

Council Chambers
City Hall
Moncton, N.B.
April 17, 2023
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold
Deputy Mayor Bryan Butler
Councillor Monique LeBlanc
Councillor Marty Kingston
Councillor Paulette Thériault
Councillor Shawn Crossman

Councillor Charles Leger
Councillor Daniel Bourgeois
Councillor Dave Steeves
Councillor Susan Edgett
Councillor Paul Richard

ALSO PRESENT

N. Robichaud, Acting City Manager
S. Morton, City Clerk, Director of Legislative Support
E. Aucoin, General Manager Sustainable Growth and Development Services
L. Hanson, General Manager of Corporate Services
A. Binette, General Manager Operations Services
J. Doucet, CFO, General Manager, Finance Services
J. Cohoon, Director of Recreation
I. LeBlanc, Director, Corporate Communications
A. Richard, Director of Facilities
B. Jollette, Superintendent Benoit Jollette, Officer-In-Charge (OIC) of the Codiac RCMP
T. Carter, Purchasing Manager
C. Landry, Fire Chief, Director of Community Safety

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated April 17, 2023, be approved with the following changes:

- The removal of item 6.2.2 - Update on Codiac Transpo fare changes for those under the age of 12 and postponed to the meeting of May 1, 2023.

Moved by: Councillor Richard
Seconded by: Deputy Mayor Butler

MOTION CARRIED

3. CONFLICT OF INTEREST DECLARATIONS

4. ADOPTION OF MINUTES

Motion: That the Minutes of the Regular Public Council Meeting of February 6, 2023 be adopted as circulated.

Moved by Councillor Steeves
Seconded by Councillor Kingston

MOTION CARRIED

5. CONSENT AGENDA

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

5 minutes

6.1.1 **Presentation** – Update from Downtown Churches – Rev. Chris Vanbuskirk and Pastor Richard Jackson

Father Chris Vanbuskirk, Saint George's Anglican Church and Pastor Richard Jackson of First Baptist Church addressed City Council on behalf of Downtown Churches to provide an update on their current activities with regards to the needs of the people in their neighborhood.

Representatives from St. Bernard' Church, Highfield Baptist, First Baptist, Central United, St. John's United, and St. George's Anglican have been meeting to discuss how to provide consistent strategies in meeting and ministering to those who attend for worship and those camping on their properties.

Their staff have received de-escalation training from the RCMP and sharing ideas for boundary-setting and security.

Outreach programs have continued through the winter and the churches remain in close contact with the YMCA Reconnect Street Intervention team.

The Winter Shelters have provided relief to the church's breakfast and shower program. Socialization in safe places is vital and an afternoon drop-in location is required.

The church has no immediate intention to ban people from their programs and properties, but institutional support is often needed for those dealing with addictions.

Mayor Arnold thanked both Rev. VanBuskirk and Pastor Jackson for their presentation and their hard work in helping vulnerable populations in the community.

6.1.2 **Presentation** – Update from EnviroPlus – Jean-Claude Cormier, President

Mr. Cormier requested a presentation at this City Council meeting to remind the public that their organization Enviroplus recycles used furniture, therefore he urged residents not to throw out furniture that could be repurposed such as desks, mattresses, and couches. Furniture can be picked up directly from homes and can be scheduled by calling their office.

He added that currently Atelier Second Chance has successfully matched 4 people with work and thanked the City of Moncton for their support.

Other Presentation

2 minutes

Sophie Despres registered to speak for 2 minutes on homelessness but withdrew her request.

Suzanne Trites, a representative of the International Christian Embassy Jerusalem took the opportunity to address Council to extend the invitation to the Yom HaShoah 2023, a Community Remembrance of the Holocaust on Sunday, April 23 at 2 p.m.

The Guest Speaker is Gally Felter Gonen and she will tell the story of the Jewish community in Sibiu (Hermannstadt), Transylvania, Romania, who lived through times of persecution and hostility with resilience and courage.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

6.2.1 **Update – RCMP** – Superintendent (Supt.) Benoit Jollette, Officer-in-Charge (OIC) of the Codiac Regional RCMP

Supt. Benoit Jollette provided a few highlights on the work by the Codiac Regional RCMP:

Crime Reduction Unit

This unit has had a lot of success with search warrants and locating drugs. Two recent seizures were made on Mill Road and Salisbury Road. A large quantity of Crystal Meth, Cocaine and MDMA and weapons were found.

Open air drug enforcement – Education and Street enforcement

- A total of disruptions
- 21 people checked
- 3 drug seizures
- 6 drug paraphernalia seizures
- 22 syringes found
- 9 Warrants of arrest have been executed.

Supt Jollette added that he believes more addiction services are needed with this this problem

General Investigations Section

Since the last Council Meeting, there have been 15 new files opened:

- 5 are related to sexual offenses and all are victims under 16
- 3 are child abuse investigations
- 3 violent offenses, 2 shooting and 1 stabbing

Within the last two weeks, 15 of the ongoing files have been closed.

Patrols

On April 12, the RCMP received the report of a female going to several financial institutions trying to open several fraudulent financial accounts. She was located, arrested, and put into custody.

Another individual that was a “travelling criminal” was found to be forging prescriptions at local pharmacies and was also located and arrested in connection to this crime.

The RCMP has successfully located thieves that were stripping wire and stealing mass quantities of copper. These individuals were arrested and sentenced.

6.2.2 **Presentation** – Update on Codiac Transpo fare changes for those under the age of 12

This item has been postponed to the meeting of May 1st, 2023.

6.2.3 **Presentation** – Update on Environmental Initiatives, Climate Action Report – Tim Moerman, Director of Director of Environmental Planning and Management

Mr. Moerman provided an update on progress made through the City’s climate mitigation initiatives from the 2020 Climate Action Report. Half of the initiatives are completed or ongoing. Mr. Moerman also highlighted some of the activities scheduled for Earth Day 2023 including the Stepping Lightly Booth at the Moncton Market and Earth Day cleanup.

6.2.4 **Presentation** – Rising Tide update – Dale Hicks

Mr. Hicks provided a presentation to Council with an update on the progress made by Rising Tides. He summarized the funding their group has received from various levels of government and provided an overview of the phasing of their developments. Most of these developments are currently underway or completed.

Rising Tide acknowledged the funding received from the City of Moncton which includes \$6M of capital contribution. City officials are working with Rising Tide on land purchases to ensure land acquisitions will meet zoning and bylaw provisions. Site plans, designs and renderings are reviewed with the intent of accelerating approval processes. Mr. Hicks reiterated that these efforts are truly appreciated and demonstrate how the City is a true partner in their efforts to create affordable housing.

7.

PLANNING MATTERS

8.

STATEMENTS BY MEMBERS OF COUNCIL

Councillor Bourgeois took a moment to speak on health issues he has faced within the last six months. He apologized to the citizens if he may have been absent or if he missed any calls/emails as some may have fallen through the cracks. He also took a moment to thank those who have reached out during these difficult times and thanked the medical professionals from the George Dumont Hospital and the Saint John Hospital, and the Dr. Léon Richard Oncology Centre for their professionalism and their care.

9.

REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 **Recommendation(s)** – Private Session – April 11, 2023

Motion: That Moncton City Council direct Administration to work with the Codiac Regional RCMP on determining potential future strategic locations of cameras, and other public safety collaboration initiatives as it relates to video surveillance system use;

That Moncton City Council direct Administration to return to Council prior to embarking on the next phase of the camera program with costs to implement the proposed program to be included for budget consideration to be completed by June 30th, 2023; and

That Moncton City Council adopt the Video Surveillance Policy to properly govern the collection, use, retention, and disposal of recorded information collected through video surveillance technology.

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

Deputy Mayor Butler was not present for the vote

Motion: That Moncton City Council accept the 2023 business proposal from the Moncton Lions Community Centre Inc. and provide the required funding as per the business proposal of \$ 312,809 for their operation until December 31, 2023, as well as \$66,516 for past deficit (total (\$379,325), and that they be required to return to City Council by September 30, 2023 with a revised business model for funding in 2024 and subsequent years along with an operation plan.

Moved by: Councillor Thériault
Seconded by: Councillor Léger

MOTION CARRIED

Motion: That Moncton City Council approve Administration's request to enter into a two (2) year extension, effective April 1, 2023 and expiring March 31, 2025, for the provision of Merchant Card Processing Services, in accordance with the original contract terms and pricing submitted by Moneris Solutions Corporation in response to City of Moncton Request for Proposal #RFP15-054, and that the Mayor and City Clerk be authorized to execute all necessary documents, and affix the Corporate Seal thereto.

Moved by: Councillor Léger
Seconded by: Councillor Richard

MOTION CARRIED

Motion: That Moncton City Council agree to extend the leases at 473 St. George Street with the Province of NB and the Humanity Project Inc. until June 30, 2023, and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate Seal thereto; and

That Council direct Administration to work with the Province of NB to develop a fully comprehensive plan for the operation of a future drop-in centre for Council's consideration by May 31, 2023; and

That Council direct administration to dedicate one existing Community Officer resource per shift to this area and return to Council with an update after two months to ensure this model is working adequately.

Moved by: Councillor Crossman
Seconded by: Councillor LeBlanc

MOTION CARRIED

Deputy Mayor Butler would like administration to reach out to the Province and discuss moving the drop-in centre to another location.

Mayor requested that the wording in the last paragraph of the recommendation be adjusted to "That Council direct administration to dedicate **at least one** Community Officer resource per shift... and asked if the movers and seconders would agree to alter the recommendation.

The Mayor wanted to highlight the actions the City has taken on the social issues we are facing including:

- Investing more money in social agencies in Moncton
- Supporting and providing funding to Rising Tides for housing
- Providing a location and funding for the out of the cold shelter
- Increase funding for the By-Law Enforcement department
- Doubled the number of Community Safety Officers who work 24/7
- Increase budget for the Social Inclusion Plan which includes money spent to deal with vandalism, theft and tent site cleanup.
- The CRPA has increased their number of RCMP officers from 139 to 170 members and increasing their budget by 15%
- Staff, Council and social agencies are spending a lot of time and resources on this file and there has been ongoing discussions with the Province.

Mayor Arnold concluded by thanking Council for all their work and stepping up in a significant way on this file.

Motion: That, due to delays outside of the contractor's control which prevented this contract from being completed in 2022, Moncton City Council approve the revised Tender price submitted by J.K. Fraser & Son Ltd. in March 2023 in the amount of \$863,955.24, including H.S.T. @ 15%, which represents an eighteen percent (18%) increase from their original bid price submitted in June 2022 in response to City of Moncton Tender #TCS22-047 – Humphrey's Brook Trail Rehabilitation; and further;

That a Ten Percent (10%) Contingency Allowance in the amount of \$86,395.52, including H.S.T. @ 15%, be established for this project for any additional costs which may result from unknown or unforeseen site conditions, or slight modifications which may be required to the project scope

Moved by: Councillor Crossman
Seconded by: Councillor Léger

MOTION CARRIED

10.

REPORTS FROM ADMINISTRATION

10.1 Award of Contract W21N-11BN – École L'Odyssee Sport Field Reconstruction

Motion: That City Contract No W21N-11BN, École L'Odyssee Sports Field Reconstruction, be awarded to A.R. Rietzel Landscaping, in the amount of \$3,243,277.15 including HST (\$2,941,116.53 net HST), and that the budget for the project be set at \$3,300,000 including net HST.

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

Moved by: Councillor Richard
Seconded by: Councillor Edgett

MOTION CARRIED

10.2 Tender TCS23-026 – Highfield Pumping Station – Masonry Repairs

Motion: That Moncton City Council approve the award of Tender #TCS23-026 – Highfield Pumping Station – Masonry Repairs, to the lowest bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Vintage Brick and Stone, for the Total Tendered Price of \$261,619.25, including H.S.T. @ 15%.

It is also recommended that a ten percent (10%) Contingency Allowance in the amount of \$26,161.92, including H.S.T. @ 15%, be established for this project to address any unknown or unforeseen building conditions which may require additional repairs.

Moved by: Councillor Edgett
Seconded by: Councillor Richard

MOTION CARRIED

10.3 Award of Contract W23D 06BA – Mapleton Road Reconstruction

Motion: That City Contract No. W23D 06BA, Mapleton Road Reconstruction, be awarded to Carson Development Ltd. in the amount of \$2,784,868.75 including HST (\$2,525,415.85 net HST), and that the budget for the project be set at \$2,775,000.00 including net HST, engineering and contingency.

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

Moved by: Councillor Richard
Seconded by: Councillor Edgett

MOTION CARRIED

Councillor Kingston was not present for the vote

10.4 Award of Contract W23D 05AJ – Street Reconstruction No. 1

Motion: That City Contract No. W23D 05AJ, Street Reconstruction No. 1, be awarded to MacArthur's Paving and Construction Co. Inc. in the amount of \$1,389,630.10 including HST (\$1,260,164.91 net HST), and that the budget for the project be set at \$1,525,000 including net HST, engineering, utility relocations and contingency.

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

Moved by: Councillor Crossman
Seconded by: Councillor Thériault

MOTION CARRIED

10.5 **Award of Contract W23D 05BC** – Street Reconstruction No. 6

Motion: That City Contract No. W23D 05BC, Street Reconstruction No. 6, be awarded to L.C.L. Excavation (2006) Inc. in the amount of \$2,426,442.50 including HST (\$2,200,382.46 net HST), and that the budget for the project be set at \$2,475,000.00 including net HST, engineering, utility relocations and contingency.

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

Moved by: Councillor Theriault
Seconded by: Councillor Crossman

MOTION CARRIED

10.6 **Request** to Establish Two (2) Year Agreement for Water Quality Testing Services (Sole Source)

Motion: That Moncton City Council approve Administration's recommendation to enter into a two (2) year Standing Offer agreement with the Research and Productivity Council (RPC) for the provision of Water Quality Testing and Analysis Services, in accordance with the unit costs proposed for 2023 and 2024 by RPC on March 8, 2023, for the period beginning May 1, 2023 through to April 30, 2025.

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

10.7 **Motion Downtown Moncton Centre-Ville Inc. – BIA Cleaning Program Pilot Project** – Councillor Shawn Crossman

Motion: That Moncton City Council approve the Pilot Program for Downtown Cleaning where the City will provide \$180,000 to Downtown Moncton Centre-Ville Inc (DMCI) to operate a clean-up program from May 1st to October 31st in the (BIA) Business Improvement Area similar to the program that was operated for two weeks during the IIHF World Junior Hockey Championship.

And that this amount be funded from the Council Contingency Amount that was approved during the 2023 Budget Deliberations.

Moved by: Councillor Crossman
Seconded by: Councillor Léger

MOTION CARRIED

**11.
READING OF BY-LAWS**

**12.
NOTICES MOTIONS AND RESOLUTIONS**

12.1 **Notice of Motion** – Moncton Short Term Rental Fire Safety By-Law– Charles Léger

WHEREAS On March 17, 2023, a tragic fire occurred in a mostly short-term rental apartment building in Montreal killing seven people. It was reported that there was a lack of smoke detectors, apartments without windows, along with possible other safety violations; and

WHEREAS The City of Montreal, the City of Vancouver along with other municipalities are enacting a By-Law requiring permits for all short-term rentals and working with the cooperation of Airbnb to facilitate a mandatory permit requirement for all short-term rentals prior to the listings being allowed to be added to the Airbnb website; and

WHEREAS Airbnb has a City Portal available to municipalities that helps communities enforce rules and understand it's local footprint; and

WHEREAS it's reported that Airbnb wishes to build on years- long efforts to work with local officials on short term rental rules to help address community concerns and preserve the vital source of supplemental income for residents,

BE IT THEREFORE RESOLVED That Moncton City Council direct staff to create a Short-Term Rental Fire Safety Bylaw to be in effect beginning July 1, 2023.

Moved by: Councillor Léger
Seconded by: Councillor Thériault

MOTION CARRIED

- 12.2 **Resolution** – By-law enforcement officers – Marie-Pier Martin, Anthony Bourgeois, Samuel Guimond, Ali LeBlanc, Samantha Ross-Jerome

BY-LAW ENFORCEMENT OFFICER

WHEREAS by virtue of the Local Governance Act, S.N.B. 2017, c. 18, and all applicable regulations adopted under it, and 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;

**INSPECTIONS
AND WHEREAS**

by virtue of Section 144 of the Local Governance Act, if the Local Governance Act, any other Act or a by-law of Council authorizes an inspection or requires anything to be inspected by a local government, a by-law enforcement officer may, after giving reasonable notice to the owner or occupant of the land, building or other structure, inter alia, enter the land, building or other structure at any reasonable time, and carry out the inspection;

PROCEEDINGS, ORDERS AND NOTICES

AND WHEREAS by virtue of Subsection 150(1) of the Local Governance Act, Council may designate any person in 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 Marie-Pier Martin, Anthony Bourgeois, Samuel Guimond, Ali LeBlanc and Samantha Ross-Jerome be appointed By-Law Enforcement Officers for the City of Moncton, and that they be authorized to enforce any by-law, or any applicable Act and regulation, and any amendments thereto;

BE IT FURTHER RESOLVED THAT Marie-Pier Martin, Anthony Bourgeois, Samuel Guimond, Ali LeBlanc and Samantha Ross-Jerome be authorized to carry out any inspection, enter any land, building, premises, other structure and dwelling or dwelling unit, and take any such action, exercise such power and perform such duty as they may deem necessary, and as may be set out in any by-law, or any applicable Act and regulation, and any amendments thereto, to enforce any provisions of any by-law, and any applicable Act and regulation, and any amendments thereto; and,

BE IT FURTHER RESOLVED THAT Marie-Pier Martin, Anthony Bourgeois, Samuel Guimond, Ali LeBlanc and Samantha Ross-Jerome be authorized to act for and on Council's behalf, and are hereby designated and authorized as persons in whose name Informations, and any other proceedings, may be laid or commenced for an offence under any by-law, or any applicable Act and regulation pursuant to the sections noted in the Acts referenced above; and designated and authorized to issue Notices, Orders and Demands and any other similar documents, as prescribed by and provided for in the Local Governance Act and any other Act or a by-law of Council.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Kingston

MOTION CARRIED

Councillor Steeves asked if By-Law officers could be introduced at each meeting.

13.
APPOINTMENTS TO COMMITTEES

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

/7:02 p.m.

/ko