

Council Chambers  
City Hall  
Moncton, N. B.  
October 5, 2020  
4:00 p.m.

## MINUTES – REGULAR PUBLIC MEETING

### MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold	Councillor Charles Léger, Via Webex
Councillor Pierre Boudreau	Councillor Bryan Butler
Councillor Paulette Thériault	Councillor Brian Hicks, Via Webex
Deputy Mayor Shawn Crossman, Via Webex	Councillor Susan Edgett
Councillor Blair Lawrence, Via Webex	

### ABSENT

Councillor Paul Pellerin

### ALSO PRESENT

M. Landry, City Manager  
B. Quigley, City Clerk and Director, Legislative Support  
B. Tait, Acting General Manager, Operations Services  
C. Dallaire, General Manager, Recreation, Culture and Events Services  
J. Doucet, CFO, General Manager, Finance Services  
N. Robichaud, General Manager, Legal and Legislative Services  
J. MacDonald, General Manager, Sustainable Growth and Development Services  
L. Hanson, General Manager, Corporate Services,  
T. Critchlow, Superintendent, Codiac RCMP, Via Webex  
B. Budd, Director, Planning and Development  
I. LeBlanc, Director, Communication  
A. Richard, Director, Design & Construction  
C. Landry, Fire Chief  
J-P. Charron, Senior Planner, Heritage Conservation

### GUESTS

Patrick Gillespie, Ashford Living Inc.  
Blaine Hogue, Heritage Preservation Board

#### 1.

### CALL TO ORDER

#### 2.

### ADOPTION OF AGENDA

**Motion:** That the agenda for the October 05, 2020 Regular Public Council meeting **be approved** as circulated.

Moved by: Councillor Léger  
Seconded by: Councillor Boudreau

### MOTION CARRIED

#### 3.

### CONFLICT OF INTEREST DECLARATIONS

*None declared*

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#### 4.

### ADOPTION OF MINUTES

**Motion:** That the minutes of the September 21, 2020 Regular Public Council meeting **be adopted** as circulated.

Moved by: Councillor Edgett  
Seconded by: Councillor Butler

### MOTION CARRIED

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#### 5.

### CONSENT AGENDA

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#### 6.

### PUBLIC AND ADMINISTRATION PRESENTATIONS

**6.1 PUBLIC PRESENTATIONS**

5 minutes

**Other Presentation/Autres présentations**

2 minutes

**6.2 ADMINISTRATION PRESENTATIONS**

15 minutes

- 6.2.1 **Update** – Covid-19 (Coronavirus) – Marc Landry, City Manager; Conrad Landry, Fire Chief  
Fire Chief Landry advised Council that guidelines for Halloween have been received from the Province. The City is currently working with neighboring communities to have the same messaging to the public. Fire Chief Landry advised that the City will continue to monitor the mandatory masks updates from the Province.
- 6.2.2 **RCMP Update** – Tom Critchlow, Codiac RCMP Superintendent  
Superintendent Critchlow advised that the Q1 report was presented to the CRPA board. The public can access the report on the CRPA website.

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**7.**

**PLANNING MATTERS**

- 7.1 84-86 Highfield Street – Amend By-law Z-1116 - A By-law Relating to Heritage Conservation in the City of Moncton

Mr. Budd advised Council that the subject property owner, Ashford Living Inc, has applied for a building permit to demolish the residential building at 84-86 Highfield Street. This triggered an initial heritage review, as is the process for all demolition requests. The review has identified some heritage value associated with this property. The property is listed as a Local historic property on the Canadian Register of Historic Places after being approved for registration by motion of Council on March 21, 2005 through the Historic Places Initiative. A report was presented to the City of Moncton Heritage Board at its September 10, 2020 meeting as per Subsection 84(2) of the Provincial Heritage Conservation Act. A temporary order to cease activity (demolition) for a period of sixty (60) days was been issued on September 10, 2020.

Following a meeting with representatives from Ashford Living Inc., a Building Permit was issued on September 11, 2020 to convert the existing duplex into single unit dwelling which enables the work to proceed with the 6 storey building but does not assure preservation of the Killam House. The work entails removing the rear addition, infill exterior wall and infill existing windows as per plans which will bring building into compliance with Fire Proofing requirements. The plans submitted illustrate that all changes to the building façade are intended to preserve the character of the existing property. Certain windows are to be reduced in size and infilled with a fire rated cement board designed to match window detail to mimic existing look.

Patrick Gillespie, applicant, provided a background of how they acquired the building lots. Once land was purchased and the building was being constructed, the issue of the Heritage Act came to light. If Ashford Living Inc. are not permitted to demolish the building, there will no means for larger vehicles to access the property along Elm Street. Any time a tenant moves in or out of the building, moving trucks will be either blocking Gordon or Highfield Streets causing traffic backups.

Councillor Thériault reiterated to Council, and the developer, the importance of including the preservation of heritage building within the Downtown Development. She spoke of the lack of citizen support for protection of heritage buildings within the city. She encouraged citizens to voice their opinion at the Public Hearing.

**Motion:**

That Moncton City Council proceed with the Heritage By-law Amendment being By-law Z-1116.4 to add 84-86 Highfield Street as a designated municipal heritage conservation area, and:

- 1) That Council give 1st reading to By-law Z-1116.4;
- 2) That a public hearing be set for November 16, 2020; and
- 3) That a letter be sent to the property owner as per the Section 56(1)(b) of the Heritage Conservation Act.

Moved by: Councillor Edgett

Seconded by: Councillor Lawrence

In response to a question from Councillor Lawrence, Mr. Budd indicated that in order to minimize heritage aspects of development being missed that all properties designated within both the National and Provincial Registries for Heritage buildings should be designated as municipal heritage. As well, it is being proposed that a small internal working group be established to review all development for a heritage aspect.

**MOTION CARRIED**

7.2 **Amending** Church of the Nazarene Subdivision

Mr. Budd advised Council that a subdivision request has been submitted to subdivide the property at the corner of McLaughlin Drive and Ward Street. The purpose of the plan is to create a new building Lot 20-03 and create a 5 metre wide Public Utility Easement along Ward Street. The applicants intend to move a single unit dwelling onto the proposed lot and renovate the building to a two (2) unit dwelling. The land is presently zoned R-2. There are no issues with the proposed subdivision.

**Motion:** That Moncton City Council approve cash in lieu of Land for Public Purposes in the amount of \$2,000.00 for the Amending Church of the Nazarene Subdivision.

Moved by: Councillor Boudreau  
Seconded by: Councillor Edgett

**MOTION CARRIED**

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**8.**  
**STATEMENTS BY MEMBERS OF COUNCIL**

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**9.**  
**REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS**

9.1 **Recommendation(s)** – Internal Audit Committee – March 9, 2020 – **Request for Proposal RFP19-140** – Internal Auditor Services

*Councillor Boudreau left the meeting*

**Motion:** That Moncton City Council approve the recommendation of the Internal Audit Committee that Request for Proposal #RFP19-140 – Internal Auditor Services be awarded to the highest-scoring Proponent meeting the Terms and Conditions and Specifications set out in the RFP, being Grant Thornton LLP.

Moved by: Councillor Butler  
Seconded by: Councillor Léger

Councillor Léger requested the Clerk to read into the record the principal duties and responsibilities of the successful Proponent into the record

- a) Consults with Moncton City Council's Internal Audit Committee to develop an internal audit plan, which may include items previously on the work plan of the Internal Auditor but not completed;
- b) Develops and delivers internal audit reports to the Internal Audit Committee, covering such topics as the reliability, security and integrity of information; compliance with policies and regulations; safeguarding of assets; economical and efficient use of resources; and achievement of operational goals and objectives;
- c) Develops reliable methods of data gathering and analysis relative to policy adherence, safeguarding of assets, efficiency of operations and meeting corporate goals;
- d) Determines best practices for reporting and communication of internal audit findings; and
- e) Recommends operational efficiencies and policy revisions to the Internal Audit Committee.

**MOTION CARRIED**

9.2 **Recommendation(s)** – Committee of the Whole – September 28, 2020

**Motion: That** the Moncton City Council adopt the Winter Sidewalk Maintenance Study Report (2020) for the City of Moncton.

Moved by: Councillor Léger  
Seconded by: Councillor Butler

**MOTION CARRIED**

**Motion: That** Council adopt the 2020-2021 Sidewalk Snow Clearing Plan for the City of Moncton.

Moved by: Councillor Butler  
Seconded by: Councillor Léger

**MOTION CARRIED**

*Councillor Boudreau returned to the meeting*

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**10.**  
**REPORTS FROM ADMINISTRATION**

10.1 **By-Law T-410** – Amendment for Moving Oversized and Overweight Loads

The Province of New Brunswick requires that contractors moving oversized or overweight loads on Provincial roads and highways apply for and receive a permit prior to moving the load.

A review of major cities in Canada has confirmed that cities have developed a by-law and permit requirement to govern the movement of oversized and overweight loads within their municipalities. This ensures that the municipality is aware where, when and how these oversized and overweight loads are being moved through city streets. Administration has therefore developed the attached by-law and permit requirements for Moncton in order to ensure that both the City and the delivery or moving contractor are aware of all requirements.

**Motion: That** City Council approve the amendment to By-law T-410, being a By-law Relating to Protection of Streets in the City of Moncton, give first reading of the by-law, and bring the second and third readings to a future Public Council Session.

Moved by: Councillor Léger  
Seconded by: Councillor Butler

**MOTION CARRIED**

10.2 **Tender TCS20-073** – Reconstruction of Five (5) Tennis Courts and Related Amenities

**Motion:**

1. That Moncton City Council award Tender #TCS20-073 for the Reconstruction of Five (5) Tennis Courts and Related Amenities to the lowest Bidder meeting the Specifications, being Avondale Construction Ltd., for the Total Tendered Price of \$583,184.14, including H.S.T. @ 15%.
2. That a Construction Contingency Allowance in the amount of forty thousand dollars (\$40,000.00) including H.S.T. @ 15% be established for the project to address any unforeseen or unknown site conditions; and
3. That a Construction Services Agreement be prepared by the Legal Department for signature by the Mayor and City Clerk.

Moved by: Councillor Edgett  
Seconded by: Councillor Lawrence

Councillor Boudreau requested that administration provide details on who can access the tennis courts, do citizens require a membership?

**MOTION CARRIED**

*Nay:*  
*Councillor Boudreau*

10.3 **Tender TC20-087** – Supply and Delivery of Two (2) Vacuum Street Sweepers

**Motion: That** Moncton City Council approve the purchase of Two (2) Only Johnston VT652 Dual Gutter Broom Vacuum Street Sweepers from Saunders Equipment Ltd. for the Total Purchase Price of \$722,196.50, including H.S. T. @ 15%, as permitted through City of Fredericton Request for Proposal #P19-09, and the New Brunswick Procurement Act.

Moved by: Councillor Léger  
Seconded by: Councillor Hicks

Administration will look at best practice review of tenders in terms of possible piggy back with other municipalities. This will be brought back to Council in the next few months.

**MOTION CARRIED**

10.4 **Grade (railway) Crossing Improvement – Edinburgh Drive**

**Motion:**

1. That City Council authorize the Mayor and City Clerk to sign the funding agreement with CN Rail for the Grade Crossing Improvements on Edinburgh Drive and affix the Corporate Seal of the City of Moncton thereto.
2. That City Council authorize the Mayor and City Clerk to sign the Canada – City of Moncton Rail Safety Improvement Program Agreement for the Grade Crossing Improvements on Edinburgh Drive and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Butler  
Seconded by: Councillor Léger

**MOTION CARRIED**

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**11.**

**READING OF BY-LAWS**

*The City Clerk announced that the following by-laws will be posted on line at [www.moncton.ca](http://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 e-mailed to interested parties at their request.*

- 11.1 **By-Law** in Amendment of a By-law Relating to the Use of Streets in the City of Moncton, being By-Law T-410.9 – **First Reading – Pending approval item 10.1**

*First Reading only*

- 11.2 **By-law** in Amendment of a By-law Relating to Heritage Conservation in the City of Moncton, being By-law Z-1116.4 – **First Reading – Pending approval item 7.1**

*First Reading only*

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**12.**

**NOTICES MOTIONS AND RESOLUTIONS**

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**13.**

**APPOINTMENTS TO COMMITTEES**

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**14.**

**ADJOURNMENT**

**Motion: That** the meeting be adjourned.

Moved by: Councillor Boudreau

**MOTION CARRIED**

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Dawn Arnold  
MAYOR

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Barbara A. Quigley  
CITY CLERK & DIRECTOR OF  
LEGISLATIVE SUPPORT

/6:00 p.m.

/smm