

Council Chambers
City Hall
Moncton, N.B.
May 3, 2021
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold, in the Chair	Councillor Charles Léger, via Webex
Councillor Pierre Boudreau,	Councillor Bryan Butler, via Webex
Councillor Paulette Thériault	Councillor Brian Hicks, via Webex
Councillor Shawn Crossman	Councillor Susan Edgett
Councillor Blair Lawrence	Councillor Paul Pellerin, via Webex

ALSO PRESENT

M. Landry, City Manager
B. Quigley, City Clerk and Director, Legislative Support
A. Richard, Acting General Manager, Operations Services
C. Dallaire, General Manager, Recreation, Culture and Events
J. Doucet, CFO, General Manager, Finance Services
N. Robichaud, General Manager, Legal and Legislative Services
L. Hanson, General Manager, Corporate Services
B. Joliette, Codiac RCMP
B. Budd, Director, Planning and Development, via Webex
C. Landry, Fire Chief, via Webex
A. Smith, Planning and Development, Urban Planning
T. Carter, Manager, Purchasing
R. Lagacé, Acting Director, Engineering
I. LeBlanc, Director, Communications
J. P. Charron, Senior Planner – Heritage
L. Currie, Manager, Strategic Planning
M. King, City Clerk's Office

GUEST:

Sharon MacKenzie, Healthy Seniors Pilot Project, New Brunswick Action Plan Project (NB iGAP)
Lillian Surette, Mayor's Senior Advisory Committee
Miko Moralea, Mayor's Youth Advisory Committee

1.

CALL TO ORDER

2.

ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated May 3, 2021 be approved as circulated.

*Moved by Councillor Boudreau
Seconded by Councillor Edgett*

MOTION CARRIED

3.

CONFLICT OF INTEREST DECLARATIONS

4.

ADOPTION OF MINUTES

Motion: That the minutes of the regular public Council meeting dated April 19, 2021 be approved as circulated.

*Moved by Councillor Edgett
Seconded by Councillor Léger*

MOTION CARRIED

5.

CONSENT AGENDA

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

5 minutes

Other Presentation

2 minutes

Rising Tide – Dale Hicks

Mr. Hicks came before Council to provide an update on the status of the Rising Tide project:

- Rising Tide has received matching funding from Province of New Brunswick.
- A long-term agreement has been established with Province securing 62 rental subs.
- Long term sustainability plan established for the next 10 years.
- Acquired \$3.4M from the Federal Government and other grants available are being explored.
- Five board members have been appointed including Dawn Ermen Cormier, Greg Lutes and Lawrence Forbes.
- By-laws have been passed and policies have been developed.
- Announcing Hiring the Executive Director in the next few weeks.
- Currently working on 4 properties – 3 require renovations and one is a brand-new build.
- Met with Salvus, Youth Impact, Crossroads for Women, Harvest House, and the YMCA.
- Currently applying for charity status.

6.2 ADMINISTRATION PRESENTATIONS/EXPOSÉS DE L'ADMINISTRATION

15 minutes

6.2.1 **Presentation** - Intergenerational Day - Sharon MacKenzie and Marcia King

Ms. MacKenzie and Ms. King provided a brief presentation to Council on the Intergenerational Day indicating plans for various activities across Canada are underway in recognition of this day. This year's event will take place on June 1, 2021.

The City of Moncton's Mayor's Seniors Advisory Committee and Mayor's Youth Advisory Committee were approached last September to participate in a Healthy Seniors Pilot Project, through the New Brunswick Intergenerational Action Project (NB iGAP). This program is aimed at engaging the community in projects to bridge intergenerational gaps and help break down barriers among people of varying ages to address issues such as social isolation, ageism, etc.

Joint committee meetings were held with members of both the Mayor's Youth Advisory Committee and Mayor's Seniors Advisory Committee volunteering to participate in online group discussions sharing experiences and stories.

Lillian Surette, Mayor's Senior Advisory Committee and Miko Moralea, Mayor's Youth Advisory Committee spoke to their positive experience with the program.

Councillor Thériault suggested that Joanne Lamarche, Leisure, be part of this initiative. Suggested that perhaps Ms. King reach out to UNB regarding a research project on Healthy Aging.

6.2.2 **Presentation** – Heritage Conservation Board – Annual Report

Councillor Thériault presented the item, and thanked staff and the Board for their continued hard work. She recognized the work of the late Beverly Barrett who sat on the Heritage Board for 19 years and was president for 6 years.

Mr. Charron presented the Heritage Preservation Conservation Board's annual report.

In 2020, twenty municipal heritage permits were processed and issued. Six heritage grants were awarded during the year.

A new communication technology was explored to allow presenting events virtually during its first "Moncton Heritage Week" in September. This initiative enabled the board to implement some action items and activities identified in the 2019-2021 Heritage Strategic Plan and the Communication Plan focused on heritage conservation education and awareness on heritage related issues.

Two other priorities related to the Heritage Strategic Plan were advanced: an update of the Heritage Grant Policy and a new policy aimed at the designation of additional heritage conservation areas.

In addition to reviewing and approving various built-heritage related development applications during its monthly meetings, the board also managed 6 heritage conservation grants and approved two commemorative heritage plaque installations, one at 93 Victoria Street (Record House) and one at 134 Church Street, a unique early 20th century Arts and Crafts residence.

Based on a recommendation from the board, the City of Moncton proceeded to amend the Heritage Conservation By-law to include the property located at 84-86 Highfield Street, known as the Killam House, a good example of a late 19th century Queen Anne residence, as a heritage conservation area. The building was at risk of being demolished.

- 6.2.3 **Update** – COVID-19 (Coronavirus) – Marc Landry, City Manager; Conrad Landry, Fire Chief
Mr. Landry indicated that the COVID-19 team continued to meet regularly. Chief Landry advised Council that the team continues to review the summer event COVID-19 plan.

Chief Landry provided information as to how to reach By-Law Enforcement after hours. Emails can be sent to info.enforcement@moncton.ca or by phone 389-5928. On weekends the number is transferred to the by-law enforcement officer. Should the public have difficulties with either of these venues, they should contact the City's Dispatch Center.

- 6.2.4 **Update** – RCMP – Inspector Benoit Jollette, Codiac RCMP
Inspector Jollette advised Council that a search warrant was executed on Thursday which resulted in \$20,000 worth of meth being seized.

On April 21-22, traffic checks/stops yielded 60 speeding tickets and distracted driving tickets being issued.

7.

PLANNING MATTERS

- 7.1 **Public Hearing** – Amendment to Zoning By-law Z220 – Residential Accessory Gardens and Food Production

The Clerk reported that 2 objections had been received; however, have since been removed. Forty-seven letters have been received in favour of the amendment.

Mr. Smith advised Council that the purpose of the item is to bring forward consideration of a text amendment to the Zoning By-law Z-220 to provide increased clarity in allowing on-site food production (edible plants, herbs, plants which produce fruits or vegetables) as an option for required residential landscaping.

The proposed amending by-law was brought forward to Council at its regular meeting held on April 6, 2021. Council gave first reading of the by-law at this meeting. Further, it was asked that staff bring forward the regulatory details of the structure/feature height restriction discussed at this meeting, which was identified through the jurisdictional scan exercise.

Despite concerns regarding lack of regulatory control associated with this item, Administration recommends not attempting to craft additional regulations through discourse/debate at the public hearing, between 1st and 2nd/3rd readings (i.e. attempting to plan/make modifications on-the-fly). The recommendation from Administration / the Planning Advisory Committee remains unchanged.

Should Council choose to accept the recommendation of Administration and Planning Advisory Committee to proceed with the proposed by-law as presented, Administration will monitor the outcome and report back to Council on the general status of complaints and compliance requests associated with front yard gardens. If directed by Council, Administration will re-examine the issue at a later date (e.g., Municipal Plan Review, 2022-2023) and present recommendations accordingly.

It was noted that due to this being the last meeting of this mandate, Council cannot postpone or table the item.

Proponents:

Christine Lund – Garden Cities Project – Came before Council to provide support of the amendment by the organization. She spoke of the committee's belief of the benefits of gardens – such as mental health, safe food, etc. Following a discussion with a realtor, Ms. Lund indicated that having gardens located in the front of a home, does not decrease the value of a home.

Alexandre Gagnon – Family Physician – He provided his view on the importance of front yard gardens. He noted that some homes within the city do not have backyards or if they do, do not have enough sunlight in the backyard to sustain a garden. Benefits of gardening can increase access to healthy eating in lower socio-economic neighbourhoods.

Helene Boissonnault – not present

Ann or Stan Balch – not present

Jean-Philippe Sapinski – not present

Lianne K – Learning about gardening with her young children. Over the past few weeks, she had had both positive and negative opinions on having front yard gardens. It is her opinion that the positive outweighs the negative of these front yard gardens. Her reasoning for her placing boxes in her front yard, is due to the lack of sun in the backyard.

Objectors – No objectors expressed the desire to be on the record

In response to Councillor Butler's question, Mr. Smith indicated that administration is not recommending a permit system for gardens. Councillor Butler's concern is that if no regulations are in place, it could allow a resident to utilize any type of materials for the base, and once the garden is done, it needs to be cleaned out and he questioned how will this be enforced. Mr. Smith indicated that administration would monitor the situation.

Mr. Landry reminded Council that a by-law can be amended at anytime in the future, should need be. The option before Council should they not want to move the item forward is to deny the item.

Mr. Robichaud reminded Council that the Unsightly Premises By-law could be enforced.

Councillor Hicks felt that administration did not put enough thought into the outcome of this amendment.

It was suggested that perhaps the city partner with Garden Cities to work with residents.

Mr. Landry responded that the alternative would be that Council does not support the recommendation today. As we are currently in a Public Hearing, should Council decide to deny the recommendation, administration will be required to restart the process once again with the new Council.

Mr. Smith in response to Councillor Crossman, indicated that a covenant supersedes a city by-law. Mr. Robichaud provided clarity, that should the covenant wording be stronger than the by-law it would supersede, if the by-law was stronger than the covenant, the by-law would then supersede.

Council requested to have stats on any unsightly premises and tall grass infractions received.

Mr. Budd will provide clarification on the Provincial regulation of growing cannabis.

The Mayor adjourned the Public Hearing @ 6:08 p.m.

Motion: That Moncton City Council adopt the proposed amending By-law # Z-220.8 by giving 2nd and 3rd readings.

Moved by Councillor Boudreau
Seconded by Councillor Edgett

Councillor Pellerin indicated that the Provincial regulation on cannabis does not specify that plants must be in the back yards. He also has a concern that the by-law would be grandfathered, and no amendments can be made. Mr. Smith clarified that the height of the enclosure required for cannabis plants, and these heights would not be permitted in front yards as per the Zoning By-law.

Councillor Butler questioned as to why we could not impose a percentage of the front yards be dedicated to the gardens. Until more regulations are put in place, he will not be able to support the recommendation before Council this evening.

Mr. Landry advised Council that they could direct administration to work with an organization such as Garden Cities Project on promoting gardening and providing guidance in this area.

MOTION CARRIED

Nay:
Councillor Butler
Councillor Pellerin
Councillor Hicks

Motion: That administration be directed to work with an organization, such as Garden Cities Project to provide expertise to the community on gardening.

Moved by Councillor Léger
Seconded by Councillor Edgett

MOTION CARRIED

7.2 New Name Submission 1308 Naming Policy for Streets, Trails and Civic Facilities

A new name submission was received by the Administration Name Bank Technical Review Committee for Council's consideration as per 1308 Naming Policy for Streets, Trails and Civic

Facilities. The application was submitted by Dhany Charest with the consent of the family of the late Rhéal Cormier.

Motion: In honour of the late Rhéal Cormier's outstanding achievements in the sport of baseball and for his important contribution to Moncton, it is recommended that Moncton City Council add the name Rhéal Cormier to the City of Moncton's Name Bank.

*Moved by Councillor Thériault
Seconded by Deputy Mayor Crossman*

MOTION CARRIED

8. STATEMENTS BY MEMBERS OF COUNCIL

9. REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendation(s) – Committee of the Whole – April 26, 2021

Larry Currie provided a PowerPoint presentation on the annual community grant administration and evaluation policy.

Background:

- Applications simplified and made more similar
- Deadlines aligned
- Evaluation Criteria and Scoring Matrix introduced
- Alignment with City's Strategic Plan
- Administration has met with stakeholders/awardees/applicants to get input on the process
- Information sessions were delivered to the public
- A draft/pilot Policy has been in place overseeing grants for the past 2 years
- A formal information session and example of the new public application process will be held on (May 14)
- Online application available

Motion: That Moncton City Council approve the Annual Community Grant Administration and Evaluation Policy.

*Moved by Councillor Thériault
Seconded by Councillor Léger*

MOTION CARRIED

Motion: That Moncton City Council approve and direct administration of Codiac Transpo to implement Phase One (1) of the transit recovery plan with an additional 65 service hours weekly, at the latest June 6, 2021 and to continue ongoing monitoring on future phase implementation opportunities.

*Moved by Councillor Lawrence
Seconded by Councillor Léger*

MOTION CARRIED

10. REPORTS FROM ADMINISTRATION/ RAPPORTS DE L'ADMINISTRATION

10.1 City Contract W21D 05BA - Street Reconstruction No. 3 – Streets affected: Campbell, Bonaccord and Cameron

Motion: That City Contract No. W21D 05BA, Street Reconstruction No. 3, be awarded to Duquette Construction (2021) Inc. in the amount of \$1,073,137.45 including HST (\$973,158.36 net HST), and that the budget for the project be set at \$1,155,000.00 including net HST, engineering and contingency.

It is also recommended that a contract be drafted, and that the Mayor and City Clerk be authorized to execute all necessary documents and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Léger
Seconded by Councillor Lawrence*

MOTION CARRIED

10.2 City Contract W21C 03AB - Sewer Improvements No. 1 - Streets affected: Raymond, Somers and Caledonia

Motion: That City Contract No. W21C 03AB, Sewer Improvements No. 1, be awarded to Modern Construction (1983) Limited in the amount of \$4,675,113.40 including HST (\$4,239,555.44 net HST), and that the budget for the project be set at \$4,530,000 including net HST, engineering and contingency and 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 Deputy Mayor Crossman
Seconded by Councillor Theriault*

MOTION CARRIED

10.3 **Tender TCS21-015** – Lewisville Park – Landscape Construction Services

Motion: That Moncton City Council approve the award of Tender #TCS21-015 – Lewisville Park – Landscape Construction Services, to the lowest bidder meeting the Terms and Conditions and Specifications set out in the Tender, being A.R. Rietzel Landscaping Ltd., for the Total Tendered Price of \$ 611,100.57, including H.S.T. @ 15%, and that the Mayor and City Clerk be authorized to sign an agreement with A.R. Rietzel Landscaping Ltd., and affix the Corporate Seal of the City of Moncton thereto and that a Ten (10%) Contingency Allowance in the amount of \$61,110.06 (incl. H.S.T. @ 15%) be established as part of the Total Project Budget.

*Moved by Deputy Mayor Crossman
Seconded by Councillor Thériault*

Deputy Mayor Crossman indicated that perhaps a piece of art and a dog park be part of the project. Ms. Dallaire indicated she would follow up with Joanne Duguay, Cultural Development Officer to see if there is a possibility of incorporating art.

MOTION CARRIED

10.4 **Tender TCS21-010** – Centennial Park – Lower Bowl Redevelopment

Motion: That Moncton City Council approve the award of Tender #TCS21-010 – Centennial Park – Lower Bowl Redevelopment, to the lowest bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Modern Construction (1983) Ltd., for the Total Tendered Price of price of \$1,601,400.88, including H.S.T. @ 15%, and that the Mayor and City Clerk be authorized to sign an agreement with Modern Construction (1983) Ltd., and affix the Corporate Seal of the City of Moncton thereto and that a Contingency Allowance in the amount of \$162,977.85 (incl. H.S.T. @ 15%) be established as part of the Total Project Budget. a change to the scope of work.

*Moved by Councillor Lawrence
Seconded by Councillor Léger*

MOTION CARRIED

10.5 **Tender TCS21-029** – Roof Replacement – Moncton City Hall

Motion: That Moncton City Council approve Administration's recommendation to award Tender #TCS21-029 – Roof Replacement – Moncton City Hall to the lowest Bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Brault Roofing Maritimes Inc., for the Total Tendered Price of \$252,068.50, including H.S.T. @ 15% and approve an allocation of a Ten Percent (10%) Contingency Allowance in the amount of \$25,206.85, including H.S.T. @ 15%, should any unknown or unforeseen roofing issues arise.

*Moved by Councillor Boudreau
Seconded by Councillor Edgett*

MOTION CARRIED

10.6 **Quotation QP21-031** – Supply, Planting and Establishment of Street Trees (Spring 2021)

Motion: That Moncton City Council award Quotation #QP21-031 – Supply, Planting and Establishment of Street Trees (Spring 2021) to the lowest Bidder meeting the Terms and Conditions and Specifications set out in the Quotation, being Ayles Natural Landscaping Ltd., for the Total Tendered Price of \$175,409.50, including H.S.T. @15%.

*Moved by Councillor Lawrence
Seconded by Councillor Edgett*

MOTION CARRIED

11.
READING OF BY-LAWS

- 11.1 **A By-law** in Amendment of the City of Moncton Zoning By-law, being By-law Z-220.8 – **Second & Third Readings – Subject to approval of item 7.1**

The Clerk gave second reading to By-law Z-220.8

Motion: That 3rd reading be given and that By-law Z-220.8 Ordained and Passed and the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Boudreau
Seconded by Councillor Edgett*

The Clerk gave third reading to By-law Z-220.8

MOTION CARRIED

*Nay:
Councillor Pellerin
Councillor Hicks
Councillor Butler*

12.
NOTICES MOTIONS AND RESOLUTIONS

- 12.1 **Resolution** – Regular Public Council Dates Changes

Whereas in accordance with the Municipal Elections Act, the general election for City Council of the City of Moncton shall take place on May 10, 2021;

And whereas in accordance with An Act Respecting Municipal General Elections in 2021, the results of the general election cannot be released until all elections across the province have been held;

And whereas, due to the recent lockdown in COVID-19 Health Zone 4, in accordance with An Act Respecting Municipal General Elections in 2021 the date for the general election in the Madawaska election region has been delayed until May 25,

And whereas the incoming Council for the City of Moncton cannot be sworn-in until after the recount period under section 41.1 of the Municipal Elections Act has expired;

NOW THEREFORE BE IT RESOLVED that, despite section 4 (8) of the City of Moncton Procedural By-law, there shall be no Regular Public Meeting of Council held on June 7, 2021 and

FURTHER BE IT RESOLVED that a Regular Public Council meeting be held on July 5, 2021

*Moved by Councillor Edgett
Seconded by Councillor Léger*

MOTION CARRIED

13.
APPOINTMENTS TO COMMITTEES

Motion: That the following appointment **be approved:**

Croix Bleue Medavie Stadium Management
Lorne Mitton

*Moved by Councillor Boudreau
Seconded by Councillor Lawrence*

MOTION CARRIED

Mayor Arnold thanked both Councillor Boudreau and Hicks for their many years of service on Council and to the Community.

Councillor Boudreau spoke of his journey as a city councillor and that it has been fulfilling over the years. He enjoyed meeting citizens of Moncton, bringing greetings on behalf of the city of Moncton. He thanked the citizens of the City of Moncton for their continued support, as well as the current and past Councils.

Councillor Hicks indicated that he enjoyed working with residents, staff and current and past Councils. It was a privilege being a Councillor for Ward 3. He thanked the residents of Ward 3 for trusting him and electing him as their Councillor.

14.

ADJOURNMENT

Motion: That the meeting be adjourned.

Moved by Councillor Boudreau

MOTION CARRIED

.....
Dawn Arnold
MAYOR

.....
Barbara A. Quigley
CITY CLERK & DIRECTOR OF
LEGISLATIVE SUPPORT

/5.55 p.m.

/smm