Regular Meeting - City Council
Agenda

April 3, 2023
3:00 p.m.
4th Floor City Hall

1. CALL TO ORDER

2. PROCLAMATIONS/PRESENTATIONS
   2.1 National Poetry Month
       Poet - Leslie Butt: Intro. by Ainsley Hawthorn, Writers NL President
   2.2 World Autism Awareness Day 2023
       J. Paul Walsh: CEO, Autism Society of NL

3. APPROVAL OF THE AGENDA
   3.1 Adoption of Agenda

4. ADOPTION OF THE MINUTES
   4.1 Adoption of Minutes - March 27, 2023

5. BUSINESS ARISING FROM THE MINUTES
   5.1 Updated Codes - 2023 By-Law
       By-Law to update various City by-laws to adopt the most recent versions of the National Building Code, National Plumbing Code, National Fire Code and the Life Safety Code.

6. DEVELOPMENT APPLICATIONS
   6.1 Notices Published – Parklets within St. John’s Downtown and Churchill Square Areas
   6.2 Notices Published – 195 Freshwater Road – DEV2300020
7. RATIFICATION OF EPOLLS

8. COMMITTEE REPORTS

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)
   9.1 Development Permits List March 23 - 29, 2023

10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)
    10.1 Building Permits List

11. REQUISITIONS, PAYROLLS AND ACCOUNTS
    11.1 Weekly Payment Vouchers Week Ending March 29, 2023

12. TENDERS/RFPS
    12.1 2023031 – Traffic Paint and Road Marking Products
    12.2 2023030 - Supply and Delivery of Water, Sewer and Hydrant Parts
    12.3 Microsoft Enterprise Agreement

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14. OTHER BUSINESS
    14.1 Collective Agreement between the City of St. John’s and NAPE Local 7808

15. ACTION ITEMS RAISED BY COUNCIL

16. ADJOURNMENT
Proclamation

National Poetry Month
April 2023

WHEREAS: we value poetry for its continual reinvigoration of language, its ability to teach old ideas new tricks, and its capacity to help us see the world anew and more fully understand the human experience; and,

WHEREAS: St. John’s is home to many poets and several publishers of poetry, and these individuals and businesses have local, national, and international significance and make both cultural and economic contributions to our city; and,

WHEREAS: 2023 marks the 25th anniversary of National Poetry Month in Canada—this year with the theme of “joy”; and,

WHEREAS: the League of Canadian Poets challenges everyone to find opportunities to celebrate poetry and literature throughout April; and,

WHEREAS: this challenge is supported locally by Writers NL;

THEREFORE: I, Mayor Danny Breen, do hereby proclaim April 2023 as National Poetry Month in the City of St. John’s.

Signed at City Hall, St. John’s, NL on this third day of April, 2023.

___________________________
Danny Breen, Mayor
Proclamation

World Autism Awareness Day
April 2023

WHEREAS: World Autism Awareness Day was created by the United Nations General Assembly and is acknowledged annually on April 2. The Autism Society, Newfoundland & Labrador (ASNL) continuously works to center Autistic voices and support individuals and families not only on April 2 but every day; and,

WHEREAS: Autism is a Neurotype and part of the range of natural variation in human neurological development. Human beings have a diverse range of Neurotypes — “Neuro” meaning brain. This diversity in human neurotype is what we call “Neurodiversity”.

WHEREAS Neurodiversity (“Brain Diversity”) is a part of nature’s normal biodiversity. This biodiversity ensures all species have healthy ecosystems to thrive in. Autism is a Neuro (“brain”) developmental (“process of developing”) difference and may therefore be on a different developmental timeline. Autistics may avail of supports in different areas at different times in their life across their lifespan; and,

WHEREAS: One in 45 Newfoundland and Labrador children and youth, ages 5 thru 17 are diagnosed with autism. (Public Health Agency of Canada/Information not available for adult-age individuals); and,

WHEREAS: Autism Society, Newfoundland & Labrador is dedicated to promoting the development of individual, lifelong, and community-based support and services for autistic people and continuously works to promote acceptance of neurodiversity through listening, actioning, and advocacy.

THEREFORE: I, Mayor Danny Breen, do hereby proclaim April 2, 2023, as World Autism Awareness Day in the City of St. John’s.

Signed at City Hall, St. John’s, NL on this third day of April, 2023.

Danny Breen, Mayor
Minutes of Regular Meeting - City Council
Council Chamber, 4th Floor, City Hall

March 27, 2023, 3:00 p.m.

Present: Mayor Danny Breen
Deputy Mayor Sheilagh O'Leary
Councillor Ron Ellsworth
Councillor Jill Bruce
Councillor Jamie Korab
Councillor Carl Ridgeley

Regrets: Councillor Maggie Burton
Councillor Sandy Hickman
Councillor Debbie Hanlon
Councillor Ophelia Ravencroft
Councillor Ian Froude

Staff: Derek Coffey, Deputy City Manager of Finance & Administration
Tanya Haywood, Deputy City Manager of Community Services
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Ken O'Brien, Chief Municipal Planner
Karen Chafe, City Clerk
Kelly Maguire, Public Relations & Marketing Officer
Stacey Corbett, Legislative Assistant
David Crowe, Manager – Roads Division

Land Acknowledgement
The following statement was read into the record:
“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.”

1. **CALL TO ORDER**

2. **PROCLAMATIONS/PRESENTATIONS**
   2.1 Global Meetings Industry Day

3. **APPROVAL OF THE AGENDA**
   3.1 Adoption of Agenda

   SJMC-R-2023-03-27/136
   **Moved By** Councillor Bruce
   **Seconded By** Councillor Korab

   That the Agenda be adopted as presented.

   For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

   **MOTION CARRIED (6 to 0)**

4. **ADOPTION OF THE MINUTES**
   4.1 Adoption of Minutes - March 21, 2023

   SJMC-R-2023-03-27/137
   **Moved By** Councillor Ridgeley
   **Seconded By** Councillor Ellsworth

   That the Minutes of March 21, 2023, be accepted as presented.

   For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

   **MOTION CARRIED (6 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**
   5.1 St. John's Pool (Amendment No. 1-2023) By-Law
Notice of Motion given by Councillor Bruce at the Regular Meeting of March 21, 2023

SJMC-R-2023-03-27/138
**Moved By** Councillor Bruce
**Seconded By** Councillor Ridgeley

That Council amend the St. John’s Pool By-Law as attached, to update its definition of ‘pool’, and to address location compliance with respect to the Canadian Electrical Code.

For (6): Mayor Breen, Deputy Mayor O’Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

**MOTION CARRIED (6 to 0)**

5.2 **St. John’s Sign (Amendment No. 1-2023) By-Law**

Notice of Motion given by Councillor Ravencroft at the Regular Meeting of March 21, 2023

SJMC-R-2023-03-27/139
**Moved By** Councillor Bruce
**Seconded By** Deputy Mayor O’Leary

That Council move to amend the St. John’s Sign By-Law as attached, to update its provisions as they relate to mobile signs located at Home Occupations and Home Offices, and to update the provision is it relates to signs located outside the site of the business advertised.

For (6): Mayor Breen, Deputy Mayor O’Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

**MOTION CARRIED (6 to 0)**

6. **DEVELOPMENT APPLICATIONS**

7. **RATIFICATION OF EPOLLS**

8. **COMMITTEE REPORTS**

9. **DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)**
9.1 Development Permits List March 16 - 22, 2023

10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)
10.1 Building Permits List

11. REQUISITIONS, PAYROLLS AND ACCOUNTS
11.1 Weekly Payment Vouchers Ending Week of March 22, 2023

SJMC-R-2023-03-27/140
Moved By Councillor Ellsworth
Seconded By Councillor Bruce

That the weekly payment vouchers for the week ending March 22, 2023, in the amount of $3,461,996.74, be approved as presented.

For (6): Mayor Breen, Deputy Mayor O’Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

12. TENDERS/RFPS

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS
13.1 Notice of Motion - Updated Codes - 2023 By-Law

The following Notice of Motion was given by Councillor Jill Bruce:

TAKE NOTICE that I will at the next regular meeting of the St. John’s Municipal Council move to enact the Adoption of Updated Codes – 2023 By-Law which will have the effect of amending various by-laws so as to adopt the updated versions of the National Building Code, the National Fire Code, the National Plumbing Code and the Life Safety Code.

DATED at St. John’s, NL this 27th day of March, 2023.

14. OTHER BUSINESS
14.1 SERC - 2023 Boston Pizza Flat Out 5k
Moved By Councillor Ellsworth  
Seconded By Councillor Bruce

That Council approve the road closures and lane reductions associated with the 2023 Boston Pizza Flat Out 5k Road Race on April 23.

For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

14.2 801 Water Street - Text Amendment to the Commercial Mixed Use (CM) Zone

Moved By Councillor Ellsworth  
Seconded By Deputy Mayor O'Leary

That Council consider adding Health and Wellness Centre as a permitted use to the Commercial Mixed Use (CM) Zone, Commercial Kenmount (CK) Zone, Commercial Office (CO) Zone and Commercial Office Hotel Zone and advertise the amendment for public review and comment.

For (6): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

15. ACTION ITEMS RAISED BY COUNCIL

16. ADJOURNMENT

There being no further business, the meeting adjourned at 3:16 p.m.

__________________________________________
MAYOR
NOTICE OF MOTION

TAKE NOTICE that I will at the next regular meeting of the St. John’s Municipal Council move to enact the Adoption of Updated Codes – 2023 By-Law which will have the effect of amending various by-laws so as to adopt the updated versions of the National Building Code, the National Fire Code, the National Plumbing Code and the Life Safety Code.

DATED at St. John’s, NL this day of March, 2023.

______________________________
COUNCILLOR
DECISION/DIRECTION NOTE

Title: Notices Published – Parklets within St. John’s Downtown and Churchill Square Areas

Date Prepared: March 28, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: N/A

Decision/Direction Required:
A Discretionary Use application has been submitted by the City of St. John’s for areas within St. John’s Downtown and Churchill Square.

Discussion – Background and Current Status:
The proposed application is to allow parklets for outdoor eating areas associated with Restaurants and Lounges, on city owned land within the area of Downtown and Churchill Square. These parklets will be located along applicable parking spaces, sidewalks, and laneways in the Downtown Neighbourhood Planning Area, along with a small section of Water Street, which extends west of Leslie Street and Churchill Square (see attached map). Businesses within the defined area that are zoned appropriately may be permitted to use city land for a parklet.

Parklets will be permitted to operate on city land starting Friday of the May long weekend (Victoria Day) until the last day in October for 2023, 2024 and 2025. Hours of operation will be from 7 a.m. - 11 p.m. daily. Construction will be allowed to begin two weeks prior to the opening day. Businesses wishing to avail of space for a parklet must make an application to the city. The use of these spaces will be subject to a lease agreement with the city, which will outline the size of the space and other applicable requirements.

No submissions were received.

Key Considerations/Implications:
1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owners and business owners.
3. **Alignment with Strategic Directions:**

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

4. **Alignment with Adopted Plans:** St. John’s Envision Municipal Plan and Development Regulations.

5. **Accessibility and Inclusion:** Reviewed at the building application stage.

6. **Legal or Policy Implications:** St. John’s Development Regulations Section 6.22 “Lounge,” Section 6.30 “Restaurants” and Section 10.5 “Discretionary Uses.”

7. **Privacy Implications:** Not applicable.

8. **Engagement and Communications Considerations:** Public advertisement in accordance with Section 4.8 Public Consultation of the St. John’s Envision Development Regulations. The application has been advertised in The Telegram newspaper at least twice and is posted on the City’s website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.

9. **Human Resource Implications:** Not applicable.

10. **Procurement Implications:** Not applicable.

11. **Information Technology Implications:** Not applicable.

12. **Other Implications:** Not applicable.

**Recommendation:**
That Council approve the Discretionary Use application to allow parklets for outdoor eating areas associated with Restaurants and Lounges on city owned land within the Downtown and Churchill Square Areas starting Friday of the May long weekend (Victoria Day) until the last day in October for 2023, 2024 and 2025, with hours of operation from 7 a.m. - 11 p.m. daily.

**Prepared by:**
Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development
Planning, Engineering and Regulatory Services

**Approved by:**
Jason Sinyard, P. Eng., MBA Deputy City Manager
Planning, Engineering and Regulatory Services
Report Approval Details

<table>
<thead>
<tr>
<th>Document Title:</th>
<th>Notices Published - Parklets within St. John's Downtown and Churchill Square Areas .docx</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Final Approval Date:</td>
<td>Mar 28, 2023</td>
</tr>
</tbody>
</table>

This report and all of its attachments were approved and signed as outlined below:

**Lindsay Lyghtle Brushett - Mar 28, 2023 - 2:02 PM**

**Jason Sinyard - Mar 28, 2023 - 4:18 PM**
DECISION/DIRECTION NOTE

Title: Notices Published – 195 Freshwater Road – DEV2300020

Date Prepared: March 29, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 2

Decision/Direction Required:
A Change of Non-Conforming Use application has been submitted by AIRO Landscapes Inc. for 195 Freshwater Road.

Discussion – Background and Current Status:
The proposed application is to change the use from a Service Shop (Personally Yours hair salon) to Office Use for a landscape company. The business will involve office use only and will have no storage of material on-site. Hours of operation will be Monday to Friday, 7 a.m. to 5 p.m. The floor area of the business will remain at approximately 140m² on the main level. On-site parking is provided. The proposed application site is in the Residential 2 (R2) Zone.

Three submissions were received. Two submissions were in support of the application, while the third had concerns regarding the parking of heavy equipment on-site (loaders, excavators, bulldozers and trailers) and potential noise pollution such equipment might create. The applicant advised that Heavy Equipment will not be stored at this location, and that it would only be regular trucks and vehicles.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner and neighbouring property owners.

3. Alignment with Strategic Directions:

   A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

   Choose an item.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: St. John’s Development Regulations Section 7.5 “Non-Conforming”.

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Public advertisement in accordance with Section 4.8 Public Consultation of the St. John’s Envision Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City’s website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.

9. Human Resource Implications: Not applicable.

10. Procurement Implications: Not applicable.

11. Information Technology Implications: Not applicable.

12. Other Implications: Not applicable.

Recommendation:
That Council approve the Change of Non-Conforming Use application at 195 Freshwater Road to allow an Office Use.

Prepared by:
Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development
Planning, Engineering and Regulatory Services

Approved by:
Jason Sinyard, P. Eng., MBA Deputy City Manager
Planning, Engineering and Regulatory Services
Report Approval Details

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<tr>
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<th>Notices Published - 195 Freshwater Road.docx</th>
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<tr>
<td>Attachments:</td>
<td>- DEV2300020-195 FRESHWATER ROAD.pdf</td>
</tr>
<tr>
<td>Final Approval Date:</td>
<td>Mar 29, 2023</td>
</tr>
</tbody>
</table>

This report and all of its attachments were approved and signed as outlined below:

Lindsay Lyghtle Brushett - Mar 29, 2023 - 9:55 AM

Jason Sinyard - Mar 29, 2023 - 3:17 PM
This e-mail is in response to your notification to the above noted matter. It is understood that A Change of Non-Conforming Use Application has been submitted by AIRO Landscapes Inc.

My [REDACTED] and I have a concern with this application. Presently, there is a beauty salon operating at the above noted site with no commercial vehicles operating. If this application is approved for AIRO Landscapes Inc. will there be heavy equipment such as loaders, excavators, bulldozers and trailers operating at this site and if so, will this equipment be parked on the premises at nights and on weekends?

Please remember this property is zoned as residential and we are against the equipment being on this property. Heavy equipment does contribute to noise pollution. Also we are [REDACTED] and we would like to be able to enjoy our back yard peacefully.

I would like this e-mail to be tabled at the next council meeting on April 3rd, 2023. Thank you for your time and consideration.

Sincerely,
We have no issues with the change of non-conforming use application for 195 Freshwater Road.
I support this request for the change.
## Development Permits List

For March 23 to March 29, 2023

<table>
<thead>
<tr>
<th>Code</th>
<th>Applicant</th>
<th>Application</th>
<th>Location</th>
<th>Ward</th>
<th>Development Officer’s Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>RES</td>
<td>Lindsay Lyghtle Brushett</td>
<td>Development for Single Detached Dwelling on Vacant lot</td>
<td>19 Westmount Place</td>
<td>3</td>
<td>Approved</td>
<td>23-03-28</td>
</tr>
</tbody>
</table>

* 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.

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Lindsay Lyghtle Brushett  
Supervisor – Planning & Development  

_________________________________________
## Permits List
### Council's April 3, 2023, Regular Meeting
Permits Issued: 2023/03/23 to 2023/03/29

### BUILDING PERMITS ISSUED

<table>
<thead>
<tr>
<th>Location</th>
<th>Permit Type</th>
<th>Structure Type</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>140 Campbell Ave</td>
<td>Change of Occupancy/Renovations</td>
<td>Mixed Use</td>
</tr>
<tr>
<td>141 Diamond Marsh Dr</td>
<td>Fence</td>
<td>Fence</td>
</tr>
<tr>
<td>155 Castle Bridge Dr</td>
<td>New Construction</td>
<td>Single Detached Dwelling</td>
</tr>
<tr>
<td>17 Aspen Pl</td>
<td>Renovations</td>
<td>Single Detached Dwelling</td>
</tr>
<tr>
<td>17 Spitfire Dr</td>
<td>New Construction</td>
<td>Single Detached Dwelling</td>
</tr>
<tr>
<td>20 Cape Pine St</td>
<td>Renovations</td>
<td>Single Detached w/ apt.</td>
</tr>
<tr>
<td>21 Gower St</td>
<td>Renovations</td>
<td>Townhousing</td>
</tr>
<tr>
<td>32 Belvedere St</td>
<td>Renovations</td>
<td>Townhousing</td>
</tr>
<tr>
<td>5 Edison Pl</td>
<td>Site Work</td>
<td>Semi Detached Dwelling</td>
</tr>
<tr>
<td>5 Edison Pl</td>
<td>Fence</td>
<td>Fence</td>
</tr>
<tr>
<td>80 Circular Rd</td>
<td>Renovations</td>
<td>Semi Detached Dwelling</td>
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**This Week:** $1,305,055.00

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<tr>
<th>Location</th>
<th>Permit Type</th>
<th>Structure Type</th>
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<tbody>
<tr>
<td><strong>Commercial</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136 Military Rd</td>
<td>Renovations</td>
<td>Office</td>
</tr>
<tr>
<td>23 Beaumont Hamel Way</td>
<td>Change of Occupancy/Renovations</td>
<td>Clinic</td>
</tr>
<tr>
<td>31 Peet St</td>
<td>Sign</td>
<td>Convenience Store</td>
</tr>
<tr>
<td>4-6 Bates Hill</td>
<td>Change of Occupancy/Renovations</td>
<td>Service Shop</td>
</tr>
<tr>
<td>6 Cathedral St</td>
<td>Renovations</td>
<td>Church</td>
</tr>
<tr>
<td>80-82 Elizabeth Ave</td>
<td>Sign</td>
<td>Bank</td>
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<tr>
<td>92 Elizabeth Ave</td>
<td>Change of Occupancy/Renovations</td>
<td>Office</td>
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**This Week:** $1,304,878.98

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<tr>
<th>Location</th>
<th>Permit Type</th>
<th>Structure Type</th>
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<tbody>
<tr>
<td><strong>Government/Institutional</strong></td>
<td></td>
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</table>

**This Week:** $0.00
Industrial

Location  Permit Type  Structure Type

This Week:  $0.00

Demolition

Location  Permit Type  Structure Type

This Week:  $0.00
This Week's Total:  $2,609,933.98

REPAIR PERMITS ISSUED:

$0.00

NO REJECTIONS

YEAR TO DATE COMPARISONS

<table>
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<tr>
<th>TYPE</th>
<th>2022</th>
<th>2023</th>
<th>% Variance (+/-)</th>
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<tbody>
<tr>
<td>Residential</td>
<td>$13,680,400.04</td>
<td>$10,192,467.43</td>
<td>-25</td>
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<tr>
<td>Commercial</td>
<td>$11,623,967.52</td>
<td>$29,560,517.26</td>
<td>154</td>
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<td>Government/Institutional</td>
<td>$307,288.00</td>
<td>$37,477.00</td>
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<tr>
<td>Industrial</td>
<td>$29,000.00</td>
<td>$0.00</td>
<td>-100</td>
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<tr>
<td>Repairs</td>
<td>$226,229.49</td>
<td>$79,815.00</td>
<td>-65</td>
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<tr>
<td>TOTAL</td>
<td>$25,866,885.05</td>
<td>$39,870,276.69</td>
<td>54</td>
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<tr>
<td>Housing Units (1 &amp; 2 Family Dwelling)</td>
<td>41</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

Respectfully Submitted,

Jason Sinyard, P.Eng., MBA
Deputy City Manager
Planning, Engineering and Regulatory Services
Weekly Payment Vouchers
For The
Week Ending March 22, 2023

Payroll

Public Works $ 557,719.46
Bi-Weekly Casual $ 38,827.35
Accounts Payable $ 2,865,449.93

(A detailed breakdown available here)

Total: $ 3,461,996.74
**BID APPROVAL NOTE**

**Bid # and Name:** 2023031 – Traffic Paint and Road Marking Products  
**Date Prepared:** Tuesday, March 28, 2023  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Public Works  
**Division:** Roads  
**Quotes Obtained By:** Sherry Kieley  
**Budget Code:** 3252-55425, 3252-55418  
**Source of Funding:** Operating

**Purpose:** This open call was issued to establish a standing offer agreement for the supply of Low-VOC solvent-based traffic paint and pre-formed thermoplastic road markings.

**Results:**  
- ☐ As attached  
- ☒ As noted below

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENNIS PAINT CANADA ULC</td>
<td>$336,112.81</td>
</tr>
</tbody>
</table>

**Expected Value:**  
- ☐ As above  
- ☒ Value shown is an estimate only for a 1 year period. The City does not guarantee to buy specific quantities or dollar value.

**Contract Duration:** One year

**Bid Exception:** None

**Recommendation:**  
That Council approve for award open call 2023031 – Traffic Paint and Road Marking Products to the lowest, and only bidder, meeting specifications, Ennis Paint Canada ULC for $336,112.81 (HST included), as per Public Procurement Act.

**Attachments:**
### Report Approval Details

<table>
<thead>
<tr>
<th>Document Title:</th>
<th>2023031 - Traffic Paint and Road Marking Products.docx</th>
</tr>
</thead>
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<td>Final Approval Date:</td>
<td>Mar 28, 2023</td>
</tr>
</tbody>
</table>

This report and all of its attachments were approved and signed as outlined below:

**Rick Squires - Mar 28, 2023 - 9:06 AM**

**Derek Coffey - Mar 28, 2023 - 9:08 AM**
Commodity/Bid #: 2023030 - Supply and Delivery of Water, Sewer and Hydrant Parts
Date Prepared: Tuesday, March 28, 2023
Report To: Regular Meeting
Councillor and Role: Councillor Ron Ellsworth, Finance & Administration
Ward: N/A

Department: Finance & Corporate Services
Quotes Obtained By: Sherri Higgins
Budget Code: 0000-15101
Source of Funding: Operating

Purpose: The purpose of this open call is for the supply & delivery of water, sewer, and hydrant parts for the Water and Wastewater Division to be used on an as required basis

Proposals Submitted By:

<table>
<thead>
<tr>
<th>Vendor Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emco Waterworks</td>
</tr>
<tr>
<td>Wolseley Canada Waterworks</td>
</tr>
<tr>
<td>Crane Supply</td>
</tr>
</tbody>
</table>

Expected Value: ☐ Value shown is an estimate only for a 1 year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: One (1) year with two (2) possible one (1) year extensions

Recommendation: THAT Council approve for award this open call, that is evaluated on a section-by-section basis, to the top ranked proponents - Emco Waterworks for $178,362.64, Wolseley Canada Waterworks for $427,250.93, and Crane Supply for $53,936.00 a year (HST not Incl.) as per the Public Procurement Act.

Attachments:
Report Approval Details

<table>
<thead>
<tr>
<th>Document Title:</th>
<th>2023030 - Supply and Delivery of Water, Sewer and Hydrant Parts .docx</th>
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</table>

This report and all of its attachments were approved and signed as outlined below:

**Rick Squires - Mar 28, 2023 - 11:16 AM**

**Derek Coffey - Mar 28, 2023 - 12:31 PM**
BID APPROVAL NOTE

Bid # and Name: Microsoft Enterprise Agreement
Date Prepared: Thursday, March 30, 2023
Report To: Regular Meeting
Councillor and Role: Councillor Ron Ellsworth, Finance & Administration
Ward: N/A

Department: Finance and Corporate Services
Division: Corporate Information Services
Quotes Obtained By: Sherry Kieley
Budget Code: 1272-52533
Source of Funding: Operating
Purpose: Three-year software renewal for the use of Microsoft products.

Results: ☐ As attached ☒ As noted below

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Microsoft Canada Inc.</td>
<td>$1,177,723.32 + HST</td>
</tr>
</tbody>
</table>

Expected Value: ☒ As above
☐ Value shown is an estimate only for a 3 year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: April 1st, 2023, to March 31st, 2026

Bid Exception: Contract Award Without Open Call

Recommendation:
That Council approve for award this contract award without an open call for bids to the exclusive supplier, Microsoft Canada Inc., for $1,177,723.32 plus HST, as per Public Procurement Act.

Attachments:
### Report Approval Details

<table>
<thead>
<tr>
<th>Document Title:</th>
<th>Microsoft Enterprise Agreement.docx</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachments:</td>
<td>- Form B - MS Ent Agree Renewal 2023 - 3 YRS.pdf</td>
</tr>
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</table>

This report and all of its attachments were approved and signed as outlined below:

**Rick Squires - Mar 30, 2023 - 1:54 PM**

No Signature - Task assigned to Derek Coffey was completed by workflow administrator Karen Chafe

**Derek Coffey - Mar 30, 2023 - 2:30 PM**
TO: Government of Newfoundland and Labrador, Public Procurement Agency

Report to Chief Procurement Officer, Public Procurement Agency
(Pursuant to Section 32 or The Public Procurement Regulations)
Version 1 – 2018-03-24

FROM: Government Funded Body
City of St. John’s, P.O. Box 908, St. John’s, NL A1C5M2

Contract Description:
Microsoft Enterprise Agreement - MS Licenses & Software Assurance for Organization. This is a 36 month term renewal for our existing contract "Microsoft Enterprise Enrollment ID 8900017". Cost per year $392,574.44 x 3 = 1,177,723.32

Contractor, Supplier or Lessor:
Name: Microsoft Canada
Address: PO Box 9433, Postal Station A, Toronto, ON Country: Canada
Contract Price (exclusive of HST): $1,177,723.32
Contract # or PO #: Req # 128335 Date of Award: 03/30/2023

Relevant Exception Clause (select only one):
6(a)(v) Only Available Source

Reason(s) Why an Open Call for Bids Was Not Invited:
This is not going to Tender because all Microsoft Licenses and Software Assurance are direct through Microsoft Canada.

Prepared by: [Signature] Date: 03/30/2023
Head of Public Body: [Signature] Date: 03/30/2023
Contract Award Without an Open Call for Bids

Relevant Exemption Clauses:

6(a)(ii): The commodity is of the nature that an open call for bids could reasonably be expected to compromise security (limited call for bids required)

6(a)(iii): The commodity is available from a public body

6(a)(iv): An emergency or a situation of urgency exists and the acquisition of the commodity cannot reasonably be made in time by an open call for bids

6(a)(v): There is only one source reasonably available for the commodity

6(a)(vi): A list of pre-qualified suppliers has been established using a request for qualifications and the public body is requesting quotations from all pre-qualified suppliers on the list

6(a)(vii): An acquisition of a commodity is for the purpose of resale or for incorporation into a product or resale

6(b): Set rates have been established by the Public Utilities Boards acting under the Public Utilities Act or another Act

19: (1) The acquisition of a commodity is exempt from the requirements of the framework where the following requirements are satisfied:

(a) the minister responsible for economic development has recommended the exemption on the basis that the acquisition of the commodity is for the purpose of economic development;

(b) the exemption has been approved by the Lieutenant-Governor in Council; and

(c) the exemption is not precluded by an intergovernmental trade agreement.

(2) Where a public body acquires a commodity that is exempted under subsection (1), the public body shall report the acquisition to the chief procurement officer.
Title: Collective Agreement between the City of St. John's and NAPE Local 7808

Date Prepared: October 29, 2019

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Decision/Direction Required: Ratification of the Collective Agreement between the City of St. John's and NAPE Local 7808

Discussion – Background and Current Status:

The City and NAPE Local 7808 have reached a tentative Collective Agreement for the period of July 1, 2022 – June 30, 2026. The union ratified the agreement on March 21, 2023. It is now being brought to Council for a ratification vote. The key terms of the tentative agreement are as follows:

<table>
<thead>
<tr>
<th>Tentative Agreement Between the City of St. John’s and NAPE Local 7808</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
</tr>
<tr>
<td>General Increase</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Shift Premium</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Signing Bonus</td>
</tr>
</tbody>
</table>
Key Considerations/Implications:

1. Budget/Financial Implications:

   The estimated cost of the general rate increases of 2.5%, 2.75%, 2.25% and 3.5% over four years for NAPE 7808 totals $267,628 (including payroll cost)

   The estimated cost of 0.72 cents/hr increase to the TPMO (Treatment Plant Maintenance Operator) totals $62,151.

   The estimated annual cost of the increased shift premiums $10,017.

   The estimated cost of paying out the signing bonus to NAPE Local 7808 employees is $14,000.

2. Partners or Other Stakeholders:

3. Alignment with Strategic Directions:

   A Sustainable City: Be financially responsible and accountable.

   An Effective City: Ensure accountability and good governance through transparent and open decision making.

4. Alignment with Adopted Plans:

5. Accessibility and Inclusion:

6. Legal or Policy Implications:

7. Privacy Implications:

8. Engagement and Communications Considerations:

9. Human Resource Implications:

10. Procurement Implications:

11. Information Technology Implications:
12. Other Implications:

**Recommendation:**
That Council ratify the terms of the collective agreement negotiated with the NAPE 7808 bargaining unit.

**Prepared by:** Leanne Piccott, Manager HR Advisory Services
**Approved by:** Derek Coffey, Deputy City Manager, Finance
Report Approval Details

<table>
<thead>
<tr>
<th>Document Title:</th>
<th>NAPE7808 Contract Ratification.docx</th>
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No Signature - Task assigned to Kevin Breen was completed by workflow administrator Karen Chafe

Kevin Breen - Mar 29, 2023 - 11:06 AM