAMLYN RD	RN OFFICE
PAUL MADDEN	61 PATRICK ST	NC LODGING HOUSE

THIS WEEK \$ 215,480.00
TO DATE \$ 52,445,967.00

CLASS: INDUSTRIAL

THIS WEEK \$.00
TO DATE \$ 2,535,000.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00
TO DATE \$ 33,544,770.00

CLASS: RESIDENTIAL

GARY HINDY	44 BRAD GUSHUE CRES	NC ACCESSORY BUILDING
CATHY RUSSELL	65 CHEYNE DR, LOT 305	NC SINGLE DETACHED DWELLING
ELIZABETH HISCOCK	16 CORNWALL CRES	NC ACCESSORY BUILDING
ROBERT BOLAND	120 DOYLE'S RD	NC ACCESSORY BUILDING
THERESA BRUCE	26 EXMOUTH ST	NC PATIO DECK
NEW VICTORIAN HOMES	22 FAULKNER ST, LOT 68	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	24 FAULKNER ST, LOT 67	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	34 FAULKNER ST, LOT 62	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	36 FAULKNER ST, LOT 61	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	54 FAULKNER ST, LOT 52	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	56 FAULKNER ST, LOT 51	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES LIMITED	82 FAULKNER ST, LOT 38	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	84 FAULKNER ST, LOT 37	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES	86 FAULKNER ST, LOT 36	NC SEMI-DETACHED DWELLING
NEW VICTORIAN HOMES LIMITED	88 FAULKNER ST, LOT 35	NC SEMI-DETACHED DWELLING
BRIAN VEITCH	70 FOX AVE	NC ACCESSORY BUILDING
LYNETTE/KEVIN LORNE/LAURA M./	193 FRESHWATER RD	NC PATIO DECK
REARDON CONSTRUCTION & DEV LTD	78 GISBORNE PL - LOT M1	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	80 GISBORNE PL - LOT M2	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	82 GISBORNE PL - M3	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	69 GISBORNE PL - LOT Z1	NC SEMI-DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	71 GISBORNE PL - LOT Z2	NC SEMI-DETACHED DWELLING
WILLIAM KING	18 GREEN ACRE DR	NC ACCESSORY BUILDING
ELAINE HENLEY	1 JERVIS PL	NC SINGLE DETACHED DWELLING
GIBRALTAR DEVELOPMENT	JULIEANN PLACE, LOT 124	NC ACCESSORY BUILDING
PATRICK GAGNON	22 JULIEANN PL	NC ACCESSORY BUILDING
HANN CONSTRUCTION	1 KERR ST	NC SINGLE DETACHED DWELLING
ARTHUR & AMANDA GIBSON	25 KINCAID ST	NC ACCESSORY BUILDING
DAVID & SHARON WHITE	12 LARKHALL ST	NC ACCESSORY BUILDING
MICHAEL PIKE & KIMBERLEY	1 MACBETH DR	NC FENCE
PRO-TECH CONSTRUCTION LTD.	63 MACBETH DR	NC SINGLE DETACHED DWELLING
THOMAS FLEMING	5 MCKAY ST	NC PATIO DECK
JAMIE FAULKNER	34 MEADOWBROOK PARK RD	NC PATIO DECK
EDNA NORMAN	54 MELVILLE PL	NC ACCESSORY BUILDING
BRIAN COLLINS	19 MOSS HEATHER DR	NC ACCESSORY BUILDING
AMANDA HOLLETT	23 MOSS HEATHER DR	NC ACCESSORY BUILDING
MELVIN COOMBS	37 PARK LANE	NC ACCESSORY BUILDING
SKYMARK HOMES	30 PIPER ST, LOT 211	NC SINGLE DETACHED DWELLING
HART HOMES	23 SHAW ST	NC SINGLE DETACHED DWELLING
MICHAEL HOWLETT	60 SUNSET ST	NC ACCESSORY BUILDING
FRANCES KING	105 THORBURN RD	NC FENCE
ALVIN & ANNE CARTER-HAYES	42 O'REGAN RD	EX SINGLE DETACHED DWELLING
JANET HYNES	94 ROYAL OAK DR	EX SINGLE DETACHED DWELLING
SEAN & NATALIE O'REILLY	32 BALNAFAD PL	RN SINGLE DETACHED DWELLING
GERALD PINSENT	10 GILBERT ST	RN TOWNHOUSING
VINTAGE NEWFOUNDLAND INC.	169 GOWER ST	RN TOWNHOUSING
TRACT CONSULTANTS INC.	100 LEMARCHANT RD	RN OFFICE
ADRIAN SUTTON/MARY SUTTON	66 LIVINGSTONE ST	RN SEMI-DETACHED DWELLING
BRIAN THOMAS FLEMING	5 MCKAY ST	RN SINGLE DETACHED DWELLING
CAROLYN CHAPLIN	181 PLEASANT ST	RN TOWNHOUSING
ERIC RENDELL	130 QUIDI VIDDI RD	RN SINGLE DETACHED DWELLING
JEROME BYRNE	104 SPRINGDALE ST	RN SEMI-DETACHED DWELLING
DENNIS C. MACKAY	20 VICTORIA ST	RN TOWNHOUSING
ELIZABETH HISCOCK	16 CORNWALL CRES	SW SINGLE DETACHED DWELLING
DONALD & DOROTHY PIKE	466 EMPIRE AVE	SW VACANT LAND
STERLING & ANITA FOOTE	102 FIRDALE DR	SW SINGLE DETACHED DWELLING
WILLIAM JOSEPH HEARN	12 WICKHAM PL	SW SINGLE DETACHED & SUB.APT
BAE NEWPLAN GROUP	358 EMPIRE AVENUE	SN APARTMENT BUILDING

THIS WEEK \$ 3,038,160.00
TO DATE \$126,634,075.00

CLASS: DEMOLITION

BARRETT'S FUNERAL HOME	4 SYMONDS AVE	DM SINGLE DETACHED DWELLING
PETRO SERVICES	544 WATER ST	DM COMMERCIAL GARAGE
DOMINION OF CANADA INS.	154 FRESHWATER RD	DM SCHOOL

THIS WEEK \$ 110,000.00
 TO DATE \$ 1,743,400.00

THIS WEEK'S TOTAL: \$ 3,363,640.00

TOTAL YEAR TO DATE: \$216,903,212.00

REPAIR PERMITS ISSUED: 2008/10/30 TO 2008/11/05 \$ 43,400.00
 2007/12/13 TO 2008/11/05 \$ 3,372,660.00 YTD

LEGEND

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

Payrolls and Accounts

SJMC2008-11-10/696R

It was decided on motion of Councillor Puddister; seconded by Councillor Collins: That the following Payrolls and Accounts for the week ending November 6th, 2008 be approved as presented:

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

PAYROLL

Public Works \$ 292,865.63

Bi-Weekly Casual \$ 12,643.33

ACCOUNTS PAYABLE

Cheque No. 139345 – 139644 \$5,770,679.66

Total: \$6,076,188.62

Tender

1. Proposal Call – New Year’s Eve Pyromusical Display

SJMC2008-11-10/697R

It was decided on motion of Councillor Hickman; seconded by Councillor Duff: That the contract for New Year’s Eve Pyromusical Display be awarded to Fireworks F/S in the amount of \$20,000.

152 Hamilton Avenue

Council considered a memorandum dated November 6, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-11-10/698R

It was moved by Councillor Coombs; seconded by Councillor Hanlon: That the recommendation of the Chief Commissioner and City Solicitor that the Manager of Real Estate Services be authorized to provide a letter of consent to assign the parking space lease to the sale of the property at 152 Hamilton Avenue to 51026 Newfoundland and Labrador Inc., be approved.

The motion being put was unanimously carried.

Temperance Street – Nolan Hall

Council considered a memorandum dated November 6, 2008 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2008-11-10/699R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That the recommendation of the Chief Commissioner and City Solicitor that the land exchange agreement as presented with respect to the construction of a hotel at Temperance Street by Nolan Hall, be approved.

The motion being put was unanimously carried.

Christmas Season

Council considered a memorandum dated November 7, 2008 from the Associate Commissioner/Director of Corporate Services and City Clerk re Council Meetings.

SJMC2008-11-10/700R

It was moved by Councillor Colbert; seconded by Councillor Duff: That the Council meetings for December 22nd and 29th, 2008 be suspended with

the final meeting for 2008 being December 15th, and the first meeting for 2009 being January 5th.

The motion being put was unanimously carried.

Letter dated October 31, 2008 from Patrick Griffin on behalf of the Airport Heights Residents' Committee reporting on a very successful Airport Heights Clean Up Day, October 4, 2008 thanks to the support of the City of St. John's Council and staff as well as the private sector

Council considered the above noted letter.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth tabled the St. John's Sports and Entertainment Ltd. Budgeted Statement of Revenues and Expenses for the year ended, December 31, 2009. They are requesting that the City approve an operation grant in the amount of \$1,750,000.00 for the 12 month period ending December 31, 2009. This represents a reduction of \$250,000 over the previous fiscal year. He noted the document is presented for information only and will be considered during budget discussions.

Deputy Mayor Ellsworth referenced the recent media comments relative to the City's decision to defer implementation of the City Recycling Program until May 1, 2010. He noted that the decision was "a tough call", and the delay represents an eight month period to May 1, 2010. He also pointed out that the implementation of the program would be difficult in the winter and the delay will grant other municipalities more time to prepare. He noted that he appreciates the concern expressed by residents.

In this regard the Mayor noted that in view of balancing the budget and avoiding any property tax increases the decision was made to defer the recycling program for an eight month period noting as a result of this decision the projected deficit is down to approximately \$3 million. The Mayor stressed that the program is not being cancelled or minimized and will go into effect May 1, 2010. The Mayor pointed out that the city is in a good financial position thanks to members of

Council who, with the help of staff have shown fiscal responsibility time and time again.

Councillor Coombs questioned the Multi-Materials Stewardship Board's plans for its surplus of more than \$11 million, while the City is trying to find ways to implement a recycling program. He questioned whether the MMSB would be open to providing financial assistance to the City or the regional waste management group given their surplus of approximately \$11 million. The Director of Finance and City Treasurer advised that the Greater Avalon Waste Management Committee are in the process of development of an education program and a series of pilot projects and will be applying to the MMSB for funding towards such programs.

SJMC2008-11-10/701R

It was then moved by Councillor Coombs; seconded by Councillor Hickman: That His Worship the Mayor write the MMSB, on behalf of Council asking what their plans are for the approximately \$11 million surplus.

The motion being put was unanimously carried.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth, in an effort to strengthen communications between all levels of government, asked that the Mayor write on behalf of Council, the Federal Minister of Fisheries, Federal Minister for ACOA as well as the Provincial Ministers and MHA's.

His Worship the Mayor advised that he is in the process of communicating with Federal Minister Peter MacKay's office who will be representing NL at the Federal level, to arrange a meeting with him.

(Deputy Mayor Ellsworth assumed the Chair vacated by His Worship the Mayor due to a prior commitment.)

Councillor Duff

Councillor Duff noted the fact that she had mis-communicated to the media that the City's reason for delaying the curbside recycling program was not due to cost.

Councillor Duff noted that the curbside recycling program in terms of its impact on the environment is actually small in comparison to the very costly, ongoing environmental initiatives undertaken by the city towards improving the environmental practices, around the City's landfill, which are on target and on budget.

Councillor Colbert

Councillor Colbert advised that he met with a group of young people actively involved in a farmer's market operation. He noted that Ms.Lori Greene has been helping facilitate the program and that Elizabeth Lawrence and Wendy Mugford, Department of Economic Development, Tourism and Culture are conducting a small research in the Atlantic area and outside to determine the number of farmers markets, how the municipalities facilitate or contribute, and the economic impact on the community. He noted the group have asked him to continue to help facilitate the promotion of a farmers market in the City and that Gareth Griffiths has agreed to see if the city has available land.

Councillor Colbert also advised that a survey was conducted by the Canadian Farmers' Market Association in St. John's this past summer and they have provided the group with the data accumulated. He noted that he advised the group the City will do whatever it can, within reason, to support their plan and asked if there are residents who may be interested in this initiative that they contact him at City Hall.

Councillor Puddister

Councillor Puddister advised that he attended a recent meeting of the Greater Avalon Waste Management Committee and though everyone shares the disappointment in the delay of the recycling program implementation date, it will grant more time to the other communities to prepare for the program. He also

noted they were not happy that tipping fees at Robin Hood Bay would increase from \$23 to \$50 per tonne.

Councillor Puddister asked that His Worship the Mayor, on behalf of Council, write the Minister of Municipal Affairs concerning the proposed extension of the Team Gushue Highway and Mount Pearl's unwillingness to cost share the project.

Councillor Galgay

Councillor Galgay asked for an update on the Buckmaster's Circle Park project as well as the Martin's Meadow Park. The matter was referred to staff for follow-up.

Councillor Galgay asked that the following issues be referred to the Mayor's Advisory Committee for Seniors:

(1) Possible tax reduction, (2) affordable housing and (3) recycling and composting

Councillor Coombs

Councillor Coombs noted the dilapidated condition of a property on Blackmarsh Road and the potential safety concern. The matter was referred to the Director of Building and Property Management for follow-up.

Councillor Hanlon

Councillor Hanlon advised that November 19th is International Day of Remembrance for Road Traffic Victims and that Newfoundland and Labrador has no planned event. However, she noted a number of people are organizing a candle light vigil at City Hall and encouraged residents to attend.

Councillor Collins

Councillors Collins asked Councillor Colbert for a list of suppliers for the proposed farmers market as mentioned by him.

Adjournment

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

MAYOR

CITY CLERK