

MINUTES

REGULAR MEETING - CITY COUNCIL

June 26, 2018 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present	Mayor Danny Breen Deputy Mayor Sheilagh O'Leary Councillor Deanne Stapleton Councillor Sandy Hickman Councillor Wally Collins Councillor Jamie Korab Councillor Maggie Burton (via teleconference) Councillor Hope Jamieson Councillor Debbie Hanlon
Regrets	Councillor Ian Froude Councillor Dave Lane
Others	Kevin Breen, City Manager Derek Coffey, Deputy City Manager, Financial Management Tanya Hayward, Deputy City Manager, Community Services Jason Sinyard, Deputy City Manager, Planning, Engineering, and Regulatory Services Lynnann Winsor, Deputy City Manager, Public Works (arrived at 4:50 pm) Cheryl Mullett, City Solicitor (arrived at 4:48 pm) Ken O'Brien, Chief Municipal Planner Susan Bonnell, Manager, Communications & Office Services Elaine Henley, City Clerk Kathy Driscoll, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2018-06-26/381R

Moved – Councillor Collins; Seconded – Councillor Jamieson

That the agenda be adopted with the following four additions:

- Decision Note dated June 26, 2018 re: Amendment – COTW Meetings (Summer Schedule)
- Decision Note dated June 26, 2018 re: E-poll Ratification to Noise By-Law Exemption – Avalon Mall Renovations
- Decision Note dated June 21, 2018 re: Request for Proposals – King George V – Field Turf Replacement of Storm Drain Connection

- **Decision Note dated June 21, 2018 re: Independent Chairs of Public Meetings in general (for any application) and for 22 St. Joseph's Lane (file no. MPA1700008)**

CARRIED UNANIMOUSLY

Land Acknowledgement

Mayor Breen read the following statement:

"We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province."

ADOPTION OF MINUTES

SJMC2018-06-26/382R

Moved – Councillor Hickman; Seconded – Councillor Jamieson

That the minutes of June 18, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

- **20 Roberts Road – 1 Submission**

A Restoration of Non-Conforming Use Application has been submitted requesting Municipal approval to reconstruct a building at the above noted location.

The building will be used for storage of items such as boats, campers and related equipment. It will replace the prior buildings (743.2m² (2-50'x80' buildings)) which were destroyed by fire. The proposed building will be located between the two (2) existing buildings on the site and will have a total floor area of 195m² (30' x 70').

SJMC2018-06-26/383R

Moved – Councillor Burton; Seconded – Councillor Collins

That Council approve the above listed application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

- **119 Waterford Bridge Road – 2 Submissions**

A Discretionary Use application has been submitted to occupy 119 Waterford Bridge Road as a five (5) bedroom Bed and Breakfast. The business will be owner operated and adequate on-site parking is provided.

SJMC2018-06-26/384R

Moved – Councillor Burton; Seconded – Councillor Korab

That Council approve the above listed application subject to all applicable City requirements.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Development Committee Report – June 19, 2018

Council considered the above noted report and the recommendations therein:

One (1) Year Renewal of Development Permit to Extend the Subdivide for One (1) Additional Building Lot, SUB1600004, 1 Glenridge Crescent

SJMC2018-06-26/385R

Moved – Councillor Burton; Seconded – Councillor O’Leary

That Council renew the Development Permit for the proposed building lot at 1 Glenridge Crescent for one (1) year to expire on July 22, 2019, subject to the conditions presented in the original approval.

Special Events Advisory Committee Report - June 19, 2018

Council considered the above noted report and the recommendations therein:

- a. **George Street Canada’s big Birthday Bash – George Street Association - July 1, 2018**

SJMC2018-06-26/386R

Moved – Councillor Korab; Seconded – Deputy Mayor O’Leary

That Council approve the requested event and associated noise by-law extension.

CARRIED UNANIMOUSLY

- b. **Reel Downtown – Downtown St. John’s - July 2, 9, 16, 23 and 30, 2018**

SJMC2018-06-26/387R

Moved – Councillor Korab; Seconded – Deputy Mayor O’Leary

That Council approve the requested event and associated road closure.

CARRIED UNANIMOUSLY

- c. **Scattered and Small Film – Scattered and Small Productions Inc. – July 3 to 6, 2018**

SJMC2018-06-26/388R

Moved – Councillor Korab; Seconded – Deputy Mayor O’Leary

That Council approve the requested events and associated road closures.

CARRIED UNANIMOUSLY

Committee of the Whole Report – June 20, 2018

Council considered the above noted report and the recommendations therein:

- a. **Decision Note dated June 13, 2018 re: Committee of the Whole (COTW) Pilot Project Evaluation Report**

SJMC2018-06-26/389R

Moved – Councillor Hickman; Seconded – Councillor Hanlon

That Council accept the recommendation to accept and approve the COTW pilot project evaluation report as presented and attached and specifically, the recommendation which are outlined in detail in the report.

**CARRIED WITH
COUNCILLOR COLLINS DISSENTING**

- b. **Decision Note dated May 1, 2018 re: Regional Water Committee Report**

SJMC2018-06-26/390R

Moved – Councillor Hickman; Seconded – Deputy Mayor O’Leary

That Council accept the recommendation of the Regional Water committee to move forward with a secondary water study to identify additional viable water sources and further hold another meeting with the Town of Torbay to clarify the town will not be presently connecting to the Regional water supply.

CARRIED UNANIMOUSLY

- c. **Decision Note dated May 10, 2018 re: Windsor Lake Water Treatment Plant Capital Reserve Fund Expense Procurement of Replacement SCADA Servicer & License Upgrade**
-

SJMC2018-06-26/391R

Moved – Councillor Stapleton; Seconded – Councillor Korab

That the SCADA Server is essential for reliable and continuous operation of the Windsor Lake Water Treatment Plant. It is recommended that funding be made through the Capital Reserve Fund to support the purchase and installation of this equipment.

CARRIED UNANIMOUSLY

- d. **Inclusion Advisory Committee Report dated June 12, 2018**
-

SJMC2018-06-26/392R

Moved – Councillor Jamieson; Seconded – Councillor Hanlon

That Council accept the recommendation of the Inclusion Advisory Committee that the City continue to implement its current inclusion activities and initiatives and develop an Inclusion Outreach Initiative that highlights these resources and partnerships. However, given the timeframes for the development and implementation of federal and provincial legislation and the unknown impact to the City, it is recommended that the City delay the development of a comprehensive Inclusion Policy until the federal and provincial requirements can be considered/incorporated into the policy development process.

CARRIED UNANIMOUSLY

- e. **Built Heritage Experts Panel Report dated June 12, 2018**
-

SJMC2018-06-26/393R

Moved – Councillor Burton; Seconded – Councillor Jamieson

That Council accept the following recommendations of the Built Heritage Experts Panel:

- i. **Decision Note dated June 5, 2018 re: 101 Patrick Street**

That approval be given to the design of the 10-unit apartment building at 101 Patrick Street as proposed. It is further recommended that the guard rail be in keeping with the style of the railing surrounding the Wesley

United Church and the applicant asked to consider the inclusion of a window on the Patrick/Power Street side to enhance street appeal.

- ii. **Decision Note dated June 5, 2018 re: 41-43 Prescott Street: Dormer Windows**

That Council reject the proposed change from a curved dormer to gable dormer and further that the applicant be asked to consider the use of wooden trim around the windows and replacement of the proposed front door with one more typical of the Heritage Area.

- iii. **Decision Note dated June 5, 2018 re: 221 Duckworth Street: Roof Sign**

That approval be given to the proposed roof sign at 221 Duckworth Street.

- iv. **Proposed Renovations – 70 Circular Road**

That approval be given to the proposed renovations at 70 Circular Road.

CARRIED UNANIMOUSLY

- f. **Decision Note dated June 14, 2018 re: Transfer of Mobile Vending Lease Space**
-

SJMC2018-06-26/394R

Moved – Councillor Burton; Seconded – Councillor Stapleton

That council approve the lease transfer from Joseph Maxwell Holding Inc. to Wayken Enterprises for the operation of BeaverTails Food Truck

CARRIED UNANIMOUSLY

- g. **Decision Note dated May 17, 2018 re: Cavendish Square Taxi Lay-by**
-

SJMC2018-06-26/395R

Moved – Councillor Hanlon; Seconded – Councillor Jamieson

That this item be deferred back for further investigation and consultation with the Sheraton Hotel, Taxi committee and the Legal Department.

CARRIEND UNANIMOUSLY

h. Decision Note dated June 19, 2018 re: Shad Memorial 2018 – Sponsorship - Luncheon

SJMC2018-06-26/396R

Moved – Councillor Hickman; Seconded – Deputy Mayor O’Leary

That Council accept the recommendation to approve a Breakfast/Luncheon for Shad Memorial 2018.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered as information, the above noted for the period of June 7, 2018 to June 13, 2018.

BUILDING PERMITS LIST

Council considered the above noted for the period of June 14, 2018 to June 20, 2018.

SJMC2018-06-26/397R

Moved – Councillor Hanlon; Seconded – Councillor Jamieson

That Council approve the above listed building permits list as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

Council considered the requisitions, payrolls and accounts for the week ending June 20, 2018.

SJMC2018-06-26/398R

Moved – Councillor Hanlon; Seconded – Councillor Jamieson

That the requisitions, payrolls and accounts for the week ending June 20, 2018 in the amount of \$ 1,784,564.57 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFP’S

Tender 2018103 – Supply and Deliver one new Paint Truck

Council considered the above noted.

SJMC2018-06-26/399R

Moved – Councillor Hanlon; Seconded – Councillor Hickman

That Council agree to the Supply and Deliver of one new Paint Truck to lowest bidder, meeting specifications, Road Services International Ltd. in the amount of \$489,898.85 as per the Public Procurement Act.

CARRIED UNANIMOUSLY

Tender 2018118 – Leak Detection

Council considered the above noted.

SJMC2018-06-26/400R

Moved – Councillor Hanlon; Seconded – Councillor Hickman

That Council award the above noted tender for Leak Detection to the lowest bidder meeting specifications, Echologics, a Division of Mueller Canada Ltd. in the amount of \$98,442.30 (HST included) as per the Public Procurement Act.

CARRIED UNANIMOUSLY

Change Order Approval – Goulds Sewage Pumping Station and Force Main Repair Project – Engineering Consulting Services

Council considered the above noted.

SJMC2018-06-26/401R

Moved – Councillor Collins; Seconded – Councillor Jamieson

That Council award a change order for engineering consulting services to RV Anderson Associates Limited in the amount of \$95,392.50 (HST included).

CARRIED UNANIMOUSLY

OTHER BUSINESS

Decision Note dated June 20, 2018 re: Economic Roadmap Steering Committee

Council considered the above noted Decision Note.

SJMC2018-06-26/402R

Moved – Deputy Mayor O’Leary; Seconded – Councillor Hanlon

That Council accept the terms of reference and steering committee members as presented.

CARRIED UNANIMOUSLY

Decision Note dated June 26, 2018 re: Amendment – COTW Meetings (Summer Schedule)

Council considered the above noted Decision Note.

SJMC2018-06-26/403R

Moved – Deputy Mayor O’Leary; Seconded – Councillor Jamieson

That Council approve an amendment to Council Directive #R2018-05-28/5 to include two additional Committee of the Whole (COTW) meetings to be held on July 11 and August 8, 2018. Both meetings will coincide with the Regular and Special meetings scheduled for this summer.

CARRIED UNANIMOUSLY

Decision Note dated June 26, 2018 re: E-poll Ratification – Extension to Noise By-Law Exemption – Avalon Mall Renovation

Council considered the above noted Decision Note.

SJMC2018-06-26/404R

Moved – Councillor Hickman; Seconded – Councillor Korab

That Council ratify the above noted E-poll to approve the recommendation to extend the exemption and the contractor was advised accordingly.

CARRIED UNANIMOUSLY

Decision Note dated June 21, 2018 Decision Note dated June 21, 2018 re: Independent Chairs of Public Meetings in general (for any application) and for 22 St. Joseph’s Lane (file no. MPA1700008)

Councillor Burton spoke to the above noted and made the following motion:

To reject staff’s recommendation to appoint an independent facilitator to chair public meetings as required under Section 5.5 of the St. John’s Development Regulations.

For lack of a seconder, the motion failed. Discussion ensued and the following motion was made:

SJMC2018-06-26/405R

Moved – Councillor Hickman; Seconded – Councillor Jamieson

That Council appoint independent facilitators to chair public meetings as required under Section 5.5 of the St. John’s Development Regulations. The developer will be responsible for any costs incurred from the employment of an independent chair. Planning staff will consult with Legal staff on an appropriate amendment to the section.

Further, it is recommended that Council appoint an independent chair for the second public meeting concerning the proposed rezoning of 22 St. Joseph's Lane.

**CARRIED WITH
COUNCILLOR BURTON DISSENTING**

Councillor Collins raised concerns with costs to be incurred to an independent developer looking for rezoning.

Decision Note dated June 21, 2018 re: Request for Proposals – King George V – Field Turf Replacement of Storm Drain Connection

Council considered the above noted Decision Note.

SJMC2018-06-26/406R

Moved – Deputy Mayor; Seconded – Councillor Korab

That engineering consulting services be awarded to SNC-Lavalin Inc. for the amount of \$69,732.55.

CARRIED UNANIMOUSLY

Council Referrals and Staff Requests

Deputy Mayor O’Leary

- Referenced a Telegram ad featuring Deputy Mayor Mike Goosney of Deer Lake, NL who is doing his own independent study of how to rectify ongoing issues with potholes. She requested staff research and investigate this information and provide a follow-up report to a future meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:57 p.m.

MAYOR

CITY CLERK