

Council Chambers
City Hall
Moncton, N.B.
July 5, 2021
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold	Councillor Charles Léger
Councillor Marty Kingston	Councillor Bryan Butler
Councillor Monique LeBlanc*	Councillor Dave Steeves
Councillor Paulette Thériault*	Councillor Susan Edgett
Councillor Shawn Crossman	Councillor Paul Richard
Councillor Daniel Bourgeois	

ALSO PRESENT

M. Landry, City Manager
B. Quigley, City Clerk and Director, Legislative Support
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
R. DeSilva, Acting Superintendent Codiac RCMP, via Webex
B. Budd, Director, Planning and Development
R. Lagacé, Acting Director, Engineering, via Webex
I. LeBlanc, Director, Communications
S. Anderson, Planning and Development
J. Davies, Planning and Development
T. Carter, Purchasing Manager
J. Cohoon, Director, Recreation, via WebEx
C. Landry, Fire Chief, via WebEx

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated July 5, 2021 be approved as amended.

- **Removal** – Item 10.2 **Tender TCS21-037** – Supply and Installation of Back-Up Generator (Codiac Transpo)
- **Removal** – Item 11.3 **A By-Law** Relating to Fire Protection in The City of Moncton, being by-law H-621 – **Second and Third Readings**
- **Addition** – Item 12.2 **Notice of Motion** – Motion to Eliminate Section XV of the By-Law Concerning the Deliberations of Moncton City Council and Its Committees (By-Law A-418)

*Moved by Councillor Crossman
Seconded by Councillor Edgett*

MOTION CARRIED

3. CONFLICT OF INTEREST DECLARATIONS

None declared

Councillor Monique LeBlanc entered the meeting @ 4:05 p.m.

4. ADOPTION OF MINUTES

Motion: That the minutes of the regular public Council meeting dated June 21, 2021 be approved as circulated.

*Moved by Councillor Edgett
Seconded by Deputy Mayor Léger*

MOTION CARRIED

5.
CONSENT AGENDA

5.1 **Street Closure** – Acadie Rock Filming – Street affected Dufferin Street

Motion: That the organizers of Festival Acadie Rock be granted permission for the following:

- a full street closure of Dufferin Street from Bonaccord Street to Archibald Street, from 9 a.m. to 10 p.m. on Thursday July 18, 2021.

*Moved by Councillor Crossman
Seconded by Deputy Mayor Léger*

Councillor Paulette Thériault enter the meeting @ 4:10 p.m.

MOTION CARRIED

6.
PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

5 minutes

6.1.1 **Public Presentation** – Public Safety – Robert Gallant

Mr. Gallant came before Council to provide an update on the Public Safety Committee.

The Public Safety Committee's mission is to support citizens, community groups and governments in creating safe and harmonious communities.

The Committee's goals include:

- **Development:** Support the development of community-based services and programs that address crime reduction and prevention.
- **Awareness:** Enhance community awareness of public safety issues.
- **Partnerships:** Provide leadership in strengthening diverse community relationships and partnerships
- **Research:** Participate in ongoing research, monitoring and evaluation of community issues to ensure effective crime reduction and prevention strategies.

Other Presentation

2 minutes

Presentation – Dismantling Municipal Elections – Hafsah Mohammad

Ms. Mohammad came before Council once again to discuss her concerns with the NB Election's process during the last municipal elections. It is her opinion that this Council, as well as the City's Administration abuse their power to determine who is elected and provide large contracts to their friends.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

6.2.1 **Update** – RCMP – Codiac RCMP Acting Superintendent Ron DeSilva

Acting Superintendent DeSilva - 643 service calls within the City of Moncton in the past two weeks.

In response to a question from Councillor Bourgeois during the June 21, 2021 Council meeting, Acting Superintendent DeSilva indicated that all occurrences are reviewed by one of Codiac's analyst who records the occurrence. Once of pattern is established of 5 or more similar occurrences, a crime series file is then passed along to an investigator.

In response to a question from that same meeting, from Councillor Butler, in regard to stats within the downtown core, Acting Superintendent DeSilva advised the following stats for the period of January 2020 – June 30, 2021:

Arrests breakdown:

- Property crimes resulted – 142
- Crimes against persons – 117
- Other criminal codes - 108
- Drug related – 19

From a total of 2,193 calls relating to the downtown core, a total of 392 arrests were made.

The above totals do not reflect all calls for services within the downtown core. Acting Superintendent DeSilva advised Council that a total of 8,100 calls for service in that area were received for the same period.

Codiac RCMP will continue to work with the Community Officers within the downtown core, to establish a Community Downtown Strategy program. As well, Codiac will continue work on Crime Prevention through environmental design. Many such designs have been completed in the past. Foot and bicycle patrols will continue within the city. Codiac will be implementing the on-line reporting forum soon. Will continue the Citizen Patrol Program, once Covid rules are relaxed. Two employees have undertaken a Crisis Intervention Training Program and will be available to train other individuals who wish to receive the training.

7.

PLANNING MATTERS

7.1 New Rezoning – Main Street (PID 00786889) and 25 Lorentz Drive

Mr. Budd advised that an application has been received from Ashford Living Lorentz Inc, landowner, to rezone 25 Lorentz Drive (PID 00714337) and portion of Main Street (PID 00786889) from R3 (Multiple Unit Residential) to SC (Suburban Commercial Zone). This rezoning is requested to accommodate the development of two multiple unit dwellings of 90 and 145 residential units respectively.

Additionally, a commercial use is proposed for the ground floor of the proposed building with frontage to Main Street.

The applicant proposes to develop two six storey multiple unit residential buildings in a phased approach. The first phase of development contains 90 residential units from the 2nd to 6th floor and includes exterior, at grade and underground parking. This building has frontage on Lorentz Drive and Falkland Street. The second phase includes 145 residential units and a commercial use that is proposed for the ground floor of the building with frontage on Main Street. The second phase building includes exterior, at grade and underground parking.

It was noted that the administration will no longer be requesting a timeline for a rezoning.

Motion: That Moncton City Council proceed with the Zoning By-law amendment being By-law Z-220.13 and:

- 1) That Council give 1st reading to Zoning By-law amendment By-law Z-220.13;
- 2) That a public hearing be set for August 16, 2021; and
- 3) That By-law Z-220.13 be referred to the Planning Advisory Committee for its written views

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. That nothing contained herein shall prohibit or in any way limit the Developer's right to apply for a variance pursuant to the provisions of the Community Planning Act;
2. That all uses of land pursuant to this agreement shall conform to the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein.
3. That prior to issuance of a building permit the property owner will show the existing driveway opening on Main Street being properly closed.

4. Prior to occupation of the Phase 1 building, a sidewalk shall be constructed within the City right of way at the expense of the property owner from Falkland Street to Main Street.
5. That property owner shall enter into a subdivision agreement for the sidewalk and the relocation of the sanitary sewer prior to the issuance of the first building permit.
6. The sidewalk shall be designed and constructed in accordance with the Standards and Guidelines for Subdivision and to the satisfaction of the City of Moncton Design and Construction Department.
7. That the sidewalk be constructed prior to occupation of the Phase 1 building
8. That the sanitary sewer be relocated prior to start of construction of Phase 2 building.
9. That the relocated sewer easement be in place prior to construction of the Phase 2 building or with registration of the subdivision plan, whichever occurs first.
10. That all rights of way be established between the two properties prior to construction of the Phase 2 building or with registration of the subdivision plan, whichever occurs first.
11. That commercial activity be restricted only to the portion of the Phase 2 building that fronts Main Street
12. That all commercial development facing Main Street shall meet NB Regulation 2021-3 - Barrier Free Design Building Code.
13. That the development be carried out in substantial conformance with the plan submitted as Schedule B.

*Moved by Deputy Mayor Léger
Seconded by Councillor Kingston*

Councillor Léger expressed concern in removing the timeline for all rezoning. Mr. Budd indicated that the topic is to be discussed at future Planning Advisory Committee.

Councillor Butler questioned if by rezoning a lot, it could become a purchase for profit for a developer – if there is no timeline included within the condition of the rezoning, the developer would be able to sell the lot at a higher profit.

MOTION CARRIED

7.2 New Rezoning – portion of 1888 Mountain Road

Mr. Budd advised that an application has been received from Avant Garde Construction and Management, on behalf of 509103 NB Ltd., landowner, to rezone the rear portion of 1888 Mountain Road (PID 00938209) from R2 (Two-Unit Dwelling) to SC (Suburban Commercial) to accommodate the development of a single storey self-storage facility.

The applicant is proposing to develop the rear portion of the large lot into a single storey self-storage facility.

The front portion of the lot is currently developed with a single storey strip mall with various commercial and personal service uses.

Parking for the existing commercial use is located on the east side of the site. The rear portion of the site is currently vacant. The rear area was previously treed and left untouched for many years, but the landowner removed the trees in 2020 to prepare the site for future development.

The proposal is to develop the rear lot with a single storey mini storage facility, fully fenced, gated, and landscaped. Access is proposed from the existing driveway on Mountain Road through the existing commercial parking lot to the rear of the site.

The front portion of the site is zoned SC (Suburban Commercial), but the rear portion of the site is zoned R2 (Two Unit Dwelling). A self-storage facility is not permitted in the R2 Zone, therefore a rezoning application is required for the rear portion of the lot.

Below is the recommendation being proposed by administration.

That Moncton City Council not proceed with the Zoning By-law amendment.

Council opted to adopt the alternative motion, which was proposed within the Council Report form.

Motion: That the proposed development has merit, the following is recommended:

- 1) That Council give 1st reading to Zoning By-law amendment By-law Z-220.11;
- 2) That a public hearing be set for August 16, 2021; and
- 3) That By-law Z-220.11 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a Conditional Zoning Agreement, with conditions including but not limited to:

1. That a revised site plan be submitted that shows the development scaled back at the rear and the north side between 27 and 33 Morningside Drive. Such site plan is to be reviewed and accepted by the Development Officer prior to the issuance of a Building and Development permit;
2. That despite subsections 31 (2) & (3) of the Zoning By-law, more than one main building is permitted on the subject lot
3. That a security deposit for the required trees and landscaping works in the amount of \$36,600.00 + HST be paid to the City prior to the issuance of a Building and Development permit. Said security shall be released upon completion of all landscaping works and inspection and acceptance thereof;
4. That the fence required around the perimeter of the rear portion of the lot be opaque and made of wood, PVC, or another similar quality material, but shall not be chain link;
5. That the fence and landscaping be installed and planted as soon as possible, weather permitting, but no later than six months after the completion of the building construction;
6. That the height of the storage facility not be more than one-storey;
7. That this rezoning approval shall expire within twenty-four (24) months of it coming into effect unless a building and development permit is obtained;
8. That all uses of land pursuant to this agreement shall conform with the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein;
9. That nothing contained herein shall prohibit or in any way limit the Developer's right to apply for a variance pursuant to the provisions of the Community Planning Act;
10. Following receipt of a written request from the owner of the property or any infant thereof, the City will, from time to time, at its sole discretion, prepare and execute releases of this Agreement, provided that the Agreement no longer has effect on the property. In all cases, the Owner will pay the City's administrative fee for preparing and signing a discharge and is responsible for all other legal, registration and other expenses, whether the discharge is prepared by the City, the Owner's solicitor or another person;
11. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
12. That the \$1,000 security deposit and by-law registry fees, be paid prior to registration.

Moved by Councillor Butler
Seconded by Councillor Steeves

Mr. Budd indicated that administration will be requesting a revised site plan by the developer prior to any permits being issued, or rezoning.

Councillor Léger expressed his concern with allowing the development to go ahead, in light of the developer working without permits. In response, Mr. Budd advised Council, that prior to any work being completed, or permits being issued, the developer will be required to rectify the work done without permits.

MOTION CARRIED

7.3 Public Presentation – Municipal Plan Amendment for PID 70463880 and a portion of PID 70463898 at the corner of Bulman Drive and Mountain Road

At the June 21, 2021 Regular Meeting, Moncton City Council resolved that a Public Presentation be scheduled for July 5, 2021 in order to inform the public of the proposed Municipal Plan amendment Z-113.30 as it pertains to the rezoning of PID 70463880 and a portion of PID 70463898 at the corner of Bulman Drive and Mountain Road.

To implement the zoning change, the subject lands have to be re-designated in the Generalized Future Land Use Map of the Municipal Plan to MUC (Mixed Use Centres and Corridors).

The statutory notice of the public presentation appeared on the City's website on June 23, 2021, and in the newspapers on June 26, 2021.

In addition to setting the Public Presentation date, City Council resolved to:

- Schedule a tentative date for the Public Hearing for August 16, 2021; and
- Refer the application to the Planning Advisory Committee (PAC) for its written views.

Councillor Thériault left the meeting

Motion: That Moncton City Council proceed with the Municipal Plan amendment being By-law Z-113.30 and the Zoning By-law amendment being By-law Z-220.6 by confirming the Public Hearing for 4:00p.m., August 16, 2021 in Council Chambers at City Hall.

Moved by Councillor Butler
Seconded by Councillor Steeves

Councillor Butler requested that the developer review the exit on Bulman and add a crosswalk. Mr. Budd indicated that during the Public Hearing a presentation will be provided to Council on traffic in the area.

MOTION CARRIED

**8.
STATEMENTS BY MEMBERS OF COUNCIL**

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

9.1 **Recommendation(s)** – Private Session – March 8, 2021

Councillor Steeves left the meeting

Motion: That Moncton City Council authorize the City of Moncton to enter into an Purchase and Sale Agreements with the registered owners of PIDs 70233945, 00777565 and 00777557, to purchase portions of said properties, as described above, located at the intersection of McLaughlin Drive at Hennessey Road, in the City of Moncton, New Brunswick; and that the Mayor and City Clerk be authorized to execute all documents necessary to complete the purchase transactions and to affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Edgett
Seconded by Councillor Richard*

MOTION CARRIED

Councillor Thériault returned to the meeting

9.2 **Recommendation(s)** – Private Session – April 12, 2021

Motion: That Moncton City Council approve the lease agreement between the Centennial Lawn Bowling Club and the City of Moncton, and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate Seal of the City of Moncton thereto.

*Moved by Deputy Mayor Léger
Seconded by Councillor LeBlanc*

MOTION CARRIED

9.3 **Recommendation(s)** – Committee of the Whole – June 28, 2021

That Moncton City Council ratify positions as presented, including additions proposed and adopted at the Committee of the Whole meeting of June 28, 2021, that were subsequently submitted on behalf of the City of Moncton and sent to the Government of New Brunswick by the June 30, 2021 deadline, as part of its engagement process on Local Governance Reform (submission attached).

*Moved by Councillor Edgett
Seconded by Deputy Mayor Léger*

MOTION CARRIED

**10.
REPORTS FROM ADMINISTRATION**

10.1 **Tender TCS21-049** – Snow & Ice Control

Motion : That Moncton City Council approve that a total of five (5) pieces of equipment be retained to provide Snow and Ice Control Services for the 2021-2022 winter season, with options to extend each contract term for up to four (4) additional twelve (12) month periods if it is in the City's best interest to do so, and that Tender #TCS21-049 be awarded as follows:

Bidder	Equipment	Hourly Rate (incl. Operator & HST @ 15%)
Birch Hill Construction Ltd.	2012 Cat 140M Series 3 Grader Wing & Blade, 246HP	\$322.00 / hour
Birch Hill Construction Ltd.	2010 John Deere 872GP Grader Wing & Blade, 300HP	\$310.50 / hour
Birch Hill Construction Ltd.	2014 John Deere 644K Loader Wing / Plow, 224HP	\$258.75 / hour
Brenco Excavation Ltd.	2012 JCB 436ZX Loader Wing /	\$234.03 / hour

	Plow, 183HP	
A.R. Rietzel Landscaping	2015 JCB 437Z0 Loader Wing / Plow, 198 HP	\$230.00 / hour

The horsepower, weight, condition and age of the recommended units selected will provide more productivity per hour and are considered to be the best value for the City of Moncton.

*Moved by Councillor Crossman
Seconded by Deputy Mayor Léger*

MOTION CARRIED

- 10.2 **Tender TCS21-037** – Supply and Installation of Back-Up Generator (Codiac Transpo)

Item removed

- 10.3 **Quotation QP21-023** – Commercial Electrical Services and Underground Repairs

Motion: That Moncton City Council approve to award Section “A” (Electrical Services for Underground Repairs) of Quotation #QP21-023 to the low Bidder meeting the Terms & Conditions and Specifications set out in the Quotation, being Black and McDonald Ltd. at the unit rates specified in the firm’s Quotation submission, which represents a Total Estimated Annual Contract Value of \$54,031.60, including H.S.T. @ 15%.

Furthermore, it is recommended that Section “B” (Commercial Electrical Services) of Quotation #QP21-023 be awarded to the lowest Bidder meeting the Terms & Conditions and Specifications set out in the Quotation, being Roadway Systems Ltd., at the unit rates specified in the firm’s Quotation submission, which represents a Total Estimated Annual Contract Value of \$85,753.20, including H.S.T. @ 15%.

Each agreement shall be established for a one (1) year period with options to extend the agreement up to a maximum of four (4) additional twelve (12) month periods, if it is in the City’s best interests to do so.

*Moved by Councillor Butler
Seconded by Deputy Mayor Léger*

Deputy Mayor Léger suggested that Council be provided an update on the number of services that are being performed by private businesses during any giving year during budget deliberations.

MOTION CARRIED

- 10.4 **City Contract W21G 06CJ** – Sidewalk Renewal

Motion: That City Contract No. W21G 06CJ, Sidewalk Renewal, be awarded to Classic Construction (2012) Ltd. in the amount of \$937,316.13 including HST (\$849,990.86 net HST), and that the budget for the project be set at \$950,000 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 sign said contract and affix the Corporate Seal of the City of Moncton.

*Moved by Councillor Crossman
Seconded by Councillor LeBlanc*

MOTION CARRIED

- 10.5 **City Contract W21C 03DA** – Manhole and Sewer Upgrades – Wheeler Boulevard (Emergency Fix)

Motion: That City Contract No. W21C 03DA, Manhole and Sewer Upgrades – Wheeler Boulevard, be awarded to Modern Construction (1983) Limited in the amount of \$281,577.50 including HST (\$255,344.27 net HST), and that the budget for the project be set at \$320,000 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 sign said contract and affix the Corporate Seal of the City of Moncton.

Councillor Steeves returned to the meeting

*Moved by Deputy Mayor Léger
Seconded by Councillor Butler*

MOTION CARRIED

10.6 **Request for Proposal RFP21-013** – Supply of Corporate Purchasing Card Program

Councillor Butler left the meeting

Motion: That Moncton City Council approve to award Request for Proposal # RFP21-013 – Supply of Corporate Purchasing Card Program to the Proponent having received the highest total score, being US Bank Canada, for a five (5) year period, with options to renew the agreement for up to five (5) additional one (1) year periods.

It is also recommended that the Mayor and City Clerk be authorized to sign an agreement with US Bank, and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Richard
Seconded by Deputy Mayor Léger*

MOTION CARRIED

Councillor Butler returned to the meeting

10.7 **Motion** – Public Safety – Councillor Daniel Bourgeois

The City Manager provided a brief overview of administration research on the item.

Public safety is a priority for the City of Moncton. To illustrate the importance of public safety, more than 14% of the City of Moncton’s general operating budget is spent on policing in 2021 (\$23,376,421). Additionally, the City also invests more than \$1,000,000 in By-Law and Community Safety on an annual basis who directly work on security related items.

Moncton’s Crime Severity Index has increased in the Moncton Census Metropolitan Area (“CMA”), which includes areas / populations outside of the Codiac RCMP zone (CMA population of 144,000 in 2016). This increase is due to more serious crimes occurring in the CMA rather than an increase of incidents of a “minor nature”.

Occurrences of a minor nature would not have a significant effect on the Crime Severity Index. Property Crimes in Codiac region reduced in 2020-2021 (please note that the quarters in the following chart are based on the RCMP fiscal calendar (April 1 to March 30)).

With respect to the eight community officers, while there are advocacy efforts underway to bring changes to the Police Act, resolving criminal offenses is solely the responsibility of the RCMP and would remain so under proposed changes to the Police Act.

Property infractions (which may be considered as minor infractions) have shown a decrease over the past two years. Last year (2019-2020) also showed a decrease from 2018-2019.

Public safety has been an important issue during the recent municipal elections as noted by several elected officials. The Greater Moncton Chamber of Commerce has in fact taken steps to establish a multisector group called The Community Task Force on Homelessness and Downtown Security to help address social and security issues.

In a survey on safety completed by Narrative Research earlier this year, 96% of residents surveyed said that they felt safe in their neighborhood. This percentage is consistent with surveys undertaken in previous years.

Current committees whose efforts are focused on either social issues or public safety (or both) are listed below.

- The Poverty and Social Inclusion Committee (Councillors Bourgeois and Richard)
- The Public Safety Advisory Committee (Councillor Crossman)
- The Greater Moncton Homelessness Steering Committee (Administrative representation: Vincent Merola, Social Inclusion)
- The Community Task Force on Homelessness and Downtown Security (Mayor Arnold)
- The Codiac Regional Policing Authority (Deputy Mayor Charles Leger/ Councillor Monique LeBlanc)

WHEREAS public safety – the protection of life and property – is the most important public service provided by the City of Moncton and the only compulsory service required of municipalities;

WHEREAS the City of Moncton’s crime index has increased significantly over the past two years, even if most observers admit that the data should be higher because many infractions are not reported;

WHEREAS most of the incidents committed are of such a minor nature that the RCMP at the service of the City of Moncton does not have sufficient resources to resolve the incidents expeditiously and effectively;

WHEREAS the 8 Community Police Officers hired recently by the City of Moncton do not have the proper authority to prevent and resolve criminal incidents as expeditiously and effectively as they should be;

WHEREAS many citizens throughout the City have been victimized by the increase in minor infractions and have expressed their concerns;

AND WHEREAS public safety, notably the crime increase, was the most important issue identified by the Chamber of Commerce and the majority of citizens and candidates during the 2021 municipal elections;

BE IT THEREFORE RESOLVED that Council appoint a Liaison Councillor on public safety with a mandate to (a) consult key public safety and social inclusion organisations in the City to establish the most effective actions required to reduce criminal incidents expeditiously and effectively, and (b) submit a report to Council no later than July 31, 2021, proposing the immediate and long-term actions the City should take.

Moved by Councillor Bourgeois
Seconded by Councillor Butler

Councillor Bourgeois in response to a question from Councillor LeBlanc, reminded Council of the importance of providing solutions and actions to the situation at hand sooner, than later. It does not need to be it a liaison councillor, it could be hiring a consultant to address the crime rate in the city. It is also important to have consultations with all stakeholders, in order to come up with solutions.

Councillor Edgett expressed her concerns with the motion and the possibility of overstepping the City's authority with the organizations that are currently working on such projects. She will not be supporting the motion going forward tonight.

Councillor Thériault also expressed her similar concerns with the resolution.

Councillor Butler provided his opinion on the resolution – the Liaison Councillor would act as a go between, between the City and other organization.

Deputy Mayor Léger indicated that he feels that in the past few years there have been improvements in the situation at hand – its not perfect. It is his opinion that no one around the table has the expertise to lead this item and a consultant would need to be hired costing the City unbudgeted funds. He suggests that the task force established by the Chamber be provided a deadline of July 31 to provide a report to Council. He also suggested that the Greater Moncton Homeless Committee provide their top 10 list of what needs to be done within the City to help the situation.

Councillor LeBlanc requested that Council be provided a briefing on what has been done on the topic do date.

Councillor Bourgeois reiterated that he is looking for a solution to the crime rate within the City of Moncton.

Councillor Kingston questioned if this may cause duplication of services reporting back to Council.

Acting Superintendent DeSilva advised Council that Codiac RCMP is open to work with all stakeholders to come up with solutions.

Councillor Butler reminded everyone the importance of addressing the crime rate in the City and working with all stakeholders.

Mayor Arnold suggested that at an upcoming Committee of the Whole meeting that all stakeholders be invited to discuss the issue and their plans. Several meetings are planned in the near future with Provincial officials for changes to necessary Acts.

MOTION FAILED

Nay :

Councillor Edgett
Councillor Steeves
Councillor Kingston
Councillor LeBanc
Councillor Léger
Councillor Thériault
Mayor Arnold

11.

READING OF BY-LAWS

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 e-mailed to interested parties at their request.

- 11.1 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-220.13 – Main St/Lorentz Dr. – **First Reading (subject to approval of item 7.1)**

First Reading only

- 11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-220.11 – 1888 Mountain Rd. – **First Reading (subject to approval of item 7.2)**

First Reading only

Pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act the following by-laws were posted on the City of Moncton Internet site for the required time period specified in the Act. The by-laws receive second and third readings by title only.

- 11.3 **A By-Law** Relating to Fire Protection in The City of Moncton, being by-law H-621 – **Second and Third Readings**

Item removed

12.

NOTICES MOTIONS AND RESOLUTIONS

- 12.1 **Resolution** –By-Law Officer

BY-LAW ENFORCEMENT OFFICER

WHEREAS by virtue of the *Local Governance Act*, S.N.B. 2017, c. 18, and all applicable regulations adopted under it, and for which he or she is appointed as are stipulated in the appointment, but has in no other regard the powers or immunities of a police officer;

INSPECTIONS

AND WHEREAS by virtue of Section 144 of the *Local Governance Act*, if the *Local Governance Act*, any other Act or a building or other structure at any reasonable time, and carry out the inspection;

PROCEEDINGS, ORDERS AND NOTICES

AND WHEREAS by virtue of Subsection 150(1) of the *Local Governance Act*, Council may designate any person in who

AND WHEREAS by virtue of the *Local Governance Act* and any other Act or a by-law of Council, a by-law enforcement

NOW THEREFORE BE IT RESOLVED THAT Ian Duplessis, Adam Spencer, Isabelle Alouane, Christopher Richard, Nick LeBlanc and Dylan Dougan be appointed By-Law Enforcement Officers for the City of Moncton, and that they be authorized to enforce any by-law, or any applicable Act and regulation, and any amendments thereto;

BE IT FURTHER RESOLVED THAT Ian Duplessis, Adam Spencer, Isabelle Alouane, Christopher Richard, Nick LeBlanc and Dylan Dougan be authorized to carry out any inspection, enter any land, building, premises, other structure and dwelling or dwelling unit, and take any such action, exercise such power and perform such duty as they may deem necessary, and as may be set out in any by-law, or any applicable Act and regulation, and any amendments thereto, to enforce any provisions of any by-law, and any applicable Act and regulation, and any amendments thereto; and,

BE IT FURTHER RESOLVED THAT Ian Duplessis, Adam Spencer, Isabelle Alouane, Christopher Richard, Nick LeBlanc and Dylan Dougan be authorized to act for and on Council's behalf, and are hereby designated and authorized as persons in whose name Informations, and any other proceedings, may be laid or commenced for an offence under any by-law, or any applicable Act and regulation pursuant to the sections noted in the Acts referenced above; and designated and authorized to issue Notices, Orders and Demands and any other similar documents, as prescribed by and provided for in the *Local Governance Act* and any other Act or a by-law of Council.

*Moved by Councillor Thériault
Seconded by Councillor Edgett*

MOTION CARRIED

Added item

12.2 **Notice of Motion** – Motion to Eliminate Section XV of the By-Law Concerning the Deliberations of Moncton City Council and Its Committees (By-Law A-418)

- Whereas City Council is the supreme authority of the Corporation and is made up of eleven members elected by the other citizens of the City to make decisions by virtue of the enabling laws and powers bestowed to it and in conformity to the needs and wishes of its citizens, to whom Council is accountable;
- Whereas City Council adopted a by-law to frame and facilitate its decision-making, e.g. By-law A-418 respecting the proceedings of Moncton City Council and committee meetings;
- Whereas By-law A-418 contains one section (XV) that forces members of Council to present a notice of motion that prohibits Council from deliberating said motion before the subsequent meeting, which can delay the decision for one month in certain cases;
- Whereas Council must on occasion make time-sensitive decisions on urgent matters, as was the case of the motion on public safety, which could only be discussed by Council on July 5, 2021, nine weeks after the election of the new Council;
- Whereas the reason provided to justify this restriction of the power vested to elected members of Council is to provide employees time to analyze the wisdom of motions and to provide advice to Council, even when motions are purely of a political nature;
- Whereas City employees do not have to provide Council a similar notice before submitting to Council their recommendations on issues that can arise at any time;
- Whereas Council may table any motion submitted at any time if it is of the opinion that more information is required or for any other reason that the majority deems worthy;

It is therefore resolved that Council eliminate Part XV from By-law A-418 as soon as possible.

It is further resolved that Council ask its Enhancing Democracy Committee to review By-law A-418, notably section 56 that gives the Mayor the power to limit the time and the number of times that a member of Council may speak on the same motion or matter, without any objective criteria, as well as all other by-laws that reduce the supreme power of members of Council in the performance of their representative and democratic responsibilities.

Moved by Councillor Daniel Bourgeois
Seconded by Councillor Shawn Crossman

The Clerk advised that the motion will be brought back to the August 16, 2021, along with background information from administration.

13.
APPOINTMENTS TO COMMITTEES

Motion: That the following appointments be approved:

Seniors Advisory Committee

- Karine McLaren
- Daryl Crossman
- William O’Neill
- Terri Allen Shoenfield

Ability Transit

- Councillor Paul Richard

Santa Claus Parade

- Deputy Mayor Charles Léger

Heritage Board

- Helen MacNab-Gunn
- Daniel St. Louise
- Linda Maillet
- Jay Hollister
- Emilie Savoie

Moved by Deputy Mayor Léger

Seconded by Councillor LeBlanc

MOTION CARRIED

14.

ADOURNMENT

Motion: That the meeting be adjourned.

Moved by Councillor Kingston

MOTION CARRIED

.....
Dawn Arnold
MAYOR

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

/7:35 p.m.

/smm