

Council Chambers  
City Hall  
Moncton, N.B.  
February 22, 2022  
4 p.m.

## MINUTES – REGULAR PUBLIC MEETING

### MEMBERS OF CITY COUNCIL

Deputy Mayor/Maire adjoint Charles Léger, in  
the Chair  
Councillor/Conseiller Marty Kingston  
Councillor/Conseillère Monique LeBlanc  
Councillor/Conseillère Paulette Thériault

Councillor/Conseiller Shawn Crossman  
Councillor/Conseiller Daniel Bourgeois  
Councillor/Conseiller Dave Steeves  
Councillor/Conseiller Susan Edgett  
Councillor/Conseiller Paul Richard

### ABSENT

Mayor /Mairesse Dawn Arnold  
Councillor/Conseiller Bryan Butler

### ALSO PRESENT

M. Landry, City Manager  
B. Quigley, City Clerk and Director, Legislative Services  
J. Doucet, CFO, General Manager, Finance Services  
N. Robichaud, General Manager Legal and Legislative Services  
E. Aucoin, General Manager Sustainable Growth and Development Services  
A. Binette, General Manager Operations Services  
K. McIntyre, General Manager, Recreation, Culture and Events  
L. Hanson, General Manager, Corporate Services  
I. LeBlanc, Director, Corporate Communications  
C. Landry, Fire Chief  
B. Jollette, Acting Officer in Charge Codiac RCMP  
B. Budd, Director Urban Development Growth  
A. Reddy-Kalala, Economic Development

### 1. CALL TO ORDER/OUVERTURE DE LA SÉANCE

### 2. ADOPTION OF AGENDA/ADOPTION DE L'ORDRE DU JOUR

**Motion:** That the agenda for the regular public Council meeting dated February 22, 2022, be approved with the following addition:

- **Other Presentations:** Keith Hatto - CUPE

Moved by: Councillor Kingston  
Seconded by: Councillor LeBlanc

### MOTION CARRIED

### 3. CONFLICT OF INTEREST DECLARATIONS/DÉCLARATIONS DE CONFLITS D'INTÉRÊTS

*None declared*

### 4. ADOPTION OF MINUTES/ADOPTION DU PROCÈS-VERBAL

### 5. CONSENT AGENDA/QUESTIONS SOUMISES À L'APPROBATION DU CONSEIL

#### 5.1 **Encroachment** – Awning Signs – corner of 245 St George and 124 Archibald Streets

**Motion:** That Moncton City Council authorizes the City of Moncton to enter into an Encroachment Agreement with 655889 NB Ltd., the registered owner of the Property located at 245 St George and 124 Archibald Streets and bearing Service New Brunswick parcel identification number (PID) 70654223, to allow, subject to terms and conditions outlined in the Encroachment Agreement, the installation and encroachment of awning signs over the City-owned land and sidewalks, 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.

Moved by: Councillor Steeves  
Seconded by: Councillor Crossman

**MOTION CARRIED**

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**6. PUBLIC AND ADMINISTRATION PRESENTATIONS/ EXPOSÉS DU PUBLIC ET DE L'ADMINISTRATION**

**6.1 PUBLIC PRESENTATIONS/ EXPOSÉS DU PUBLIC**

5 minutes

**6.1.1 Presentation – Curl Moncton - Cheryl Minns**

Ms. Minns provided an overview of current programming and growth at Curl Moncton. She advised Council that pre-Covid Curl Moncton would be hosting several curling events, camps and corporate event throughout the year. These events would cover the operating expenses for Curl Moncton. Even though operations have resumed this season, COVID has put a dent in the funding needed to cover their expenses. She thanked the City of Moncton for their continued support for Curl Moncton.

**Other Presentation/Autres présentations**

2 minutes

**Presentation – Snow Removal Keith Hatto – President CUPE Local 51**

Mr. Hatto came before Council in order to provide clarification of CUPE's point of view of snow removal within the City of Moncton thus far this year. In response to Councillor Kingston's question, Mr. Hatto indicated that management has not had a conversation with CUPE as to a potential updated snow removal process. Mr. Hatto advised of the importance to have a clear plan for clearing snow as per each area, and how it should be done.

Mr. Landry, City Manager, advised that a report will be brought forth to Council in regard to snow removal in the near future. This will be done with the input of the operators.

**6.2 ADMINISTRATION PRESENTATIONS/ EXPOSÉS DE L'ADMINISTRATION**

15 minutes

**6.2.1 Presentation – Partnership with NB Commissioner on Anti-Racism**

Ms. Hansen advised Council that part of the 2022 Strategic Plan, two action items support the implementation of Diversity, Equity and Inclusion (DEI) initiatives and Systemic Racism.

- Under the Social Pillar, a key action is to develop a plan for public dialogue on anti-racism and anti-discrimination. The timeline for this action was slated for 2022 through to 2024.
- Under Governance, administration is continuing to work on DEI directives or policies as well as other initiatives through its DEI Internal Committee.

Dr. Manju Varma indicated that there is an opportunity to partner with the city to gather important information that impacts the community. This partnership will look at a variety of different aspects of services that directly impact the lives of residents such as: transportation, funding, parks and recreation, communications, etc. This review of municipal services and processes will seek to develop an understanding of the nature and impact of systemic racism within the City of Moncton.

Part of the program's mission was to hire an independent officer tasked with helping the Government of New Brunswick understand the extent and scope of systemic racism in the province and government's role in tackling it.

Working independently from all levels of government, Dr. Varma will assist to produce a final report for the City of Moncton by fall 2022. The report will identify systemic barriers in municipal services based on consultations and research. It is anticipated that what we learn about Moncton will be transferable to other municipalities in New Brunswick. The final report will be a public document and will be used to guide the City's work in addressing and dismantling systemic barriers.

Dr. Varma advised Council that New Brunswick is the fastest growing province for hate groups in Canada.

She invited any interested persons or stakeholders to forward their written testimony to the Commissioner by mail or email.

Email submissions should be forwarded to [ea.junior.kalala@gmail.com](mailto:ea.junior.kalala@gmail.com)

Website: [www.gnb.ca/systemicracism](http://www.gnb.ca/systemicracism)

Dr. Varma requested that the City of Moncton submit a formal submission to the website.

6.2.2 **Update – RCMP** –Benoit Jollette, Acting Officer in Charge (OIC) of the Codiac Regional RCMP

Inspector Jollette provided an update on RCMP activities. He advised Council that J Division has a new Deputy Commissioner: Diana Hill.

He reminder Council of the launch of the on-line crime reporting. He reiterated this does not replace emergency services.

**Breakdown:**

- GIS Unit – continue to work on 6 large open files.
- Crime reduction Unit – continue to work on priority offender, and drug activities in the city.
- Also working closely with Canada Post to pinpoint specific locations that the offences are happening.
- General Duty Patrol unit – continue to monitor and patrol the streets of Moncton.
- Traffic Services – Greater Moncton has seen 4 successful events with the Provincial Traffic Services Unit since summer 2021.
- Community Policing – Increasing the employees working in the unit.

Inspector Jollette advised Council that 40 new cadets have started to work at Codiac over the past year.

6.2.3 **Report to the Community (2021 Strategic Plan)** – Marc Landry

Mr. Landry provided an update to Council on the 2021 Strategic Plan. The City of Moncton's Strategic Plan (2021 edition) was adopted at the February 16, 2021 Public Council Meeting. The plan established priorities for a number of projects and/or initiatives as shown below:

<b>Pillar</b>	<b>Projects/Initiatives</b>	<b>Fully Completed in 2021</b>
Environment	27	0
Social	30	3
Culture	13	1
Economy	32	4
Governance	23	4
	124	12

The 2021 Strategic Plan includes Projects and Initiatives for 2021, 2022 and 2023. As part of the plan's framework, Administration reports on the progress of the priority items on regular basis and prepares a Report to the Community on a yearly basis. Currently administration are working on the 2022 edition of the Strategic Plan which was adopted by City Council in November 2021.

Councillor Bourgeois raised the issue of public security in the downtown core. It is his opinion that this item should be the priority for the City of Moncton. He spoke of the limited powers that are allocated to our community by-law officers. He questioned if the City has approached the Province to be granted additional powers? Mr. Landry advised that hours have been increased for our by-law officers, which now includes weekends. Mr. Landry also indicated that legislation would need to be updated at the Provincial level. The City has gathered information from other jurisdictions throughout Canada on the topic, and this has been forwarded to the Province. Administration is currently awaiting a response.

Councillor Bourgeois asked what decisions has Council taken towards public security and the task force created by the Chamber of Commerce in the Fall? He is requesting answers no later than 2023, as he feels that he owes answers to his constituents.

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7.  
**PLANNING MATTERS/ QUESTIONS D'URBANISME**

7.1 **Introduction** – MID Industrial Park (Shediac Road) – Rezoning, Municipal Plan Amendment, and Urban Boundary Expansion

Mr. Budd advised Council that the purpose of bring this item to Council is to accommodate an application from Moncton Industrial Development (MID) for a new proposed industrial park on Shediac Road. The application pertains to Phase I of the proposed development and is to:

- Expand the Urban Boundary to include PIDs 70668983 & 70646716;
- Amend the Future Land Use Designation on a portion of PIDs 00930735 and 70295597 from HC (Highway Commercial) to ID (Industrial); and to amend the Future Land Use Designation of PID 70668983 from NH (Neighbourhood) and RR (Rural) to ID

- (Industrial); and to amend the Future Land Use Designation on a portion of PID 70646716 from HC (Highway Commercial) and NH (Neighbourhood) and RR (Rural) to ID (Industrial); and
- Rezone a portion of PIDs 00930735 and 70295597 from HC (Highway Commercial) to IP (Industrial Park); Rezone PID 70668983 from R2 (Two Unit Dwelling) and RR1 (Rural Residential Zone) to IP (Industrial Park); and to rezone a portion of PID 70646716 from HC (Highway Commercial) and R2 (Two Unit Dwelling Zone) and RR1 (Rural Residential) to IP (Industrial Park).

Mr. Budd indicated that the fiscal impact analysis would include:

- Accounts for municipal expenditures & revenue over 25 years (2022-2047)
- Provides rationale for expanding Urban Boundary
- Proposed development to provide net fiscal benefit to City of \$27 million

*Councillor LeBlanc left the meeting*

Traffic Impact Study:

- New left turn lane required on Shediac Road to enter proposed development (paid for by MID)
- Future upgrades to Harrisville Boulevard and Shediac Road will be required
- Currently undertaking Development Cost Charge exercise to account for future upgrades

**Motion:** That Moncton City Council proceed with the municipal plan and rezoning amendment process of By-Laws MP-113.33 & Z.222.2, and:

- a) That a Public Presentation be set for March 21, 2022;
- b) That a Public Hearing be set for May 2, 2022;
- c) That the By-Laws be referred to the Planning Advisory Committee for their written views, with an extension to April 27, 2022 to receive those views; and

The rezoning, if approved, should be subject to the following conditions including but not limited to:

- 1) That the landowner shall enter into a subdivision agreement with the City;
- 2) That approval from the Department of Environment and Local Government be obtained prior to undertaking work in a watercourse or wetland buffer.

Moved by: Councillor Edgett

Seconded by: Councillor Kingston

## MOTION CARRIED

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## 8.

### STATEMENTS BY MEMBERS OF COUNCIL/ EXPOSÉS DES MEMBRES DU CONSEIL

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## 9.

### REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS/ RAPPORTS ET RECOMMANDATIONS DES COMITÉS ET RÉUNIONS À HUIS CLOS

#### 9.1 Recommendation(s) – Private Session – February 14, 2022

**Motion:** That Moncton City Council authorizes the City of Moncton to enter into an Agreement of Purchase and Sale with Frances Thora MacAleese to purchase the PID 00783373, 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 direct administration to draft the necessary legal documents to amend the Operations and Maintenance Agreement, signed between the City and ASM Global, to provide another one year extension (in addition to the two year term extension provided in 2020) and modified guaranteed annual payment plan, as well as financial support to assist with the payment of operational losses in 2022 (in addition to the support from 2020 and 2021), which will be recovered in future years based on the terms of the addendum to the Operations and Maintenance Agreement with ASM Global due to the Covid-19 pandemic; and, that the Mayor and City Clerk be authorized to sign and affix the corporate seal of the City of Moncton to the amending agreement(s), agreement(s) and any other necessary documentation relating thereto.

Moved by: Councillor Thériault  
Seconded by: Councillor Kingston

Mr. Houser provided a brief overview of the situation at the Avenir Center with the use of a PowerPoint.

Final status at the center:

- Covid-19 restrictions continued, increasing costs and limiting income to offset fixed costs
- Expenses continued to be reduced to absolute necessary
- Ice rentals maximized to bring in receivables – until Provincial guidelines limited
- Operator continues to reach point of inability to pay operating costs
- Two possible scenarios will be reviewed:
  - Current event outlook 2022
  - If Provincial future closures cancel Spring events

Efforts that were done by ASM during COVID:

- Laid off part-time and non-essential full-time staff
- Applied for Canada Emergency Wage Subsidy (CEWS) for essential staff and are exploring more
- Applied for CERS (Canada Emergency Rent Subsidy)
- Removed ice on March 22, 2020
- Staff worked from home to reduce operating costs
- Shut down non-essential equipment to reduce utility costs
- Purchasing freeze (except essential items) and terminated non-essential services
- Stepped up collection efforts on outstanding receivables
- Payment arrangements made for the next 6 months with utility companies to manage cash flow

Risks:

- Unlikely to be able to secure as advantageous a contract if re-opened
- This request is for 2022 based on known information and staff will continue to monitor and provide updates if additional health mandates impact expected results

Key Points:

- Annual Guarantee Fee for 2022 is deferred to a future year and not waived
- Funding to support operating costs is recovered in future years of the agreement starting in 2023
- Funding is only advanced as required after review of ASM Global/Avenir Centre cash flow forecast by City of Moncton administration
- Operating of Avenir Centre by City of Moncton itself would be significantly higher than funding assistance provided
- Important to support and maintain a City of Moncton asset with appropriate assistance
- Key driver to Downtown business enterprises and overall Downtown Growth

## **MOTION CARRIED**

*Councillor LeBlanc returned to the meeting*

*Councillor Steeves left the meeting*

**Motion:** That the City release the remaining \$30,000 contribution to Curl Moncton based on their adherence to their Strategic Plan which remains as a standing item at all Board Meetings.

Moved by: Councillor Edgett  
Seconded by: Councillor LeBlanc

## **MOTION CARRIED**

*Nay:*

*Councillor Richard  
Councillor Crossman*

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## **10.**

### **REPORTS FROM ADMINISTRATION/ RAPPORTS DE L'ADMINISTRATION**

#### **10.1 2022 Standard Municipal Specifications**

**Motion:** That Moncton City Council approve in principle the latest edition of the Standard Municipal Specifications (2022).

Moved by: Councillor LeBlanc  
Seconded by: Councillor Crossman

Councillor Bourgeois expressed his concern with having to read a large document over one weekend. He will forward his questions to the City Manager

It was determined that a review of the Procurement Act be provided to Council at a future Committee of the Who meeting.

**MOTION CARRIED**

*Nay:*

*Councillor Bourgeois*

10.2 **Quotation QP22-004** – Curb Grinding for Driveway Openings

**Motion:** That Moncton City Council approve Administration's recommendation to award Quotation #QP22-004 – Curb Grinding for Driveway Openings, to the lowest Bidder meeting all Terms and Conditions, Specifications and Requirements, being Industrial Cold Milling, a division of Miller Paving Limited in accordance with the unit rates specified in the firm's Quotation submission, which represents a Total Estimated Annual Contract Value of \$46,862.50 including H.S.T. @ 15%, with options to extend the agreement up to four (4) additional twelve (12) month periods, if it is deemed to be in the City's best interest to do so.

Moved by: Councillor Richard

Seconded by: Councillor Kingston

**MOTION CARRIED**

*Councillor Steeves returned to the meeting*

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**11.**

**READING OF BY-LAWS/ LECTURE D'ARRÊTÉS MUNICIPAUX**

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 – *Second and Third Readings*

**Motion:** That the Clerk give second reading to By-Law A-418.3.

Moved by: Councillor Kingston

Seconded by: Councillor Edgett

**MOTION CARRIED**

*Nay:*

*Councillor Bourgeois*

*Councillor Crossman*

*The Clerk gave second reading to by-law A-418.3*

**Motion:** That **By-Law** in Amendment of a Bylaw Respecting the Proceedings of Moncton City Council and Committee Meetings, being By-Law A-418.3 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 Edgett

Seconded by : Councillor Kingston

**MOTION CARRIED**

*Nay:*

*Councillor Bourgeois*

*Councillor Crossman*

*The Clerk gave third reading to by-law A-418.3*

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**12.**

**NOTICES MOTIONS AND RESOLUTIONS/ AVIS DE MOTIONS ET RÉOLUTIONS**

12.1 **Deposit** – General Operating Reserve Fund

**WHEREAS** section 101 of the Local Governance Act of New Brunswick confers power on City Council to create a General Operating Reserve Fund; and

**WHEREAS** the said Act requires that deposits made into the General Operating Reserve Fund be authorized by resolution; and

**WHEREAS** the City Treasurer recommends the deposit of \$328,000, being the budgeted 2022 deposit from the City's General Fund, be made to the General Operating Reserve Fund.

**THEREFORE BE IT RESOLVED** that authorization be granted for a deposit in the amount of \$328,000 into the General Operating Reserve Fund.

Moved by: Councillor LeBlanc  
Seconded by: Councillor Kingston

**MOTION CARRIED**

12.2 **Deposit – General Capital Reserve Fund**

**WHEREAS** section 101 of the Local Governance Act of New Brunswick confers power on City Council to create a General Capital Reserve Fund; and

**WHEREAS** the said Act requires that deposits made into the General Capital Reserve Fund be authorized by resolution; and

**WHEREAS** the City Treasurer recommends the deposit of \$12,667,828, being the 2022 budgeted deposit from the City's General Operating Fund, be made to the General Capital Reserve Fund.

**THEREFORE BE IT RESOLVED** that authorization be granted for a deposit in the amount of \$12,667,828, into the General Capital Reserve Fund.

Moved by: Councillor Edgett  
Seconded by: Councillor Kingston

**MOTION CARRIED**

12.3 **Deposit – General Utility Operating Reserve Fund**

**WHEREAS** section 117(7) of the Local Governance Act of New Brunswick confers power on City Council to create a Utility Operating Reserve Fund; and

**WHEREAS** the said Act requires that deposits made into the Utility Operating Reserve Fund be authorized by resolution; and

**WHEREAS** the City Treasurer recommends the deposit of \$10,000, being the budgeted 2022 deposit from the City's Utility Operating Fund, be made to the Utility Operating Reserve Fund.

**THEREFORE BE IT RESOLVED** that authorization be granted for a deposit in the amount of \$10,000 into the Utility Operating Reserve Fund.

Moved by: Councillor Edgett  
Seconded by: Councillor Steeves

**MOTION CARRIED**

12.4 **Deposit – Utility Capital Reserve Fund**

**WHEREAS** section 117(7) of the Local Governance Act of New Brunswick confers power on City Council to create a Utility Capital Reserve Fund; and

**WHEREAS** the said Act requires that deposits made into the Utility Capital Reserve Fund be authorized by resolution; and

**WHEREAS** the City Treasurer recommends the deposit of \$1,880,000, being the budgeted 2022 deposit from the City's Utility Operating Fund, be made to the Utility Capital Reserve Fund.

**THEREFORE BE IT RESOLVED** that authorization be granted for a deposit in the amount of \$1,880,000, into the Utility Capital Reserve Fund.

Moved by: Councillor LeBlanc  
Seconded by: Councillor Kingston

**MOTION CARRIED**

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13.  
**APPOINTMENTS TO COMMITTEES/ NOMINATIONS À DES COMITÉS**

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**14.**  
**ADJOURNMENT/ CLÔTURE DE LA SÉANCE**

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

Moved by : Councillor Edgett

**MOTION CARRIED**

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Dawn Arnold  
MAYOR

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

/7:35 p.m.

/smm