

September 10, 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 Deputy Mayor O'Keefe, Councillors Duff, Colbert, Hickman, Hann, Puddister, Galgay, Ellsworth, Coombs and Collins

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

Call to Order and Adoption of the Agenda

SJMC2007-09-10/492R

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

Adoption of Minutes

SJMC2007-09-10/493R

It was decided on motion of Councillor Collins; seconded by Councillor Coombs: That the Minutes of the September 4th, 2007 meeting be adopted as presented.

Goulds Kicker Soccer Association

His Worship the Mayor acknowledged in the public gallery a delegation representing the Goulds Kicker Soccer Association including MHA's John Dinn and Keith Hutchings. The Mayor pointed out that due to changes in the land use of the current soccer field at Goulds Elementary School property, the Goulds Kicker Soccer Association are proposing that the City cost share the construction of a new soccer field to be located on

property behind the Goulds Arena. The proposal includes a donation of \$80,000.00 plus two acres of sods by Mr. John Williams.

SJMC2007-09-10/494R

It was moved by Councillor Collins; seconded by Councillor Coombs: That the City provide matching funding in the amount of \$100,000.00 towards the construction of a new soccer field in the Goulds, that the project be tendered through the public tendering process and further, that the City be responsible for the project management.

The motion being put was unanimously carried.

Financial Statements for year ended December 31, 2006

Council considered a memorandum dated September 6, 2007 from the Director of Finance and City Treasurer along with the City of St. John's consolidated financial statements for the year ended December 31, 2006.

The Director of Finance provided a summary of the consolidated Financial Statements of the City of St. John's which include the accounts of the St. John's Transportation Commission, St. John's Sports & Entertainment Ltd. and the City's Non-Profit Housing division and consists of consolidated statements of Operations and Deficit, Financial Position and Cash Flows, as well as Notes to the statements. The Director thanked staff of the Finance Department for their continued professionalism and commitment to the highest standards of performance.

SJMC2007-09-10/495R

It was moved by Councillor Ellsworth; seconded by Deputy Mayor O'Keefe: That the Financial Statements for the year ended December 31, 2006 be adopted as presented.

Councillor Ellsworth noted that in reviewing the statements there were no issues raised that indicated weaknesses in the systems of internal control and congratulated the Director of Finance and staff for a job well done.

The motion being put was unanimously carried.

Business Arising from the Minutes

A. Included in the Agenda

A **Discretionary Use Application** has been submitted by Nolan Hall Real Estate requesting permission to establish and operate a sixteen (16) guest Bed and Breakfast in the residence located at **Civic No. 23 Rennies Mill Road**. The proposed Bed & Breakfast will employ a staff of two (2). Off-street parking for three (3) vehicles will be provided on site.

The subject property is zoned Residential Low Density (R1) under the St. John's Development Regulations. A Bed & Breakfast may be permitted by Council as a Discretionary Use in this zone. (**Ward 2**)

Memorandum from the Transportation Engineer

Petition of Objection

Eighteen (18) Letters of objection

Three (3) Letters of concern

Two (2) Letters of support

Correspondence from applicant

Memorandum dated September 5, 2007 from Councillor Art Puddister

SJMC2007-09-10/496R

Pursuant to Notice of Motion, it was moved by Councillor Colbert; seconded by Councillor Coombs: That Council's decision of September 4, 2007 approving the application of Civic No. 23 Rennie's Mill Road requiring an absolute requirement of 4 parking spaces, be rescinded.

Discussion ensued during which members of Council supporting the motion pointed out that placing a condition on the original proposal for the provision of a fourth parking space is not warranted because the required parking spaces can be provided, and it was pointed out that there is a City owned parking lot approximately 250 feet away just south of the intersection of Rennies Mill Road and Monkstown Road where there are 10 meters and a loading zone. The Transportation Engineer has advised that meters could be installed on the north side of Military Road between Rennies Mill Road and Monkstown Road permitting 4 to 5 vehicles to park.

Members of Council opposing the motion to rescind argued that the developer is willing to provide the fourth parking space as shown on a detailed plan submitted by them and therefore rescinding the motion is unnecessary.

The motion to rescind being put there voted for it the mover, seconder and Councillor Puddister. The motion was lost.

Development Committee Report dated September 4, 2007

Council considered the following Development Committee Report dated September 4 2007:

- 1. Proposed Demolition and Replacement of Dwelling
David and Crystal Knight
Civic No. 24-26 King’s Hill Road
Town of Portugal Cove-St. Philips
Broad Cove River Watershed**

The Development Committee recommends that the above noted application be rejected.

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

SJMC2007-09-10/497R

It was decided on motion of Councillor Hann; seconded by Councillor Colbert: That the Committee’s recommendation of rejection be approved.

Themed Exhibits Committee Report dated September 6, 2007

Council considered the following Report of the Themed Exhibits Committee dated September 6, 2007:

The Themed Exhibits Committee met on August 23rd, 2007 and is pleased to make the following recommendations regarding a rotating themed exhibit schedule for the Great Hall:

Rotating Exhibits Plan

Start Date	Theme	Duration
September 2007	Seascapes	Sept Oct Nov
December 2007	New Art Procurement	Dec Jan Feb
March 2008	Sealing Series	March April

May 2008	Youth Exhibit	May
June 2008	Streetscapes, Landmarks & Architecture	July July August
September 2008	Landscapes	Sept Oct Nov
December 2008	New Art Procurement	Dec Jan Feb
March 2009	Sealing Series	March April
May 2009	Youth Exhibit	May June
June 2009	Best of the Civic Art Collection	June July August
September 2009	The Capital Project	Sept Oct Nov
December 2009	Art Procurement	Dec Jan Feb

2. We also recommend that the David Blackwoods on the wall going into the City Clerk’s department be included in the Sealing Series exhibit. Furthermore, may we suggest that they not be returned to that wall but that a new space be found for them and that that wall be used to exhibit some of our newer acquisitions. We ask this because the Blackwoods have been there for some time and people are so used to seeing them there that they are not even noticed anymore; a new home would garner them more attention. We also noted that that wall is very dark. We were wondering if it would be possible to have some track lighting installed.

The Civic Art Collection is becoming a significant public collection in Canada and we applaud Council’s efforts to bring it the recognition and attention it deserves.

SJMC2007-09-10/498R

It was moved by Councillor Duff; seconded by Councillor Colbert: That the Committee’s recommendations regarding a rotating themed exhibit schedule for the Great Hall be approved.

The motion being put was unanimously carried.

Development Permit List

Council considered as information the following Development Permits List for the period August 31st 2007 to September 6th, 2007:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING
FOR THE PERIOD OF AUGUST 31, 2007 TO SEPTEMBER 6, 2007**

aISSUED FOR INFORMATION PURPOSES ONLY@

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
Res.	Mr. Wade Cook	Residential Building Lot	Lot No. 3 Id Pennywell Road	Ward 4	Application Approved	07 08 31
Inst.	Canada Lands Corporation	Subdivision of Property to Accommodate the Proposed Department of National Defence Redevelopment	Pleasantville Area	Ward 1	Application Approved	07 09 05
Res.	Northern Properties Inc.	Parking Lot Upgrading	Wadland Crescent	Ward 1	Application Approved	07 09 06

NOTES:

*	<p>Code Classification: RES - Residential Institutional COM - Commercial Industrial AG - Agriculture</p>	<p>INST - IND -</p>
**	<p>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.</p>	

Ed Murray
Development Officer
Department of Planning

Building Permits List

SJMC2007-09-10/499/R

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

2007/09/05

Permits List

CLASS: COMMERCIAL

RON SONLEY
DICKS AND COMPANY LIMITED
ATLANTIC PROPERTY MGMT
HICKMAN SATURN SAAB

6 GEORGE STREET - THE NILE
385 EMPIRE AVE
136 CROSBIE RD
20 PEET ST

CO TAVERN
EX WAREHOUSE
SN OFFICE
MS CAR SALES LOT

AUTISM SOCIETY	70 CLINCH CRES	NC ACCESSORY BUILDING
		THIS WEEK \$ 41,500.00
		TO DATE \$ 32,550,175.00

CLASS: INDUSTRIAL

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

CLASS: GOVERNMENT/INSTITUTIONAL

THE GENERAL PROTESTANT	SOUTHLANDS BLVD	SW CHURCH
		THIS WEEK \$.00
		TO DATE \$ 16,640,215.00

CLASS: RESIDENTIAL

KENNETH R. & KAREN G. WALTERS	26 BAIRD PL	NC ACCESSORY BUILDING
DANNY K. GOODYEAR	120 BARNES RD	NC FENCE
MAXWELL BROCKERVILLE &	31 BORDEN ST	NC ACCESSORY BUILDING
EDWARD BARRON	40 BRISTOL ST	NC ACCESSORY BUILDING
PATRICIA LEVEQUE	12 FALKLAND ST	NC ACCESSORY BUILDING
CLIFFORD & CURTIS BUTON	33 GIL EANNES DR	NC ACCESSORY BUILDING
REARDON CONSTRUCTION & DEV LTD	14 GISBORNE PL, LOT C1	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	16 GISBORNE PL, LOT C2	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	18 GISBORNE PL, LOT C3	NC TOWNHOUSING
REARDON CONSTRUCTION & DEV LTD	20 GISBORNE PL, LOT C4	NC TOWNHOUSING
BRIAN HECTOR ELLIOTT &	189 GREEN ACRE DR	NC FENCE
JOHN PROWSE CONST.	18 HOPEDALE CRES, LOT 211	NC SINGLE DETACHED & SUB.APT
ATLANTIC HOMES LIMITED	33 HOPEDALE CRES - LOT 163	NC SINGLE DETACHED & SUB.APT
MODERN HOMES LTD.	53 HOPEDALE CRES	NC ACCESSORY BUILDING
MICHAEL H. SNOW	67 MACBETH DR	NC ACCESSORY BUILDING
SHAWN & JUDY HICKEY	13 MARIGOLD PL	NC ACCESSORY BUILDING
COLIN SULLIVAN	6 MARK NICHOLS PL	NC FENCE
ENCON CONSTRUCTION LTD	5 MARK NICHOLS PL, LOT 31	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	16 MYRICK PL, LOT 134	NC SINGLE DETACHED DWELLING
BALNAFAD COMPANY LIMITED	21 MYRICK PL, LOT 130	NC SINGLE DETACHED DWELLING
KIMBERLY M. FRY &	74 NEWFOUNDLAND DR	NC PATIO DECK
PHILIP BARRETT	30 NEWHOOK PL - LOT 56	NC SINGLE DETACHED & SUB.APT
JEFFERY CAREW	8 NONIA ST, LOT 66	NC SINGLE DETACHED DWELLING
JENNINGS LITTLE AND	89 NOTRE DAME DR	NC ACCESSORY BUILDING
WADE COOK	395 OLD PENNYWELL RD	NC SINGLE DETACHED DWELLING
JULIE WALSH	88 PERLIN ST	NC ACCESSORY BUILDING
EDNA BARNES	6 PETITE FORTE ST - LOT 230	NC SINGLE DETACHED DWELLING
REARDON CONSTRUCTION & DEV LTD	5 SERPENTINE ST - LOT 45	NC SINGLE DETACHED DWELLING
MYLES WILSON VARDY	35 SINNOTT PL	NC ACCESSORY BUILDING
HAROLD FIFIELD	46 SKANES AVE	NC FENCE
MARINA OWENS	10 WINNIPEG ST	NC ACCESSORY BUILDING
CRYSTAL CLEAR IMAGES	137 GREEN ACRE DR	CO HOME OFFICE
DONALD MACKAY	50 ALDRSHOT ST	CR SUBSIDIARY APARTMENT
BERKLEY GLENN DIAMOND AND	45 VISCOUNT ST	CR SUBSIDIARY APARTMENT
JEANETTE BARRON & RANDY YOUNG	471 EMPIRE AVE	EX SINGLE DETACHED DWELLING
KJELL AUDERSSON	2 MASONIC TERR	EX PATIO DECK
DAVID BLACKMORE/CAROL KIRKLAND	54 SQUIRES AVE	EX SINGLE DETACHED DWELLING
DAVE SULLIVAN & LYNN PANTING	97 CABOT ST	RN TOWNHOUSING
LORI SUZANNE HEATH	14 COLONIAL ST	RN TOWNHOUSING
RUTH LAWRENCE	17 COLONIAL ST	RN TOWNHOUSING
ELIZABETH M. GILL	267 FRESHWATER RD	RN FENCE
MR. WILLIAM FRENCH MARSHALL	177 GOWER ST	RN SEMI-DETACHED DWELLING

SWEET HOME RENOLISON	148 HAMILTON AVE	RN SINGLE DETACHED & SUB.APT
AUSTIN BIXBY	42 HOPEDALE CRES	RN SINGLE DETACHED DWELLING
ANNE FERNCASE	11 LONG ST	RN SINGLE DETACHED DWELLING
FAISAL RASHID & MISBAH FAISAL	77 PENNEY CRES	RN SINGLE DETACHED DWELLING
JOHANNA ROCCO	21 WALSH'S SQ	RN SEMI-DETACHED DWELLING
KING GEORGE PROPERTIES INC.	93 WATER ST - ROOFTOP	RN CONDOMINIUM
STEPHEN KING	15 ASHBOURNE DR	SW SINGLE DETACHED DWELLING
ALLAN BRAGG/RUBY MITCHELL	1 CUCKHOLD'S COVE RD E	SW SINGLE DETACHED DWELLING
MARGARET POLLOCK	8 MAYOR AVE	SW SEMI-DETACHED DWELLING

THIS WEEK \$ 2,301,275.00
TO DATE 01,688,620.00

CLASS: DEMOLITION

THIS WEEK \$.00
TO DATE \$ 411,356.00

THIS WEEK'S TOTAL: \$ 2,342,775.00

TOTAL YEAR TO DATE: \$152,815,333.00

REPAIR PERMITS ISSUED: 2007/08/30 TO 2007/09/05 \$ 76,150.00
2006/12/28 TO 2007/09/05 \$ 2,176,453.00 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

SJMC2007-09-10/500/R

It was decided on motion of Councillor Hann; seconded by Councillor Hickman: That the following Payrolls and Accounts for the week ending September 6, 2007 be approved as presented:

**Weekly Payment Vouchers
For The
Week Ending September 6, 2007**

PAYROLL

Public Works	\$ 273,430.37
Amalgamation	\$ 535,684.98
Bi-Weekly Administration	\$ 562,809.02
Bi-Weekly Management	\$ 507,620.70

ACCOUNTS PAYABLE

Cheque No. 121182 – 121438 (Includes Direct Deposits/Transfers/Equip. Leasing)	\$2,172,270.69
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Total:	\$4,051,815.76
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Tenders

- a. Tender – Purchase of One (1) Cab & Chassis c/w Utility Box
- b. Tender – Purchase of Five (5) Compact Hybrid Sport Utility Vehicles
- c. Tender – Snow Plow Edges
- d. Tender – After School Bus Service

SJMC2007-09-10/501R

It was decided on motion of Councillor Hann; seconded by Councillor Hickman: 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 \$60,511.00 (HST Extra)
- b. Avalon Ford Sales 1996 Ltd. in the amount of \$210,220.75 (HST Extra)
- c. Preferred Bidders as outlined in memo dated September 5, 2007 from the Director of Finance and City Treasurer
- d. Executive Bus Ltd. as per details outlined in memo dated September 6, 2007 from the Director of Finance and City Treasurer

2 and 4 Bell’s Turn

Council considered a memorandum dated September 6, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-09-10/502R

It was decided on motion of Councillor Puddister; seconded by Deputy Mayor O’Keefe: That the recommendation of Chief Commissioner and City Solicitor that approval be given to proceed with the sale of properties at 2 and 4 Bell’s Turn to accommodate the reconfiguring of Bell’s Turn, as per the arrangement negotiated, be accepted.

26 Pitcher's Path, Harvey & Barbara Chatman

Council considered a memorandum dated September 4, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-09-10/503R

It was decided on motion of Councillor Hann; seconded by Councillor Puddister: That the recommendation of the Chief Commissioner and City Solicitor that approval be given to proceed with acquiring two ditch easements for street widening at 26 Pitcher's Path for a total appraised value of \$22,291.20, be accepted.

Regiment Dinner

Council considered a memorandum dated August 30, 2007 from the Chief Commissioner and City Solicitor regarding the above noted.

SJMC2007-09-10/504R

It was decided on motion of Councillor Puddister; seconded by Councillor Hann: That the recommendation of the Chief Commissioner and City Solicitor that the City host a dinner in late October for the members of the Royal Newfoundland Regiment and their families to celebrate their return from Afghanistan and their service to Canada and the people of Afghanistan, be accepted, tentative date set for October 20th, 2007, be approved.

Household Hazardous Waste Day

Council considered a memorandum dated September 7, 2007 from the Director of Public Works and Parks advising that the City's last of three scheduled Household Hazardous Waste Day events for this year will be held on September 22, 2007 from 8 a.m. to 4 p.m. at the Municipal Depot Parking Lot, Blackler Avenue.

Appointment to MNL Board of Directors

Council considered a memorandum dated September 5, 2007 regarding the above noted

SJMC2007-09-10/505R

It was moved by Councillor Coombs; seconded by Councillor Puddister: That Councillor Colbert be appointed to sit as Council's representative on the Municipalities Newfoundland and Labrador Board of Directors to replace Councillor Galgay who will be resigning from the Board.

The motion being put was unanimously carried.

Deputy Mayor O’Keefe

Deputy Mayor O’Keefe noted that Cruise Ship, MS Veendam’s had a very successful inaugural visit to St. John’s and thanked representatives of Parks Canada for taking the initiative to fire the cannons while sailing through the Narrows.

Deputy Mayor O’Keefe advised that the Grand Princess Cruise Line will be arriving in St. John’s on September 15, 2007 carrying approximately one thousand passengers.

Councillor Galgay

Councillor Galgay mentioned today’s announcement of a \$500,000.00 contribution by Petro Canada towards the construction of a new Boys and Girls Club for Buckmaster’s Circle. He noted the City’s contribution of \$500,000.00 towards the project and indicated that Minister Shawn Skinner will work towards securing additional funding from the Province.

Councillor Coombs

Councillor Coombs referred to correspondence from the Associate Commissioner and Director of Engineering concerning the Pitcher’s Path erosion problem, noting that fall weather conditions will likely result in costly maintenance work that will not permanently resolve the situation.

SJMC2007-09-10/506R

It was moved by Councillor Coombs; seconded by Councillor Galgay: That the necessary upgrading of the ditch at Pitcher’s Path at a cost of \$90,000.00 be approved, funding to be allocated from next year’s Capital Works budget.

The motion being put was unanimously carried.

Councillor Ellsworth

Councillor Ellsworth extended condolences to the family of the late John Dunn, who was an active member of the Para Transit Committee, the Mayor’s Advisory Committee on

the Status of Persons with Disabilities, as well as the Taxi Committee, and asked that His Worship the Mayor forward a letter of sympathy to his family on behalf of Council.

Councillor Collins

Councillor Collins thanked Mr. John Williams for his generous contribution towards a new Soccer Field for the Goulds and as well thanked Council for its support in providing matching funding towards this project.

Adjournment

There being no further business, the meeting adjourned at 5:00 p.m.

MAYOR

CITY CLERK