

ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

July 22, 2019, 4:30 p.m.

Present:	Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Dave Lane Councillor Sandy Hickman Councillor Debbie Hanlon Councillor Hope Jamieson Councillor Ian Froude Councillor Wally Collins
Regrets:	Mayor Danny Breen Councillor Deanne Stapleton Councillor Jamie Korab
Staff:	Kevin Breen, City Manager Tanya Haywood, Deputy City Manager of Community Services Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services Cheryl Mullett, City Solicitor Elaine Henley, City Clerk Ken O'Brien, Chief Municipal Planner Karen Chafe, Supervisor - Office of the City Clerk
Others:	David Crowe, Acting Deputy City Manager of Public Works

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 Acknowledgement of the attendance of Go Getters NL.**

Federal Pilot Program for youth ages 19-30

3. APPROVAL OF THE AGENDA**3.1 Agenda of July 22, 2019**

SJMC-2019-07-22/228

Moved By Councillor Collins

Seconded By Councillor Jamieson

That the agenda be adopted with the addition of the following:

- Decision Note dated July 22, 2019 re: Bike St. John's Advisory Committee - Vacancy Appointment
- Departmental Approval Request - Bid # 2019124 - Consulting Services

MOTION CARRIED

4. ADOPTION OF THE MINUTES**4.1 Minutes of July 8, 2019**

SJMC-2019-07-22/229

Moved By Councillor Froude

Seconded By Councillor Hickman

That the minutes of the meeting held July 8, 2019 be approved as presented.

MOTION CARRIED

5. BUSINESS ARISING FROM THE MINUTES

5.1 BHEP Report - June 12, 2019 - Decision Note dated June 18, 2019 re: Application to Develop a Multi-Purpose Annex, St. John's Designated Heritage Building, Anglican Cathedral of St. John the Baptist, 16 Church Hill, DEV 1900091

Councillor Burton spoke briefly to this matter and encouraged the public to attend the public information session to be held on July 25, 2019. The matter was deferred pending feedback from that session.

6. NOTICES PUBLISHED

6.1 Application - 63 Frecker Drive

A Discretionary Use application has been submitted requesting permission to operate a Home Occupation for Life Coaching Services at 63 Frecker Drive.

The business is comprised of health coaching, foot detoxes, gym sessions, and other related services. The floor area for the proposed business is approximately 13.4m². Hours of operation will be 7 days a week, 8 a.m. - 8 p.m. Each session will have 1-2 clients per session, with only 2-4 sessions per days with a minimum of 1 hour between sessions. On-site parking not provided.

SJMC-2019-07-22/230

Moved By Councillor Burton

Seconded By Councillor Lane

That the application be approved subject to all applicable City requirements.

MOTION CARRIED

7. PUBLIC HEARINGS/MEETINGS

8. COMMITTEE REPORTS

8.1 Committee of the Whole Report from July 10, 2019

1. Decision Note dated July 2, 2019 re: Shad Memorial 2019 - Sponsorship - Luncheon

SJMC-2019-07-22/231

Moved By Councillor Lane

Seconded By Councillor Froude

That Council approve hosting a luncheon for the staff and students of Shad Memorial 2019.

MOTION CARRIED

2. **Decision Note dated July 4, 2019 re: Special Events Advisory Committee Request**

Councillor Hanlon advised that the Special Events Advisory Committee received a request from ibuylocal which is developing a festival experience to showcase business, culture and the arts in the downtown. They have requested the closure of Water Street (Ayres Cove to Cliff's Baird's Cove) for Saturday, July 27th and Cliff's Baird's Cove only for Sunday, July 28th.

The Committee of the Whole recommended that the event be held on Sunday, July 28 (or any Sunday) and that there be no road closure of Cliff's Baird's Cove. This decision is based on the feedback received from Downtown St. John's. Subsequent to this recommendation, ibuylocal have advised that they will defer their request for a street closure until the Fall. In the interim, they have partnered with local downtown businesses to provide a similar event on July 27th which does not require any street closures. Various events will be held in-store and will be promoted through social media. Downtown St. John's is also supportive of this venture.

SJMC-2019-07-22/232

Moved By Councillor Hanlon

Seconded By Councillor Jamieson

That Council reject the Committee's recommendation to hold the event on Saturday, July 27 (requiring road closure) as per the feedback given by Downtown St. John's. Further, that Council give consideration to permitting future Sunday street closures for this event in the Fall, subject to SEAC approval. Council agrees with the recommendation to not allow closure of Clifts Bairds Cove on Sunday, July 28th due to cruise ship visits.

MOTION CARRIED

3. **Decision Note dated June 28, 2019 re: Small Home Rebuilding/Extension in a City Watershed Policy**

SJMC-2019-07-22/233

Moved By Councillor Hickman

Seconded By Councillor Collins

That Council approve the Small Home Rebuilding/Extension in a City Watershed Policy and the rescission of the current Development in the City's Watershed Policy.

MOTION CARRIED

1. Review of Development Restrictions Outside Watershed Areas

Councillor Collins would like staff to also look at other areas outside the watershed area where small homes exist on large lots but which are restricted from expansion by the Development Regulations.

4. Decision Note dated July 5, 2019 re: Panel to Review Election Processes including Finance By-Law

SJMC-2019-07-22/234

Moved By Councillor Froude

Seconded By Councillor Burton

That rather than implementing a public engagement plan, Council appoint a four-person panel to consider the CASE submission and present their commentary to Council on the key questions outlined in the above cited Decision Note as well as the additional matter outlined below (later referenced in an additional Decision Note in today's agenda) and to determine next steps:

- Enfranchisement:
 - Resolve to allow permanent residents to vote if and when the province has made the necessary legislative changes.
 - Lobby the Provincial Government to amend the necessary legislation to grant permanent residents the right to vote in municipal elections.

Further that the Panel consider the following item raised by Councillor Hickman:

Investigate the use of election signage noting that other Canadian jurisdictions have banned the use of such in public places.

The following four individuals are proposed to comprise the Panel and they provide a comprehensive cross section of expertise in the academic, administrative and political areas:

- Ross Reid: former Canadian politician who most recently served as the Chief of Staff to Newfoundland and Labrador Premiers Kathy Dunderdale and Tom Marshall. Reid is a former Progressive Conservative member of Parliament who served as the Minister of Fisheries and Oceans and Minister for the Atlantic Canada Opportunities Agency under Prime Minister Kim Campbell;
- Dr. Amanda Bittner: studies elections and voting in Canada. She has published research on voter turnout, immigration, as well as the impact of social cleavages and political sophistication on political attitudes. She is currently working on projects in a number of areas, including voters' attitudes about immigration; the influence of gender on public opinion and voting; and Canadian parties and elections.
- Marie Ryan: Partner at Goss Gilroy Inc. Management Consultants and tireless advocate for social justice in the community, former councillor and deputy mayor. She is an advocate for inclusive citizenship and development of the housing and homelessness support services sector. She is the recipient of the Queen's Diamond Jubilee Medal and the Order of Newfoundland and Labrador.
- Dr. Steven Tomblin: is a full professor in the Department of Political Science and Medicine (Community Health) at Memorial University of Newfoundland. In addition to administrative service in the political science department, Tomblin has served as the Principal Investigator for the Atlantic Regional Training Centre.

It was noted that the intent is to have the recommendations presented to Council by September 22nd.

MOTION CARRIED

5. **BHEP Report - July 4, 2019 - E-Poll - Decision Note dated June 25, 2019 re 336 Water Street (corner of Adelaide Street), Mary Brown's Restaurant, Mural**

SJMC-2019-07-22/235**Moved By** Councillor Burton**Seconded By** Councillor Lane

That Council refer this matter back to the Built Heritage Experts Panel given the proposed change by the applicant.

MOTION CARRIED

6. **BHEP Report - July 4, 2019 - E-Poll - Decision Note dated June 28, 2019 re 10 Merrymeeting Road, Exterior Façade Renovations**

SJMC-2019-07-22/236**Moved By** Councillor Burton**Seconded By** Councillor Lane

That Council approve the exterior façade renovations at 10 Merrymeeting Road, as proposed. Further that any renovations to the dwelling meet the heritage standards set out in the St. John's Development Regulations.

MOTION CARRIED

8.2 **Development Committee Report - July 16, 2019**

1. **44 Signal Hill Road**

SJMC-2019-07-22/237**Moved By** Councillor Burton**Seconded By** Councillor Jamieson

That Council approve the redevelopment of the property in the Battery, as well as the request for parking relief.

MOTION CARRIED

2. **16 Halifax Street**

SJMC-2019-07-22/238**Moved By** Councillor Burton**Seconded By** Councillor Hickman

That Council approve the 4.5 metre Building Line setback for 16 Halifax Street.

MOTION CARRIED

3. 18 International Place

SJMC-2019-07-22/239

Moved By Councillor Burton

Seconded By Councillor Hanlon

That Council refer back to staff the type of fencing they would recommend to be used as a privacy option.

MOTION CARRIED

4. 901-909 Thorburn Road

SJMC-2019-07-22/240

Moved By Deputy Mayor O'Leary

Seconded By Councillor Froude

That Council reject the proposed above-ground diesel tank due to the risk of water quality and public health and safety concerns.

MOTION CARRIED

1. Maintenance of Existing Facilities

Councillor Froude questioned what measures were in place to ensure that existing facilities are properly maintained so as not to cause pollution in the watershed. The matter was referred to the Deputy City Manager of Planning, Engineering & Regulatory Services for response.

9. RESOLUTIONS

10. DEVELOPMENT PERMITS LIST

10.1 Development Permits List for the Period - July 4-17, 2019

Council considered as information the above cited Development Permits list.

11. BUILDING PERMITS LIST

11.1 Building Permits List for the Period July 4-17, 2019**SJMC-2019-07-22/241****Moved By** Councillor Hanlon**Seconded By** Councillor Jamieson

That Council approve the building permits list for the period July 4 - 17, 2019.

MOTION CARRIED**12. REQUISITIONS, PAYROLLS AND ACCOUNTS****12.1 Weekly Payment Vouchers for the Week Ending July 10, 2019****SJMC-2019-07-22/242****Moved By** Councillor Hanlon**Seconded By** Councillor Jamieson

That Council adopt the weekly payment vouchers for the week ending July 10, 2019 in the amount of \$6,532,435.49.

MOTION CARRIED**12.2 Weekly Payment Vouchers for the Week Ending July 17, 2019****SJMC-2019-07-22/243****Moved By** Councillor Hanlon**Seconded By** Councillor Jamieson

That Council approve the weekly payment vouchers for the week ending July 17, 2019 in the amount of \$2,948,045.84.

MOTION CARRIED**13. TENDERS/RFPS****13.1 Bid Approval Note - Bid # 2019153 - Two Current Production Sidewalk Plows with Blower and Blade****SJMC-2019-07-22/244****Moved By** Councillor Froude**Seconded By** Councillor Collins

That Council award this open call to the lowest bidder meeting specification, Holder Tractors Inc. (Bid 1), as per the Public Procurement Act, for the amount of \$337,977.16, including HST. The City reserves the right to order an additional 1 unit within six months of award for the amount of \$168,988.58 including HST.

MOTION CARRIED

13.2 Bid Approval Note 2019158 - Victoria Park Revitalization - Phase 2

SJMC-2019-07-22/245

Moved By Councillor Jamieson

Seconded By Councillor Burton

That Council award this tender to the lowest bidder that meets specifications, Redwood Construction Ltd. as per the Public Procurement Act for \$1,067,918.75 HST included.

MOTION CARRIED

13.3 Bid Approval Note 2019170 - 2019 CIPP Watermain Lining

SJMC-2019-07-22/246

Moved By Councillor Froude

Seconded By Councillor Jamieson

That Council award this tender to the lowest (sole) bidder, Fer-Pal Construction Ltd., meeting specifications as per the Public Procurement Act for \$1,494,784.38 HST included.

MOTION CARRIED

13.4 Departmental Approval Request Bid # 2019124 - Consulting Services

SJMC-2019-07-22/247

Moved By Councillor Froude

Seconded By Councillor Hickman

That this RFP be awarded to Fathom Studio Inc. in the amount of \$79,662.80 based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

MOTION CARRIED

14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS**15. OTHER BUSINESS****15.1 E-Poll re: Decision Note dated July 11, 2019 - Accessory Building, 38 Discovery Crescent, Town of Paradise, PER File No. INT1900065****SJMC-2019-07-22/248****Moved By** Councillor Burton**Seconded By** Councillor Collins

That Council confirm its approval obtained via e-poll conducted on July 11 and 12, 2019 with respect to the recommendation of the Development Committee to approve the subject application for the Accessory Building in the Watershed Zone. The approval shall state that the Accessory Building cannot be increased in size and, if replaced, must meet City standards at the time of replacement.

MOTION CARRIED**15.2 Decision Note dated July 9, 2019 re: Municipal Authority Agreement with the St. John's International Airport Authority****SJMC-2019-07-22/249****Moved By** Councillor Lane**Seconded By** Councillor Froude

That the attached Municipal Authority Agreement between the City and the St. John's International Airport Authority be approved as presented.

MOTION CARRIED**15.3 E-Poll re: Decision Note dated July 16, 2019 - Mobile Vendor Approval (St. David's Church - Association of New Canadians)****SJMC-2019-07-22/250****Moved By** Councillor Hickman**Seconded By** Councillor Hanlon

That Council ratify an e-poll conducted on July 3, 2019 for the Association of New Canadians (ANC) to operate a mobile food truck in the parking lot of St. David's Church on Elizabeth Avenue from July to the end of September 2019. It will operate Wednesday to Friday at lunch hours and all days Saturdays.

For (7): Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Jamieson, and Councillor Collins

Abstain (1): Councillor Froude

MOTION CARRIED (7 to 0)

15.4 E-Poll re: Decision Note dated July 16, 2019 - Mobile Vendor Approval (8 Military Road - St. Thomas Church)

SJMC-2019-07-22/251

Moved By Councillor Hanlon

Seconded By Councillor Collins

That Council ratify an e-poll conducted on July 3, 2019 for mobile vendors to operate at 8 Military Road from July 4 to August 29, 2019. The "Night Market" will operate each Thursday and will be open to the public from 6 to 10 p.m.

MOTION CARRIED

15.5 Decision Note dated July 17, 2019 re: Addition - Panel to Review Election Processes including Finance By-Law

SJMC-2019-07-22/252

Moved By Councillor Burton

Seconded By Councillor Lane

That Council approve the additional item below from the Report of the Citizens' Assembly for Stronger Elections (CASE) be added to the list of items to be reviewed by the external panel:

- Enfranchisement
 - Resolve to allow permanent residents to vote if and when the province has made the necessary legislative changes.
 - Lobby the Provincial Government to amend the necessary legislation to grant permanent residents the right to vote in municipal elections.

MOTION CARRIED

15.6 E-Poll re: Decision Note dated July 17, 2019 - Vote on Information Session - Application to Develop a Multi-Purpose Annex - Cathedral of St. John the Baptist - Heritage Building - 16 Church Hill (DEV1900091)

SJMC-2019-07-22/253

Moved By Councillor Jamieson

Seconded By Councillor Burton

That Council ratify its previously approved e-poll conducted on July 17, 2019 to arrange a public information session to gain public input on the design of the proposed annex to the Cathedral of St. John the Baptist, 16 Church Hill. The proposed date is Thursday, July 25. It is further recommended that the session be held at the Cathedral; be chaired by a member of Council; and advertised by the City on its website and social media platforms and by the Cathedral through its own resources.

MOTION CARRIED

15.7 E-Poll dated July 18, 2019 re: Mobile Vending on Mile One Centre and St. John's Convention Centre Grounds

SJMC-2019-07-22/254

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council ratify its previously approved e-poll conducted on July 16, 2019 granting permission to allow the St. John's Sports and Entertainment Ltd. to invite mobile vendors to operate on the property occupied by Mile One Center and the St. John's Convention Center at their discretion.

MOTION CARRIED

15.8 Decision Note dated July 11, 2019 re: 6 Cathedral Street - Masonic Temple - Designated Heritage Building - Exterior Renovations at Rear

SJMC-2019-07-22/255

Moved By Councillor Burton

Seconded By Councillor Lane

That Council approve the recommendation of the Built Heritage Experts Panel to approve the exterior renovations and installation of a fire exit

stairway at the rear of the Masonic Temple, 6 Cathedral Street, as proposed.

MOTION CARRIED

15.9 E-Poll re: Decision Note dated July 18, 2019 re: Hudson & Rex Promotions

SJMC-2019-07-22/256

Moved By Councillor Hanlon

Seconded By Councillor Collins

That Council ratify an e-poll conducted on July 18, 2019 to permit the producers of Hudson & Rex to avail of the Council Chamber on July 21, 2019 for filming and further to allow them to use the City's Coat of Arms.

MOTION CARRIED

15.10 Decision Note re: Bike St. John's Advisory Committee Vacancy Appointment

SJMC-2019-07-22/257

Moved By Councillor Lane

Seconded By Councillor Hanlon

That Justin Dearing be appointed to serve on the Bike St. John's Advisory Committee as a general public member who is an avid cyclist for purposeful transportation in accordance with Section 3.1.1 of the Committee's Terms of Reference.

That Heather Power be appointed to serve on the Bike St. John's Advisory Committee as a general public member who is a beginner/occasional cyclist in accordance with Section 3.1.1 of the Committee's Terms of Reference.

MOTION CARRIED

15.11 Article Tabled for Referral by Councillor Burton

Councillor Burton tabled an article entitled "Great Initiative to bring back Old Child's Play" for referral to the Deputy City Manager of Community Services for consideration.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 5:45 p.m.

MAYOR

CITY CLERK