

**MINUTES
REGULAR MEETING - CITY COUNCIL
October 3 2016 – 4:30 p.m. - Council Chambers**

Present Mayor D. O’Keefe
Deputy Mayor R. Ellsworth
Councillor A. Puddister
Councillor D. Breen
Councillor B. Tilley
Councillor S. O’Leary
Councillor W. Collins
Councillor T. Hann
Councillor S. Hickman
Councillor J. Galgay
Councillor D. Lane

Others Kevin Breen, City Manager
Lynnann Winsor, Deputy City Manager of Public Works
Jason Sinyard, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Deputy City Manager of Community Services
Linda Bishop, Acting City Solicitor
Ken O’Brien, Chief Municipal Planner
Elaine Henley, City Clerk
Stacey Fallon, Legislative Assistant

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2016-10-03/415R

Moved – Councillor Collins; Seconded – Councillor O’Leary

That the agenda be adopted with the following additions:

- **Memorandum dated September 28, 2016 from Manager – Materials re: Tender Award Without Invitation – Microsoft Canada**
- **Contract Award Without Tender Invitation – Dewatering of DAF Sludge – North Lagoon**

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2016-10-03/416R

Moved – Councillor Breen; Seconded – Councillor Puddister

That the minutes of September 26, 2016 be approved as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Notice of Motion - Councillor Art Puddister - Remove Restrictions in Bicycle Lanes.

Pursuant to the Notice of Motion given at the Regular Meeting of Council on September 26, 2016 the following motion was introduced:

SJMC2016-10-03/417R

Moved – Councillor Puddiser; Seconded – Councillor Tilley

That Council remove parking restrictions in bicycle lanes as of November 1, 2016

**MOTION LOST WITH MAYOR O’KEEFE,
COUNCILLORS LANE, O’LEARY, HICKMAN,
COLLINS AND BREEN DESENTING**

NOTICES PUBLISHED

Council considered the following notices published:

- A Discretionary Use application has been submitted to the City of St. John’s by Eastlink requesting concurrence to construct a telecommunications tower located at 160 East White Hills Road.

In accordance with its obligations under the Radiocommunications Act and Industry Canada’s Tower Siting Procedure CPC-2-0-03, the City of St. John’s hereby notifies residents in the vicinity of 160 East White Hills Road of Eastlinks’ intention to install an antenna system consisting of:

- A slim monopole tower measuring 30.5m in height (this is to include the telecommunications antennas, lighting rod and obstruction light);

- Six (6) antennas will be placed at approximately 29m in height and be sheathed.
 - A tower base measuring 3m by 2m;
 - A standard chain link fence 8 feet high will enclose the 12 meter by 12m compound.
 - The tower will be equipped with an anti-climb apparatus which prohibits the use of the ladder on the tower in case the fence is breached.
- A Discretionary Use Application has been submitted to the City of St. John's by Eastlink requesting concurrence to construct a telecommunications tower located at 140 Ridge Road.

In accordance with its obligations under the Radiocommunications Act and Industry Canada's Tower Siting Procedure CPC-2-0-03, the City of St. John's hereby notifies residents in the vicinity of 140 Ridge Road of Eastlink's intention to install an antenna system consisting of:

- A slim monopole tower measuring 30.5m in height (this is to include the telecommunications antennas, lighting rod and obstruction light);
- Six (6) antennas will be placed at approximately 29m in height and be sheathed. All antennas will not be visible from the outside of the tower;
- A tower base measuring less than 3 meter either side;
- A standard chain link fence 8 feet height will enclose the 12m by 12m compound;
- The tower will be equipped with an anti-climb apparatus which prohibits the use of the ladder on the tower in case the fence is breached.

SJMC2016-10-03/418R

Moved – Councillor Galgay; Seconded – Deputy Mayor Ellsworth

That the discretionary use applications for 160 East White Hills and 140 Ridge Road be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

The Mayor as well as Councillor Collins stepped out of the chambers at 5:16 and returned 5:17.

PUBLIC HEARINGS

COMMITTEE REPORTS

**Community Services and Housing Standing Committee Report –
September 27, 2016**

Council considered the above noted report. There was an error in the recommendation of the report with respect to the Policy on Grants to Artists and Arts Organizations to which the Deputy Mayor spoke.

SJMC2016-10-03/419R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Lane

That the report and its recommendations contained therein be adopted with the following change noted:

Approval of Policy on Grants to Artists and Arts Organizations as attached.

CARRIED UNANIMOUSLY

Development Committee Report – September 27, 2016

Council considered the above noted report.

SJMC2016-10-03/420R

Moved – Councillor Puddister; Seconded – Deputy Mayor Ellsworth

That the report and its recommendations contained therein be adopted as presented.

CARRIED UNANIMOUSLY

Economic Development, Tourism and Public Engagement Standing Committee Report – September 23, 2016

Council considered the above noted report. With respect to Item Number 1. Councillor Galgay requested that any items regarding twining with other jurisdictions come directly to the special meeting of Council.

Discussion took place surrounding what is included in the Council Report. The City Clerk reported that the only items that get included in the reports are those that require a decision. She noted that the documentation and relating items contained in Committee agendas is available on line.

SJMC2016-10-03/421R

Moved – Councillor Lane; Seconded – Councillor Hickman

That the report and its recommendations contained therein be adopted as presented. It was further decided that any similar requests for twining with other jurisdictions be brought to the special meeting of council rather than at the committee level.

CARRIED UNANIMOUSLY

Nomenclature Standing Committee Report – September 27, 2016

Council considered the above noted report.

SJMC2016-10-03/422R

Moved – Councillor Tilley; Seconded – Councillor O’leary

That, on the basis of new information that requires consideration the report be deferred back to staff to be brought forward at a future meeting of Council.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the above noted for the period September 22, 2016 to September 29, 2016

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for October 3, 2016.

SJMC2016-10-03/423R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the building permits list dated October 3, 2016 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending September 28, 2016.

SJMC2016-10-03/424R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the requisitions, payrolls and accounts for the week ending September 28, 2016 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPs

Council Approval for Tender 2016120 Bridge Rehab (2016) Ellsworth and Breen

Council considered the above noted tender.

SJMC2016-10-03/425R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

To award this tender (2016120) to the overall lowest bidder meeting specifications Horseshoe Hill Construction Inc. \$ 784,103.35 as per the Public Tendering Act, HST included.

CARRIED UNANIMOUSLY

Memorandum dated September 28, 2016 from Manager – Materials re: Tender Award Without Invitation – Microsoft Canada

Council considered the above-noted memorandum.

SJMC2016-10-03/426R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That Microsoft Canada, sole supplier of Microsoft Premier Support Services, be awarded at a cost of \$64,930 plus tax which is the first year's payment of a three year agreement. This is in accordance with the Public Tendering Act Exception Report.

CARRIED UNANIMOUSLY

Memorandum dated Council Approval for Contract Award Without Tender Invitation – Bay Bulls BigPond – Dewatering of DAF Sludge from North Lagoon

Council considered the above-noted memorandum.

SJMC2016-10-03/427R

Moved – Deputy Mayor Ellsworth; Seconded – Councillor Hann

That the above-noted contract be awarded to Geo-Dredging and Dewatering Inc. in the amount of \$99,148 plus tax. This is a one time payment as per the Public Tendering Act Exception Report.

CARRIED UNANIMOUSLY

NOTICE OF MOTION/PETITIONS

Petition Requesting Intervention with Kelloway Construction, Homeowners of 34-36 Cook Street and 38-40 Cook Street.

Councillor Puddister tabled a petition from concerned residents of the above-noted area, requesting the City of St. John's to intervene on their behalf with Kelloway Construction (Sharona Estates Inc.), landlord of 34-36 Cook Street and 38-40 Cook Street, including 4 apartments that are assessable only from Scott's Street. The petition requested that the owners remove the current disruptive tenants emphasizing that the Landlord be responsible when screening and selecting future tenants. He requested the petition be forwarded along to the RNC with due consideration to the privacy of the residents.

Notice of Motion – Councillor Tilley – Bicycle Lanes

Councillor Tilley introduced the following Notice of Motion:

Take Notice that at the next Regular Meeting of Council I will move a motion to remove parking restrictions in bicycle lanes from December 1, 2016 to April 3, 2016 to coincide with the snow clearing ban.

OTHER BUSINESS

Quarterly Travel Report – Second Quarter 2016

Council considered as information the above noted travel report.

E-poll September 29, 2016 – Tender to Award the Replacement of Batteries – Bay Bulls Big Pond Treatment Facility.

Council ratified the above noted e-poll.

SJMC2016-10-03/428R

Moved – Councillor Puddister; Seconded – Councillor Lane

To award a contract for Bay Bulls Big Pond UPS battery replacement to VitalSine in the amount of \$66,088.21 + HST.

CARRIED UNANIMOUSLY

Councillor O’Leary

- Reiterated her request that the Nomenclature Committee, at the next meeting, consider an honourable way to commemorate Katerina Roxon, a Stephenville native, who won a gold medal in the women’s 100 breast stroke at the Paralympic Games..

Councillor Breen

- Requested that staff prepare a report for the Public Works Standing Committee outlining a strategy and options to undertake a retrofit of all existing street lighting to LED. Further, that applicants of new developments be required to use LED lighting He requested this process include stakeholders such as NL Power and the Canadian Home Builders Association.

Councillor Puddister

- Requested that the Public Works Standing Committee consider the possibility of placing bins around the City for residents to dispose of metals.

Councillor Lane

- Requested that, given Council’s decision to host New Year’s Fireworks on New Year’s Day, the Community Services and Housing Committee discuss the potential impact of an increase in residential fireworks i.e safety and increased fire hazard.

Councillor Hickman

- Requested that Community Services contact the NL and Labrador Library Board to ensure they are aware of the City's position on the possibility of closing a Library within the City to facilitate the continued operation of more rural libraries .

ADJOURNMENT

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

MAYOR

CITY CLERK

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 22, 2016 TO September 29, 2016

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Building Lot for Single Detached Dwelling	356 Old Pennywell Road	4	Approved	16-09-22
COM	Dewcor	CP07B – Collectors, Streets and Roundabouts	50 Danny Drive	5	Approved	16-09-22
RES	Equity Capital Corporation	Building Lot for Single Family Dwelling	19 Roberts Road	5	Approved	16-09-28
RES		Four Townhouse Building Lots	25-27 Edinburgh Street	2	Approved	16-09-28

* Code Classification:
RES - Residential INST - Institutional
COM - Commercial IND - Industrial
AG - Agriculture
OT - Other

** 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.

Gerard Doran
Development Supervisor
Development Division –
PDE Department

Addendum to Regular Minutes of October 3, 2016

Building Permits List

Council's October 03, 2016 Regular Meeting

Permits Issued: 2016/09/22 To 2016/09/28

Class: Commercial

99 New Cove Rd	Co	Custom Workshop
79 Rennie's Mill Rd	Co	Service Shop
106 Airport Rd	Sn	Hotel
16-72 Hamlyn Rd	Sn	Retail Store
331 Water St	Sn	Retail Store
169-173 Water St.Fifth Ticket	Rn	Restaurant
120 George Street West	Rn	Parking Lot
79 Rennie's Mill Rd	Rn	Service Shop
40 Aberdeen Ave	Rn	Retail Store
2f Bates Hill	Rn	Office
18 Hebron Way	Rn	Office

This Week \$ 439,300.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

This Week \$.00

Class: Residential

46 Alexander St	Nc	Patio Deck
4 Allandale Rd	Nc	Single Detached Dwelling
5 Bawnmoor St, Lot 1	Nc	Single Detached Dwelling
34 Spruce Grove Ave	Nc	Accessory Building
4 Chesley Dr	Nc	Fence
104 Diamond Marsh Dr	Nc	Single Detached Dwelling
172 Diamond Marsh Dr	Nc	Single Detached Dwelling
169b Doyle's Dr	Nc	Fence
244 Empire Ave	Nc	Accessory Building
16 Gower St	Nc	Patio Deck
47 Great Southern Dr, Lot 19	Nc	Semi-Detached Dwelling
49 Great Southern Dr, Lot 20	Nc	Semi-Detached Dwelling
123 Howlett's Line	Nc	Single Detached Dwelling
6 Lismore Pl, Lot 313	Nc	Single Detached Dwelling
272 Main Rd	Nc	Accessory Building
2 Meeker Pl	Nc	Accessory Building
64 Moss Heather Dr	Nc	Accessory Building
47 Newtown Rd	Nc	Fence
4 Ozark Pl	Nc	Fence
70 Parsonage Dr	Nc	Patio Deck
5 Reddy Pl	Nc	Fence
109 St. Clare Ave	Nc	Accessory Building
6 Stoneley Pl	Nc	Fence

Addendum to Regular Minutes of October 3, 2016

89 Wabush Pl	Nc	Accessory Building
10 Walsh's Lane	Nc	Accessory Building
8 Orlando Pl	Cr	Subsidiary Apartment
252 Main Rd	Ex	Single Detached Dwelling
215 Waterford Bridge Rd	Ex	Single Detached Dwelling
24 Winter Ave	Ex	Single Detached Dwelling
8 Crestview Pl	Rn	Single Detached Dwelling
205 Hamilton Ave	Rn	Single Detached Dwelling
1 Old Petty Harbour Rd	Rn	Single Detached Dwelling
53 Rennie's Mill Rd	Rn	Single Detached Dwelling
8 Burdell Pl	Sw	Single Detached Dwelling
16 Learning Rd	Sw	Single Detached & Sub.Apt

This Week \$ 2,201,169.00

Class: Demolition

25 Major's Path	Dm	Mixed Use
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This Week \$ 80,000.00

This Week's Total: \$ 2,720,469.00

Repair Permits Issued: 2016/07/22 To 2016/09/28 \$ 65,554.00

Legend

Co	Change Of Occupancy	Sw	Site Work
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Sn	Sign
Nc	New Construction	Cc	Chimney Construction
Oc	Occupant Change	Dm	Demolition
Rn	Renovations		

Addendum to Regular Minutes of October 3, 2016

10 Lemarchant Road - Your Application For A Third Party Sign At The Above Captioned Property Has Been Rejected As Contrary To Section 18(A) Of The St. John's Area Sign By-Law As Third Party Signs Are Prohibited In A Heritage Area.

Year To Date Comparisons			
October 03, 2016			
TYPE	2015	2016	% VARIANCE (+/-)
Commercial	\$116,348,000.00	\$104,000,000.00	-11
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$15,000,000.00	\$6,000,000.00	-60
Residential	\$66,169,000.00	\$57,384,000.00	-13
Repairs	\$3,307,000.00	\$3,643,000.00	10
Housing Units (1 & 2 Family Dwelling)	\$173.00	\$184.00	
TOTAL	\$200,824,000.00	\$171,027,000.00	-15

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Deputy City Manger
Planning & Development & Engineering

Addendum to Regular Minutes of October 3, 2016

MEMORANDUM

**Weekly Payment Vouchers
For The
Week Ending September 28, 2016**

Payroll

Public Works	\$ 437,431.51
Bi-Weekly Casual	\$ 20,659.87
Accounts Payable	\$4,622,140.53

Total: \$ 5,080,231.91

Addendum to Regular Minutes of October 3, 2016

ST. JOHN'S

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA