

Council Chambers
City Hall
Moncton, N.B.
February 7, 2022
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold, in the Chair
Councillor Marty Kingston, via Web Ex
Councillor Monique LeBlanc
Councillor Paulette Thériault, via Web Ex
Councillor Shawn Crossman, via Web Ex

Deputy Mayor Charles Léger
Councillor Dave Steeves
Councillor Susan Edgett, via Web Ex
Councillor Paul Richard, via Web Ex
Councillor Daniel Bourgeois, via Web Ex

ABSENT

Councillor Bryan Butler

ALSO PRESENT

M. Landry, City Manager
S. Morton, Assistant City Clerk
J. Doucet, CFO, General Manager, Finance Services
N. Robichaud, General Manager, Legal and Legislative Services
J. MacDonald, General Manager, Sustainable Growth and Development Services
A. Binette, General Manager, Operations Services
J. Cohoon, Acting General Manager, Recreation, Culture and Events
L. Hanson, General Manager, Corporate Services
I. LeBlanc, Director, Communications
C. Landry, Fire Chief
D. Hicks, Director Parks
R. DeSilva, Superintendent Codiac RCMP
A. Smith, Urban Growth
B. Budd, Director, Urban and Development
A. Grncarovski, Manager, Operations, Codiac Transpo
D. Morehouse, Director, Public Works
J. Scott, General Foreman, Public Works
E. Aucoin, Director, Environmental Planning and Management

1.

CALL TO ORDER

2.

ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated February 7, 2022, be approved as circulated,

Moved by Councillor Léger
Seconded by Councillor Richard

MOTION CARRIED

3.

CONFLICT OF INTEREST DECLARATIONS

None declared

4.

ADOPTION OF MINUTES

Motion: That the minutes of January 17, 2022, Regular Public Council minutes be adopted as circulated.

Moved by Councillor Steeves
Seconded by Councillor Kingston

MOTION CARRIED

5.

CONSENT AGENDA

Motion: That the following recommendations on the Consent Agenda be adopted:

Moved by Councillor Edgett

Seconded by Councillor Kingston

5.1 **Encroachment** for Illuminated Pylon Sign – 280 Price Street

Motion: That Moncton City Council authorize the City of Moncton to enter into an Encroachment Agreement with Manac Inc., the registered owner of the Property located at 280 Price Street and bearing Service New Brunswick parcel identification number (PID) 70659578, to allow, subject to terms and conditions outlined in the Encroachment Agreement, the installation and encroachment of an illuminated pylon sign upon the Local Government Service Easements of the City, and that the Mayor and City Clerk be authorized to sign the Encroachment Agreement and affix the Corporate Seal of the City of Moncton thereto.

5.2 **Encroachment** for Permanent Sign – 45 Greenock Street

Motion: That Moncton City Council authorizes the City of Moncton to enter into an Encroachment Agreement with CPM Carnahan Property Management Ltd., the registered owner of the Property located at 45 Greenock Street and bearing Service New Brunswick parcel identification number (PID) 70491352, to allow, subject to terms and conditions outlined in the Encroachment Agreement, the installation and encroachment of the proposed permanent aluminum sign panel to be installed on City property, and that the Mayor and City Clerk be authorized to execute the Encroachment Agreement and affix the Corporate Seal of the City of Moncton thereto.

MOTION CARRIED

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

6.1.1 **Presentation** – Police Station – Hafsah Mohammad

Hafsah Mohammad read into the record a peer reviewed article regarding the harmful impact of policing on public health and human rights. Given the length of the article, she was unable to read it in its entirety but agreed to send it to City Council and Administration. She believed a vote in favor of the police building would be a vote to expand policing which is against scholarly evidence as well as a vote in favor of harming public health and regressing human rights. The article is entitled “*Policing is a Threat to Public Health and Human Rights*”. The research is available through BMJ Global Health. She noted that people of other races are unfairly targeted. She added that the article is not her opinion but that of peered experts.

Councillor LeBlanc entered the meeting at 4:08 p.m.

The Mayor thanked Ms. Mohammad for her presentation.

6.1.2 Other Presentations

City Council received a verbal presentation from Ryan Hillier regarding public safety specifically as it related to the recent demonstrations in Ottawa against the Covid-19 mandate. He expressed the need for proper law enforcement and policing to prevent further occurrences of such events.

6.2 ADMINISTRATION PRESENTATIONS

6.2.1 **Update – RCMP** – Superintendent Ron DeSilva, Officer in Charge (OIC) of the Codiac Regional RCMP

City Council received a verbal presentation from Ron DeSilva, which is summarized as follows

- Worked with Provincial Crime Reduction Unit to arrest individuals making illicit drugs in the area including crystal meth and fentanyl was found - 3 search warrants issued
- Arrested individual responsible for 15 break ins
- Commanding Officer in J Division commences tomorrow –will be introduced to City Council
- Mailbox thefts –investigated by Crime Investigation Unit – Media release issued yesterday regarding mailbox thefts encouraging public to check mailboxes daily and report thefts.
- Theft of motor vehicles has increased in vehicles running that are left unattended.
- Tactical traffic and enforcement will return to the region
- Crime status – decrease in crimes against persons in January as well as property crime
- While successful with large seizures, the problem continues as the offender is released in 18 months or replaced with another trafficker. Nevertheless, the police continue in the plight to crime.
- The RCMP works with schools in the community with six or seven individuals from the RCMP.

- In reply to Councillor Bourgeois, Superintendent DeSilva agreed to provide a list of projects and presentations on which the Community Policing Unit has been involved. The unit has 6-7 employees and plans are underway to increase resources in that unit.

Councillor Butler commended the RCMP on the success in addressing the drug situation and suggested that they give a presentation on the Justice System.

Councillor Bourgeois suggested a presentation every three months with statistical data on the broader picture of prostitution, drug trafficking, criminality, etc. in terms of what types of crimes have decreased or increased.

Superintendent DeSilva noted that the Online Crime Reporting tool is a new tool which deals with smaller offences i.e. mischiefs, thefts to property under \$5,000. Entering data requires about 15 minutes. It is not meant to replace other types of crime reporting such as emergencies.

Discussions concluded on this issue.

6.2.2 **Presentation** – Snow Update – Alexandre Binette, General Manager Operations Services

Alexandre Binette, Don Morehouse and Jeff Scott were in attendance.

Following introductory remarks by the City Manager, City Council received a PowerPoint presentation from Alexandre Binette, Don Morehouse and Jeff Scott regarding the snow removal process during snowstorms. The Emergency Coordination Centre has been enacted to better manage information and provide updates to ensure citizens are better informed. Administration thanked residents for their patience as well as employees who have worked beyond regular hours to ensure the streets were cleaned.

Mr. Scott outlined the process and coordination of resources for addressing snowstorms, supported by graphs of the amount of snow received over the past five years. This year 150 cm of snow has been received and created challenges for snow hauling and the clearing of sidewalks.

Mr. Morehouse added that productivity has been significantly reduced. The use of contractors has been optimized. The main focus this week has been to ensure snow hauling operations continue and to return sidewalk clearing to an acceptable level, taking into consideration the health and safety of the employees.

The presentation outlined the next steps as follows:

- Once 2022 winter season concludes, a review and analysis of the operations will be undertaken.
- Report will be provided to Council in Q2/2022

A lengthy discussion ensued with several members of Council reported receiving calls and emails from parents regarding children walking in the street to attend school. The following points and suggestions from councillors were noted:

- The need for a plan and/or emergency plan, particularly in exceptional snow events to:
 - Identify gaps and what improvements are required.
 - Address snow height, uncleared sidewalks
 - Prioritize school zones to allow children to use one side of the street.
 - Secure additional equipment and resources if required
 - Clear bus routes, bus shelter and fire hydrants
 - Ensure streets are clear from a public safety perspective to ensure safe passage of emergency vehicles
 - Ensure sufficient number of private companies available to respond in emergencies
- Better manage public expectations with clearer communication to the public to convey what reasonably can be accomplished in large snowstorms
- Stressed the need to clear corners of streets and intersections
- Requested that staff return with suggestions for school zones, bus routes, widening main thoroughfares, snow hauling, etc.
- Re-coordinate employee hours to ensure better coverage. Administration is currently negotiating with the union to increase hours of operation
- Review Quebec City model, other municipalities, or aim for best system in the world
- Define new normal as 30 cm. instead of 20 cm.
- Increase snow reserves – place savings from good winters in the reserve to build up to \$8 or \$9M – use to invest more in equipment, resources, etc.
- Consider re-instating Snow Committee
- Review City by-laws to determine how to prevent citizens from dumping snow on neighbors' properties, to address parking restrictions and allow safe passage for vehicles/emergency vehicles during winter months.
- Need to consider school and hospital zones and prevent children from walking on the street.
- It is incumbent upon to Council to decide whether it wishes a better snow removal process and to determine how much they are willing to pay for the snow service.
- Requested that administration provide information on the following:
 - number of pieces of equipment owned by the City

- number of kilometres, trucks, qualified employees clearing the streets versus contractors.
- Suggested midnight to 8 a.m. shift, noting a lot of apartments and condos need to have clear exits so as not to park on both sides of street and limit snow operations.

Administration commented that one of the key issues with major or exceptional storms greatly impact the ability to manage storage, a problem that occurred with the most recent storm. The snow must be hauled and stored to allow for sidewalks clearing. Administration is now working with three contractors to haul snow as well as inhouse staff. The current model is used across the Atlantic provinces. The City is divided into two tiers of services, collectors and arterials (45%) administered by City staff and local minors and primaries are done by contractors (55%).

Alex Grncarovski expressed a willingness of Codiac Transpo to provide a list of volunteers who would be willing to train to use the trackless equipment during snowstorms. Agreement would be required between the two unions.

The City Manager noted efforts to mobilize all resources and contractors. Administration will be meeting tomorrow morning to determine what additional resources can be secured. Schools will be reviewed to address the issue of children walking on the street. Administration has committed in the second quarter to present a full report to City Council based on various factors, new realities, and whether to readjust levels of service, what further improvements can be made, etc. Elected officials will also receive an email on Administration's progress by day's end tomorrow.

The Mayor thanked Communications for updating citizens on the storms and also reiterated the points raised by Council on the need to manage exceptional storms. She concurred that a full analysis of the system was needed.

7. PLANNING MATTERS

7.1 **Public Hearing** – Zoning By-law Re-adoption and Housekeeping Amendment

The City Clerk noted that No objections were received.

Mr. Smith provided a PowerPoint Presentation overviewing the process to streamline the current Zoning By-Law for the City of Moncton. It was noted that no significant amendments have been made since 2016 leaving a backlog of changes. The following is a summary of the points made:

At its regular meeting on January 26, 2022, the Planning Advisory Committee unanimously passed a motion to provide its written views in support of the proposed by-law.

Where amending by-laws (rezoning files) to #Z-220 have been registered since the introduction of Council meeting, Administration has since updated 'Schedule A – Zoning Map' and 'Schedule G – Conditional Rezoning Carried Over.' Thus, minor administrative changes have been made to the proposed by-law since the introduction to Council meeting.

Where it is now 2022, the Legal Department's by-law naming convention requires that the title of this by-law be changed from "#Z-221" to "#Z-222". All references to the by-law going forward will be "#Z-222".

The Zoning By-law that was adopted as part of the Plan Moncton process (originally By-law #Z-213) has not been comprehensively updated and amended since 2016 (Amending By-law #Z-213.36). This amending by-law was enacted as a part of the Humphreys Brook Secondary Municipal Plan process. Planning has since brought forward a series of minor administrative amendments concerning fees and charges (part of the re-adoption as By-law #Z-220), front yard gardens (Amending By-law #Z-220.8), and microbreweries (Amending By-law #Z-220.17).

The proposed comprehensive housekeeping amendment, by way of re-adoption as new By-law #Z-222, includes a series of text changes to update and streamline the zoning regulations.

Appendix A outlines the proposed text changes between the current Zoning By-law #Z-220 and proposed By-law #Z-222. This document is set up as it were an amendment to illustrate the specific proposed changes.

Appendix B organizes the specific changes in Appendix A by "Issue" and "Proposed Fix". This is coordinated with the amendment reference of Appendix A.

Appendix C illustrates the proposed changes to the zone tables by way of tracked changes and sidebar comments.

The Mayor adjourned the public presentation.

Motion: That Moncton City Council re-adopt the Zoning By-law by repealing By-law #Z-220 and replacing with proposed By-law #Z-222, thereby giving 2nd and 3rd readings of By-law #Z-222.

Moved by Councillor Léger

Seconded by Councillor Richard

MOTION CARRIED

8.
STATEMENTS BY MEMBERS OF COUNCIL

9.
REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 **Recommendation(s)** – Private Session – January 17, 2022

Motion: That Moncton City Council authorize the City of Moncton to enter into an Agreement of Purchase and Sale with the Estate of Avryl Lois Robertson to purchase the PIDs 679506 and 679514, located on Stafford Street in the City of Moncton and Province of 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 Crossman
Seconded by Councillor LeBlanc

MOTION CARRIED

Motion: That Moncton City Council authorize the City of Moncton to enter into an Agreement of Purchase and Sale with Frances Thora MacAleese to purchase the PID 00882076, located near MacAleese Lane in the City of Moncton and Province of 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 Thériault
Seconded by Councillor Crossman

MOTION CARRIED

Motion: That Moncton City Council authorize the City of Moncton to enter into a contract with the Province of New Brunswick to provide a Hazmat Team to cover Southeast New Brunswick and back up to the other teams in the province, and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the corporate seal thereto.

Moved by Councillor Léger
Seconded by Councillor Butler

MOTION CARRIED

10.
REPORTS FROM ADMINISTRATION

11.
READING OF BY-LAWS

11.1 **A By-Law** in Amendment of a Bylaw Respecting the Proceedings of Moncton City Council and Committee Meetings, being By-Law A-418.3 – **First Reading**

Motion: That the City Clerk give first reading to By-Law A-418.3

Moved by Councillor LeBlanc
Seconded by Councillor Léger

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

The City Clerk gave first reading to By-Law A-418.3

11.2 City of Moncton Zoning By-Law, being By-Law Z-222 – **Second and Third Readings**

Motion: That the Clerk give second reading to By-Law Z-222.

Moved by Councillor Edgett
Seconded by Councillor Léger

MOTION CARRIED

The Clerk gave second reading to By-Law Z-222

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being Z-222, be given third reading and that it 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 Kingston
Seconded by Councillor Léger*

MOTION CARRIED

The Clerk gave third reading to by-law Z-222 relating the Amendment of the City of Moncton Zoning By-law.

12.

NOTICES MOTIONS AND RESOLUTIONS

- 12.1 **Resolution** – By-law enforcement officers – Codiac Transpo – Emilia Noel, Terry Louie, Gary Huntington, Abdou Oumarou and Laurie Ann Horsman

WHEREAS by virtue of the *Local Governance Act*, S.N.B. 2017, c. 18, and all applicable regulations adopted under it, and the *Police Act*, S.N.B., 1977, c. P-9.2, Council may appoint by-law enforcement officers for the local government, and a by-law enforcement officer has the powers and immunities of a police officer for the purposes of enforcing the by-laws of the municipality 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;

PROCEEDINGS, APPLICATIONS, ORDERS AND NOTICES

AND WHEREAS by virtue of Subsection 150(1) of the *Local Governance Act*, Council may designate any person in whose name proceedings for an offence under a by-law, including but not limited to Informations, may be laid or commenced;

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

NOW THEREFORE BE IT RESOLVED THAT Emilia Noel, Terry Louie, Gary Huntington, Abdou Oumarou and Laurie Ann Horsman be appointed By-Law Enforcement Officers for the City of Moncton, and that they be authorized to enforce the *Traffic By-Law* or any applicable Act and regulation, and any amendments thereto, specifically to enforce provisions respecting restrictions relating to the stopping, standing and parking of motor vehicles within a Highway or a Portion of a Highway where Parking Control Devices are placed and erected prohibiting the stopping, standing and parking of motor vehicles, save and except Codiac Transpo buses;

BE IT FURTHER RESOLVED THAT Emilia Noel, Terry Louie, Gary Huntington, Abdou Oumarou and Laurie Ann Horsman be authorized to take any such action, exercise such power and perform such duty as they may deem necessary, and as may be set out in the *Traffic By-Law* or any applicable Act and regulation, and any amendments thereto, specifically to enforce provisions respecting restrictions relating to the stopping, standing and parking of motor vehicles within a Highway or a Portion of a Highway where Parking Control Devices are placed and erected prohibiting the stopping, standing and parking of motor vehicles, save and except Codiac Transpo buses; and,

BE IT FURTHER RESOLVED THAT Emilia Noel, Terry Louie, Gary Huntington, Abdou Oumarou and Laurie Ann Horsman 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 the *Traffic By-Law*, or any applicable Act and regulation pursuant to the sections noted in the Acts referenced above; and designated and authorized to and designated and authorised 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 Butler
Seconded by Councillor Léger*

MOTION CARRIED

13.

APPOINTMENTS TO COMMITTEES

Motion: That the following appointment be approved:

Codiac Regional Policing Authority

- Jocelyn Chan

3+

- Amanda Devison
- Thomas George

Accessibility Committee

- Dawn Elias

Moved by Councillor Léger

Seconded by Councillor Kingston

MOTION ADOPTED

14.

ADJOURNMENT

Motion: That the meeting be adjourned.

Moved by Councillor Kingston

MOTION CARRIED

.....
Dawn Arnold
MAYOR

.....
Shelley Morton
DEPUTY CITY CLERK

/6:00 p.m.

/smm