

Council Chambers
City Hall
Moncton, N. B.
March 18, 2019
4:00 p.m.

MINUTES – REGULAR PUBLIC MEETING/SÉANCE ORDINAIRE PUBLIQUE

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold, in the Chair
Councillor P. Boudreau
Councillor S. Crossman
Councillor C. Léger
Councillor B. Butler
Councillor S. Edgett

Councillor G. Turner
Councillor S. Crossman
Councillor B. Lawrence
Councillor B. Butler
Councillor P. Pellerin*

ALSO PRESENT

M. Landry, City Manager
S. Morton, A/City Clerk
C. Dallaire, General Manager Recreation, Culture and Events
J. Doucet, General Manager Finance and Administration Services
A. Richard, Director, Design and Construction
L. Hanson, General Manager, Human Resources and Corporate Services
N. Robichaud, General Manager, Legislative Services
B. Budd, Director, Urban Planning
K. Lacelle, Urban Planner
S. Anderson, Senior Planner
B. Budd, Director, Urban Planning
Superintendent T. Critchlow, RCMP
A. Cormier, Corporate Communications
D. Morehouse, Director, Public Works
I. LeBlanc, Director, Corporate Communications
J. Preston, Director, Human Resources
E. Aucoin, Director, Environmental Services
J. Somers, Director, Tourism and Events

1. CALL TO ORDER/OUVERTURE DE LA SÉANCE

2. ADOPTION OF AGENDA/ADOPTION DE L'ORDRE DU JOUR

Motion: that the Agenda be adopted with the 9.4 being moved under presentations.

*Moved by Councillor Boudreau
Seconded by Councillor Leger*

MOTION CARRIED.

3. CONFLICT OF INTEREST DECLARATIONS/DÉCLARATIONS DE CONFLITS D'INTÉRÊTS

Councillor Hicks declared a conflict with respect to item 9.3

4. ADOPTION OF MINUTES/ADOPTION DU PROCÈS VERBAL

Regular public Council Meeting – February 4, 2019

Motion: That the Minutes of the regular Public Council Meeting of February 4, 2019 be adopted as circulated.

*Moved by Councillor Turner
Seconded by Councillor Edgett*

MOTION CARRIED.**5.****CONSENT AGENDA/QUESTIONS SOUMISES À L'APPROBATION DU CONSEIL**

5.1 Tennis Moncton License Agreement

Motion: That Moncton City Council approve the license agreement terminating on January 1, 2024 between Tennis Moncton Inc. and the City of Moncton, and that the Mayor and City Clerk be authorized to sign all necessary documents and to affix the corporate seal thereto.

Moved by Councillor Leger

Seconded by Councillor Edgett

MOTION CARRIED.**6.****PUBLIC AND ADMINISTRATION PRESENTATIONS/ EXPOSÉS DU PUBLIC ET DE L'ADMINISTRATIONS**6.1 **Public Presentation** – Moncton High School / Royal Oaks – Transportation – Mike Belong, Principal Moncton High and Kevin Morrison, President of Royal Oaks Association

Mike Belong and Kevin Morrison (President of Royal Oaks Community Association) circulated their presentation to Council regarding the lack of connectedness of Moncton High School, Elmwood Drive. They requested consideration to extending the bus runs from the City beyond Pine Tree to the school to 6 p.m. in the evening and on Saturday in the middle of the day. This would provide transportation to students from a lower socio-economic status allowing them to participate in after school activities. Mr. Morrison noted that Longfellow Drive off of Elmwood Drive was intended as the primary entrance which buses are mandated to use. However, 90% of the traffic uses a secondary entrance at the north entrance to Royal Oaks Blvd and off Eaglewood Drive. Speeding is occurring in excess of 100 km per hour with students and community members walking where there are no sidewalks. Messrs. Belong and Morrison submitted the following recommendations:

- 1) Close Eaglewood Crescent as an entrance to MHS and use it make it a secondary entrance with control at the entrance for large events.
- 2) If maintained as an entrance should consider install speed bumps along Eaglewood Drive
- 3) 25km signs at top and bottom of Eaglewood Street, as well as school signs in the City
- 4) Greater police presence to monitor the traffic
- 5) Connect sidewalks of Eaglewood to Elmwood Drive

In reply to Councillor Crossman and the presenters, Alcide Richard noted that the sidewalk section along Royal Oaks Blvd. has been added to the summer 2019 traffic program. Engineering has also contacted the RCMP and will be conducting further traffic reviews regarding the speeding and submitting recommendations.

The City Manager agreed to have Administration follow up on the items mentioned, in particular public transportation and Codiac Transpo. In terms of safety issues Engineering will address and provide more details once available.

6.2 **Presentation** – Refugee Story – Yousef Alachhab/ Présentation

Yousef Alachhab thanked the Mayor for inviting him to share his experience. He expressed gratitude for the privilege of living in a country such as Canada and being afforded an opportunity to start a new life. He also expressed thanks to the church involved in providing his family assistance and to MAGMA for the language training. His plans for the future include starting a business. He noted that his father operates a wood business at the market in Dieppe. He provided some highlights on his home country Syria, its contribution to the world and its historical significance.

The Mayor thanked Mr. Alachhab for his informative presentation. She noted that the City is launching its new immigration strategy and encouraged feedback from the public. She also acknowledged and thanked the MAGMA teachers in the audience.

6.3 **Presentation** – Canadian Union of Public Employee Local 51 – Marcos Salib/ Présentation

City Council received a PowerPoint presentation from representatives of Keith Hatto and Matt Simpson, executive CUPE Local 51, and national representative Marcus Sallib, regarding their concerns with contracting out sanitation. The following points were noted:

- Despite the motion of 2018 when Council opted to bring all of the work back to CUPE Local 51, Fero continues to deliver waste services for the city.
- A number of problems were noted with privatization, i.e. loss of control by the City in terms of services and projected costs of services.
- A three-bin mechanical system was suggested as a potential solution and its benefits were included in the presentation.
- Their cost breakdown showed a \$138,750 difference than what was projected by the City
- The Union believes that Fero bid lower to secure Moncton's bid for one section and that prices could increase in the future.
- 15% of the workforce in this local and the City has increased in population by 30%.

Mr. Hatto explained that the sanitation section is short staffed. In house staff are willing to undergo training however, no offer was received from the employer.

In response to questions raised by councillors regarding the following, union representatives responded as follows:

- The cost of the mechanical bin system was projected lower than management's projections as the union looked at the costs charged to other municipalities by larger companies at lower prices.
- In terms of Administration's steps to ensure the safety of employees, union representatives commented that staff had participated and offered suggestions a year ago. They explained that midnight shifts are better times to collect waste, adding that problems were encountered when the shifts were split.

Councillor Hicks requested the union's commitment to work with administration to make this work as an in house operation. Mr. Sallib and Union members welcomed the opportunity to work with the City.

6.4 **Presentation** – Cultural Board Annual Update – Thomas Raffy, Co-Chair, Joanne Duguay, Cultural Development Officer

City Council received a presentation from Joanne Duguay and Thomas Raffy, Chair, Cultural Board, regarding the Cultural Plan. Joanne Duguay thanked the members of the board for their hard work and guidance. She noted that some members' terms expire this year and acknowledged their significant contribution to the committee. Highlights of the cultural plan and priorities for the upcoming were presented and is summarized as follows:

- Inauguration of the Resurgo art piece at the Avenir Centre in August 2018
- Partnered with Galerie d' Art Louise and Reuben Cohen which saw the addition of 13 public art installations in the city.
- Cultural Investments - \$803,285– allowed for major festivals, i.e. Danse Atlantique, etc.
- Priorities include the completion of the Public Art Master Plan to be presented to Council prior to summer, Feasibility of the Contemporary Art Museum, First Nation projects and Congr s mondial acadien to be completed in the summer
- Heritage is part of the Cultural Plan – Heritage Board to present a report
- Cultural Identity – supports projects to increase in cultural identity featuring works and programs by various ethnic groups

Councillor Th riault noted pending closures of churches and suggested discussion on this issue.

Councillor Boudreau referenced an article in an economic journal regarding the revival of cities in the US which suggested investing in culture as a means of attracting companies who wish to return or establish in the community.

6.5 **Other Presentations**

Christine Roberts appeared before Council concerning a CBC news cast and comment by a City Official regarding not in my backyard attitude. She urged Council to take a stance against "not in my backyard" attitude in terms of affordable housing, noting that it promotes discrimination in a community. She outlined the impact on her son's education, who is now home schooled and has been subjected to many cruel comments which are incorrect. She referenced Article 25 in the Declaration of Rights which includes the right to adequate standard of living shelter and Article

26 as it pertains to education. She noted that unfortunately not everyone is afforded those rights. She urged City Council to stand up for families with children with autism and special needs.

6.6 By-Law T-310

Francis Gilbert reported issues created by By-Law T-310 especially for residents in the Georges Dumont Hospital area who are unable to park in front of their home for more than two hours between the hours of 9 a.m. – 6 p.m. Monday to Friday. He recalled that Mr. Collins had requested that the City extend the parking permit program to the Georges Dumont Hospital. The City's Engineering Department advised that the parking restrictions served to reduce the speed in front of the hospital, however, it created problems for residents and the department had to intervene on a number of occasions. He felt that the problems around the George Dumont are identical to those at the Moncton Hospital. During the winter, he must park on the street to allow for snow plowing of his driveway which results in a \$40 fine each time. In December 2013 he noted that the City implemented stickers for the Moncton Hospital, however, that privilege was not extended to the Georges Dumont area. He suggested the need to consult with the residents and include them in a solution. He suggested that the pilot project for the Moncton Hospital be extended to include the Georges Dumont area, specifically Highfield, Portledge and Bromley Streets. He noted that Engineering has not received the same mandate from City Council to implement a parking program around the Georges Dumont and stressed the need to consult with the residents of the area.

The City Manager noted that a pilot project is being undertaken at the Moncton Hospital and suggested that Mr. Gilbert leave his coordinates and administration to explore options.

9.4 Recommendation(s) – Private Session – March 11, 2019

Following introductory remarks by the City Manager, City Council received a PowerPoint presentation from Jack MacDonald and Laurann Hanson. The following are highlights of the presentation:

- Management is responsible to ensure the safety of its employees of the highest standard under the Provincial Occupational Health and Safety Act and federally under Bill C-45.
- The City has a fiduciary responsibility to residents to ensure service of the highest quality at a reasonable price
- The City has 7 collection zones, 6 of which is handled by CUPE and one by private contractor
- WorkSafeNB has stated that sanitation is one of the most dangerous jobs and more prone to injuries than other jobs in terms of soft tissue injuries caused by repetitive motion
- An ergonomic study s conducted revealed that the sanitation employees worked too fast in picking up the garbage and the following options were outlined.
 - 2 man truck system –\$98.66 per household - \$837,000 above the cost of the current service – the currently employee complement would have to be increased from 7 - 14
 - Mechanical System – 3 bin system - \$110 per household - \$1,123,000 per year – Bin system limits the amount that can be collected
 - Contracted out service - \$62.32/household-\$51,000 less – Moncton: \$64.43 (1 man per truck)
 - Current situation unsustainable – employees continue to be injured

Laurann Hanson referenced the motion of May 22, 2018 at which time the motion was passed: *That administration be directed not to renew the Fero contract for another year, effectively bringing all services back “in-house” to CUPE Local 51. This will require at least one permanent employee to be hired to deliver the additional service. That Administration be directed to return to Council by June 2019 with solutions to reducing risk of injuries to City Employees with regard to garbage pickup.*

Mrs. Hanson noted that the budget practice is now a three year process. Administration reviewed the options in terms of reducing injuries along with their costs and this information was shared with CUPE. The \$65 per household fee remains in the operating budget for 2019, 2020 and 7 permanent employees have been budgeted. Since May 2018 the seventh position was filled with considerable turnover in sanitation. Twelve 12 additional candidates were offered positions in sanitation – 5 internal and 7 external with 47 candidates interviewed.

Motion: That Moncton City Council authorize administration to extend the current one-zone waste collection agreement with the current service provider, on a temporary basis, to provide additional collection equipment and staff for any and all zones (for a minimum of 6 months) at a negotiated rate of \$4.98 per month per household plus HST @ 15% (\$62.32 annual price per household including the portion of municipal taxes) as positions become vacant due to attrition of

CUPE employees during CUPE contract negotiations and that the Mayor and City Clerk be authorized to execute all necessary documents and affix the corporate seal thereto.

Moved by Councillor Lawrence

Seconded by Councillor Edgett

Considerable discussion ensued with several members of Council raising concerns and various questions. Councillor Hicks expressed concern at Council becoming involved in motions during negotiations which he felt established a dangerous precedent and could be construed as bargaining in bad faith. He referenced articles on cities such as Calgary and Stilwater, Oklahoma regarding the dangers of privatization adding that costs could increase with a private contractor and that it could be difficult for the city to return to providing the business in house. He suggested retaining the reserves for a period of time to ensure that the City is satisfied with the service by the contractor. He also felt an independent consultant should be engaged to review the process to provide all of the facts on which to base a proper decision, adding that further information is required as the private contractor's operation and their costs. He required further information to making an informed decision on this matter.

Councillor Crossman referenced a situation in February where waste collection in his neighbourhood did not occur on the scheduled day. Administration explained after the collection team identified that collection could not occur in one area due to the lack of a collector, a call was made at noon time for extra help and none of the employees accepted the offer, therefore, the contractor was subsequently contacted and a decision was made to collect on Saturday morning.

Councillor Lawrence requested that staff provide a more detailed analysis on the mechanical process taking into consideration the size of the bins, whether they could be user-friendly for seniors, the costs, pros and cons, etc.

Mr. MacDonald reiterated that Council was being asked to vote on an emergency temporary contract to allow the service to continue in the next few months. The decision to contract out is not a reflection of CUPE workers who provide great service to the public. None of the zones would be privatized unless an employee left the area of sanitation for another position. Employees still have the right to remain in sanitation. He stressed that no job loss will ensue.

Regarding affordability of the City returning to an in house service, Administration believed it could be done through reserve accounts and could be considered through the budget process which is reviewed annually. Equipment could be purchased over a couple of years at approximately \$1.5M.

Mr. MacDonald encouraged council to contact Riverview and Dieppe who have contracted out for the past 20 years. He did not expect the City's costs to exceed their costs as Moncton has more residences.

In response to Councillor Hicks, Mr. Sallib acknowledged that while several job postings were bulletined, part of the Union's concern related to the length of time vacancies are bulletined, some of which are over a month old. The collective agreement calls for 14 days for jobs being posted. In terms of the incident on February 22nd, he noted it was a vacation day approved by the employer who was aware that only two employees would be on duty for the entire day. The collective agreement allows for the employer to call in employees from other departments within the Union in Public Works capable of doing the work to replace the position which was not done. He expressed concern at the potential for job loss as casuals who have worked for the City for years have been denied jobs that will be bulletined publicly. He added that the Union requested a meeting with the City Manager in writing which was denied and which is proceeding to arbitration. He suggested that if Council contacts Dieppe and Riverview that they include Saint John.

Councillor Leger suggested further discussion on the comparisons in terms of the mechanical arms. He also requested clarification on the process followed for job postings and whether it was slow. He put forward the following amendment:

Amendment: that the following wording be removed: *as positions become vacant due to attrition of CUPE employees during CUPE contract negotiations*

Mr. MacDonald noted that while reference to CUPE negotiations could be removed, the portion relating to the positions becoming vacant was necessary to continue the service.

The City Manager advised of efforts being made to continue the service at no extra cost to the taxpayer and to bring forward a further analysis in six months on moving forward as to how to

proceed. If Council wishes to retain the service in house any item will have to be reflected in the 2020 budget. He reminded Council that a \$750,000 debt is predicted for 2020 budget.

The mover and seconder agreed to the change and the final motion read as follows:

Motion: That Moncton City Council authorize administration to extend the current one-zone waste collection agreement with the current service provider, on a temporary basis, to provide additional collection equipment and staff for any and all zones (for a minimum of 6 months) at a negotiated rate of \$4.98 per month per household plus HST @ 15% (\$62.32 annual price per household including the portion of municipal taxes) as positions become vacant due to attrition of CUPE employees and that the Mayor and City Clerk be authorized to execute all necessary documents and affix the corporate seal thereto.

The Mayor thanked CUPE for all their work as well as Administration reiterating Mr. MacDonald's position that the decision relates to safety and financial considerations and that no one will lose their job.

Against – *Councillors Hicks, Pellerin and Crossman, Thériault*

MOTION CARRIED.

7. PLANNING MATTERS/ QUESTIONS D'URBANISME

7.1 New application – 5 Pleasant Street

Mr. Budd provided an overview of the new application for the rezoning, on behalf of the Roman Catholic Arch Bishop, to re-designate the property at 5 Pleasant Street from CU (Community Use) to NH (Neighbourhood) to redevelop a portion of the site into a four-story 80 unit residential building. The Municipal Plan amendment will allow for the property to be rezoned from P1 (Community Use) to R3 (Multiple Unit Dwelling). Access to the site will be from Pleasant Street with two driveways. The property will have underground parking for 64 vehicles plus one barrier free as well as 57 surface parking spaces and 4 barrier spaces. Landscaping and trees are proposed for this property. A traffic count was submitted and a traffic impact study was not required. The intent is to demolish the existing church. While not designated a heritage building, a report was submitted to the Heritage Board for a determination last month.

Motion: That Moncton City Council proceed with the Municipal Plan amendment being By-law Z-113.26 and the Zoning By-law amendment being By-law Z-213.65 and:

- 1) That Council give first reading to Municipal Plan amendment By-law Z-113.26 and the Zoning By-law amendment By-law Z-213.65;
- 2) That a public presentation for the plan amendment be set for April 1, 2019
- 3) That a public hearing be set for May 6, 2019; and
- 4) That By-law Z-113.26 and Z-213.65 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a conditional zoning agreement, including but not limited to:

- 1) That a piece of the existing building be saved and integrated into the site to commemorate the church;
- 2) That landscaping along the western side of the building be completed as per section 129(2) of Zoning By-law Z-213 within one year of the completion of the development and that this be shown on a revised site plan prior to the issuance of a Building and Development permit;
- 3) That notwithstanding section 129(5)(b) the jogs and recesses are permitted to be larger than the required nine metres as per the elevation drawings;
- 4) That the applicant shall submit the WAWA (Wetland and Watercourse Alteration) permit prior to the issuance of a Building and Development permit
- 5) That the rezoning agreement be signed within 12 months of it coming into effect unless an extension is approved, and if the agreement is not signed by the deadline, the rezoning will not come into effect;
- 6) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
- 7) That the \$1,000 security deposit required for a Conditional Rezoning Agreement and by-law registry fees, be paid prior to registration.

Moved by Councillor Boudreau

Seconded by Councillor Leger

If approved the application will proceed to

- **Public Presentation** - April 1, 2019
- **PAC Written Views** - April 27, 2019
- **Public Hearing** /Second and 3rd Readings - May 6, 2019

Considerable discussion with the following concerns and requests presented:

- Councillors Crossman and Pellerin requested that traffic concerns be addressed on Lewisville Road - Mr. Budd agreed to approach Engineering.
- Councillor Lawrence expressed concern at the infringement on the wetland and watercourse - Administration will include in their next report a cross-section of the land and further details as to how any infringement on the watercourse will be mitigated as well as details regarding the WAWA certificate.
- Councillor Theriault requested that the City work with the developer to find a creative way to recognize the cultural aspect of the church. Administration agreed to include it as part of the next presentation adding that Urban Planning and the Heritage Board would work with the developer and Church to appropriately commemorate the church and heritage on the site.
- Councillor Leger noted that the City should have a plan for churches being sold and possibly never repurposed. He suggested reviewing action taken in Montreal and Quebec.

Mayor Arnold reminded Council of the public hearing scheduled for April 1, 2019, adding that that the developer will be afforded the opportunity to speak at that time.

MOTION CARRIED - Councillors Crossman and Pellerin registered nay votes.

7.2 **Public Hearing** – 132 McLaughlin Drive (PID 00773168)

City Council received a PowerPoint presentation, including renderings with architectural features, aerial photographs, from Bill Budd regarding a request from Paul Arsenault, agent, on behalf of 692757 N.B. Inc., land owner, to rezone land at 132 McLaughlin Drive (PID 00773168) from P1 Zone (Community Use) to R3 Zone (Multiple Unit Dwelling). The intent is to accommodate the development of an eight unit residential building in the former Fire Station in the Sunny Brae Neighbourhood. The building at the rear is proposed for Phase I and Phase II will involve the building to the north of the McLaughlin Fire Station building. This was forwarded to the Planning Advisory Committee with the following recommendation before Council.

Motion: That Moncton City Council proceed with the Zoning By-Law amendment subject to the following conditions:

- 1) That a right-of-way agreement be registered on the subject property for shared driveway access and shared parking with the abutting property PID 70594650;
- 2) That notwithstanding section 42(1)(c) of Zoning By-law Z-213, parking for the subject lot is permitted on a different lot and in a different zone as parking will be shared throughout the overall development plan area, (Zoned SC – Suburban Commercial), as per the registered right-of-way agreement;
- 3) That notwithstanding section 129(5)(c) of Zoning By-law Z-213, corrugated metal panels are permitted on a portion of the facade as per the elevation drawings attached as Schedule B;
- 4) That the fence on the south side be erected prior to construction work on the subject site to ensure the construction work does not negatively impact the adjacent residential neighbours;
- 5) That the landscaping be completed, as per the site plan attached as schedule B, no later than September 30th of the year following issuance of the development permit for the subject project;
- 6) That as per Policy PA-1 (Plan Administration & Implementation), a Municipal Plan amendment is not required;
- 7) That the rezoning agreement be signed within 12 months of it coming into effect unless an extension is approved, and if the agreement is not signed by the deadline, the rezoning will not come into effect;
- 8) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
- 9) That the \$1,000 security deposit required for a Conditional Rezoning Agreement and by-law registry fees, be paid prior to registration

No objections were filed and comments made by the public.
The Mayor declared the public hearing closed.

*Moved by Councillor Turner
 Seconded by Councillor Thériault*

MOTION CARRIED.

7.3 Public Hearing –YMCA Moncton North End Community Centre Rezoning

City Council received a PowerPoint presentation from Bill Budd regarding an application from Marilou Savoie, Acadian Construction (1991) Ltd., on behalf of the City of Moncton, to rezone the property identified as PID 70569454 from R2 (Two Unit Dwelling) to P1 (Community Use) Zone to accommodate a new YMCA Community Centre in the City’s North End. It will front Twin Oaks Drive. No objections were received. Inquiries were received from adjacent properties inquiring on the extent of the buffer on the abutting properties from the north and the driveway locations. They appeared to be satisfied with the responses provided.

Motion: That Moncton City Council proceed with the Zoning By-law amendment subject to the following conditions:

- 1) That a 15 meter wide treed buffer be maintained along the northern property line as shown in Schedule B;
- 2) That notwithstanding Section 63(1) of Zoning By-law Z-213, a fence or hedge is not required along the northern property line;
- 3) That notwithstanding Section 58(2) of Zoning By-law Z-213, street trees are not required along Fisher Street;
- 4) That notwithstanding Section 42(1) of Zoning By-law Z-213, 155 parking spaces will be provided.
- 5) That the development be carried out in substantial conformance with the plans and drawings submitted as Schedule B

*Moved by Councillor Hicks
 Seconded by Councillor Lawrence*

MOTION CARRIED.

7.4 Amending Dewey E. Steeves Subdivision – Cash in Lieu

City Council received a presentation from Bill Budd regarding the tentative plan submitted to subdivide the property at 865 Mapleton Road to create a new building lot. The plan also creates a 5 meter wide Public Utility Easement along Mapleton Road. The property is presently zoned R-2 and will permit single/two unit residential developments. The new lot can connect to Municipal Services (water & sewer) on Mapleton Road.

Motion: That Council require Cash in Lieu of Land for Public Purposes for the Amending Dewey E Steeves Subdivision in the amount of \$3,600.00.

*Moved by Councillor Leger
 Seconded by Councillor Edgett*

MOTION CARRIED.

8. STATEMENTS BY MEMBERS OF COUNCIL

No statements this evening

9. REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendation(s) – Private Session – February 11, 2019

Elaine Aucoin gave a presentation on the flood mitigation strategy.

City Council received a PowerPoint presentation from Elaine Aucoin regarding the flood mitigation study as it related to the following areas and the results of the study: There will be a session Wednesday, Knights of Columbus Hall, on Broadway Street at 6:30 a.m.

South of Lewisville Road	East End
Both areas are affected by flooding from rain as well as the Petitcodiac River due to their	

proximity to the creek and back up sewer problems
Infrastructure upgrades include: <ul style="list-style-type: none"> • Lewisville Area - \$2,400,000 • East End Area - \$5,136,000 • Cost includes 20% contingency, engineering at 15% and HST at 15%

Public consultation sessions were held in June 2018 with the various options including structural and non-structural options presented at that time. The sessions were attended by five-six (5-6) residents from the Lewisville area and fifteen (15) from the East End. Ms. Aucoin reviewed the options contained in the presentation for each area with option 1 being the recommended option. In terms of a buy-out option, Ms. Aucoin indicated it is not common in Canada and the cost is significant (\$19,714,000). She confirmed with the federal and provincial governments that no funding is available for buy-outs. Administration feels that each area should be afforded the same level of protection and submitted the following presentation.

In reply to Councillor Crossman, Ms. Aucoin advised that in contacting the Province and no action is planned regarding the dikes.

Mr. MacDonald noted that the work will be phased over five – seven (5 – 7) years. He indicated that a number of projects were being done congruently. Councillor Hicks suggested providing this information during the public consultations.

Motion: That Moncton City Council direct administration to implement the structural measures included under Scenario 1 (Phase 1) of the Neighbourhood Flood Mitigation Study completed by Crandall Engineering in partnership with the IBI Group, which consist of infrastructure renewal with a sewer relief system and detention pond, and that administration review the estimated costs of \$11,813,000 and bring forward possible implementation timelines and strategy during the 2020 capital works budget process deliberation; and further

That administration be directed to proceed with a public information session for the residents of the Lewisville and East End areas to discuss the results of the Study.

Moved by Councillor Crossman
Seconded by Councillor Thériault

MOTION CARRIED.

9.2 Recommendation(s) – Committee of the Whole – February 25, 2019

City Council received a presentation from Jillian Somers regarding the Visitor Economy Master Plan. As part of the 2018 budgeting process, City Council approved funding to support the development of a tourism master plan which would be a roadmap to create a new trajectory for tourism in the City of Moncton. The project kicked off in March 2018 with Floor13 hired as the consultant. The Regional Service Commission was also included as a key partner which included the entire south east area and Acadian Coast line. The plan has been reviewed by the other levels of government as well. The plan provides what tourism could look like for the City of Moncton and south east region. Round table sessions were held with stakeholders and an online survey. The major goal of the plan is to increase visitor expenditures by 4.7% until 2025. Ms. Somers reviewed the 17 recommendations outlined in the presentation. She added that the entire region is excited to work together on this plan.

Motion: That Moncton City Council adopt, in principle, the Visitor Economy Master Plan as developed by FLOOR13, in collaboration with City of Moncton, the Southeast Regional Service Commission and key community stakeholders, and refer to administration for implementation.

Moved by Councillor Leger
Seconded by Councillor Turner

The Mayor noted that recommendation cannot go forward without the province approving the destination marketing fee.

MOTION CARRIED.

Motion: That Moncton City Council approve the draft Request for Proposal – Integrity Commissioner Services and direct Administration to issue the Request for Proposal to the market.

Moved by Councillor Leger
Seconded by Councillor Lawrence

A presentation was provided by Nick Robichaud regarding the Integrity Commissioner. The new Local Governance Act requires that municipalities implement a Code of Conduct for elected officials which was passed in December 2018. A review of best practices in other municipalities indicate they use an independent third party (integrity commissioner) to conduct investigations in accordance with the code, providing recommendations to council if violations are detected and providing education advisory services on various issues. A draft request for proposal has been submitted for Council's approval. Council would be the final authority in determining whether there was a breach and what sanctions if any, should be imposed. The fee is through an annual retainer and an hourly fee charged depending on how often the services are used. The contract would be for one year with options for two additional terms. If approved, an RFP will be issued and administration will return to Council with a recommendation.

Administration agreed to remove the section in the RFP pertaining to the Integrity Commissioner working with a staff member.

Councillors Hicks, Thériault, Crossman and Leger felt that the commissioner should have the final say on the sanctions as long as there is an appeal process. Councillor Hicks added that it should be stipulated that no one can apply for this position if they contributed to a candidate's political campaign.

The City Manager noted that if Council could consider an amendment to the by-law in the future in this regard.

MOTION CARRIED. *Councillors Hicks, Pellerin and Crossman registered nay votes.*

9.3 **Recommendation(s)** – Special Private Session – February 25, 2019

Councillor Hicks declared a conflict of interest

Councillor Pellerin left the meeting.

Mr. Doucet presented a PowerPoint presentation concerning Curl Moncton's expansion being over budget by \$202,000 due to contaminated soil and a new compressor. He highlighted the community impact of Curl Moncton and their efforts to mitigate expenses by increasing membership and offering new programs. They do not receive operating grants from the City, however, the City did upgrade its own adjacent parking lot at a cost of \$375,000 and approved the club's existing loan of \$896,400. The City does provide support for some organizations directly. The presentation also covered some of the risks associated with the loan.

Motion: **That** the City of Moncton provide an additional short-term loan to Curl Moncton in the amount of \$207,484 based on the following conditions:

- a. Curl Moncton will begin its Capital Fundraising Campaign no later than June 1st, 2019 and increase its target to \$400,000.
- b. The City of Moncton will receive 50 per cent of the contributions from this campaign as the funds are received by Curl Moncton and these will be applied against the short-term loan.
- c. The outstanding amount from the short-term loan of \$207,484 owed to the City, will be subject to interest at prime + 2% and debt payments for the outstanding amount will begin in October of 2020 and must be fully paid before 2026.
- d. The City will require Financial Statement updates twice per year.
- e. The loan will be secured via mortgage against the property, similar to the previous loan amounts.

That the first payment of the existing loans begin in 2020 in lieu of October 2019.

And that in the interest of transparency a representative from the City of Moncton be appointed to the Board of Curl Moncton.

And finally, that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate Seal thereto.

Moved by Councillor Boudreau

Seconded by Councillor Leger

In terms of an appointment to the board, Administration it will be brought forward in the appointment section at a future Council meeting.

Councillors Turner and Edgett applauded the efforts of Curl Moncton in bringing high profile events to the City.

MOTION CARRIED

10. REPORTS FROM ADMINISTRATION

Councillor Hicks returned to Council Chambers.

10.1 City Contract W19B 02DC - Water Renewal (Salisbury/Kendra)

Motion: That City Contract No. W19B 02DC, Water Renewal, be awarded to Dexter Construction Company Limited in the amount of \$1,718,708.35 including HST (\$1,558,584.51 net municipal cost), and that the budget for the project be set at \$1,800,000 including net HST, engineering and contingency; and

Further that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton.

*Moved by Councillor Leger
Seconded by Councillor Lawrence*

MOTION CARRIED

10.2 City Contract W19D 02AA – Street Reconstruction No. 1 (Alexander/Hollywood)

Motion: That City Contract No. W19D 02AA, Street Reconstruction No. 1, be awarded to Monarch Construction Ltd. in the amount of \$2,072,829.00 including HST (\$1,879,713.44 net municipal cost), and that the budget for the project be set at \$2,175,000 including net HST, engineering and contingency;

And further that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Lawrence
Seconded by Councillor Leger*

MOTION CARRIED.

10.3 City Contract W19D 05DA – Street Reconstruction No. 2 (Jubilee/Washington)

Motion: That City Contract No. W19D 05DA, Street Reconstruction No. 2, be awarded to Birch Hill Construction Limited in the amount of \$826,226.13 including HST (\$749,250.59 net municipal cost), and that the budget for the project be set at \$1,000,000.00 including net HST, utility relocation, engineering and contingency; and further

that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Turner
Seconded by Councillor Edgett*

MOTION CARRIED

10.4 City Contract W19D 05BC– Street Resurfacing No. 1 (Various Locations)

Motion: That City Contract No. W19D 05BC, Street Resurfacing No. 1, be awarded to Dexter Construction Company Limited in the amount of \$1,881,915.20 including HST (\$1,706,586.16 net municipal cost), and that the budget for the project be set at \$1,950,000 including net HST, engineering, utility relocation costs and contingency; and

Further that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Leger
Seconded by Councillor Lawrence*

MOTION CARRIED.**10.5 City Contract W19D 05CA – Street Resurfacing No. 2 (Various Locations)**

Motion: That City Contract No. W19D 05CA, Street Resurfacing No. 2, be awarded to MacDonald Paving and Construction Limited in the amount of \$1,551,655.90 including HST (\$1,407,095.54 net municipal cost), and that the budget for the project be set at \$1,600,000 including net HST, engineering and contingency; and

Further that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton thereto.

Moved by Councillor Lawrence

Seconded by Councillor Leger

MOTION CARRIED.**10.6 City Contract W19C 03CC – Mountain Road Storm Sewer Relief System**

Motion: That City Contract No. W19C 03CC, Mountain Road Storm Sewer Relief System – Phase 2, be awarded to Birch Hill Construction Ltd. in the amount of \$1,284,780.58 including HST (\$1,165,083.71 net municipal cost), and that the budget for the project be set at \$1,350,000 including net HST, engineering, utility relocation costs and contingency; and

Further that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton.

Moved by Councillor Turner

Seconded by Councillor Boudreau

In reply to Councillor Hicks, Mr. Richard noted that the work commences in July as the timing aligns with the end of the school season for NBCC and felt that dust issues would be mitigated.

MOTION CARRIED.**11.****READING OF BY-LAWS**

The Assistant City Clerk announced that the following by-laws will be posted on line at www.moncton.ca in lieu of reading them into the record at future meetings, pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act, or same can be faxed, mailed or emailed to interested parties at their request.

- 11.1 **A By-Law** in Amendment of a By-Law Relating to the Adoption of the City of Moncton Municipal Plan, being By-Law # Z-113.26 – Pleasant Street – First Reading (subject to approval of item 7.1)
- 11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.65 – Pleasant Street – First Reading
- 11.3 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.63 – 132 McLaughlin Drive – Second and Third Readings (subject to approval of 7.2)

Motion: I would move that second reading be given to By-Law Z-213.63.

Moved by Councillor Leger

Second reading was administered by the A/City Clerk.

Motion: I would move that third reading be given and that By-Law Z-213.63 be ordained and passed and that Mayor and City Clerk be authorized to affix the Corporate Seal thereto

Moved by Councillor Turner

Seconded by Councillor Leger

MOTION CARRIED.

- 11.4 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.64 – YMCA Moncton North Community Centre Rezoning – Second and Third Readings (subject to approval item 7.3)

Motion: I would move that second reading be given to By-Law Z-213.64.

Moved by Councillor Hicks

Second reading was administered by the A/City Clerk.

Motion: I would move that third reading be given and that By-Law Z-213.64 be ordained and passed and that Mayor and City Clerk be authorized to affix the Corporate Seal thereto.

Moved by Councillor Turner

Seconded by Councillor Edgett

MOTION CARRIED.

12.

NOTICES MOTIONS AND RESOLUTIONS

- 12.1 **Notice of Motion** – Climate Emergency Resolution

Councillor Boudreau read into the record the following Notice of Motion to be considered at the next Public Council meeting.

WHEREAS, it is well established that climate warming is causing significant disruptions to the world’s climatic systems, increasing the frequency of extreme weather events and posing other significant risks, such as drought, forest fires and rising sea levels, and that these disruptions in our climate pose immediate threats to our natural environment, our health, our jobs and economy, and,

WHEREAS, climate impacts are already causing devastation, loss of life and destroying vital ecosystems, and,

WHEREAS, global average temperature, atmospheric greenhouse gases, and ocean acidity are already at dangerous levels, and,

WHEREAS, Local governments are essential to the successful implementation of the urgent measures required to limit the global climate crisis, and,

WHEREAS, Local governments around the world are taking new actions to avoid the worst impacts of climate breakdown and calling on senior levels of government for a more urgent, emergency response, and,

WHEREAS, 290 Canadian cities, towns, and local service districts, have recently formally declared a Climate Emergency in their respective communities, in light of the dire warnings emanating from the Paris Agreement, the United Nations, and various Global Conferences, and,

WHEREAS, the City of Moncton has been taking action on sustainability, which is one of the city’s Core Values, and has as a Pillar of our Mission as a city, the Environment and the proactive stewardship of such environment, thus setting a solid foundation for ramping up ambition and action to meet the moral and scientific urgency of climate disruption.

THEREFORE BE IT RESOLVED

That Moncton City Council declare a Climate Emergency.

That Council recognize the breakdown of the stable climate and sea and river levels under which human civilization developed constitutes an emergency for the City of Moncton.

That Council direct staff to report back by May 1, 2020 on opportunities to:

- i. Increase ambition and/or accelerate timelines for existing actions under the City’s Climate Adaptation Strategy;
- ii. Add new actions that would help the City achieve its targets;

- iii. incorporate into the City's climate targets and actions the need to achieve net zero carbon emissions before 2050 and net negative carbon emissions in the second half of the century; and

That Council call upon our Federal and Provincial governments to support the City of Moncton in its efforts to deal with the said Climate Emergency, and to do what is necessary and required now to create a safe and livable future for our generation and those that may come in the future.

Moved by Councillor Boudreau

12.2 **Resolution** – By-Law Enforcement Officers – Krista McIntosh, Claire Saulnier and Mike McKendrick

WHEREAS pursuant to Section 14 of the Police Act, S.N.B., Chap. P-9.2, Council is authorized to appoint By-Law Enforcement Officers; and

WHEREAS Council has approved the use of the Canadian Corps of Commissionaires to enforce its By-Laws; and

NOW THEREFORE BE IT RESOLVED THAT Krista McIntosh, Claire Saulnier and Mike McKendrick be hereby appointed By-Law Enforcement Officers for the City of Moncton, and are hereby authorized to enforce all of the municipality's by-laws and to take such action or issue such tickets as may deem to be necessary to enforce any provisions of any such by-laws.

Moved by Councillor Leger

Seconded by Councillor Turner

MOTION CARRIED

13.

APPOINTMENTS TO COMMITTEES/ NOMINATIONS À DES COMITÉS

Motion: That the following appointments be approved:

3+ Corporation

- Khaleel Urrahman
- Maura McKinnon

Moncton Industrial Board (MID)

- Re-new Mike Mann
- Appoint Robin Drummond

Mayor's Seniors Advisory Committee

- Eileen Whyte
- Josée Lépine
- Winston Pearce

Moncton Public Library Board

- Nicole Doiron
- Bradley Condon
- Mariam Mesbah

Poverty and Social Inclusion

- Debby Warren
- Paul Robichaud

Moved by Councillor Lawrence

Seconded by Councillor Boudreau

MOTION CARRIED.

14.

ADJOURNMENT/CLÔTURE DE LA SÉANCE

Motion: That the Public Council Meeting of this date be adjourned.

Moved by Councillor Boudreau

MOTION CARRIED.

.....
Mayor Dawn Arnold

.....
Shelley Morton, A/City Clerk

/mjk

