

**October 1, 2007**

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 Councillors Colbert, Hickman, Hann, Puddister, Galgay, Ellsworth, Coombs and Collins

Regrets: Deputy Mayor O'Keefe and Councillor Duff

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

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

**SJMC2007-10-01/539R**

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

- a. Memorandum dated October 1, 2007 from the Chief Commissioner and City Solicitor re: 176 Higgins Line
- b. Memorandum dated September 25, 2007 from the Associate Commissioner/Director of Corporate Services and City Clerk re: Extension of Time to Complete the 2008 Assessment Roll

**Adoption of Minutes**

**SJMC2007-10-01/540R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That the Minutes of the September 24<sup>th</sup>, 2007 meeting be adopted as presented.**

**Amendments to Election Finance By-Law**

Under business arising, Council considered a memorandum dated September 27, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-10-01/541R**

**It was moved by Councillor Ellsworth; seconded by Councillor Hann: That the Election Finance By-law be amended requiring that any contribution to candidates exceeding \$50 be recorded.**

**SJMC2007-10-01/542R**

**It was then moved by Councillor Coombs; seconded by Councillor Puddister: That discussion on the Election Finance By-Law be deferred due to the absence of Deputy Mayor O'Keefe and Councillor Duff.**

**The motion to defer was unanimously carried.**

**Development Committee Report dated September 25<sup>th</sup>, 2007**

Council considered the following Development Committee Report dated September 25<sup>th</sup>, 2007:

- 1. Proposed Construction of Single Detached Dwelling  
Mr. Bob Breen & Ms. Dorothy Scheeler  
Civic No. 488-490 Southside Road**

The Development Committee recommends that the above noted proposal be granted approval in accordance with Section 7.12.1 (c) of the Development Regulations. The applicants will be required to submit detailed building plans for review and approval, prior to the issuance of a Building Permit.

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

**SJMC2007-10-01/543R**

**It was decided on motion of Councillor Hickman; seconded by Councillor Collins: That the Committee's recommendation of approval in accordance with Section 7.12.1 (2) of the Development Regulations, be accepted.**

**Planning and Housing Committee Report dated September 20<sup>th</sup>, 2007**

Council considered the following Planning and Housing Committee Report dated September 20<sup>th</sup>, 2007:

In attendance: Councillor Shannie Duff, Chairperson  
Councillor Tom Hann  
Councillor Art Puddister  
Councillor Frank Galgay  
Mr. Ron Penney, Chief Commissioner/City Solicitor  
Mr. Art Cheeseman, Associate Commissioner/Director of Engineering  
Mr. Cliff Johnston, Director of Planning  
Mr. Paul Mackey, Director of Public Works & Parks  
Mr. Joe Sampson, Manager of Development  
Mr. Ken O'Brien, Manager of Planning & Information  
Mr. Phil Hiscock, Operations Assistant – Public Works  
Mr. Brian Head, Operations Assistant – Parks  
Ms. Kelly Butler, Recording Secretary

**1. Proposed Rezoning for a Residential Development – Stavanger Drive (Ward 1)**

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The Committee met with Mr. Kevin King, Perennial Management Limited, to discuss the proposed adult residential development on Stavanger Drive and its proximity to the Clovelly golf course. The Committee also considered correspondence dated September 13, 2007, from Mr. Graham Cooke of Graham Cooke and Associates Golf Course Architects.

**The Committee directed staff to proceed to advertise the proposed rezoning of the subject property from the Commercial Regional (CR) Zone and Open Space (O) Zone to the Apartment High Density (A3) Zone, the Residential Low Density (R1) Zone, and the Open Space (O) Zone, for public review and comment. Upon completion of this process, the application will be referred to a future Regular Meeting of Council for consideration of approval.**

**2. Proposed Rezoning of Property for a Residential Development – Leo's Lane, Civic No. 28 Water Street (Ward 2)**

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The Committee met with Mr. Philip Pratt, PHB Group Architects Inc., to discuss the proposed rezoning of property at Civic No. 28 Water Street to accommodate an eight (8) storey 12 unit residential condominium building. The Committee also considered the **attached** memorandum dated September 19, 2007, from the Director of Planning and the Manager of Planning and Information.

**The Committee agreed to direct staff to draft a site specific text amendment to the Commercial Central Mixed (CCM) Zone which would allow the proposed residential development subject to a favourable decision by Council on the required rezoning and Municipal Plan map amendment. The Committee further agreed that the applicant should be asked to undertake a Land Use Assessment Report (LUAR) under Terms of Reference to be**

**approved by Council, and upon completion and review of the LUAR, the rezoning application should be referred to a public meeting to be chaired by a member of Council.**

*The proposed Terms of Reference for the LUAR have been prepared by the Department of Planning. Please see attached memorandum dated September 27, 2007, from the Director of Planning.*

**3. Proposed Rezoning of Property – Power Development and Consultants Inc. – Civic No. 55-57 Mayor Avenue (Ward 2)**

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The Committee considered the attached memorandum dated September 19, 2007, from the Manager of Planning and Information regarding the above noted matter.

**The Committee agreed that once the required information on municipal water and sewer servicing for the proposed apartment building has been submitted by the applicants and reviewed by City staff, that the rezoning application be referred to a public meeting to be chaired by a member of Council.**

**4. Proposed Rezoning of Property – Triple D Holdings Ltd. – Heavy Tree Road and Ruby Line (Ward 5)**

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The Committee considered the attached memorandum dated September 18, 2007, from the Director of Planning and the Manager of Development regarding the above noted matter.

**The Committee recommends that the application be rejected as the proposed rezoning for residential development is premature.**

**5. Proposed Rezoning of Property – John Molloy – Civic No. 530 Fowler’s Road (Ward 5)**

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The Committee considered the attached memorandum dated September 18, 2007, from the Director of Planning and the Manager of Planning and Information regarding the above noted matter. The Committee also considered a letter dated August 28, 2007, from the Director of Planning, Town of Conception Bay South, regarding the application.

**The Committee recommends that the application be rejected as it is not consistent with the St. John’s Municipal Plan and has the potential for detrimental impacts on the neighbouring commercial/light industrial areas located within the Town of Conception Bay South. In addition, it is noted**

**that allowing additional unserviced residential development in the Fowler’s Road area will only increase demand for municipal services in this area.**

**6. Proposed Indoor Horse Riding Arena – Scott O’Connell & Angela Tulk – Civic No. 29 Heavy Tree Road (Ward 5)**

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The Committee considered the **attached** memorandum dated September 13, 2007, from the Director of Planning regarding the above noted matter.

**The Committee agreed to direct staff to draft and advertise for public review and comment a text amendment to the St. John's Development Regulations to introduce "indoor riding arenas" as a Discretionary Use to the applicable rural zones.**

**7. Occupancy of Bed and Breakfast Operations**

The Committee considered the **attached** memorandum dated August 7, 2007, from the Manager of Inspection Services regarding the above noted matter.

**The Committee recommends that the Lodging House By-Law be amended so that all Bed and Breakfast operations (including those restricted to four or less guests) would be required to display the approved Occupant Load on a sign posted in the public space of the Bed and Breakfast.**

**8. Proposed Future Accesses (Driveways) onto the Outer Ring Road (Ward 1)**

The Committee considered a request from Councillor Hickman that the Committee review the plans for proposed accesses onto the Outer Ring Road east of Logy Bay Road.

The Director of Engineering advised that the development plans for this area, including the future accesses onto the Outer Ring Road, have been approved by Council.

**The Committee recommends that the status quo be maintained with respect to the development plans for future accesses onto the Outer Ring Road, east of Logy Bay Road.**

**Councillor Shannie Duff  
Chairperson**

**SJMC2007-10-01/544R**

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

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

**Audit Committee Report dated September 21<sup>st</sup>, 2007**

Council considered the following Audit Committee Report dated September 21<sup>st</sup>, 2007:

In Attendance:           Councillor Ron Ellsworth, Chairperson  
                                  Councillor Shannie Duff  
                                  Councillor Art Puddister  
                                  Mr. Bob Healey, Committee Member  
                                  Mr. Ron Penney, Chief Commissioner/City Solicitor

Mr. Robert Bishop, Director of Finance & City Treasurer  
Mr. Neil Martin, Associate Commissioner/Director of Corporate Services & City Clerk  
Mr. Cliff Johnston, Director of Planning  
Mr. Ron Cadigan, Manager of Assessments  
Mr. Jason Silver, Auditor I  
Mr. Derek Coffey, Team Lead – ERP/IMM (former Auditor I)  
Ms. Debbie Reid, City Internal Auditor  
Ms. Kelly Butler, Recording Secretary

**1. Internal Audit Report B Program Review: Assessments**

The City Internal Auditor and Mr. Coffey provided an in-depth review of the above noted report for the Committee's information.

The three main objectives of the review were to assess whether:

- a. the service is being managed with due regard to risks and due diligence (risk management);
- b. the process is being managed with due regard to control processes – i.e. policies, procedures, regulations, and Council Directives (control processes); and
- c. processes and structures are implemented to inform, direct, manage and monitor activities that are intended to move the City toward the achievement of our strategic plan (governance processes)

Each objective was reviewed and recommendations were made with a view to improving the effectiveness and efficiency of various aspects of the Assessment Division's service delivery.

The Committee discussed the issue of the City's Water Tax Exemption policy, with it being noted that requests for water tax exemptions have been increasing steadily over the last few years. It was also noted that as the City's water tax is expected to increase significantly over the next few years, it is likely there will be an increase in exemption requests to coincide with the tax increase. The general consensus of the Committee was that the current system is not working effectively, and it needs to be revisited to see how it can be improved. It was agreed that the matter would be referred to the next meeting of the Public Works and Environment Committee for review and discussion.

The Committee also discussed the issue of the Assessment Court Appeals Process, in particular the receipt of appeal fees by the Court Clerk and the handling of same. It was noted that the current process exists in order to maintain the Appeals Court's appearance of independence from the City so as not to impair the perception of impartiality by the

Appeal Court. However, the current cash handling procedures are contrary to best practices. It was agreed that the Chief Commissioner/City Solicitor and the Director of Corporate Services would discuss this issue further with a view to establishing a better protocol for cash handling and receipt of appeals while still maintaining the independence of the Appeal Court.

**The Committee recommends that the attached report and its recommendations be adopted as presented.**

Councillor Ellsworth requested that the follow up reviews that management agreed to undertake (water tax exemption, cash handling for Assessment Appeals Court) be forwarded to the Finance Committee for review.

## **2. Internal Audit Report B Program Review: Department of Planning**

The City Internal Auditor and Mr. Coffey provided an in-depth review of the above noted report for the Committee's information.

The three main objectives of the review were to assess whether:

- a. the service is being managed with due regard to risks and due diligence (risk management);
- b. the process is being managed with due regard to control processes – i.e. policies, procedures, regulations, and Council Directives (control processes); and
- c. processes and structures are implemented to inform, direct, manage and monitor activities that are intended to move the City toward the achievement of our strategic plan (governance processes).

Each objective was reviewed and recommendations were made with a view to improving the effectiveness and efficiency of various aspects of the Planning Department's service delivery.

**The Committee recommends that the attached report and its recommendations be adopted as presented.**

## **3. Audit Plan Status Report**

The Committee considered as information a memorandum dated September 17, 2007, from the City Internal Auditor regarding the above noted matter.

The City Internal Auditor advised that due to recent staffing changes and time consumed with the ERP project, it is not likely she will be able to complete all of the audits listed on

the Audit Plan for this year. She indicated that one of the main reviews, the budget process review (divisional operations), will have to be deferred until January 2008. In addition, a follow-up review of special events grants and subsidies funding was scheduled to be completed this year. However, in light of the report tabled at the recent Finance Committee meeting by the Director of Economic Development, Tourism and Culture regarding grant funding for special events and festivals, it is not really feasible to undertake the review at this time. The City Internal Auditor suggested that this follow-up review be replaced with another – cash control in the Access Centre.

**The Committee agreed to the following changes in the Audit Plan:**

- ∇ **defer the budget review until January 2008; and**
- ∇ **replace the follow-up review of the grants and subsidies for special events and festivals with the follow-up review of cash controls in the Access Centre.**

**Councillor Ron Ellsworth  
Chairperson**

**SJMC2007-10-01/545R**

**It was moved by Councillor Ellsworth; seconded by Councillor Galgay: That the Committee’s recommendations be approved and forwarded as Council Directives to the City Internal Auditor.**

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

**Development Permit List**

Council considered as information the following Development Permits List for the period September 20<sup>th</sup> to September 27<sup>th</sup>, 2007

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Com.	Jenkins & Power Sheet Metal Limited	Self Storage Units	Civic No. 63 Main Road, Goulds	Ward 5	Site Plan Approval	2007 09 20
Com.	Kavanagh & Associates Limited	Proposed Dominion Supermarket	Former Memorial Stadium Site; Civic No. 20 Lake Avenue	Ward 2	Site Plan Approval	2007 09 20
Com.	Ms. Krista Hewlett	Home Office: Service Business	Civic No. 111 Groves Road	Ward 4	Application Approved	2007 09 21
Res.	Mr. Chris O'Neill	Residential Building Lot	Bishop's Line, Goulds	Ward 5	Application Approved	2007 09 25
Res.	Ms. Nancy Williams	Residential Building Lot	Civic No. 29 Thistle Place, Goulds	Ward 5	Application Rejected: Contrary to Section 10.41.3(1)(b)	2007 09 25
Res.	Mr. Cyril Martin	Proposed Planned Unit Development (Fifteen)	Civic No. 421-425 Main Road, Goulda	Ward 5	Application Rejected:	2007 09 26

		Townhouse Units on a Private Driveway)			Contrary to Council's PUD Moratorium and Sects. 8.1.2 & 10.12.3(2)(b)	
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NOTES:

*	Code Classification:			
	RES	- Residential	INST	-
	COM	- Institutional	IND	-
	AG	- Commercial		
		- Agriculture		
**	This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.			

Ed Murray  
Development Officer  
Department of Planning

**Building Permits List**

**SJMC2007-10-01/546R**

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

2007/09/26

Permits List

**CLASS: COMMERCIAL**

LEASIDE MANOR B & B	39 TOPSAIL RD, LEASIDE MANOR	RN LODGING HOUSE
LEON'S FURNITURE	410 EAST WHITE HILLS RD-LEON'S	SN WAREHOUSE
FORTIS PROPERTIES CORPORATION	161 WATER STREET	RN PATIO DECK
BENTLEY LEATHERS INC. #058	430 TOPSAIL RD, BENTLEY, DEMO	RN RETAIL STORE
IONA TECHNOLOGIES INC.	570 NEWFOUNDLAND DR	CR OFFICE
JOHN GUY TOBIAS FURNEAUX &	10 AIRPORT RD	NC ACCESSORY BUILDING
55407 NEWFOUNDLAND & LABRADOR	377 DUCKWORTH ST	CR RESTAURANT
LOBLAWS PROPERTIES LIMITED	20 LAKE AVE - LOBLAWS	NC OTHER
CHARLES R. BELL LIMITED	81 KENMOUNT RD, CHARLES R BELL	RN OFFICE
HICKMAN MOTORS	266 TORBAY RD	CR CAR SALES LOT
FAMILY DRUG MART-EAST GATE	279 PORTUGAL COVE RD	CR RETAIL STORE
NLOWE	84-86 ELIZABETH AVE	CR OFFICE
THE CANADA NFLD. OFFSHORE	140 WATER ST// PETROLEUM BOARD	TI OFFICE
URBAN PLANET	AVALON MALL, URBAN PLANET	CR RETAIL STORE
SOLO INVESTMENTS INC.	681 TOPSAIL RD	NC WAREHOUSE

THIS WEEK \$ 1,009,300.00  
TO DATE \$ 34,207,625.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00  
TO DATE \$ 1,524,967.00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THE CITY OF ST JOHN'S	278 DUCKWORTH ST	SN ADMIN BLDG/GOV/NON-PROFIT
		THIS WEEK \$ 5,000.00
		TO DATE \$ 16,675,715.00

**CLASS: RESIDENTIAL**

JOHN & CATHY MATHIOUDAKIS	2 ASHBOURNE DR	NC ACCESSORY BUILDING
GERALD PREDHAM	22 ASHBOURNE DR	NC ACCESSORY BUILDING
KEITH SMITH	124 BAY BULLS RD	NC ACCESSORY BUILDING
GERALD FRANCIS CASEY &	44 BEAUFORD PL	NC ACCESSORY BUILDING
EDWARD FITZGERALD	53 BLACKHEAD VILLAGE RD	NC ACCESSORY BUILDING
SKYMARK CONTRACTING	7 BOLAND ST, LOT 13	NC SINGLE DETACHED DWELLING
ARTHUR PAYNE	6 CURRIE PL	NC FENCE
EDWARD SUMMERS	7 FROUDE AVE	NC ACCESSORY BUILDING
JAMES POWELL	55 GRENFELL AVE	NC FENCE
JOHN PROWSE CONTRACTING	36 HOPEDALE CRES, LOT 202	NC SINGLE DETACHED & SUB.APT
DENNIS PENNEY	52 HOPEDALE CRES, LOT 194	NC SINGLE DETACHED DWELLING
JAMES DOBBIN & JANE RENDELL	24 KING'S BRIDGE RD	NC ACCESSORY BUILDING
ATLANTIC HOMES LTD.	6 LADY ANDERSON ST, LOT 221	NC SINGLE DETACHED DWELLING
WADE AND IRENE SHEPPARD	7 LEDINGHAM PL	NC FENCE
GIBRALTAR DEVELOPMENT	13 LUCYROSE LANE, LOT 87	NC SINGLE DETACHED DWELLING
DALE & CATHERINE HARNETT	37 MACLANE PL	NC ACCESSORY BUILDING
MARY-ANNE STEVENS	6 MILBANKE ST	NC ACCESSORY BUILDING
DAVID PAYNE	2 NAVAJO PL	NC ACCESSORY BUILDING
RANDY CAHILL	14 NAVAJO PL	NC ACCESSORY BUILDING
RODNEY EHLER	6 NONIA ST	NC ACCESSORY BUILDING
ERCO HOMES	23 OAKLEY PL, LOT 277	NC SINGLE DETACHED DWELLING
LAUREL DRODGE	17 OTTAWA ST	NC SINGLE DETACHED DWELLING
DEBORAH LEGROW	13 PADDY DOBBIN DR	NC FENCE
GREGORY BAKER AND	3 REID ST	NC FENCE
MARGARET (LYNN) MILLER	11 ROAD DE LUXE	NC FENCE
MARGARET (LYNN) MILLER	11 ROAD DE LUXE	NC FENCE
CAPITAL CONTRACTING	40 SPRATT PL	NC PATIO DECK
COLLEEN SMITH & KEN WALSH	25 STONEBRIDGE PL	NC FENCE
JERRY MARTIN	86 TERRA NOVA RD	NC PATIO DECK
GEORGE V. SHEPPARD &	397 THORBURN RD	NC PATIO DECK
CHRIS SQUIRES	29 TORNGAT CRES	NC PATIO DECK
CHRISTINA/MICHAEL J. EDWARDS	22 WICKLOW ST	NC ACCESSORY BUILDING
MARLENE LEDREW	81 PENNEY CRES	CO HOME OCCUPATION
PAUL LANGAN	34 TEAKWOOD DR	CO HOME OFFICE
PRO-TECH CONSTRUCTION LTD.	58 MACBETH DR	CR SUBSIDIARY APARTMENT
WILLIAM MARCH	60 MACBETH DR	CR SUBSIDIARY APARTMENT
STELLA BURRY COMMUNITY SERV	313 SOUTHSIDE RD	CR APARTMENT BUILDING
DEER PARK CONTRACTING LIMITED	27 ALLANDALE RD	EX SINGLE DETACHED DWELLING
PAUL HEFFERNAN	16 GANDER CRES	EX SINGLE DETACHED DWELLING
SHAWN RALPH	46 HUSSEY DR	EX MOBILE HOME
GLEN MICHAEL WINSLOW	152 LINEGAR AVE	EX ACCESSORY BUILDING
GLEN MICHAEL WINSLOW	152 LINEGAR AVE	EX SINGLE DETACHED DWELLING
DAVID CURNEW	16 ROCHE ST	EX SINGLE DETACHED DWELLING
VLASTAMIL MASEK	16 WARREN PL	EX SINGLE DETACHED DWELLING
ELIZABETH ADEY	244 CANADA DR	RN SINGLE DETACHED & SUB.APT
MRS. MONA KENNEDY	7 EMPIRE AVE	RN SINGLE DETACHED DWELLING
REVALATION RENOVATIONS	36 GILBERT ST	RN TOWNHOUSING
LAWRENCE MANNING	100 HAMILTON AVE	RN SEMI-DETACHED DWELLING
JESSE WILKINS SR. &	37 HORLICK AVE	RN SINGLE DETACHED & SUB.APT
LORELL FRITZ	27 PARADE ST	RN SEMI-DETACHED DWELLING
HELEN CROCKER	62 PATRICK ST	RN TOWNHOUSING
MARK UNSWORTH	15 YOUNG ST	RN TOWNHOUSING
KENNETH & RITA HOLDEN	12 CLEARY DR	SW SINGLE DETACHED DWELLING
DEBORAH LOUISE WHITE	9 ROAD DE LUXE	SW FENCE

THIS WEEK \$ 1,692,035.00  
TO DATE \$123,974,482.00

**CLASS: DEMOLITION**

CECIL BISHOP                                      13 DILLON CRES                                      DM SINGLE DETACHED DWELLING  
  
THIS WEEK \$                                      2,000.00  
TO DATE \$                                      414,356.00

THIS WEEK'S TOTAL: \$    2,708,335.00  
TOTAL YEAR TO DATE: \$176,797,145.00

REPAIR PERMITS ISSUED: 2007/09/20 TO 2007/09/26 \$    100,253.00  
2006/12/28 TO 2007/09/26 \$  2,404,006.00 YTD

LEGEND

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

**Payrolls and Accounts**

**SJMC2007-10-01/547R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That the following Payrolls and Accounts for the week ending September 27<sup>th</sup>, 2007 be approved as presented:**

**Weekly Payment Vouchers  
For The  
Week Ending September 27, 2007**

**PAYROLL**

Public Works	\$ 291,663.48
Bi-Weekly Casual	\$ 14,942.90

**ACCOUNTS PAYABLE**

Cheque No. 122160 - 122451 **\$7,337,822.73**  
(Includes Direct Deposits/Transfers/Equip. Leasing)

**Total: \$7,644,429.11**

**Tenders**

- a. Tender – Purchase of Five (5) One and a Half ton Pickups
- b. Tender – Purchase of Four (4) One Ton Pickups

**SJMC2007-10-01/548R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That the recommendation of the Director of Finance and City Treasurer be approved and the tenders awarded as follows:**

- a. **Avalon Ford Sales 1996 Ltd. in the amount of \$102,620.00 (HST Extra)**
- b. **Hickman Motors Ltd. in the amount of \$103,456.00 (HST Extra)**

**20 Bell's Turn**

Council considered a memorandum dated September 26<sup>th</sup>, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-10-01/549R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Colbert: That the recommendation of the Chief Commissioner and City Solicitor that the owners of land, expropriated by the City at 20 Bell's Turn for street realignment purposes, be compensated in the amount of \$1,150.00 (appraised value of land and tree) plus legal fees, be approved.**

**Petition**

Councillor Collins tabled a petition, the prayer of which reads as follows and which is referred to the Department of Public Works and Parks for consideration:

**We, the undersigned residents of Kieley Drive, Goulds, hereby petition the City of St. John's to correct the problems with the sewer system in our street.**

**This problem is getting so bad now that the city's water and sewer department has to flush the line every week. We have been burdened with this problem for many years now. We constantly have problems with smell and flushing. Every week – about a day or two before the flushing occurs,**

several of us experience sewer odors in our houses. We have had many embarrassing moments when guests have been in our homes and the smell appears. It is time for the city to do what needs to be done and replace the existing sewer line with one that works.

**145 Southern Shore Highway (Bay Bulls Big Pond Watershed)**

Council considered a memorandum dated September 27, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-10-01/550R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that approval be granted to proceed with the purchase of property at 145 Southern Shore Highway (Bay Bulls Big Pond Watershed) for the appraised value of \$58,000.00, be approved.**

**47 O'Regan Road**

Council considered a memorandum dated September 27, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-10-01/551R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that 2-3 feet of unmaintained City land at the rear of property 47 O'Regan Road, be sold at a rate of \$2.00 per square foot (approximately \$250.00) plus usual administration fees and taxes, be accepted.**

**Email from Steve Manuel, Chairperson, Southlands Citizen Committee requesting a status report on the City's proposed snow clearing plan for Southlands area**

Councillor Collins advised that the above noted matter has been referred to the Public Works, Environment & Protection Committee meeting scheduled to be held on October 2, 2007.

**Economic Update October 2007**

Council considered as information the Economic Update for October 2007.

**176 Higgins Line**

Council considered a memorandum dated October 1, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

**SJMC2007-10-01/552R**

**It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that the owner of land, expropriated by the City at 176 Higgins Line, be compensated in the amount of \$3,210.00 plus legal fees, be approved.**

**Extension of Time to Complete the 2008 Assessment Roll**

Council considered a memorandum dated September 25, 2007 from the Associate Commissioner/Director of Corporate Services and City Clerk regarding the above noted.

**SJMC2007-10-01/553R**

**It was decided on motion of Councillor Ellsworth; seconded by Councillor Hann: That the time for the completion of the 2008 Assessment Roll be extended to December 31, 2007, as per Section 10 (2) of The Assessment Act.**

**Letter dated September 24, 2007 from Snellen Holdings (1994) Co. Ltd.**

**SJMC2007-10-01/554R**

**It was moved by Councillor Colbert; seconded by Councillor Puddister: That the City cover the \$700 cost for the supply and installation of four (4) goose neck lights on the property at 621 Hamilton Avenue, to illuminate the recently installed mural, with Snellen Holdings paying the ongoing light bills**

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

**Councillor Hickman**

Councillor Hickman referenced a press Release advising that the American Bus Association (ABA) announced St. John's Time has been designated as one of the Top 100 Events in North America for 2008 by an elite tourism industry selection committee. "Inclusion in the Top 100 list, published as a supplement to the September/October issue of Destinations Magazine, indicates that St. John's Time offers excellent entertainment value to both tour groups and individual travellers from around the world", said ABA.

Councillor Hickman advised that formal approval for the cost shared funding towards the Capital Theatre needs assessment study will not be forthcoming until after the Provincial election. In this regard, Councillor Hann indicated that in his view, a study is not

necessary, noting that once Council receives information on the financial situation of the LSPU Hall, as per staff's request, Council will be in a better position to make a decision as to the direction to take with respect to the Capital Theatre and LSPU Hall situation.

Councillor Hann advised that he attended the recent meeting held by the LSPU Hall to discuss the theatre situation and was disappointed with comments made relative to the City's treatment of the Arts Community, when in fact, the City is very supportive of the Arts, having contributed \$350,000.00 to date.

Councillor Collins also attended the meeting and noted that the group would prefer to see the City's share of the proposed study directed to the operation of the LSPU Hall.

Councillor Collins gave the following Notice of Motion:

**TAKE NOTICE that I will at the next Regular Meeting of Council move a motion to rescind Council's decision of September 17, 2007 to cost share with the Provincial Department of Tourism funding towards a needs assessment study for the Capital Theatre.**

#### **Councillor Puddister**

Councillor Puddister updated Council on recent cruise line visits, the Aurora and the Polar Star, noting the unexpected visit by the Black Watch carrying 760 passengers.

#### **Councillor Galgay**

Councillor Galgay advised that he received a number of complaints from residents of break-ins and vandalism in the Pennywell Road/Cookstown Road area, and noted that the Chief Commissioner and City Solicitor has written the Chief of Police requesting increased enforcement for the area. He further noted that Provincial Minister Shawn Skinner has been very co-operative in pursuing the matter. Councillor Galgay advised that he will be setting up a meeting with Neighbourhood Watch and hopes to bring in the Officer responsible for coordinating community policing.

#### **Councillor Coombs**

Councillor Coombs referred to last week's demonstration by a group of parents in Churchill Square with respect to the ongoing problems with gathering of large crowds of school age youth. He expressed concern that aside from this type of problem created by

school age youth, law breaking activities such as vandalism, break-ins, graffiti, speeding etc. are City wide and creating major problems. Councillor Coombs advised that he has had a number of meetings with the St. John's Crime Prevention Association and the Deputy Chief of Police in an attempt to develop ways and means to deal with the issues. He indicated that within a few weeks a follow-up report will be presented to Council which will include a request for a Neighbourhood Watch Co-ordinator for the City.

**Councillor Ellsworth**

Councillor Ellsworth advised that complaints regarding "late night partying" at 34 and 46 Seaborn Crescent, have been referred to the Department of Building and Property Management for action.

**Councillor Collins**

Councillor Collins referenced a card from Ms. Debbie McCarthy thanking the City for its contribution to Southlands Family Fun Day.

**His Worship the Mayor**

His Worship the Mayor raised the issue of speeding noting that the City has to make a serious funding commitment to successfully address excessive speeding on the streets of St. John's. He suggested that the City consider installing security cameras in areas of the City where there is a high concentration of people and therefore a potential for violence, e.g. George Street and Churchill Square. He asked that the matter be referred to the Police and Traffic Committee for consideration.

The Mayor advised that in talking to the Transportation Engineer there are at least five technologies available that can be used to reduce driving speeds which are as follows: (1) Red Light Camera Technology, (2) Speed on Green, (3) Portable Community Radar Boards, (4) Photo Radar, and (5) Fixed Installation Radar Boards. The Mayor noted he will refer the initiatives to the Police and Traffic Committee for consideration and asked members of Council to pass along any comments they may have on the technology.

**Adjournment**

There being no further business, the meeting adjourned at 5:30 p.m.

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**MAYOR**

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**CITY CLERK**