

Council Chambers
City Hall
Moncton, N.B.
August 16, 2022
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

| | |
|-------------------------------|-----------------------------|
| Mayor Dawn Arnold | Councillor Charles Leger |
| Deputy Mayor Bryan Butler | Councillor Daniel Bourgeois |
| Councillor Marty Kingston | Councillor Dave Steeves |
| Councillor Monique LeBlanc | Councillor Susan Edgett |
| Councillor Paulette Thériault | Councillor Paul Richard |
| Councillor Shawn Crossman | |

ABSENT

ALSO PRESENT

M. Landry, City Manager
S. Morton, City Clerk and Director, Legislative Services
N. Robichaud, City Solicitor, General Manager of Legislative Services
J. Doucet, CFO, General Manager, Finance Services
E. Aucoin, General Manager Sustainable Growth and Development Services
A. Binette, General Manager Operations Services
J. Cohoon, Director, Recreation
I. LeBlanc, Director, Corporate Communications
R. Lagacé, Director, Engineering
C. Landry, Fire Chief (virtual)
B. Jollette, Acting Officer in Charge Codiac RCMP
B. Budd, Director Urban Development Growth
S. Trueman, Solicitor
S. Anderson, Manager, Development Planning
A. Smith, Manager, Long Range Policy Planning
P. Edgar, Senior Development Officer, Subdivision Approvals
J. Adams, Urban Planner
T. Carter, Purchasing Manager
R. Rifaat-Simpson, Transportation and Parking Engineer
D. Layden, Engineering Technologist - Facilities

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated August 16, 2022, be approved with the following addition:

- **Other Presentations:** Paul Cormier, Homelessness Initiatives

Moved by: Councillor Kingston
Seconded by: Deputy Mayor Butler

MOTION CARRIED

3. CONFLICT OF INTEREST DECLARATIONS

None declared

4. ADOPTION OF MINUTES

5. CONSENT AGENDA

5.1 Street Closures and Noise Exemptions **Street Closures:**

- Medavie Canadian 5K Championships – September 11, 2022
- Moncton Wildcats Cats Cup Ball Hockey Tournament – September 18, 2022

Noise Exemptions:

- Medavie Canadian 5K Championships – September 11, 2022
- Moncton Wildcats Cats Cup Ball Hockey Tournament – September 18, 2022

Motion: That Moncton City Council approve the temporary event street closure and noise by-law exemption requests as outlined in the background section of the Council Report Form to allow the following events to proceed as planned:

Street Closures:

- Medavie Canadian 5K Championships – September 11
- Moncton Wildcats Cats Cup Ball Hockey Tournament – September 18

Noise By-Law Exemptions for programming associated with the following events:

- Medavie Canadian 5K Championships – September 11, from 6 a.m. – 2 p.m.
- Moncton Wildcats Cats Cup Ball Hockey Tournament – September 18, from 7 a.m. – 3 p.m.

Moved by: Councillor Edgett

Seconded by: Deputy Mayor Butler

Councillor Bourgeois expressed his concern regarding noise at such an early hour. Jocelyn Cohoon acknowledged the concern and confirmed that programming will not begin earlier than 8:30 a.m. Set up for the event will occur earlier; but noise will be kept to a minimum.

MOTION CARRIED

6.

PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

5 minutes

6.1.1 Presentation – Moncton Squash Club – Marc Lalonde and John Redding

Council received a PowerPoint presentation from Mr. Lalonde and Mr. Redding, founding members of Squash Moncton. They started out by thanking council for the opportunity to speak and continued to provide a history on their club, its growth, and update on the club's activities and operations.

Mr. Lalonde thanked City Council once again for their support and approving the Operations & Repayment agreement with Squash Moncton. Mr. Redding concluded by also thanking Joanne Lamarche, Jocelyn Cohoon, Shani Landry, the staff members involved in helping with the execution of the new agreement.

The Mayor thanked Mr. Lalonde and Redding for their presentation.

6.1.2 Presentation – Active Transportation – Mark Leblanc

Council received a verbal presentation from Mr. Leblanc, spokesperson for Mobility Moncton, a Moncton based group with Active Transportation interests. The group has met several times to discuss Active Transportation initiatives and intend to continue to meet monthly. The committee will report to Council on a quarterly basis. Mobility Moncton also plan to work closely with city staff to provide their input on priority areas in the Active Transportation plan. One area of focus will be improvements to snow and ice control.

Mobility Moncton member, Veronica Coombs – para-athlete and six-time Canada Games medal winner greeted City Council and spoke of her concerns with snow removal and ice control in Moncton. As an athlete who is very active, it can be difficult getting around in Winter, especially those in a Wheelchair or who have accessibility issues. She highlighted that the Downtown Core of Moncton can be challenging as the sidewalks are very uneven.

The Mayor thanked both speakers for their presentation.

Other Presentation

2 minutes

Presentation – Homelessness Initiatives, Paul Cormier

Mr. Cormier was not present for the meeting.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

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

Inspector Jollette started out by introducing a newly posted RCMP officer to Codiac's detachment. Constable Andrew Johnston. Const. Johnston outlined his background and experience with the RCMP and looks forward to serving the community.

Inspector Jollette continued to provide an update on RCMP activities.

Breakdown:

Community policing unit:

- This unit has a focus on Social Issues such as Panhandling. Since June, action has been taken on their most aggressive panhandlers in the area. To date: 13 chronic panhandlers have been challenged and educated and provided warnings. 5 have been charged using the Motor vehicle act, 8 have stopped and have been connected with other services.
- Another area of focus within this unit is the loud exhaust initiative. There are some challenges within this unit as they do not have a proper decibel meter, however, officers are able to direct vehicle owners to have a mechanical inspection done. To date 11 vehicles have been intercepted that did not pass inspection and were required to fix their vehicle and make them road worthy.
- Bike patrols have been out on a regular basis and will continue to do so.

Crime reduction unit:

- Focus on those causing the most harm to the community
- On August 12th, the unit executed a search warrant which seized 1 kilogram of crystal meth, fentanyl, crack cocaine and firearms.
- This unit continues to work on priority offenders and drug activities in the city.

General investigations section and Major Crime unit

- Focus on the more complex investigations
- Suspicious death of 29-year-old woman was investigated and resolved.
- More victims coming forward regarding the teacher accused of sexual assault.

GIS Section:

- One man apprehended that was connected to a number of identity thefts. Evidence was found and charges secured.

Patrols sections:

- Officers out 24/7 and continue to plan for various events occurring this summer

The Mayor thanked Inspector Jollette for the update.

7.

PLANNING MATTERS

7.1 Public Hearing – Municipal Plan Update

The City Clerk noted that no objections were received.

The City Manager provided a backgrounder on this item and Mr. Smith provided a PowerPoint Presentation overviewing the re-adoption process for the Municipal Plan. Each neighborhood plan will be adopted as standalone Secondary Municipal Plan By-laws. This is an administrative procedure, and the content or purpose of the Municipal Plan and Neighborhood plans will not change as a result. Separating the subsidiary plans as stand-alone documents will facilitate the Municipal Plan Review process to commence in 2023.

The Mayor inquired one last time if there were objectors and none were present.

The Mayor adjourned the public hearing at 4:32 p.m.

Motion: That Council proceed with adopting the following by-laws by giving 2nd and 3rd readings:

- Municipal Plan By-law # Z-122
- Vision Lands Plan – Secondary Municipal Plan By-law # Z-122a
- Sunny Brae Neighborhood Plan – Secondary Municipal Plan By-law # Z-122b
- Humphreys Brook Neighborhood Plan – Secondary Municipal Plan By-law # Z-122c
- Downtown Core Community Improvement Plan – Secondary Municipal Plan By-law # Z-122d

Moved by: Deputy Mayor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

Nay:

Councillor Bourgeois

7.2 **Introduction** of Eastgate Rezoning (Elmwood Drive)

Mr. Budd provided a PowerPoint Presentation overviewing the application received from ELCE Developments Inc. for a new mixed-use development referred to as “Eastgate”. The proposal includes 956 residential units, a new private school, a daycare and a nature market. The land is located in Ward 1 on Elmwood Drive, across from the Irishtown Nature Park, south of the Pine Tree Village residential community.

The following applications will be required:

- To expand the Urban Boundary to include PID 70573126;
- To amend the Generalized Future Land Use designation on a portion of PID 70573126 from RR (Rural) to NH (Neighbourhood); and
- To rezone PID 70573126 from R2 (Two Unit Dwelling) and RR1 (Rural Residential) to a combination of R2 (Two Unit Dwelling), R1B (Single Unit Dwelling), RM (Residential Mix), R3 (Multiple Unit Dwelling), MU (Mixed Use), P1 (Community Use), and P2 (Open Space and Conservation Zone); and to rezone PIDs 01024496 and 70138193 from R2 (Two Unit Dwelling) to RM (Residential Mix).

The submitted application does not meet the intent of policies in the Municipal Plan, and therefore, administration is recommending that Council not approve the rezoning and municipal plan amendment. Administration also provided two alternative recommendations for the proposed development. Councillor Crossman moved the second alternative provided by administration.

Motion: That Council proceed with the municipal plan and rezoning process of By-Laws Z-122.1 & Z-222.6 and:

1. That a Public Presentation be set for September 6, 2022;
2. That a Public Hearing be set for October 17, 2022; and
3. That the By-Laws be referred to the Planning Advisory Committee for their written views, with an extension to September 28, 2022 to receive those views; and the rezoning, if approved, should be subject to the following terms and conditions including but not limited to:
 - a) That prior to the issuance of a building and/or development permit, the landowner shall enter into a subdivision agreement with the City;
 - b) That the development shall occur in phases as identified on the attached map in Schedule B;
 - c) That an emergency access road, built to City of Moncton specifications and maintained year-round, may be considered as a second access for the purposes of development, pending approval of the City of Moncton and the Fire Chief;
 - d) That no commercial use, educational use, or multi-family dwellings shall be permitted until the sanitary sewer system along Elmwood Drive is upgraded as identified in the serviceability study completed by WSP and dated July 15, 2022;
 - e) That no more than 100 residential dwelling units are permitted until the access into the site from Elmwood Drive has a dedicated left-hand turn lane built to City of Moncton Engineering specifications, as identified in the Traffic Impact Study Altern completed by WSP and dated July 2022;
 - f) That no development in Phase 2 shall occur until the sanitary sewer system along Elmwood Drive is upgraded as identified in the serviceability study completed by WSP and dated July 15, 2022;
 - g) That no development in Phase 2 shall occur until the developer enter into a cost sharing agreement with the City to upgrade the sanitary sewer on Elmwood Drive, as identified in the serviceability study completed by WSP and dated July 15, 2022;
 - h) That no development in Phase 3 shall occur until traffic signals are installed at the northern access on Elmwood Drive as identified in the Traffic Impact Study completed by WSP and dated July 2022;

- i) That tree-clearing on the site be done in phases and limited to those areas that are required for immediate development. Prior to any tree-clearing, the landowner must submit a tree-clearing plan to the City for approval;
- j) That all uses of land pursuant to this resolution shall conform with the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein;
- k) 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; and
- l) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule C.

Moved by: Councillor Crossman
Seconded by: Councillor Richard

Deputy Mayor Butler requested that the City follow up with the Province to see what the status is to develop Elmwood Drive and stressed the need to cost share with the developer to complete the infrastructure required for this plan.

MOTION CARRIED

Nay:

Mayor Arnold
Councillor Leblanc
Councillor Leger
Councillor Edgett

7.3 Introduction of Vineyard Rezoning (Elmwood Drive)

Mr. Budd provided a PowerPoint Presentation overviewing the application received from Harry Wynberg, landowner, to rezone PID 70186069, a portion of PID 00842948, and a portion of PID 00932269 off Elmwood Drive from RR-1 (Rural Residential) to RM (Residential Mix) to accommodate the development of a low to medium density residential neighbourhood.

The property is located in Ward 1 on the east side of Elmwood Drive, north of the intersection of Granite Drive and Elmwood Drive. Rezoning the subject lands from RR-1 to RM will require an amendment to Schedule 1 of the Municipal Plan to amend the land use designation from RR (Rural Residential) to NH (Neighbourhood). This application will also require an amendment to Schedule 2 of the Municipal Plan to amend the Urban Boundary to include the subject lands (File 22MZ-44143).

The landowner is proposing to develop a low to medium density residential neighbourhood on the subject lands. If developed as proposed, the new neighbourhood will be comprised of a mix of single unit dwellings, two-unit dwellings, and rowhouses and townhouses.

Mr. Budd reminded Council that There is a long and complex history associated with this application beginning in 1994. At this time most of the historical challenges have been dealt with, although new challenges have since entered the picture.

Motion: That Moncton City Council **not** approve the rezoning and municipal plan amendment, being proposed By-Laws Z-122.2 and Z-222.3, submitted by Harry Wynberg, landowner, for the property located along Elmwood Drive and bearing PID 70186069, a portion of PID 00842948, and a portion of PID 00932269.

Moved by: Councillor Edgett
Seconded by: Councillor Leger

MOTION FAILED

Nay:

Deputy Mayor Butler
Councillor Crossman
Councillor Bourgeois
Councillor Steeves
Councillor Richard
Councillor Theriault

The City Manager reviewed both alternative recommendations. Councillor Bourgeois proposed the second alternative.

Motion: That That Council proceed with the municipal plan and rezoning process of By-Laws Z-122.2 and Z-222.3; and:

- a. That a Public Presentation be set for September 6, 2022;
- b. That a Public Hearing be set for October 17, 2022; and
- c. That the By-Laws be referred to the Planning Advisory Committee for their written views, with an extension to September 28, 2022 to receive those views; and

The rezoning, if approved, should be subject to a Conditional Zoning Agreement, including but not limited to the following terms and conditions:

- 1) That prior to the issuance of a Building and Development Permit the subdivision plan be amended to meet current standards and requirements;
- 2) That prior to the issuance of a building and/or development permit, the landowner shall enter into a subdivision agreement with the City;
- 3) That a servicing study and a traffic study be submitted and accepted by the City in conjunction with the application for the amended subdivision plan;
- 4) That the outstanding watermain fee of \$111,990.84 be paid to the City of Moncton prior to the issuance of a building and development permit;
- 5) That the easement agreement for the municipal sanitary trunk sewer line be signed and registered with the City prior to the issuance of a building and development permit;
- 6) That tree-clearing on the site be done in phases and limited to those areas that are required for immediate development. Prior to any tree-clearing, the landowner must submit a tree-clearing plan to the City for approval;
- 7) 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;
- 8) 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;
- 9) 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; and,
- 10) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Bourgeois
Seconded: Deputy Mayor Butler

MOTION CARRIED

Nay:

Mayor Arnold
Councillor Edgett
Councillor Léger

7.4 Tentative Subdivision Plan – City of Moncton Subdivision Plan– Land Exchange (Land for Public Purposes)

Mr. Budd provided a PowerPoint Presentation overviewing the proposed subdivision requires the approval of Council creating two (2) new parcels for the purposes of a land exchange between the City of Moncton and 637292 N.B. Ltd as per section 88 of the Community Planning Act. Parcel 22-A will no longer be land for public purposes, while the other, Parcel 22-B, shall become land for public purposes.

Motion: That Moncton City Council:

- Assent to the creation of Parcel 22-A to be transferred to 637292 N.B. Ltd
- Assent to the creation of Parcel 22-B to be transferred to the City of Moncton as Land for Public Purposes.

Moved by: Councillor Crossman
Seconded by: Councillor Theriault

MOTION CARRIED

Councillor Leblanc returned to the meeting

7.5 Tentative Subdivision Plan – Jonathan Park Subdivision Plan (Land for Public Purposes)

Mr. Budd provided a PowerPoint Presentation overviewing a proposed subdivision requiring the approval of Council creating new Land for Public Purposes as per section 88 of the Community Planning Act.

The proposed subdivision forms part of the overall lands of Unit 3 of the Jonathan Park Subdivision. The original concept of this subdivision was for compact lots with conservation land and trees surrounding it. The addition of more lands further enhances the conservation design and ensures the protection of the existing forested areas. The intent of this subdivision plan is to create additional Land for Public Purposes to be maintained in a treed state.

Motion: That Moncton City Council

- Assent to the location of Land for Public Purpose

Moved by: Councillor Bourgeois

Seconded by: Councillor Kingston

Deputy Mayor Bryan Butler advised that he does not support this recommendation and cannot support any new developments in that area due to ongoing concerns with the smell from Trans Aqua.

Councillor Léger inquired on what would happen if this Land for Public Purposes is not accepted. Mr. Budd confirmed that the land will remain with developer and the city will lose it.

MOTION CARRIED

Nay:

Deputy Mayor Butler

7.6 Tentative Subdivision Plan – Moncton Industrial Development Subdivision Plan (Shediac Road)

Mr. Budd provided a PowerPoint Presentation overviewing a proposed subdivision requiring the approval of Council to create new public streets as per section 88 of the Community Planning Act.

The proposed subdivision occurs on land owned by Moncton Industrial Developments Limited. At the June 2022 Council meeting, City Council assented to the rezoning of these lands to IP – (Industrial Park), as well at the same meeting they assented to the expansion of the Urban Boundary to cover the extent of the lands within this subdivision. The intent of this subdivision plan is to create 26 lots for development purposes and eight (8) new streets.

Motion: That Moncton City Council

- Assent to the location of the boulevard - Babineau Boulevard East (public);
- Assent to the location of the street – rue Aviateurs Street (public);
- Assent to the location of the street – rue Eddie Street (public);
- Assent to the location of the street – rue Bisson Street (public);
- Assent to the location of the four Future Streets, and
- Require payment of the Shediac Road Trunk Sewer Charge Area in the amount of \$9,375.00.

Subject to the following conditions:

- That the Landowner shall enter into a subdivision agreement with the City;
- That approval from the Department of Environment and Local Government be obtained prior to undertaking work in the watercourse or wetland buffer;
- That prior to development of lots 22-13, 22-18, 22-19 and 22-20 the developer shall undertake to have removed the Easement in Favour of Her Majesty the Queen (Canada) as represented by the Department of Transportation Doc. 185954;
- Streets and Services to be designed and acceptable to the Engineering Department and constructed in accordance with the Subdivision Development, Procedures, Standards and Guidelines

Moved by: Councillor Bourgeois

Seconded by: Councillor Edgett

MOTION CARRIED

7.7 Tentative Subdivision Plan – Density Bonus Affordable Housing Agreement (Highlandview Road)

Mr. Budd provided a PowerPoint Presentation overviewing a proposed agreement with J. N. Lafford Realty Inc. for the property located at 399 Highlandview Road (PID 70659560) to secure affordable housing as per the Canada Mortgage and Housing Corporation (CMHC) MLI Select program. The project consists of a four-story apartment building with 76 units. It is Phase II of the Birch Meadows apartment complex.

Motion: That Moncton City Council authorize the City to enter into a legal agreement with J. N. Lafford Realty Inc., under the authority of section 131 of the Community Planning Act, for the property located at 399 Highlandview Road (PID 70659560), and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the corporate seal thereto

Moved by: Councillor Bourgeois
Seconded by: Councillor Thériault

MOTION CARRIED

8.
STATEMENTS BY MEMBERS OF COUNCIL

Councillor Léger – Councillor Léger requested an update from staff on the status of the decision made at the last meeting to increase the number of Community Safety Officers.

Mr. Landry confirmed that the process is moving forward and staff are currently working with the commissionaire's corporation to discuss pay and benefits and ensure that we could retain our current team members that we have, and that's really a focus that we've had discussion with the Corps of commissioners is to make sure that the pay and benefits are set at the level that you should be in terms of retaining the team.

Chief Landry added that the Commissionaires Corporation have submitted their proposal and that it is to be reviewed by our finance team to ensure it is within the approved budget. The proposal should be accepted within the coming days and the jobs should be posted by next week.

9.
REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendation(s) – Committee of the Whole – July 25, 2022

Motion: That City Council direct Administration to proceed with issuing a Request for Proposals for the Transportation Master Plan which includes four components (Magnetic Hill Transportation Study, Elmwood Drive and McLaughlin Drive Corridor Studies, North End Transportation Plan and the Destination 2040 VISUM Model Update); and,

That City Council direct Administration to proceed with issuing a Request for Proposals for the Design of Mountain Road from Hildegard Drive to Wheeler Boulevard.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

Radya Rifaat provided a PowerPoint presentation with detail on the proposed Traffic Impact Study Guidelines.

Motion: That Moncton City Council approve the 2022 City of Moncton Traffic Impact Study Guidelines.

Moved by: Councillor Léger
Seconded by: Councillor Steeves

MOTION CARRIED

Chief Landry provided a PowerPoint presentation summarizing updates to the Animal Control By-Law.

Motion: That Moncton City Council direct Administration to bring forward the new proposed Animal Control By-law, being By-law #H-1322, to begin the adoption process.

Moved by: Councillor Leblanc
Seconded by: Councillor Léger

MOTION CARRIED

Nay :
Councillor Crossman

9.2 **Recommendation(s)** – Private Session – August 8, 2022

Motion: That Moncton City Council authorize the City of Moncton to enter into an Agreement of Purchase and Sale with Susan and Richard Fall to purchase PID 05024997 located on Route 910 in Turtle Creek, New Brunswick, and within the Turtle Creek Watershed; and that the Mayor and City Clerk be authorized to execute all documents necessary to complete the purchase transaction and to affix the Corporate Seal of the City of Moncton thereto.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Kingston

MOTION CARRIED

Motion: That Moncton City Council approve the lease agreement between the City and Bell Mobility Inc. for Bell to erect a 22-meter cellular tower in the vicinity of the Magic Mountain parking area, 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 Steeves
Seconded by: Deputy Mayor Butler

MOTION CARRIED

10.
REPORTS FROM ADMINISTRATION

10.1 **2023 City of Moncton Strategic Plan** – Marc Landry, City Manager

Mr. Landry provided a PowerPoint presentation on the updated Strategic Plan (2023 Edition) for official adoption.

The City has reviewed best practices in defining its strategic planning process. Reports and information on future trends and opportunities were also reviewed.

The latest update to the Plan will allow the organization to focus on the identified priority projects and initiatives.

The City of Moncton Strategic Plan (2023 Edition) was adopted unanimously at the July 25, 2022 Committee of the Whole meeting and additional follow-up was completed based on the comments and feedback received from Elected Officials.

Motion: That Moncton City Council approve the City of Moncton Strategic Plan (2023 Edition).

Moved by: Deputy Mayor Butler
Seconded by: Councillor Léger

MOTION CARRIED

10.2 **Tender TCS22-071** – Snow and Ice Control

Motion: That Moncton City Council approve a total of eighteen (18) pieces of equipment to be retained to provide Snow and Ice Control Services for the 2022-2023 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 #TCS22-071 be awarded in accordance with the table below:

| Bidder | Equipment | Hourly Rate (incl. Operator and H.S.T. @ 15%) |
|------------------------------|--|--|
| Birch Hill Construction Ltd. | 2019 Cat 938M Loader Wing / Plow, 190HP | \$354.20 / hour |
| Birch Hill Construction Ltd. | 2022 Cat 938M Loader Wing / Plow, 190HP | \$351.90 / hour |
| Birch Hill Construction Ltd. | 2015 Cat 938K Loader Wing / Plow, 190HP | \$349.60 / hour |
| Birch Hill Construction Ltd. | 2005 Cat 950G Loader Wing / Plow, 180HP | \$326.60 / hour |
| Birch Hill Construction Ltd. | 2018 Cat 950M Loader Wing / Plow, 213HP | \$327.75 / hour |
| Birch Hill Construction Ltd. | 2011 Cat 950H Loader Wing / Plow, 197HP | \$327.75 / hour |
| Carnahan Property Management | 2001 Volvo L90D Blade & Wing Loader, 167HP | \$324.30 / hour |
| Carnahan Property Management | 1999 Volvo L90C Blade & Wing Loader, 167HP | \$320.85 / hour |
| Carnahan Property Management | 1997 Volvo L90C Blade & Wing Loader, 167HP | \$318.55 / hour |
| Kevin Fraser Inc. | 2018 Hitachi 2W180 Loader & Wing, 273HP | \$280.60 / hour |
| Brenco Excavation Ltd. | 2012 JCB 436 E2 Loader, 177HP | \$316.25 / hour |

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|--------------------------|--|-----------------|
| Brenco Excavation Ltd | 2012 JCB 436 E2 Loader, 177HP | \$316.25 / hour |
| Brenco Excavation Ltd | 2012 JCB 436 E Loader, 177HP | \$317.98 / hour |
| Fram Enterprises Inc. | 2009 Doosan DL250 Loader, 160HP | \$312.80 / hour |
| Fram Enterprises Inc. | 2008 Doosan DL250 Loader, 160HP | \$312.80 / hour |
| Fram Enterprises Inc. | 2005 John Deere TC62H Loader 160HP | \$312.80 / hour |
| A.R. Rietzel Landscaping | 2011 John Deere 1DW624K Loader, 198 HP | \$321.43 / hour |
| A.R. Rietzel Landscaping | 2015 JCB 437Z0 Loader, 198 HP | \$321.43 / hour |

Moved by: Councillor Bourgeois
Seconded by: Councillor Léger

MOTION CARRIED

Councillor Steeves was not present for the vote

10.3 **Tender TCS22-063** – Moncton Coliseum Electrical Upgrades – Phase 2

Motion : That Moncton City Council approve Administration’s recommendation to award Tender #TCS22-063 – Moncton Coliseum Electrical Upgrades – Phase 2 to the lowest bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Ainsworth Inc., for the Total Tendered Price of \$862,500.00, including H.S.T. @ 15%.

It is also recommended that a Ten Percent (10%) Contingency Allowance in the amount of \$86,250.00, including H.S.T. @ 15% be established as part of the project budget should any additional costs be incurred due to unknown or unforeseen site conditions.

Moved by: Councillor Léger
Seconded by: Deputy Mayor Butler

MOTION CARRIED

Councillor Crossman and Theriault were not present for the vote

10.4 **Tender TCS22-059** – Snow and Ice Control of Downtown Parking Lots (North and South of Main Street)

Motion: That Tender #TCS22-059 – Snow and Ice Control of Downtown Parking Lots – North and South of Main Street be awarded to the lowest Bidder meeting the Terms, Conditions, and Specifications, being Ayles Natural Landscaping Ltd. for the 2022-2023 winter season, for the Total Tendered Price of \$112,526.37, including H.S.T. @ 15%, with options to extend the contract for up to two (2) additional seasons, if it is in the City’s best interest to do so.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

10.5 **Recommendation to Award Request for Proposal RFP22-032** – Professional Engineering Services - Panacadie Trail / Boardwalk (Lewisville Road to Donald Avenue)

Motion: That Moncton City Council approve Administration’s recommendation to award Request for Proposal #RFP22-032 – Professional Engineering Services – Panacadie Trail / Boardwalk (Lewisville Road to Donald Avenue) to the highest-scoring Proponent, being Morrison Hershfield Ltd., for the Total Bid Price of \$344,649.25, including H.S.T. @ 15% and all estimated disbursements.

It is also recommended that a Professional Engineering Services agreement be drafted, and that the Mayor and City Clerk be authorized to sign said agreement and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Edgett
Seconded by: Deputy Mayor Butler

Councillor Léger expressed concern over the maintenance of our park’s and asked whether they are included in our asset management plan.

Ms. Cohoon confirmed that staff are aware that maintenance is needed for certain City’s trail system. Parks operations have started looking all trail systems to evaluate and determine what will be needed in terms of maintenance and the costs required to complete them. Some of these costs will be included in the capital budget for 2023. In future, any new trails being constructed will include an increased budget for maintenance.

MOTION CARRIED

10.6 **Motion** – Renaming Hamilton Heights Park – Deputy Mayor Bryan Butler

WHEREAS the City of Moncton has established a Name Bank to be used for the purposes of naming streets, parks and trails within the boundaries of the City;

AND WHEREAS the names listed in the name bank are to ensure that people who have contributed to the historical and cultural fabric of our community are appropriately recognized in perpetuity;

AND WHEREAS the late Councillor Brian Hicks was a member of Council from October 1999 to May 2016 and once again May 2018 to May 2020;

AND WHEREAS Moncton City Council deems it appropriate to honour the contributions of Councillor Hicks for his contributions to the City of Moncton;

AND WHEREAS Brian Hicks' daughter, Katie Hicks-Doyle and son Scott Hicks are in agreement with the use of his name to rename a City of Moncton park in Ward 3;

AND WHEREAS approval of a name change for the park has been sought and granted by the developer;

BE IT THEREFORE RESOLVED that Hamilton Heights Park, located in the North End of Moncton located at 120 Evergreen, be renamed Parc Brian Hicks Park.

Moved by: Deputy Mayor Bryan Butler
Seconded by: Councillor Bourgeois

MOTION CARRIED

11.

READING OF BY-LAWS

11.1 **By-Law** relating to Animal Control in the City of Moncton, being By-Law H-1322 – **First Reading**

The City Clerk gave first reading to By-Law H-1322

11.2 A **By-Law** Relating to the Adoption of the City of Moncton Municipal Plan, being By-Law Z-122 – **Second and Third Readings – Pending approval of item 7.1**

Motion: That the Clerk give second reading to By-Law Z-122.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Léger

MOTION CARRIED

The Clerk gave second reading to By-Law Z-122

Motion: That a **By-Law** Relating to the City of Moncton's Zoning By-Law, being Z-122, 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: Deputy Mayor Butler
Seconded by: Councillor Léger

MOTION CARRIED

The Clerk gave third reading to By-Law Z-122

11.3 A **By-Law** Relating to the Adoption of the City of Moncton Vision Lands Plan – Secondary Municipal Plan, being By-Law Z-122A – **Second and Third Readings – Pending approval of item 7.1**

Motion: That the Clerk give second reading to By-Law Z-122A.

Moved by: Councillor Kingston
Seconded by: Councillor Leblanc

MOTION CARRIED

Nay:

Councillor Bourgeois

The Clerk gave second reading to By-Law Z-122A

Motion: That a By-Law Relating to the City of Moncton's Zoning By-Law, being Z-122A, 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 Deputy Mayor Butler

MOTION CARRIED

Nay:

Councillor Bourgeois

The Clerk gave third reading to By-Law Z-122A

- 11.4 **A By-Law** Relating to the Adoption of the City of Moncton Sunny Brae Neighbourhood Plan – Secondary Municipal Plan, being By-Law Z-122B – **Second and Third Readings – Pending approval of item 7.1**

Motion: That the Clerk give second reading to By-Law Z-122B.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Léger

The Clerk gave second reading to By-Law Z-122B.

Motion: That a By-Law Relating to the City of Moncton's Zoning By-Law, being Z-122B, 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 LeBlanc
Seconded by: Councillor Thériault

The Clerk gave third reading to By-Law Z-122B

- 11.5 **A By-Law** Relating to the Adoption of the City of Moncton Humphreys Brook Neighbourhood Plan – Secondary Municipal Plan, being By-Law Z-122C – **Second and Third Readings – Pending approval of item 7.1**

Motion: That the Clerk give second reading to By-Law Z-122C.

Moved by Deputy Mayor Butler
Seconded by Councillor Steeves

MOTION CARRIED

The Clerk gave second reading to By-Law Z-122C

Motion: That a By-Law Relating to the City of Moncton's Zoning By-Law, being Z-122C, 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: Deputy Mayor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

The Clerk gave third reading to By-Law Z-122C

- 11.6 **A By-Law** Relating to the Adoption of the City of Moncton Downtown Core Community Improvement Plan – Secondary Municipal Plan, being By-Law Z-122D – **Second and Third Readings – Pending approval of item 7.1**

Motion: That the Clerk give second reading to By-Law Z-122D.

Moved by: Councillor Steeves
Seconded by: Councillor Kingston

MOTION CARRIED

The Clerk gave second reading to By-Law Z-122D

Motion: That a By-Law Relating to the City of Moncton's Zoning By-Law, being Z-122D, 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 Leblanc

MOTION CARRIED

The Clerk gave third reading to By-Law Z-122D

- 11.7 **A By-Law** in Amendment of a Bylaw Respecting the Proceedings of Moncton City Council and Committee Meetings, being By-Law A-418.4 – **Second and Third Readings**

Motion: That the Clerk give second reading to By-Law A-418.4.

Moved by: Councillor Richard
Seconded by: Councillor Leblanc

MOTION CARRIED

The Clerk gave second reading to By-Law A-418.4

Motion: That a By-Law Relating to the City of Moncton's By-Laws, being A-418.4, 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 Richard
Seconded by: Councillor Leblanc

MOTION CARRIED

The Clerk gave third reading to By-Law A-418.4

12. NOTICES MOTIONS AND RESOLUTIONS

- 12.1 **Resolution** – City Clerk Replacement – September 6, 2022

Whereas subsections 71 and 74 of the Local Governance Act require that a City Clerk be appointed and attend all meetings of a City Council;

And Whereas both the City Clerk and Deputy City Clerk are unable to perform the duties outlined in the Local Governance Act at the Public Council meeting September 6, 2022;

Be it therefore resolved that Marc Landry, City Manager of the City of Moncton, be appointed Interim City Clerk to replace the City Clerk in her absence at the September 6, 2022, Regular Public Meeting of Moncton City Council, to perform the duties outlined in the Local Governance Act.

Moved by: Councillor Bourgeois
Seconded by: Councillor Richard

MOTION CARRIED

13. APPOINTMENTS TO COMMITTEES

Motion: That the following appointment be approved:

Events Moncton Advisory Committee

- Larry Nelson
- Bill Whalen
- Ray Roberge
- Natasha Ostaff

Youth Advisory Committee

- Alex Melendy, BMHS
- Guanxun (James) Lu, BMHS
- Aerin (Branwyn) Kennedy, HTHS
- Isabelle Moore, HTHS
- Brya Wood, MHS
- Moriya Boyle, MHS
- Chloe Ward, L'Odyssée

- Sahar Bahramalipanah, L'Odysée

Moved by Councillor Edgett
Seconded by Councillor Steeves

MOTION CARRIED

14.
ADJOURNMENT

Motion : That the meeting be adjourned.

Moved by: Councillor Richard

MOTION CARRIED

.....
Dawn Arnold
MAYOR

.....
Shelley M. Morton
CITY CLERK & DIRECTOR OF
LEGISLATIVE SUPPORT

/8:00 p.m.

/ko