

July 31, 2017

Email: [REDACTED]

Dear [REDACTED]

**Re: Request for Access to Information Under Part II
of the Access to Information and Protection Privacy Act**

On July 25, 2017, the City of St. John's received your request for access to the following information:

- *"Dates and times of 2016 Budget discussions*
- *O'Keefe's attendance record re: above*
- *Final vote on 2016 budget."*

Enclosed is the information you requested. There are minutes from the special meetings of May 11, 2015, June 15, 2015, and November 23, 2015 however, as per Section 28 (c) of the ATIPP legislation, we may refuse to disclose the minutes of the above cited special meetings:

Section 28

(1) The head of a local public body may refuse to disclose to an applicant information that would reveal:

- (a) a draft of a resolution, by-law or other legal instrument by which the local public body acts;*
- (b) a draft of a private Bill; or*
- (c) the substance of deliberations of a meeting of its elected officials or governing body or a committee of its elected officials or governing body, where an Act authorizes the holding of a meeting in the absence of the public.*

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act as per the link below. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

ST. JOHN'S

Telephone: (709) 729-6309

Toll-Free: 1-877-729-6309

You may appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act, as per the link below:
http://www.assembly.nl.ca/legislation/sr/statutes/a01-2.htm#42_

Please be advised that responsive records will be published on the City's website in the near future with the exception of requests for personal information which will not be posted online. If you have any further questions, please feel free to contact me by telephone at 576-8619 or by e-mail at kchafe@stjohns.ca.

Yours truly,



Karen Chafe

ATIPP Coordinator

ST. JOHN'S

MINUTES
REGULAR MEETING - CITY COUNCIL
December 14, 2015 - 4:30 p.m. - Council Chambers

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

Others City Manager
Associate City Manager
Deputy City Manager of Community Services
Deputy City Manager of Planning, Development & Engineering
Deputy City Manager of Finance & Administration
Deputy City Manager of Public Works
City Solicitor
Chief Municipal Planner
City Clerk
Supervisor of Legislative Services

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2015-12-14/558R

Moved – Councillor Collins; Seconded – Councillor Hann

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2015-12-14/559R

Moved – Councillor Tilley; Seconded – Councillor Hickman

That the minutes of December 7, 2015 be adopted as presented with the following revision:

- Page 3 under the “Tenders” section, 1st tender should be awarded to M-B Companies for the amount noted (\$106,762.40); and not to Saunders Equipment as stated in the minutes.

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

1. A Discretionary Use (Non-Conforming Use) application has been submitted by Karwood Estates Inc. to develop a residential dwelling at **28 Fogwill Place**. The proposed modular home will have a floor area of approximately 107 m².
2. A Discretionary Use Application has been submitted requesting permission to convert the first storey ground floor at **13 Queen Street** into residential use. The floor area to be converted is approximately 69 m².
3. A Discretionary Use Application has been submitted by St. John's Fish Exchange requesting municipal approval to operate a Lounge in association with a new restaurant located at **351 Water Street**. The lounge portion will occupy a total floor area of 84m². Hours of operation will be Monday - Friday 11:30 a.m.-2:30 p.m. and 4:30 p.m.-10:30 p.m., Saturday and Sunday 4:30 p.m.-10:30 p.m.
4. A Discretionary Use Application has been submitted requesting permission to occupy **45A Eastaff Street** as a Home Occupation for Aesthetics Services. The proposed business will offer aesthetic services and will occupy a floor area of approximately 8.7 m² and will operate Monday – Sunday, 8am - 8pm. One (1) client per session, and by appointment only with 30 minutes between each session. Onsite parking is available for the business. The applicant is the sole employee.

SJMC2015-12-14/560R

Moved – Councillor Puddister; Seconded – Councillor Hickman

That all the applications noted above be approved subject to all applicable City requirements.

CARRIED UNANIMOUSLY

5. A Discretionary Use application has been submitted requesting permission to occupy **24 Waterford Bridge Road** as a three (3) room Bed and Breakfast. The applicant has also requested municipal approval for a Tourist Home Liquor License in conjunction with the proposed B&B to serve alcohol at the property. The proposed business will be owner operated and adequate on-site parking is provided.

SJMC2015-12-14/561R

Moved – Councillor Tilley; Seconded – Deputy Mayor Ellsworth

That the application be denied.

SJMC2015-12-14/562R

Moved – Councillor Puddister; Seconded – Councillor Lane

That the application be deferred for referral back to staff to ascertain if there are options to approval without a liquor license.

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Police & Traffic Committee Report

SJMC2015-12-14/563R

Moved – Councillor Hickman; Seconded – Deputy Mayor Ellsworth

That the report be deferred to the January 4, 2016 regular meeting of council.

CARRIED UNANIMOUSLY

Development Committee Report – December 8, 2015

Council considered the above noted report.

SJMC2015-12-14/564R

Moved – Councillor Puddister; Seconded – Councillor Tilley

That the report be adopted as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information the Development Permits List for the period December 3 - December 9, 2015.

BUILDING PERMITS LIST

[Link to List](#)

Council considered the Building Permits list for the period of December 3 - December 9, 2015.

SJMC2015-12-14/565R

Moved – Councillor Puddister; Seconded - Councillor Breen

That the building permits list for the period December 3 - 9, 2015 be approved as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending December 9, 2015.

SJMC2015-12-14/566R

Moved – Councillor Puddister; Seconded – Councillor Breen

That the Payrolls and Accounts for the week ending December 9, 2015 be approved.

CARRIED UNANIMOUSLY

TENDERS/RFSs

Tender – Purchase of Nine New Tandem Dump Truck Sanders

Council considered the above noted tender.

SJMC2015-12-14/567R**Moved – Councillor Puddister; Seconded – Councillor Breen**

That the tender be awarded to the overall lowest bidder meeting specifications Western Star and Freightliner Trucks of Newfoundland in the amount of \$2,129,661. HST extra to price quoted.

CARRIED UNANIMOUSLY**OTHER BUSINESS****E-Poll – Music Festival’s Senior Rose Bowl Award****SJMC2015-12-14/568R****Moved – Councillor Lane ; Seconded – Councillor Breen**

That the the e-poll be approved and that Council grant \$2,500 to the Kiwanis Music Festival’s Senior Rose Bowl Award.

Election of Board of Management – Downtown St. John’s

Council considered the Decision Note dated December 10, 2015 from the City Clerk regarding the above noted.

SJMC2015-12-14/569R**Moved – Lane; Seconded – Councillor Hann****That the following nominees be approved:**

BIA Election – December 2015		
Individual	Company	Date of Receipt
Colin Andrews	Stewart McKelvey	November 30, 2015
Seamus Patrick O’Keefe	George Street Association	November 25, 2015
Wayne Purchase	Martek Morgan Finch Incorporated	November 25, 2015
Kim Saunders	East Port Properties	November 26, 2015
Sheena McCrate	St. John’s Sports & Entertainment	November 30, 2015
Duncan Whitcomb	The Hardman Group Limited	December 3, 2015
Richard Lorne Loder	Ballistic	December 3, 2015

CARRIED UNANIMOUSLY

Budget 2016 - 18

Councillor Galgay, Chairperson of the Finance & Administration Standing Committee presented Budget 2016 -18 including revenues and expenditures which are balanced at \$302.2 million for 2016, a 4.4 percent increase over last year.

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions: [Link to List](#)

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John’s Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

All members present outlined their reasons for either supporting or rejecting the budget, after which time, the question of the motion was called.

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

ADJOURNMENT

There being no further business, the meeting adjourned at 6:00 p.m.

MAYOR

CITY CLERK

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John’s Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 WATER TAX RESOLUTION

IT IS HEREBY RESOLVED that under the provisions of the City of St. John’s Municipal Taxation Act, and all other powers it enabling, the Water Tax shall be levied as follows:-

For residential units and for commercial properties not taxed by water meters, the sum of Six Hundred and Fifteen Dollars (\$630.00) per annum per commercial unit for commercial properties or per residential unit for residential and apartment buildings.

The said tax shall be due and payable half-yearly on the 1st. day of January and the 1st. day of July, 2016.

IN WITNESS THEREOF the Seal
Of the City of St. John’s has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John’s Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2015 WATER BY METER RESOLUTION

IT IS HEREBY RESOLVED that under the provisions of the City of St. John’s Municipal Taxation Act, and all other powers it enabling, the Council hereby fixes the rates for Water by Meter effective January 1st., 2015, as follows:-

Monthly Consumption Rates

\$6.20 per 1,000 gallons
or \$1.36 per cubic meter

Monthly Base Charge

5/8" meter	\$ 29.30
3/4" meter	44.02
1" meter	73.28
1½" meter	146.47
2" meter	233.65
3" meter	467.76
4" meter	747.72
6" meter	1,461.52
8" meter	2,337.76
10" meter	3,359.44

IN WITNESS THEREOF the Seal Of the City of St. John’s has been Hereunto affixed and this Resolution has been signed by the Mayor and City Clerk on this 15th day of December, 2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 BUSINESS TAX RATE ON UTILITIES RESOLUTION

IT IS HEREBY RESOLVED that pursuant to the provisions of the Taxation of Utilities and Cable Television Companies Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the Municipal Business Tax rate on utilities at 2.5 percent of the gross revenue of any and all utilities derived within the City limits of the City of St. John's during the year January 1, 2015 to December 31, 2015.

The said tax shall be due and payable at the time and in the manner prescribed by the Lieutenant-Governor in Council in the regulations made pursuant to the said **Taxation of Utilities and Cable Television Companies Act**.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- 2016 Accommodation Tax Resolution
- 2016 Downtown St. John's Business Improvement Area Levy
- Interest Rate on Arrears of Tax Resolution
- 2016 Property Tax Rate Resolution – Commercial Properties
- 2016 Property Tax Rate Resolution – Residential Properties
- 2016 25% Property Tax Reduction for Senior Citizens Resolution
- 2016 Business Tax Rate on Utilities Resolution
- 2016 Water By Meter Resolutions
- 2016 Water Tax Resolution

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 25% PROPERTY TAX REDUCTION FOR SENIOR CITIZENS RESOLUTION

IT IS HEREBY RESOLVED THAT A REDUCTION OF 25% OF THE PROPERTY TAX FOR 2016 BE PROVIDED TO SENIOR CITIZENS SUBJECT TO THE FOLLOWING CONDITIONS:-

- (a) That the applicant is the assessed owner of the property as of January 1, 2016.
- (b) That the applicant occupies the property as his/her principal year-round residence.
- (c) That the applicant is in receipt of the guaranteed income supplement under the Old Age Security Act.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 PROPERTY TAX RATE RESOLUTION - RESIDENTIAL PROPERTIES

IT IS HEREBY RESOLVED that pursuant to the provisions of the City of St. John's Municipal Taxation Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the real property tax rate for the 2016 fiscal year for residential properties and the residential portion of mixed commercial/residential properties, the real property tax rate is 0.78 percent per annum of the assessed value of the property in respect of which the tax is imposed.

The said taxes shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2016.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 PROPERTY TAX RATE RESOLUTION - COMMERCIAL PROPERTIES

IT IS HEREBY RESOLVED that pursuant to the provisions of the City of St. John's Municipal Taxation Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the commercial property tax rate for the 2016 fiscal year for commercial properties and the commercial portion of mixed commercial/residential properties, the real property tax rate is 2.52 percent per annum of the assessed value of the property in respect of which the tax is imposed.

The said taxes shall be due and payable quarterly in arrears on March 31st., June 30th., September 30th. and December 31st., 2016.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

RESOLUTION

IT IS HEREBY RESOLVED that pursuant to the provisions of the City of St. John's Municipal Taxation Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the interest rate on arrears of tax and any other arrears of amounts owing to the City for the 2016 and future fiscal years, at 1.25% per month, with the interest charged each month added to the balance owing and subject to interest in the following months.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 DOWNTOWN ST. JOHN'S BUSINESS IMPROVEMENT AREA LEVY

IT IS HEREBY RESOLVED that pursuant to the provisions of the City of St. John's Act, and all other powers it enabling, the St. John's Municipal Council fixes the Downtown St. John's Business Improvement Area Levy for the 2016 fiscal year as follows.

Businesses operating in the Downtown St. John's Business Improvement Area will be subject to a tax as determined by the City of St. John's to a Maximum levy of \$4,000 for each location from which the business, trade or profession is carried on.

The said tax shall be due and payable half-yearly in advance on the 1st. day of January and the 1st. day of July, 2016.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk

SJMC2015-12-14/570R

Moved - Councillor Galgay; Seconded – Councillor Breen

That the 2016 Budget be adopted as presented with the attached resolutions:

- **2016 Accommodation Tax Resolution**
- **2016 Downtown St. John's Business Improvement Area Levy**
- **Interest Rate on Arrears of Tax Resolution**
- **2016 Property Tax Rate Resolution – Commercial Properties**
- **2016 Property Tax Rate Resolution – Residential Properties**
- **2016 25% Property Tax Reduction for Senior Citizens Resolution**
- **2016 Business Tax Rate on Utilities Resolution**
- **2016 Water By Meter Resolutions**
- **2016 Water Tax Resolution**

**MOTION CARRIED
WITH COUNCILLORS PUDDISTER,
LANE AND HICKMAN DISSENTING**

2016 ACCOMMODATION TAX RESOLUTION

IT IS HEREBY RESOLVED that pursuant to the provisions of the City of St. John's Municipal Taxation Act and all other powers it enabling, the St. John's Municipal Council hereby fixes the Accommodation Tax at 4% of the amount charged for the accommodation, lodging or stay in a room in a building in the City which is:-

- (a) licensed under the Tourist Establishments Act;
- (b) owned by the Memorial University of Newfoundland; or
- (c) located at the Littledale Conference Centre.

The said tax shall be due and payable quarterly by April 15th., July 15th., October 15th. and January 15th.

IN WITNESS THEREOF the Seal
Of the City of St. John's has been
Hereunto affixed and this Resolution
has been signed by the Mayor and
City Clerk on this 15th day of December,
2015.

Mayor

City Clerk