

Council Chambers
City Hall
Moncton, N.B.
July 19, 2021
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Present: Mayor Dawn Arnold, in the Chair
Councillor Marty Kingston
Councillor Monique LeBlanc
Councillor Paulette Thériault
Councillor Shawn Crossman
Councillor Daniel Bourgeois
Councillor Charles Léger
Councillor Bryan Butler
Councillor David Steeves
Councillor Susan Edgett
Councillor Paul Richard

Also Present: Marc Landry, City Manager
Shelley Morton, Acting City Clerk
Nick Robichaud, General Manager, Legal and Legislative Services
Austin Henderson, Manager, Strategic Communications
Alcide Richard, Acting General Manager, Operations Services
Conrad Landry, Fire Chief
Ron DeSilva, Acting Superintendent, Codiac RCMP
Catherine Dallaire, General Manager, Recreation, Culture and Events Services
Sarah Anderson, Senior Planner, Planning Development
Bill Budd, Director, Planning and Development
Jacques Doucet, General Manager, Finance Services
France Levesque-Ouellette, Solicitor, Legal Department
Jeff Preston, Director, Human Resources

REGULAR PUBLIC MEETING

1. CALL TO ORDER

2. ADOPTION OF AGENDA

MOTION: That the agenda for the Public Council Meeting of this date be adopted as circulated.

*Moved by Councillor Léger
Seconded by Councillor Richard*

MOTION CARRIED.

3. CONFLICT OF INTEREST DECLARATIONS

None declared

4. ADOPTION OF MINUTES

None to adopt

5. CONSENT AGENDA

5.1 **Noise By-Law Exemption and Street Closure** – Acadie Rock – August 14-15 – Streets affected: Downing, Botsford and St. George

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

- A full street closure of St. George Street from Botsford Street to Alma Street, leaving the intersections of Botsford/ St. George and Alma/St. George open, from 12 p.m. on Saturday August 14 until 1 a.m. Monday August 16, 2021.
- A full street closure of Downing Street from Assomption Boulevard to Main Street from 4 p.m. to 6 p.m. on Saturday August 14, 2021.
- A full street closure of Downing Street from Assomption Boulevard to Main Street from 2 p.m. to 5 p.m. on Sunday August 15, 2021.

Parade Street Closure (Tintamarre): Sunday, August 15 from 5:45 p.m. until approximately 6:45 p.m., progressive closure of the following parade route:

- From City Hall
- Progressing along Botsford Street
- Closures at intersections at Queen Street, Victoria Street and St. George Street
- Enter Sommet Art Park (location of the Event)

And, that permission be granted for a noise by-law exemption from 11 p.m. on Saturday, August 14 until 1:00 a.m. Sunday, August 15 and from 11 p.m. on August 15, 2021 until 1:00 a.m. on Monday, August 16, 2021 for an evening concert at the Sommet Art Park.

*Moved by Councillor Thériault
Seconded by Councillor Edgett*

MOTION CARRIED.

5.2 Street Closure – Holiday in July – Streets affected: Downing

Motion: That the organizers of the Holidays in July Event be granted permission for the following:

- A full street closure of Downing Street from Assomption Boulevard to Main Street, from 9 a.m. to 11 p.m. on Saturday, July 24 (rain date: Sunday, July 25)

*Moved by Councillor Thériault
Seconded by Councillor Edgett*

MOTION CARRIED

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

6.2 ADMINISTRATION PRESENTATIONS

6.2.1 Presentation – Fire Services Exemplary Service Medal – Chief Conrad Landry

A presentation was made conferring the Fire Services Exemplary Medal and certificate to Fire Chief Landry in recognition of 20 years of dedicated service to public safety. This service medal was created in 1985 by the Canadian Monarch-in-Council. The medal recognizes members of recognized Canadian Fire Services who had served for 20 years, ten years of which have been performed during the service of duties involving potential risks. Mayor Arnold also thanked Chief Landry for his dedication in protecting the City during the Covid-19 crisis

6.2.2 Update – RCMP – Codiac RCMP Acting Superintendent Ron DeSilva

Acting Superintendent Ron DeSilva provided an update on crime noting that during the last two weeks three individuals were arrested for stealing catalytic converters. As well, the issue of traffic operations has been discussed with the provincial traffic team. In the southeast district over 200 traffic tickets were issued, 50% in the Codiac region, relating to seatbelts, no license and fake inspection stickers. Crimes and calls for service are similar to two weeks ago. Thefts of vehicles are being monitored closely. Greater emphasis has been placed on police visibility in the downtown and efforts are being made to address the continuous issue of drugs.

In reply to Councillor Léger requesting information on Moncton being targeted, Superintendent DeSilva responded that victims of theft are encouraged to call the RCMP. Adding officers has been part of the strategy.

7. PLANNING MATTERS

7.1 Public Hearing – Humphrey’s Brook Neighbourhood Plan East Development Charge By-law (no objections received)

Following introductory remarks from the City Manager, Bill Budd commenced the public hearing by providing a PowerPoint presentation overviewing the proposed Humphrey’s Brook Neighbourhood Plan East Development Charge By-Law 1519.1, in particular as it relates to the establishment of an implementation strategy and cost-sharing framework (development charges) for the area. The by-law focuses on the east side of the Humphreys Brook and addresses the culvert crossing, turning lane infrastructure and signalized intersection lights at Harrisville Blvd. The presentation also highlighted areas where the landowners will pay for the cost of infrastructure. Two charge areas are planned with the first one being focused this evening. Administration is working with two landowners to bring forward an amendment in terms of the collector roadway. The east west collector roadway is anticipated to cost in the

vicinity of \$3M based on engineering estimates. In terms of the trail, while addressing development proposals and implementation of development charges, it may be necessary to negotiate for additional greenspace.

Hearing no objections, the Mayor adjourned the public hearing.

Motion: That, based on the findings of the Humphreys Brook East Development Charge Area Background Study, that Moncton City Council:

- (1) Adopt proposed amending By-Law # Z-1519.1 by giving 2nd and 3rd readings; and
- (2) Adopt the amended Development Charges Principles Framework.

*Moved by Councillor Crossman
Seconded by Councillor Thériault*

MOTION CARRIED.

7.2 Public Hearing – 461 Ryan Street (no objections received)

Administration has received an application from Yero Diallo and Billo Diallo, on behalf of Centre d'excellence MARIPOSA Centre of Excellence Inc., landowner, to rezone 461 Ryan Street (PID 00788752) from P1 (Community Use) to R3 (Multiple Unit Dwelling) to accommodate the development of a two-story multiple-unit dwelling with 28 units. A sign was placed on the property, advertised in both papers, posted on the website and Let's Chat. No objections have been received. Mr. Budd showed illustrations of 28-unit apartment buildings with 48 parking stalls. Parking will be provided in the rear. The property will be fenced and a number of trees planted. The Zoning By-Law does not require a traffic study. No objections have been received.

The Mayor noted that the applicant was not present. Discussion ensued with the following points noted;

Councillor Butler requested that the potential for traffic increase on Mountain Road and Lady Russell Street be taken into consideration.

In reply to Councillor Butler, Mr. Budd noted that during the previous council term, staff developed an enhanced notification policy. They are also contemplating pre-application meetings with the public but did encourage developers to talk to neighbours.

Regarding Councillor Bourgeois' question on the time limit, Mr. Budd noted that if the developers wish to deviate from the plan, an amendment would be required. He believed that they had applied for a building permit already.

The Mayor closed the public hearing.

Motion: That Moncton City Council proceed with the Zoning By-Law amendment subject to a resolution with conditions including but not limited to:

- 1) That the existing stand of trees in the north-western corner of the lot be retained and maintained as a landscaped amenity space and that no trees are to be removed other than for management purposes;
- 2) That notwithstanding section 129(5) of Zoning By-law Z-220 the distance between the jogs and recesses are permitted to be increased as per the plans attached as Schedule B;
- 3) 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;
- 4) 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;
- 5) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
- 6) That this conditional rezoning replaces the previous conditional rezoning agreement registered on June 30, 2017 as number 37139079.

*Moved by Councillor Butler
Seconded by Councillor Steeves*

MOTION CARRIED.

8. STATEMENTS BY MEMBERS OF COUNCIL

Councillor Butler

Reported that he was contacted by Moncton Minor Baseball requesting proper lighting at the CN Fields. If no action is taken between now and the next meeting, he will present a motion to be put forward for upgrades. The City Manager will follow up and will update Council on discussions scheduled with Moncton Minor Baseball to review options.

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

9.1 Recommendation(s) – Private Session – July 12, 2021

1. **That** Moncton City Council, for the purposes of proceeding with a comprehensive update to the Lands North of Wheeler Blvd (Vision Lands) Secondary Municipal Plan and to establish an associated development charge area, approve the request for unbudgeted funds in the amount of \$60,000 (+ applicable HST) for an Optional Services Contract (extension of Humphrey Brook Development Charge Area contract with Watson & Associates) and \$25,000 (+ applicable HST) for a planning services contract, to be awarded through a public procurement process.

*Moved by Councillor Edgett
Seconded by Councillor Richard*

MOTION CARRIED.

2. **That** Moncton City Council authorize the unbudgeted expenditure of \$40,000 (+ applicable HST) towards the Optional Services contract with Watson and Associates for the creation of a new Worthington Avenue/Mountain Road Development Charge Area.

*Moved by Councillor Butler
Seconded by Councillor Steeves*

MOTION CARRIED.

3. **That** further to Moncton City Council's adopted motion of June 21, 2021, that Moncton City Council authorize the City to further amend the terms of the Option Agreement dated January 30, 2017 between the City and Galco Atlantic Investments Network Ltd. to further define Galco's development obligations under the Option Agreement, 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 Councillor Thériault
Seconded by Councillor Léger*

MOTION CARRIED. *Councillor Bourgeois registered a nay vote.*

4. **That** Moncton City Council authorize the City of Moncton to enter into the Minutes of Settlement Agreement with EXP SERVICES INC./LES SERVICES EXP INC.; and that the Mayor and City Clerk be authorized to execute the Minutes of Settlement Agreement and all other documents necessary to settle this matter and to affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Léger
Seconded by Councillor LeBlanc*

MOTION CARRIED.

5. **That** Moncton City Council authorize the City of Moncton to enter into an Agreement of Purchase and Sale with Katherine Louise Brown and Marjorie Dawn Breuer to purchase PID 05065941 and to enter into an Agreement of Purchase and Sale with Stephen Allan Smith to purchase PID 05004726, both located within the Turtle Creek Watershed, 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 Butler
Seconded by Councillor Richard*

MOTION CARRIED.

6. **That** Moncton City Council approve a grant of \$66,000 to Curl Moncton, paid in three (3) installments, based on the following conditions:

- \$34,000 immediately to pay creditors and ensure the club continues to operate,
- \$ 2,000 to participate in governance training with the trainer to be selected by the City,
- \$30,000 once a strategic plan is created by the club and approved by Council which addresses the observations presented to Curl Moncton by the City's working group and, further
- that Curl Moncton demonstrate it is adhering to its strategic plan and is managing based on that plan which is a standing item at all board meetings where actual results are measured against key performance indicators and that the club adjust its strategies if key performance indicators are not met, and

further that Curl Moncton be directed to apply via the annual grant process if any additional funding is requested in future years.

Moved by Councillor Léger
Seconded by Councillor LeBlanc

Councillor Bourgeois explained that while he did not object to the amount, he would not be voting in favor of this as it is considered a grant rather than a loan.

Councillor Crossman asked that the General Manager of Finance Services encourage Curl Moncton to make regular presentations/updates to Council regarding the use of these funds. Once their debts are paid off, he requested that he provide confirmation to the City.

Councillor Butler requested information on the in-kind services provided.

MOTION CARRIED. – *Councillor Bourgeois registered a nay vote.*

7. **That** Moncton City Council approve the tentative agreement reached with CHEA/PSAC Local 60200 and that the changes be incorporated into a new collective agreement from January 1, 2021 to December 31, 2025 and further that the Mayor and City Clerk be authorized to execute all necessary documents and affix the Corporate Seal of the City thereto.

Moved by Councillor Léger
Seconded by Councillor Edgett

MOTION CARRIED.

The City Manager congratulated Jeff Preston, Laura Armes, Collin Littlejohn, Chuck Savoie and Ryan Sorrey on their excellent work in negotiating this agreement.

10.

REPORTS FROM ADMINISTRATION

- 10.1 **Proposed By-Law Relating to the Stopping Up and Closing of Highways # T-221** (to repeal and replace of By-Law T-202)

Motion: That Moncton City Council approve the proposed By-Law # T-221 “A By-Law Relating to the Stopping up and Closing of Highways within the City of Moncton” and begin the adoption process by giving first reading to the By-Law.

Moved by Councillor Butler
Seconded by Councillor Léger

Councillor Bourgeois inquired on the consultation/communication process to advise the public and obligations. France Levesque-Ouellette noted that in accordance with legislation, public notice is provided on the website but we are not limited to that. Notice could be published in the newspaper and other media if necessary. According to the by-law, administration appears before council who votes on a resolution and ratify that public notice will be given on a public hearing to allow community members to speak and provide input. In this case the existing the by-law is being repealed and no streets are being closed.

MOTION CARRIED.

- 10.2 **Tender TCS21-054** – Residential Bulk Waste Collection and Related Services

Motion: That Moncton City Council award Tender #TCS21-054 for the provision of Residential Bulk Waste Collection and Related Services to the lowest Bidder meeting all Terms and Conditions, and Specifications, being Fero Waste and Recycling Inc. for a three (3) year term, commencing August 1, 2021, at a Total Estimated Three (3) Year Contract Value of \$436,180.05, including H.S.T. @ 15%, with options to renew the agreement for up to two (2) additional one (1) year periods, if it is in the City’s best interest to do so.

Moved by Councillor Butler
Seconded by Councillor Kingston

MOTION CARRIED.

- 10.3 **Tender TCS21-055** – Delivery of Bulk Highway Salt

Motion: That Moncton City Council approve the award of Tender #TCS21-055 – Delivery of Bulk Highway Salt for the City of Moncton to Burgess Transportation Services Inc., for the Estimated Total Tendered Price of \$125,867.50, including H.S.T. @ 15%, for a one (1) year period with options to extend the agreement up to a maximum of five (5) additional twelve (12) month periods, if it is in the City’s best interests to do so.

*Moved by Councillor Steeves
Seconded by Councillor Léger*

In reply to Councillor Bourgeois, Administration advised that this would be the City of Moncton cost and is based on transported 11,000 tons. The cost is based on the distance from the mine so Saint John would pay slightly less.

MOTION CARRIED.

11.

READING OF BY-LAWS

The City Clerk announced that the following by-laws will be posted online 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** Relating to the Stopping Up and Closing of Highways Within the City of Moncton, being By-Law T-221 – First Reading (subject to approval of item 10.1)

First Reading

- 11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-220.9 – 461 Ryan Street – Second and Third Readings (subject to approval of item 7.2)

Motion: That second reading be given to A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-220.9

*Moved by Councillor Butler
Seconded by Councillor Kingston*

MOTION CARRIED.

The Acting City Clerk gave second reading to By-Law Z-220.9

Motion: That A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-220.9 be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Butler
Seconded by Councillor Richard*

The Acting City Clerk gave third reading to By-Law Z-220.9.

MOTION CARRIED.

- 11.3 **A By-Law** in Amendment of the City of Moncton Development Charge By-Law, being By-Law Z 1519.1 – Second and Third Readings (subject to approval of item 7.1)

Motion: That second reading be given to A By-Law in Amendment of the City of Moncton Development Charge By-Law, being By-Law Z 1519.1.

*Moved by Councillor Edgett
Seconded by Councillor Richard*

MOTION CARRIED.

The A/City Clerk gave second reading to By-Law 1519.1.

Motion: A By-Law in Amendment of the City of Moncton Development Charge By-Law being By-Law Z-1519.1 be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Thériault
Seconded by Councillor Butler*

MOTION CARRIED.

The Acting City Clerk gave third reading to By-Law Z-1519.1.

- 11.4 **A By-Law** Relating to Fire Protection in the City of Moncton, being By-Law H-621 – Second and Third Readings

The Acting City Clerk advised that she forwarded an updated version of this by-law to City Council this afternoon and uploaded same into the agenda package in eScribe.

Nick Robichaud reviewed the changes in this by-law since discussion during the first reading specifically:

- Section 10 – the permit amount will be approved by Council every year as part of fees and charges by-law.
- Section 12, In terms of fire bans the Westmorland County region is applied and the by-law comes into effect January 1st.

Motion: That second reading be given to A By-Law Relating to Fire Protection in the City of Moncton, being By-Law H-621

*Moved by Councillor Léger
Seconded by Councillor Edgett*

MOTION CARRIED.

The Acting City Clerk gave second reading.

Councillor Bourgeois sought clarification of Section 4 (b) in terms of cooking food and the times permitted under Section 12 (i). The intent of the by-law is a commercially built barbeque to cook food. If a cooking grill is place on the top of the wood for grilling, it would be considered a barbeque. It is not the intent of the by-law to regulate barbeques. Fire pits are not permitted for usage prior to 4 p.m.

Motion: That A By-Law Relating to Fire Protection in the City of Moncton, being By-Law H-621, be Ordained and Passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Léger
Seconded by Councillor Kingston*

MOTION CARRIED.

The A/City Clerk gave third reading.

**12.
NOTICES MOTIONS AND RESOLUTIONS**

**13.
APPOINTMENTS TO COMMITTEES**

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

Urban Growth Strategy Committee

- Joanne Adair
- Remy Azariah
- Henri Michel Bouloumege
- James Burnett
- Lauren Fawcett
- Dale Hughes
- Marie-Ève Nowlan
- Gino Paesani

*Moved by Councillor Thériault
Seconded by Councillor Kingston*

MOTION CARRIED.

**14.
ADJOURNMENT**

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

Moved by Councillor Kingston

MOTION CARRIED

.....
Dawn Arnold
MAYOR

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