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 Duff; Councillors O'Leary, Hickman, Colbert, Breen, Galgay, Tilley, Hanlon and Collins.

Regrets: Councillor Hann.

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

Call to Order and Adoption of the Agenda

SJMC2011-10-11/500R

It was decided on motion of Councillor Collins; seconded by Councillor Breen: That the Agenda be adopted as presented.

Adoption of Minutes

SJMC2011-10-11/501R

It was decided on motion of Councillor Tilley; seconded by Deputy Mayor Duff: That the minutes of the October 3^{rd} , 2011 meeting be adopted as presented.

Notices Published

 A Discretionary Use Application has been submitted by Douglas White requesting permission to establish and operate a Chiropractic Clinic from Civic No. 67 Major's Path. The applicant will be the sole employee for the proposed business. Parking for the clinic will be provided on-site. (Ward 1)

SJMC2011-10-11/502R

It was moved by Councillor Breen; seconded by Councillor Galgay: That the application be approved.

The motion being put was unanimously carried.

2. **A Discretionary Use Application** has been submitted by Turndown BMX Inc. (Rob Yetman) requesting permission to operate an in-door bicycle and skateboard facility as a **Place of Amusement at Civic Number 799 Water Street.** The total floor area of this facility is 743 square metres; 84 square metres of which will be used for retail use. The proposed business will operate seven (7) days a week: summer hours 12:00pm - 6:00pm and winter 12:00pm - 10 pm. Parking is provided on-site. (Ward 2)

One (1) submission of Support

SJMC2011-10-11/503R

It was moved by Councillor Breen; seconded by Galgay: That the application be approved.

The motion being put was unanimously carried.

Development Committee Report September 4, 2011

Council considered the following Development Committee Report dated October 4, 2011:

RECOMMENDATION OF APPROVAL

1. Proposed Residential Dwelling Civic No. 28 Chafe Avenue (Ward 5) Applicant: Mr. Brian Bambrick Residential Medium Density (R2) Zone

The Committee recommends that Council establish a minimum building line of 3.0 metres for the subject property in accordance with Section 8.3.1 of these Regulations and approve the application for Mr. Bambrick.

Robert Smart, City Manager Chair – Development Committee

SJMC2011-10-11/504R

It was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Finance & Administration Committee Report dated September 29, 2011

Council considered the following Finance & Administration Committee Report dated September 29, 2011:

In Attendance:	Deputy Mayor Shannie Duff, Chairperson Councillor Sheilagh O'Leary Councillor Tom Hann Councillor Danny Breen Councillor Frank Galgay Councillor Bruce Tilley Councillor Bruce Tilley Councillor Wally Collins Mr. Bob Smart, City Manager Mr. Neil Martin, Deputy City Manager/Director of Corporate Services & City Clerk Mr. Bob Bishop, Director of Finance & City Treasurer Mr. Dava Blackmora, Director of Building & Property Management
	Councillor Bruce Tilley
	Councillor Wally Collins
	Mr. Bob Smart, City Manager
	Mr. Neil Martin, Deputy City Manager/Director of Corporate
	Services & City Clerk
	Mr. Bob Bishop, Director of Finance & City Treasurer
	Mr. Dave Blackmore, Director of Building & Property Management
	Mr. Kevin Breen, Director of Human Resources
	Mr. Sean Janes, Auditor I
	Ms. Maureen Harvey, Recording Secretary
	Ms. Kelly Butler, Recording Secretary

Also in attendance were Ms. Alisha Morrissey and Mr. Paul Thomey with the St. John's Board of Trade.

1. Financial Statements to June 30, 2011

The Committee considered as information the <u>attached</u> financial statements to June 30, 2011, which were tabled by the Director of Finance.

The Director of Finance advised that the June 30th financial statements show a surplus on operations of \$7.7 million, however, some of the surplus can be attributed to timing differences that will reverse over the rest of the year. Projections to year end from these June 30th statements produces an estimated surplus for the year of almost \$7 million, however, a review of the transactions processed subsequent to June 30th suggests that at least half of the difference is attributable to those timing differences. The year end projection, therefore, has been adjusted to reflect a more realistic number, which is an

estimated actual surplus of approximately \$3.4 million. He noted that the increases in water sales and tipping fees are both attributed to higher than anticipated usage by other municipalities. The total actual cost of both operations will be allocated out to the municipalities after year end, and this will result in a reduction in recorded 2011 revenue to match actual expense. Over or under payments by user municipalities for water supplied by Regional Water at Bay Bulls Big Pond will be credited (or debited) against future charges while any revenue in excess of operating costs at Robin Hood Bay will be credited against cost in future years and serve to reduce tipping fees from what they otherwise would be.

The Director of Finance cautioned that while there is a small year-end surplus predicted, unexpected expenditures could still arise (such as emergency infrastructure repairs) in the last quarter of the year that would require unbudgeted contributions from revenue to capital.

2. Financial Support for Meetings and Conventions

The Committee considered a memorandum dated September 26, 2011, from the Deputy City Manager/Director of Corporate Services and City Clerk regarding the above noted matter.

The Director of Human Resources referenced the Newfoundland and Labrador Employee Assistance Program Association (NLEAPA) conference, and he noted that it has been recommended for no grant funding as it is a provincial conference. However, he advised that the City has had a long standing relationship with the association. Many of the City's large employers have made a monetary contribution towards the conference in the past and are doing so for this year's conference as well. In addition, he noted that one of the conference is an important venue for professionals to network and learn about the latest best practices for Employee Assistance Programs. The Director of Human Resources suggested that the Committee consider providing \$500 in funding for the conference.

The Committee discussed the matter with it being noted the City has a policy for conferences, and this request does not meet the criteria. If the Committee approves a grant for the conference, it would be setting a precedent. It was also suggested that this could be considered as professional development opportunity for staff, therefore, if funding is available in the Department of Human Resources Budget, a donation could be provided for the NLEAPA conference.

The Committee recommends, on motion of Councillor Galgay; seconded by Councillor Collins: That the following grants be awarded in accordance with Policy No. 04-09-02:

- 1. Volleyfest 2011 \$1,000
- 2. International Association of Women Police Training Conference \$1,000
- 3. Cdn. Association of Medical Radiation Technologists Conference \$1,000
- 4. Building Owners & Managers Association of Canada Conference \$750
- 5. Duke of Edinburgh Awards National Board Meeting \$500

The Committee also recommends, on motion of Councillor Breen; seconded by Councillor Galgay, with Councillor Hann opposed: That that a grant in the amount of \$500 be allocated from the Department of Human Resources budget for the Newfoundland and Labrador Employee Assistance Program Association conference.

3. Request for Waiver of Permit Fees – Anglican Church of St. Michael's and All Angels

The Committee considered a letter dated September 15, 2011, from Reverend Samuel Rose regarding the above noted matter.

The Committee recommends, on motion of Councillor Tilley; seconded by Councillor Galgay: That Council approve the request for a waiver of permit fees for the new St. Michael's and All Angels Anglican Church on the corner of Kenmount Road and Ladysmith Drive.

(Councillor Tilley retired from the meeting.)

4. **Portraits of Honour National Tour**

The Committee considered a memorandum dated September 26, 2011, from the Manager of Communications and Office Services regarding the above noted matter.

The Committee recommends, on motion of Councillor Hann; seconded by Councillor O'Leary: That Council host a reception for the artist, the travelling members of the Portraits of Honour National Tour, and the immediate families of the fallen soldiers on Wednesday, October 26th at City Hall.

5. Request for Waiver of Permit Fees – Peters Foundation

The Committee considered a letter from Jan Peters, Co-Chair – Peters Foundation regarding the above noted matter.

The Committee recommends, on motion of Councillor Hann; seconded by Councillor Breen: That Council approve the request for a waiver of permit fees for the renovations to the Peters Foundation property at Civic No. 65 Guy Street.

Deputy Mayor Shannie Duff Chairperson

SJMC2011-10-11/505R

It was moved by Deputy Mayor Duff; seconded by Councillor Hickman: That the Committee's recommendations with the exception of Item #2 (2) be approved.

The motion being put was unanimously carried.

SJMC2011-10-11/506R

Regarding Item #2 (2) – International Assoc. of Women Police Training Conference – it was moved by Councillor Tilley; seconded by Deputy Mayor Duff: That the grant awarded to the group be increased from \$1000.00 to \$2500.00.

Members of Council noted the magnitude of the conference bringing between 800-1000 delegates to the City in 2012, noting the economic spin-off and an initiative that will allow the City to recognize the role of women in police and justice.

The motion being put was unanimously carried.

<u>Regarding Item #4</u> – Portraits of Honour National Tour, subsequent to the Committee's recommendation, Kin Canada (as per a memorandum to His Worship the Mayor and Members of Council from the Manager of Communications and Office Services dated October 5, 2011), advised that the tour group's schedule is completely full, and therefore will not be able to attend a reception. Council therefore unanimously agreed that a monetary donation in the amount of \$1000 be made to the Portraits of Honour Tour.

Special Events Advisory Committee Report dated October 5, 2011

Council considered the following Special Events Advisory Committee Report dated October 5, 2011:

I)Event:Cape to Cabot Road RaceLocation:Cape Spear to Signal Hill Via City StreetsDate:October 16, 2011Time:8:00 am - 11:00 am

This event requires the following temporary road closures;

Blackhead Road - Warford Road to Cape Spear Southside Road - Leslie Street to 245 Southside Road Water Street eastbound curb lane from Leslie Street to Harbour Drive Harbour Drive eastbound Water Street eastbound from Prescott Street/Jobs Cove to Hill O Chips Water Street - both directions - Hill O Chips to Temperance Street Duckworth Street - Plymouth Road to Temperance Street

2) Event: Mardi Gras Location: George Street Date: October 29, 2011

The above noted event require the closure of George Street at Adelaide to Water Street.

Recommendation:

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

Robin King, P. Eng. Chairperson–Special Events Advisory Committee

SJMC2011-10-11/507R

It was moved by Councilor Colbert; seconded by Councillor Hickman: That the report be adopted as presented.

In referencing the Mardi Gras Event, Councillor Hanlon asked what has been done to address accessibility and crowding issues on George Street during such an event. The Director of Engineering agreed to provide that information.

The motion being put was unanimously carried.

Development Permits List

Council considered as information the following Development Permits List for the period of September 30, 2011 to October 6, 2011:

DEVELOPMENT PERMITS LIST DEPARTMENT OF PLANNING FOR THE PERIOD OF September 30, 2011 TO October 6, 2011

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Mike Dwyer	Building Lot	260 Pennywell Road	4	Approved	11-10-05
RES	Mike and Lisa Peters	Building Lot	Sunset Street (subdivision of 29 Sunset St.)	5	Approved	11-09-30
AG	Paul Collins	Demolition and Rebuild	80 Pearltown Road	5	Approved	11-09-30
AG	W.Williams and Son Ltd.	Agriculture Lease for forage production	Back Line	5	Approved	11-10-06

*	Code Classification: RES - Residential COM - Commercial AG - Agriculture OT - Other	inst ind	- Institutional - Industrial
**	This list is issued for information purpose writing of the Development Officer's decis to the St. John's Local Board of Appeal.		

Gerard Doran Development Officer Department of Planning

Building Permits List

SJMC2011-10-11/508R

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

Permits List

CLASS: COMMERCIAL

	377 DUCKWORTH ST		TAVERN
JAX MECHANIX	83 ELIZABETH AVE	SN	COMMERCIAL GARAGE
MAY 500	394 KENMOUNT RD	SN	MIXED USE
	290 LEMARCHANT RD		
NORTH ATLANTIC REFINING LTD.	154 PENNYWELL RD		
IRVING OIL	632 TOPSAIL RD	MS	SERVICE STATION
PATTISON OUTDOOR ADVERTISING	145 TORBAY RD	SN	RETAIL STORE
LINCOLN PROMOTIONS	22 DUFFY PLACE	CR	RETAIL STORE
BELL ALIANT	10 AUSTIN ST	NC	COMMUNICATIONS USE
BELL ALIANT	136 CROSBIE RD	NC	COMMUNICATIONS USE
BELL ALIANT	89 CROSBIE RD	NC	COMMUNICATIONS USE
BELL ALIANT	22 CURTIS PL	NC	COMMUNICATIONS USE
BELL ALIANT	2 CUMBERLAND CRES	NC	COMMUNICATIONS USE
BELL ALIANT	1 DORSET ST	NC	COMMUNICATIONS USE
BELL ALIANT		NC	COMMUNICATIONS USE
BELL ALIANT	5 HOWLETT AVE	NC	COMMUNICATIONS USE
BELL ALIANT	14 LARKHALL ST	NC	COMMUNICATIONS USE
BELL ALIANT	28 MACLAREN PL		
BELL ALIANT	3 MIFFLIN COURT	NC	COMMUNICATIONS USE
BELL ALIANT	44 MOSS HEATHER DR	NC	COMMUNICATIONS USE
BELL ALIANT	84 THORBURN RD	NC	COMMUNICATIONS USE
BELL ALIANT	276 WATERFORD BRIDGE RD	NC	COMMUNICATIONS USE
BELL ALIANT	276 WATERFORD BRIDGE RD 20 WICKLOW ST	\mathbf{NC}	COMMUNICATIONS USE
BELL ALIANT	4 WISHINGWELL PL		
BELL ALIANT	4 WISHINGWELL PL	\mathbf{NC}	COMMUNICATIONS USE
OASIM CHEEMA	AVALON MALL, CELLULAR FASHIONS	RN	RETAIL STORE
CAPITAL MOTORS LTD	465 KENMOUNT RD	SW	CAR SALES LOT
BENNETT RESTAURANTS	54 KENMOUNT RD	RN	RESTAURANT
PHB GROUP INC.	136-140 WATER ST, DNV		
ULTRAMAR LTD.	172 FRESHWATER RD	RN	COMMERCIAL GARAGE
			THIS WEEK \$ 971,500.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

PRO-TECH CONSTRUCTION LTD.	19 ALDERGROVE PL, LOT 246	NC SINGLE DETACHED DWELLING
ERCO HOMES	19 ANTELOPE ST, LOT 109	NC SINGLE DETACHED DWELLING
ERCO HOMES	127 BLUE PUTTEE DR, LOT 81	NC SINGLE DETACHED DWELLING
JOAN WOODS	24 CABOT ST	NC PATIO DECK
TRUE NORTH HOMES	52 CAPE PINE ST, LOT 69	NC SINGLE DETACHED DWELLING
CLOVER CONSTRUCTION INC.	72 CAPE PINE ST, LOT 76	NC SINGLE DETACHED DWELLING
TRUE NORTH HOMES INC.	76 CAPE PINE ST, LOT 78	NC SINGLE DETACHED DWELLING
CLOVER CONSTRUCTION INC	61 CAPE PINE ST, LOT 29	NC SINGLE DETACHED DWELLING
CLOVER CONSTRUCTION INC.	73 CAPE PINE ST - LOT 35	NC SINGLE DETACHED DWELLING

KARWOOD CONTRACTING TERRENCE PENNEY & KAREN DUNNE 97 DOYLE'S RD ANTHONY TUCKER AND 32 EXMOUTH ST JUDY KAY FABIAN O'DEA ROBERT S. BARRON CHARLENE WISEMAN CHARLES MALSBURY RICHARD GANTT

PRO-TECH CONSTRUCTION LTD.130 CASTLE BRIDGE DR, LOT 207NC SINGLE DETACHED DWELLINGPRO-TECH CONSTRUCTION123 CASTLE BRIDGE DR, LOT 229NC SINGLE DETACHED DWELLINGCLOVER CONSTRUCTION INC.120 CHEESEMAN DR, LOT 21NC SINGLE DETACHED DWELLINGJEFF CAREW115 CHEESEMAN DR, LOT 56NC SINGLE DETACHED DWELLINGAll COTTONWOOD CRESNC ACCESSORY BUILDING 41 COTTONWOOD CRESNC ACCESSORY BUILDING24 COUNTRY GROVE PL, LOT 57NC SINGLE DETACHED DWELLING97 DOYLE'S RDNC ACCESSORY BUILDING

Instrume Doubles
1: CONTRACTING
1: CONTRACTING
1: CONTRACTING

INARCOC CONTRACTING
1: CONTRACTING
1: CONTRACTING
1: CONTRACTING

TERRENCE FRANCE & KAREN DUNNE
7: DOTLE'S RD
NC SINGLE DETACHED DWELLING

ANTHONT TUCKER AND
3: EXMOUTH ST
NC ACCESSORY BUILDING

MAITENT TUCK WILLIAMS
5: FRANCIS ST
NC ACCESSORY BUILDING

PATRICK WILLIAMS
5: FRANCIS ST
NC ACCESSORY BUILDING

PATRICK WILLIAMS
5: FRANCIS ST
NC ACCESSORY BUILDING

PATRICK WILLIAMS
6: GRANT FL
NC SINGLE DETACHED DWELLING

DENNIS & THERESA DAVIS
1: GRANT FL
NC ACCESSORY BUILDING

NACY MIDDLEMAN ND
1: GREAT EASTERN AVE
NC ACCESSORY BUILDING

NACY MIDDLEMAN (SDURRELL)
2: GRANT FL
NC ANCESSORY BUILDING

NACY MIDDLEMAN (SDURRELL)
2: GRANT FL
NC ANCESSORY BUILDING

NACY MIDDLEMAN (SDURRELL)
2: GRANT FL
NC ACCESSORY BUILDING

NACY MIDDLEMAN (SDURREL)
1: GRANT FL
NC ACCESSORY BUILDING

NACY MIDDLEMAN (SDURREL)
1: GRANT FL
NC ACCESSORY BUILDING

NACY MIDDLEMAN (SDURREL)
1: GRANT FL
NC ACCESSORY BUILDING

NACY MIDDLE 131 FOREST RDRN CONDOMINIUM131 FOREST RDRN SINGLE DETACHED DWELLING20 FRANKLYN AVERN SINGLE DETACHED DWELLING57 FRESHWATER RDRN PATIO DECK22 HAYWARD AVERN SEMI-DETACHED DWELLING47 HUSSEY DRRN MOBILE HOME70 LIME STRN TOWNHOUSING18 MAXSE STRN SEMI-DETACHED DWELLING13 MILITARY RDRN APARTMENT BUILDING 22 HAYWARD AVE 47 HUSSEY DR 70 LIME ST 18 MAXSE ST

NC ACCESSORY BUILDING

CHRISTINE SQUIRE ERCO HOMES LANE HOME FURNISHINGS	65 NEWTOWN RD 116 BLUE PUTTEE DR 5 KIWANIS ST	RN SINGLE DETACHED DWELLING SW SINGLE DETACHED DWELLING SN RETAIL STORE
		THIS WEEK \$ 7,485,350.00
	CLASS: DEMOLITION	
MERCER'S TRUCKING	150 SOUTHERN SHORE HWY	DM SINGLE DETACHED DWELLING
MERCERS TRUCKING	103 SOUTHERN SHORE HWY	DM SINGLE DETACHED DWELLING
RICHARD KENNEDY	3 STONEYHOUSE ST	DM SINGLE DETACHED DWELLING

THIS	WEEK	\$ 6,000.00

THIS WEEK''S TOTAL: \$ 8,462,850.00

REPAIR PERMITS ISSUED: 2011/09/29 TO 2011/10/05 \$ 89,765.00

LEGEND

CO	CHANGE OF OCCUPANCY	SN	SIGN
CR	CHNG OF OCC/RENOVTNS	MS	MOBILE SIGN
ΕX	EXTENSION	CC	CHIMNEY CONST
NC	NEW CONSTRUCTION	CD	CHIMNEY DEMOI
OC	OCCUPANT CHANGE	DV	DEVELOPMENT F
RN	RENOVATIONS	WS	WOODSTOVE
SW	SITE WORK	DM	DEMOLITION

- SW SITE WORK
- TI TENANT IMPROVEMENTS
- NSTRUCTION
- MOLITION
- T FILE
- WS WOODSTOVE
 - DM DEMOLITION

Payrolls and Accounts

SJMC2011-10-11/509R

It was decided on motion of Councillor Collins; seconded by Councillor O'Leary: That the following Payrolls and Accounts for the weeks ending October 6, 2011 be approved:

Weekly Payment Vouchers For The Week Ending October 6, 2011

PAYROLL

	Total:	\$ 4,956,955.93
ACCOUNTS PAYABLE		\$ 4,573,861.45
Public Works Bi-Weekly Casual		\$ 365,393.76 \$ 17,700.72

Tenders

Tender - Combination Cleaning/Vacuum Machine Service a.

SJMC2011-10-11/510R

It was moved by Councillor Collins; seconded by Councillor O'Leary: That the recommendation of the Acting Director of Public Works and Parks be approved the tender awarded as follows:

a. Crosbie Industrial Services Ltd. in the amount of \$144.00 per hour

The motion being put was unanimously carried.

News Article – The Spencerian

Council considered as information a news article on the Spencerian regarding the contents of a time-capsule set into the cornerstone of the St. John's building in 1893 finally revealed in Saskatoon.

<u>SJMC2011-10-11/511R</u> It was moved by Councillor Hanlon; seconded by Councillor Galgay: That the City Archivist write Mr. Lester Allen, the owner of the Spencerian building, requesting that the artifacts retrieved from the building's rubble be donated to the City of St. John's.

The motion being put was unanimously carried.

Councillor Tilley

Councillor Tilley advised of the following public hearings:

- 1. A public meeting will be held on Wednesday, October 12, 2011, at St. John's City Hall to provide an opportunity for public review and comment on an application submitted by Redwood Management Ltd. to rezone property at 560 Topsail Road, across from the intersection of Topsail Road and Brookfield Road, from the Residential Low Density (R1) Zone to the Apartment Medium Density (A2) Zone. The purpose of the proposed rezoning is to allow the construction of a 4-storey residential condominium building with 50 units.
- 2. A public meeting will be held on Tuesday, October 18, 2011, to provide an opportunity for public review and comment on an application submitted by

Pinnacle Engineering Ltd. for Dancor Developments Ltd., to rezone property located off Blackmarsh Road and Captain Whelan Drive and referred to as the "Gulliver Farm Site".

Councillor O'Leary

Councillor O'Leary referenced the recent dog attack in the Hayward Avenue area and advised that the Supervisor of Humane Services and officers immediately responded to the incident and continue to patrol the area. She further noted the RNC investigation is ongoing and information will be brought forward in the near future.

Councillor O'Leary advised that she was contacted by Mr. Glen Hynes, Public Works and Government Services Canada, regarding the White Hills Cleanup and the investigation into the review by the federal government will soon be completed and tenders will likely be called within two weeks. The debris removal will follow.

Councillor O'Leary referenced an editorial by John Gibson mentioning raw sewage flowing into the Waterford River from the Waterford Hospital. The Director of Engineering will investigate.

Adjournment

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

MAYOR

CITY CLERK