

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

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

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

Councillor Charles Leger
Councillor Daniel Bourgeois
Councillor Bryan Butler
Councillor Dave Steeves
Councillor Susan Edgett
Councillor Paul Richard (Webex)

ABSENT

ALSO PRESENT

S. Doucet, Chief Administrative Officer
S. Morton, City Clerk, Director of Legislative Support
N. Robichaud, General Manager, Legal and Legislative Services
E. Aucoin, General Manager, Sustainable Growth and Development Services
L. Hanson, General Manager of Corporate Services
A. Binette, General Manager, Operations Services
J. Doucet, General Manager, Finances, CFO
J. Cohoon, General Manager Community Services
C. Savoie, Director of Policing Support Services and Acting General Manager, Protective Services
I. LeBlanc, Director, Communications
B. Jollette, Superintendent Benoit Jollette, Officer-In-Charge (OIC) of the Codiac RCMP
C. Landry, Fire Chief
B. Budd, Director of Planning and Development
R. Lagace, Director of Engineering
S. Anderson, Manager of Development Planning
A. Smith, Manager Long Range Policy Planning
D. Geldart, Urban Planner
J. Davies, Urban Planner
T. Carter, Manager of Purchasing

1.

CALL TO ORDER

2.

ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated December 04, 2023, be approved with the following changes:

The addition of three 2-minute presentations:

- Calvin Martini – Active Transportation
- Suzanne Trites – Jewish Community
- Irwin Lampert – Religious Symbols and the Jewish Community
- Shawn Annis – Faith Christian Fellowship

The addition of two motions be brought forward by Councillor Steeves and Councillor Bourgeois

It was the will of Council that these be moved forward to the beginning of the meeting after Public Presentations.

Moved by Councillor Steeves
Seconded by Councillor Bourgeois

MOTION CARRIED

3.

CONFLICT OF INTEREST DECLARATIONS

4.

ADOPTION OF MINUTES

5.
CONSENT AGENDA

6.
PUBLIC AND ADMINISTRATION PRESENTATIONS

Other Presentation
2 minutes

Presentation: Active Transportation – Calvin Martini, Active Transportation Coalition

On behalf of the Active Transportation Coalition, Mr. Martini spoke on the St. George Street Redevelopment and respectfully requested that City Council postpone the decision to approve the St George Street redevelopment and Corridor Review tonight.

Presentation: Suzanne Trites – Jewish Community

Ms. Trites provided a verbal presentation on her concerns with the recent decisions related to the cancellation of the menorah lighting and urged City Council to reverse this decision.

Presentation: Irwin Lampert – Jewish Community

Mr. Lampert provided a verbal presentation on behalf of the Jewish Synagogue in Moncton, He provided a brief history of the Jewish Community in Moncton, their contributions to life in City and spoke on their disappointment with the recent decisions related to the cancellation of the menorah lighting. He urged City Council to reverse this decision. The community believes reinstating the lighting of the menorah, a long-standing tradition in Moncton, it will send a strong message of solidarity with the Jewish Community during these difficult times. In conclusion, Mr. Lampert invited all members of Council and the Public to the ceremony to light the menorah in front of City Hall on Thursday, December 7, 2023 at 5:45 p.m.

Presentation: Shawn Annis – Pastor of Christian fellowship – Relocation of Menorah and Nativity Scene

Pastor Annis spoke on the recent issue to remove the religious symbols in front of City Hall and believes the decision was insensitive and that decisions such as these should not be made in closed sessions of Council.

Pastor Annis added that although he supports the pro-Palestinian right to protest in front of City Hall, the decisions to ban the menorah is discriminatory and sends the wrong message at this difficult time.

12.16 Religious Symbols on Municipal Facilities

As per Council’s direction, item 12.16 was brought forward on the agenda.

Motion: That Moncton City Council approve the display of religious symbols on city of Moncton properties. That they immediately display back to their location in front of City Hall. This includes displaying at City Hall, the Menorah, a symbol of the Jewish holiday of Hanukkah, and also includes the manger scene, a symbol of the Christian faith during the December holiday season of Christmas.

Moved by: Councillor Steeves
Seconded by Councillor Butler

MOTION CARRIED

Motion: That Moncton City Council ask the Social inclusion committee to consult with the religious communities within the City of Moncton on how to display religious symbols on city properties and report back their findings and recommendations to Council no later than August 31, 2024.

Moved by: Councillor Bourgeois
Seconded by: Councillor Léger

MOTION CARRIED

Mayor Arnold proceeded to read a statement expressing the City’s regret in causing distress to members of the Community with the recent decision regarding the menorah and nativity scene.

6.2 ADMINISTRATION PRESENTATIONS
15 minutes

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

Supt. Benoit Jollette provided an update on RCMP activities.

Community Policing

- The New Community Policing Unit office on Main Street is now open.
- Members of the RCMP participated in the Santa Claus Parade on November 25
- On December 6th the Community Policing team will be recognized by the Crime Prevention Association of NB.

Crime Reduction Unit

- On November 23, members found a known young offender in possession of a stolen vehicle. The vehicle was recovered and returned to the owner.

General investigations

- In recent weeks, an investigation of a serious kidnapping file was done in Moncton. Patrol teams responded to a report of a home invasion and kidnapping involving a firearm. A female victim was taken into a vehicle and thrown from the vehicle resulting in many injuries. On November 29, a search warrant was executed in the Scoudouc area in connection with this file. Five people were located, as well as firearms seized and several serious charges are pending.

7.

PLANNING MATTERS

7.1 Introduction – Rezoning of five PIDs at the north end of McLaughlin south of TransCanada (Master Plan) – Bill Budd

Mr. Budd provided a presentation to City Council on an application received from ATMJ Properties Ltd. to rezone lands located on the north end of McLaughlin Drive, just south of the Trans-Canada Highway, bearing PIDs 00777748, 00790014, 70177845, 70263314, 70573134, and 70629753 from R2 (Two Unit Dwelling Zone) to RM (Residential Mix Zone), R3 (Multiple Unit Dwelling Zone) and P1 (Community Use Zone).

The rezoning will accommodate the development of a master planned area with a mix of medium to high density residential development. The project will include 512 new units, in a mix of buildings that will be between 1.5, 2, 4, and 6 storeys in height.

Motion: That Moncton City Council proceed with the Zoning By-law amendment being By-law Z-222.20; and

1. That Council give 1st reading to Zoning By-law amendment By-law # Z-222.20;
2. That a public hearing be set for January 15, 2024;
3. That By-law # Z-222.20 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. That notwithstanding section 129(1) of the Zoning By-law, buildings A, B, and C are permitted to be taller than 4 storeys (15 metres) provided the buildings are set back a minimum of 15 metres from any abutting land zoned R2 (Two Unit Dwelling);
2. That options for the City to acquire the triangular-shaped remnant parcel required for the TransCanada Highway interchange be explored, and the land be acquired if it is deemed to be in the best interest of the City.
3. 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;
4. That nothing contained herein shall prohibit or in any way limit the Developer's right to apply for a variance pursuant to the provisions of the Community Planning Act; and
5. The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Richard

Seconded by: Councillor Edgett

In response to Councillor Richard, Mr. Budd indicated he is not aware of any units within the development being designated as affordable housing units. He made note and address it in Council Report Form for the Public Hearing

MOTION CARRIED

7.2 Introduction – Rezoning PID 01100726 off Whitfield Trites (Winery)

Mr. Budd provided a presentation on an application received from Trace Planning and Design, on behalf of the landowner of 30 Whitfield Trites Road and bearing PID 1100726, to amend the Municipal Plan and rezone the property. The application proposes to redesignate the property from NH (Neighbourhood Quarter) and RR (Rural Residential) to MHT (Magnetic Hill Tourism) and rezoning the land from R2 (Two Unit Dwelling) and RR-1 (Rural Residential) to TR (Tourism and Recreation).

The rezoning will allow retail and entertainment uses at the Pioneer Estates Winery. This will include hosting visitors for indoor and outdoor wine tastings, wine sales, and hosting larger events such as weddings and corporate rentals. The development will include a new outdoor patio and terrace, a parking area, and a temporary overflow parking section.

Motion: That Moncton City Council proceed with the Municipal Plan amendment Z-122.4 and Zoning By-Law amendment By-Law Z-222.13 and

1. That Council give 1st reading to the Municipal Plan amendment By-Law Z-122.4 and Zoning By-Law amendment By-Law Z-222.13;
2. That a public presentation be set for December 18, 2023;
3. That a public hearing be tentatively set for February 5, 2024; and
4. That By-Laws Z-122.4 and Z-222.13 be referred to the Planning Advisory Committee for its written views; and

The municipal plan amendment and rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. 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.
2. The grass on the temporary parking area must be cut regularly.
3. 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.
4. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Butler

Seconded by: Councillor Steeves

In response to Councillor Steeves' question in regards for clarification on the Noise By-Law requirements, Mr. Budd indicated that will bring forth a response at the Public Hearing.

MOTION CARRIED

7.3 **Introduction** – Rezoning – Rockaway subdivision off Salisbury Road (Master Plan) – Bill Budd

Mr. Budd provided a presentation on an application received from Wayne Coster, landowner, to rezone lands located on the north side of the Salisbury Road between Llangollen Road and Carmel Street. The lands were subdivided and registered back in the 1950s, which created the "Rockaway Subdivision". Almost all the lands within the subdivision were acquired by Mr. Coster (with the exception of one property), who now wants to rezone the property from R2 (Two Unit Dwelling) to RM (Residential Mix) and proceed with a revised development plan. The rezoning will accommodate a variety of housing styles. In total, the development will include 150 new dwelling units, consisting of townhouses, semi-detached housing and single unit dwellings.

Motion: That Moncton City Council proceed with the Zoning By-Law amendment being By-Law Z-222.21 and

1. That Council give 1st reading to Zoning By-Law amendment By-Law # Z-222.21;
2. That a public hearing be set for January 15, 2024; and
3. That By-Law Z-222.21 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. 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;
2. Notwithstanding the Zoning By-Law requirements, the minimum lot frontage for a future semi-detached dwelling on lot 23-07 will be 10.06 metres;
3. Phase I shall include the construction of the emergency access shown on the plan.
4. The design of the emergency access is subject to the acceptance of the City of Moncton Engineering Department and City of Moncton Fire Department and shall be finished with a gravel base.
5. Prior to the commencement of Phase III, the emergency access shall be paved, unless another access is provided to an adjacent subdivision by a public street;

6. 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
7. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Léger
Seconded by: Councillor Bourgeois

MOTION CARRIED

- 7.4 **Introduction** of Cash-in-lieu of Parking Policy and Zoning By-law Amendments for Parking Policy – Josh Davies

Mr. Davies provided a presentation to introduce a proposed amendment to the Zoning By-Law for the repeal and substitution of section 43 concerning cash-in-lieu of parking. The aim of the amendment is to support the creation of housing units in the non-profit sector. To support the proposed amendment new Policy of Council is proposed as part of the proposed Zoning By-Law amendment.

Motion: That Council proceed with proposed By-Law amendment # Z-222.23 by:

- 1) Giving first reading of the By-Law;
- 2) Requesting the views of the Planning Advisory Committee; and
- 3) Setting a public hearing for January 15, 2024 to consider objections.

Moved by: Councillor Bourgeois
Seconded by: Councillor Butler

MOTION CARRIED

- 7.5 **Public Presentation** – Municipal Plan and Zoning By-law amendment – Changing Residential Uses from Conditional to Permitted – Andrew Smith

Mr. Smith provided a presentation on the initiative to change all residential uses in the Municipal Plan and Zoning By-Law from conditional (i.e. subject to terms and conditions by the Planning Advisory Committee) to permitted (as-of-right development).

This initiative will improve Design Standards by increased predictability and flexibility in By-Law, reduce the need for variance, address neighbourhood compatibility and NIMBYism, variance mechanism allows added conditions (maintain a degree of tailoring).

Motion: That Moncton City Council proceed with the amendment process to change all residential uses in the Municipal Plan and Zoning By-Law from conditional to permitted, and that the Public Hearing be confirmed for 4:00pm at City Hall on January 15, 2024.

Moved by: Councillor Kingston
Seconded by: Councillor Leger

MOTION CARRIED

- 7.6 **Public Hearing** – Zoning By-Law Amendment – Integrated Development Zones – Bill Budd

Mr. Budd provided a presentation outlining the amendment to allow Integrated Development (ID) zones to be established by an agreement or resolution when adopted by City Council.

The Mayor opened the public hearing and confirmed that there were no objections to this amendment or anyone in attendance to speak on the matter then closed the Public Hearing.

No participant wished to address council, the Mayor closed the public hearing.

Motion: That Moncton City Council proceed with the Zoning By-Law amendment, being By-Law Z-222.22, by giving second and third readings of the by-law.

Moved by: Councillor LeBlanc
Seconded by: Councillor Edgett

MOTION CARRIED

- 7.7 **Public Hearing** – Rezoning at Moncton East Business Park – Bill Budd

Mr. Budd provided a presentation detailing the request for Moncton Industrial Development Ltd. (MID) proposing to rezone a portion of the Moncton East Business Park (Business Park) from HC (Highway Commercial) to ID (Integrated Development).

The amendment is intended to analyze the existing regulatory environment in the Business Park and to provide a broader range of commercial uses than is currently permitted in the Highway Commercial zone. The proposed zoning (ID – Integrated Development) is site specific and will apply to the Business Park lands only.

Additionally, the amendment aims to rezone three properties owned by the City of Moncton (City) from HC to P2 (Open Space and Conservation). This is meant to acknowledge the subject properties as important open spaces to be preserved for conservation purposes.

The Mayor opened the public hearing and confirmed that there were no objections on the matter then closed the Public Hearing.

No participants wished to address Council, the Mayor closed the public hearing.

Motion: That Moncton City Council proceed with the Zoning By-Law amendment, being By-Law Z-222.17, by giving second and third readings of the By-Law.

The Zoning By-Law amendment, if approved, shall be subject to terms and conditions of a Moncton City Council resolution, the draft of which is included as Schedule B to this Council Report dated December 4, 2023.

Moved by: Councillor Edgett

Seconded by: Councillor LeBlanc

MOTION CARRIED

8.

STATEMENTS BY MEMBERS OF COUNCIL

- Councillor Bourgeois read the statement from the City of Moncton relating to the decision of Council on the menorah and nativity scene. He alluded that the stamen includes the first motion made at today's meeting; however, there is no mention of the 2nd motion passed by Council at today's meeting. Mayor Arnold confirmed that the official press release does include both motions.
- Councillor Butler recognized that on December 13th, 1974, 49 years ago; Moncton lost two police officers, Corporal Aurèle Bourgeois and Constable Michael O'Leary in the line of duty.

9.

REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendation(s) – Committee of the Whole – November 27, 2023

Motion: That Moncton City Council direct Administration to:

Incorporate the seven (7) recommendations (listed below) of the Roadway Corridor Review of St. George Street from Vaughan Harvey Boulevard to King Street into the St. George Street Reconstruction project;

1. Implement the proposed unidirectional physically separated bike lanes where feasible from Vaughan Harvey Boulevard to Church Street. For the remaining section, provide a multi-use pathway for shared facility between pedestrians and cyclists.
2. Provide additional bicycle parking and incorporate bike lanes into traffic signal infrastructure.
3. Provide wider sidewalks wherever possible and boulevards to incorporate street trees, where possible.
4. Improve pedestrian crossings with Rectangular Rapid Flashing Beacons and reduced crossing lengths.
5. Add new pedestrian crossings between Capitol Avenue and High Street and between Lutz Street and Church Street.
6. Implement intersection improvements at various intersections including some turning lanes reducing pedestrian crossing widths and optimizing traffic signal timing.
7. Reduce on-street parking on St. George Street in consultation with business and property owners.
8. Review options for additional on-street parking on side streets; and

Proceed with business consultation and the review of on-street parking utilization on side streets.

Moved by: Councillor LeBlanc

Seconded by: Councillor Léger

Councillor Steeves asked if Mr. Calvin Martini could provide some of the highlights from his previous 2-minute presentation on this item.

Mr. Martini summarized his presentation and advised that the Active Transportation Coalition have concerns with the study on the St. George Street redevelopment being a high traffic focused corridor. The group would like to see consultation for this area to be a more functional pedestrian

focused corridor. Additionally, the Active Transportation Coalition would like to be involved in choosing the consultant that will conduct the evaluation for this corridor.

Councillor Léger requested that this item be postponed until a new consultant is hired.

Motion: That the recommendation from the Committee of the Whole of November 27, 2023 relating to the St. George Street Reconstruction Project be postponed in order for administration to hire a new consultant for the St. George Street Corridor Review within the next 6 months.

Moved by: Councillor Léger
Seconded: Councillor Bourgeois

MOTION CARRIED

Nay: Councillor Butler

Motion: That Moncton City Council:

1. Accept the Traffic Calming and Speed Management Strategy for information and guidance.
2. Adopt the Traffic Calming Policy.
3. Direct Administration to finalize the traffic calming design of Purdy Avenue and Pleasant Street.
4. Integrate traffic calming into early stages of planning and design for new streets including less straight road segments, lower turning radius, mini roundabouts, raised crosswalks or intersections, and reduced lane width.

Moved by: Councillor Léger
Seconded by: Councillor Kingston

MOTION CARRIED

**10.
REPORTS FROM ADMINISTRATION**

10.1 Award of Request for Proposal RFP23-021 – Three (3) Custom Tandem Axle Aerial Fire Trucks

Motion: That Moncton City Council approve administration’s recommendation to award Request for Proposal #RFP23-021 for the purchase of three (3) Custom Tandem Axle Aerial Fire Trucks to the highest-scoring Proponent meeting the Terms and Conditions and Specifications set out in the RFP, being Techno Feu Inc. for the total purchase price of \$7,812,587.26 (CAD), including H.S.T. @ 15%.

Moved by: Councillor Butler
Seconded by: Councillor Léger

MOTION CARRIED

10.2 Award of Tender TCS23-080 – Supply and Delivery of One (1) Catch Basin Cleaning Truck

Motion: That Moncton City Council approve the award of Tender #TC23-080 – Supply and Delivery of One (1) New Catch Basin Cleaning Truck with Optional Hose Reel System to the lowest Bidder meeting all Terms and Conditions, and Specifications, being SNT Solutions, in the amount of \$781,342.87 including H.S.T. @ 15%, to be funded from the current Fleet Renewal Reserve Fund.

Moved by: Councillor Léger
Seconded by: Councillor Richard

MOTION CARRIED

10.3 Request for Proposal P23-02 – Purchase of Fire Records Management System

Motion: That Moncton City Council approve Administration’s recommendation to proceed with the purchase of a Fire Records Management System from Locality Media Inc. (operating as First Due), in accordance with the Terms and Conditions of City of Fredericton Request for Proposal #P23-02, and Locality Media Inc.’s Agreement for Services, Pricing Quote and Statement of Work submitted to the City of Moncton on October 30, 2023, for a five (5) year term with options to extend the agreement for up to three (3) additional five (5) year terms, with a Total Estimated Five (5) Year Contract Value of \$297,854.77, including H.S.T. @ 15%.

Moved by: Councillor Bourgeois
Seconded by: Councillor Léger

Chief Landry advised that other municipalities use a by-law software. We could see if we could piggy-back on their tender.

Councillor Léger would like administration to explore what software and systems other municipalities use By-Law Enforcement.

MOTION CARRIED

10.4 **Award Quotation QP23-094** – Supply and Delivery of Fire Hydrants and Spare Parts

Motion: That Quotation #QP23-094 – Supply and Delivery of Fire Hydrants and Spare Parts be awarded to the lowest Bidder meeting the Terms and Conditions, and Specifications, being McLennan Sales for a twelve (12) month period, with the option to extend the agreement for up to four (4) additional twelve (12) month periods, if it is deemed in the City’s best interest to do so.

Moved by: Councillor Bourgeois
Seconded by: Councillor Butler

MOTION CARRIED

10.5 **Renewal** of Microsoft Enterprise Agreement

Motion: That Moncton City Council authorize the City of Moncton to enter into a three (3) year Enterprise Agreement with Microsoft Canada through Microsoft’s large account reseller Softchoice LLC in the amount of \$1,386,338.00, plus H.S.T. @ 15%,and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate seal thereto.

Moved by: Councillor Butler
Seconded by: Councillor LeBlanc

MOTION CARRIED

10.6 **CUTZEB Service Agreement** – Electric Bus Pilot Project Planning – Codiac Transpo

Motion: That Moncton City Council approves the recommendation to enter into a sole-source agreement with CUTZEB to undertake procurement planning for two electric buses and required infrastructure at a total cost of up to \$45,084.60 including H.S.T. @ 15% and authorize the Mayor and City Clerk to execute and affix the corporate seal of the City of Moncton thereto.

Moved by: Councillor Léger
Seconded by: Councillor Butler

MOTION CARRIED

11.

READING OF BY-LAWS

11.1 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.20 – Rezoning of five PIDs at the north end of McLaughlin south of TransCanada (Master Plan) – **First Reading**

The City Clerk gave first reading to By-Law Z-222.20

11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-122.4 – Rezoning PID 01100726 off Whitfield Trites (Winery) – **First Reading**

The City Clerk gave first reading to By-Law Z-122.4

11.3 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.13 – Rezoning PID 01100726 off Whitfield Trites (Winery) – **First Reading**

The City Clerk gave first reading to By-Law Z-222.13

11.4 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.21 – Rezoning – Rockaway subdivision off Salisbury Road (Master Plan) – **First Reading**

The City Clerk gave first reading to By-Law Z-222.21

11.5 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-law Z-222.23 – Cash-in-lieu of Parking Policy and Zoning By-law Amendments for Parking Policy – **First reading**

The City Clerk gave first reading to By-Law Z-222.23

- 11.6 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.22 – Integrated Development Zones – **Second and Third Reading**

Motion: That the Clerk give second reading to By-Law Z-222.22

Moved by: Councillor Kingston
Seconded by: Councillor Butler

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-222.22

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being Z-222.23, 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 Butler

MOTION CARRIED

The City Clerk gave third reading to By-Law Z-222.22

- 11.7 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.17 – Rezoning at Moncton East Business Park – **Second and Third Reading**

Motion: That the Clerk give second reading to By-Law Z-222.17

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-222.17

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being Z-222.17, 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 Léger

MOTION CARRIED

The City Clerk gave third reading to By-Law Z-222.17

**12.
NOTICES MOTIONS AND RESOLUTIONS**

- 12.1 Withdrawal from Utility Capital Reserve Fund for 2023 Meter Replacement Program Costs incurred

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 withdrawals made from the Utility Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved the Meter Replacement Program by way of adopted decisions of Council with costs to date for 2023 totalling \$155,000

THEREFORE BE IT RESOLVED that the sum of \$155,000 be released from the Utility Capital Reserve Fund covering the costs of the 2023 Meter Replacement Program, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Edgett
Seconded by: Councillor Butler

MOTION CARRIED

- 12.2 Withdrawal from General Capital Reserve Fund for 2023 Deferred Facility Maintenance

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 withdrawals from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved Deferred Maintenance projects by way of adopted decisions of Council with costs to date for 2023 totalling \$679,496.60.

THEREFORE BE IT RESOLVED that the sum of \$679,496.60 be released from the General Capital Reserve Fund covering the costs of the Deferred Facility Maintenance projects, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

- 12.3 Withdrawal from General Capital Reserve Fund for Avenir Centre Major Maintenance and Rehabilitation Payment

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 withdrawals made from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approve the Avenir Centre Major Maintenance and Rehabilitation Payment per the operating and maintenance agreement by way of adopted decisions of Council with costs to date totalling \$155,640.64.

THEREFORE BE IT RESOLVED that the sum of \$155,640.64 be released from the General Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation.

Moved by: Councillor Steeves
Seconded by: Councillor Richard

MOTION CARRIED

- 12.4 Deposit to General Capital Reserve for Fleet Reserve from sale of fleet equipment.

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 \$311,276.91, be made to the General Capital Reserve Fund consisting of net proceeds from sale of fleet equipment.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of \$311,276.91, into the General Capital Reserve Fund.

Moved by: Councillor Léger
Seconded by: Councillor Richard

MOTION CARRIED

- 12.5 Withdrawal from General Capital Reserve Fund for 2023 City Fleet Replacement

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 withdrawals made from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approve City Fleet Purchases by way of adopted decisions of Council with costs to date totalling \$ 2,945,632.39

THEREFORE BE IT RESOLVED that the sum of \$ 2,945,632.39 be released from the General Capital Reserve Fund covering the costs of the 2023 City Fleet Purchase Costs, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Edgett
Seconded by: Councillor LeBlanc

MOTION CARRIED

12.6 Deposit to General Operating Reserve Fund for various operational items being deferred

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 to the General Operating Reserve Fund be authorized by resolution; and

WHEREAS the City Treasurer recommends a deposit of \$312,500 be made to the General Operating Reserve Fund from the General Operating Fund.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of \$312,500, from the General Operating Fund.

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

12.7 Withdrawal from General Operating Reserve Fund for various 2023 City of Moncton’s initiatives

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 withdrawals made from the General Operating Reserve Fund be authorized by resolution; and

WHEREAS the City Council approve a withdrawal by way of adopted decisions of Council with costs to date totalling \$ 215,000.

THEREFORE BE IT RESOLVED that the sum of \$215,000 be released from the General Operating Reserve Fund covering the costs, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Edgett
Seconded by: Councillor Steeves

MOTION CARRIED

12.8 Withdrawal from General Capital Reserve for 3rd and final installment for the Rising Tide initiative

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 withdrawals made from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Treasurer recommends the withdrawal of \$2,000,000, be made from the General Capital Reserve Fund.

THEREFORE BE IT RESOLVED that the sum of \$2,000,000 be released from the General Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor LeBlanc
Seconded by: Councillor Léger

MOTION CARRIED

12.9 Withdrawal from General Operating Reserve Fund (Council Contingency Reserve)

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 withdrawals made from the General Operating Reserve Fund be authorized by resolution; and

WHEREAS the City Council approve a withdrawal by way of adopted decisions of Council with costs to date totalling \$597,532.

THEREFORE BE IT RESOLVED that the sum of \$597,532 be released from the General Operating Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Butler
Seconded by: Councillor Edgett

MOTION CARRIED

12.10 Withdrawal from General Capital Reserve for the 2023 interest mitigation capital funding

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 withdrawals made from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Treasurer recommends the withdrawal of \$9,911,000, be made from the General Capital Reserve Fund.

THEREFORE BE IT RESOLVED that the sum of \$9,911,000 be released from the General Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Thériault
Seconded by: Councillor Léger

MOTION CARRIED

12.11 Withdrawal from Utility Capital Reserve for the 2023 interest mitigation capital funding

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 withdrawals made from the Utility Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Treasurer recommends the withdrawal of \$8,130,000, be made from the Utility Capital Reserve Fund.

THEREFORE BE IT RESOLVED that the sum of \$8,130,000 be released from the Utility Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor LeBlanc
Seconded by: Councillor Butler

MOTION CARRIED

12.12 Withdrawal from General Capital Reserve Fund for various lifecycle capital projects that have been completed

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 withdrawals from the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved by way of adopted decisions of Council with costs to date for 2023 totalling \$925,340.59.

THEREFORE BE IT RESOLVED that the sum of \$925,340.59 be released from the General Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Léger
Seconded by: Councillor Richard

MOTION CARRIED

12.13 Withdrawal from Utility Capital Reserve Fund for the Fire Suppression – low lift pump capital project

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 withdrawals made from the Utility Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved the Fire Suppression capital project by way of adopted decisions of Council with costs totalling \$232,995.06

THEREFORE BE IT RESOLVED that the sum of \$232,995.06 be released from the Utility Capital Reserve Fund covering the costs of this project, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

12.14 Withdrawal from Utility Capital Reserve Fund for the 2023 Sewer Renewal #1

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 withdrawals made from the Utility Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved the withdrawal for the sewer renewal capital project by way of adopted decisions of Council as project funding from the utility capital reserve totalling \$500,000; and

THEREFORE BE IT RESOLVED that the sum of \$500,000 be released from the Utility Capital Reserve Fund covering the costs of this project, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

12.15 Deposit to general capital reserve for affordable housing reserve

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 to the General Capital Reserve Fund be authorized by resolution; and

WHEREAS the City Council approved by way of adopted decisions the proceeds of \$38,400 for sale of municipal land whereas \$3,840 being 10% be placed in an affordable housing reserve; and

THEREFORE BE IT RESOLVED that the sum of \$3,840 be deposited to the General Capital Reserve Fund, this being the procedures dictated by way of Provincial Legislation

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

**13.
APPOINTMENTS TO COMMITTEES**

Motion: That the following appointments be approved:

Youth Advisory Committee

- Noah Tait – MCA

Moncton Public Library Board

- Pierre Ouellette
- Yesha Pandya
- Diane Ross

Moved by: Councillor Steeves
Seconded by: Councillor Butler

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

/ko