

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Present:

Mayor /Mairesse Dawn Arnold	Councillor/Conseiller Daniel Bourgeois,
Councillor/Conseiller Marty Kingston,	Councillor/Conseiller Charles Léger,
Councillor/ Conseillère Susan Edgett	Councillor/Conseiller Bryan Butler,
Councillor/Conseillère Monique LeBlanc	Councillor/Conseiller Dave Steeves,
Deputy Mayor /Mairesse adjointe Paulette Thériault	Councillor/Conseiller Paul Richard,
Councillor/Conseiller Shawn Crossman,	

Absent

ALSO PRESENT

S. Doucet, Chief Administration Officer (CAO)
N.Robichaud Deputy CAO and General Manager of Legal and Legislative Services
S. Morton, City Clerk, Director of Legislative Support
Gregg Houser Deputy Treasurer-Controller
E. Aucoin, General Manager, Sustainable Growth and Development Services
A. Binette, General Manager, Operations Services
J. Preston, General Manager, Protective Services
I. LeBlanc, General Manager of Community Services
K. Silliker General Manager of Corporate Services
R.Lagace, Director of Engineering
A. Jardine, Acting Director, Corporate Communications
S. Anderson, Manager of Development Planning
D. Geldart, Urban Planner

1.

CALL TO ORDER

The Mayor called the meeting to order.

2.

ADOPTION OF AGENDA

Motion : That the agenda for the meeting **be approved** as circulated.

*Moved by Councillor Léger
Seconded by Councillor Steeves*

MOTION CARRIED.

3.

CONFLICT OF INTEREST DECLARATIONS

None declared

4.

ADOPTION OF MINUTES

5.

CONSENT AGENDA

6.

PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS/

5 minutes

6.1.1 **Presentation** – New Years Eve Family Fun Fest Recap – Bill Whalen, Co-Chair, Events Moncton

Bill Whalen introduced Claire and Shane Essen as co-chairs of the Annual Family Fun Fest, supported by 11 volunteers. The event saw doubled attendance and featured a sold-out Moncton Wildcats game. It remained free of charge, with \$200,000 in costs covered by food donations and contributions from over 50 sponsors, including the Province of New Brunswick.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

7.

PLANNING MATTERS

7.1 Introduction – New Rezoning Application, 358 Ryan Street

Dylan Geldart presented an application to rezone from Residential Mix to R3 (Multiple Unit Dwelling). The purpose of the rezoning is to accommodate a three story, 47-unit apartment building,

Motion That Administration recommends that Moncton City Council proceed with the proposed Zoning By-law Amendment Z-222.42 by:

1. Giving first reading to the by-law;
2. Referring the by-laws to the Planning Advisory Committee for its written views; and
3. Setting a Public Hearing for March 17, 2025, at 4:00 PM in Council Chambers at City Hall.

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

1. The accessory buildings shall be limited to bike storage associated with the main use and are prohibited to be used for commercial purposes;
2. The 2m opaque fence be made of wood, PVC, or other similar quality material, but shall not include chain link fencing;
3. The landscaping be completed, as per the site plan attached as Schedule B, no later than one year following the issuance of a development permit;
4. 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;
5. 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;
6. The existing driveway entrances and curb cuts not in use be reinstated with barrier curb;
7. The applicant shall provide unit numbers for the main building prior to the issuance of a development permit; and
8. The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Butler
Seconded by: Councillor Steeves

Councillor Bourgeois expressed concern about modifying development plans a year later and questioned whether similar issues might arise again in six months. Mr. Geldart acknowledged that changes are always possible, especially if the building is sold to a new developer, as is currently the case, which could bring the matter back to Council.

MOTION CARRIED

7.2 Public Presentation – Urban Boundary Amendment, 70 Queensway Drive

Dylan Geldart presented A public presentation regarding an Urban Boundary Amendment for 70 Queensway Drive, the second of three meetings about a proposed commercial lot in Ward 4. The 3.5-acre site, formerly owned by the Department of Transportation and Infrastructure, is zoned for development and will host Denny's, Starbucks, a gas station, and Electric & Fen's Market. The proposal includes a request to amend the urban plan to allow connection to sewer and water services.

Three studies have been submitted for review:

1. The **cost-benefit analysis**, which projects an approximate tax revenue of \$45,368 per year. Waste collection will be managed by the development, not the city.
2. The **services study**, which revealed no concerns related to water, sanitary, or stormwater systems.
3. The **traffic impact study**, which confirmed that the development will increase traffic in the area. However, a new roundabout is planned for 2025 to improve traffic flow and performance

The next steps are to present the application to the Planning Advisory Committee on February 26, 2025. Following that, the public hearing will take place on March 17, 2025

Motion: That Administration recommends that Moncton City Council proceed with proposed Municipal Plan By-law Amendment Z-122.12 and confirm the Public Hearing for March 17, 2025.

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

1. The two properties, being PIDs 70638465 and 70638473, be consolidated prior to the issuance of a development permit;
2. Any exterior lighting shall be arranged to divert light away from adjacent streets and adjacent lots;
3. The landscaping be completed, as per the site plan attached as Schedule B, no later than one year following the issuance of a development permit;
4. 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;
5. That notwithstanding Table 13.1 of the Zoning By-law, service stations are permitted as-of-right;
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 general conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Edgett

Seconded by: Councillor Kingston

In response to Councillor Bourgeois' question about the 25-year Cost Benefit Analysis, Mr. Dylan Geldart confirmed it is part of the redevelopment plan and said he would follow up. He explained that the area was excluded from the original 1997 municipal plan because it was intended to remain under the permanent ownership of the Department of Transportation and Infrastructure.

In response to Councillor Richard's question about sidewalks on Queensway, René Legacy stated that sidewalks and bike lanes will be included in the roundabout project planned by the Department of Transportation and Infrastructure for summer 2025. A sidewalk extension beyond the development is also included in future capital plans.

Councillor Crossman asked whether the City has a formal agreement with the province regarding the traffic circle project. Mr. Lagacé confirmed there is no official letter of commitment but emphasized the City's strong partnership with the Department of Transportation and Infrastructure, noting the project is already in progress and nearing the tendering phase.

MOTION CARRIED

Nay Councillor Butler
Councillor Richard

8.

STATEMENTS BY MEMBERS OF COUNCIL

Councillor Kingston acknowledged the passing of three longtime Monctonians: Former City Councillor and lawyer Wendel Maxwell (January 5) at 85, country music and live entertainment promoter Roger Dupuie (January 8) at 86, and Moncton Fire Department member and athlete Norm "Red" Mollins (January 14) at 90.

Councillor Bourgeois requested a list of Code of Conduct complaints from 2016 to 2021. The City Clerk shared that three cases were ratified in public (November 15, 2020; April 19, 2021; and January 20, 2021), while other cases from November 2020, November 2022, and October 2022 were not ratified publicly.

Councillor Bourgeois raised concerns about the inconsistency in publicizing these cases and when the remaining cases would be brought forward for public ratification. The Mayor reminded everyone that the by-law requiring public ratification of Code of Conduct cases has only been in effect since 2022.

9.

REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendations – Committee of the Whole – January 27, 2025

1. **That** Moncton City Council authorize the release of funds approved during the 2025 budget deliberations in the amount of \$84,000 to the Canadian Legion Branch #6 to cover their expenses for the year and \$57,000 to DansEncorps and that the amounts be taken from the 2024 Council Contingency.

Moved by: Councillor Léger

Seconded by: Deputy Mayor Thériault

MOTION CARRIED

2. **That** Moncton City Council adopt the proposed modifications to the Traffic Calming Policy.

Moved by: Councillor Steeves
Seconded by: Councillor Kingston

MOTION CARRIED

10.

REPORTS FROM ADMINISTRATION

10.1 Engineering Acquisition of GPS Equipment

Motion That City Council approve the purchase of the proposed GPS survey equipment from Cansel Survey Equipment Inc. at the quoted price of \$297,559.30.00 + HST.

Moved by: Councillor Richard
Seconded by: Councillor LeBlanc

A discussion took place between administration and Council regarding the availability of Canadian companies that offer the required equipment. As a result, a motion was made to postpone the award until administration can further investigate Canadian companies.

Motion: That Moncton City Council postpone item 10.1 - Engineering Acquisition of GPS Equipment in order to have staff look for a Canadian company.

Moved by: Councillor Butler
Seconded by: Deputy Mayor Thériault

MOTION CARRIED

10.2 CN Invoice for Edinburgh Rail Crossing

Motion That City Council directs Administration to pay CN the invoiced amount of \$122,546.87 including HST for the work completed on the Edinburgh Drive railway crossing and authorizes Administration to pay the remaining work to be completed in 2025, up to a maximum project cost of \$168,000.

Moved by: Councillor Léger
Seconded by: Councillor Butler

MOTION CARRIED

10.3 Resolution to Establish a Council Committee on Multiculturalism – Councillor Bourgeois

The CAO advised that this matter was originally brought forward on December 16. During the preparation of the background, it was suggested that it would be helpful for staff to present a detailed account that highlights the City's commitment to diversity and inclusion actions. Would like to provide more details of all those actions to an upcoming Council meeting within a month.

The Resolution put forward by Councillor Bourgeois is as follows (in both official languages):

Be it resolved that the Council appoints a Committee on Multiculturalism;

Be it further resolved that the Committee's mandate is to provide advice and recommendations to the Council on the implementation of measures prescribed in Moncton's Social Inclusion Plan and of recommendations to address racism tabled in October 2022 by the New Brunswick Commissioner on Systemic Racism;

Be it further resolved that the Committee on Multiculturalism will collaborate with the Council's Committee on Social Inclusion and the internal Committee on Diversity, Equity and Inclusion, in order to avoid duplication and improve the impact of municipal actions.

Be it further resolved that the Committee membership includes seven (7) newcomers;

Be it further resolved that the Committee files an annual progress report.

Moved by: Councillor Bourgeois
Seconded by: Deputy Mayor Thériault

Councillor Butler expressed his uncertainty of another committee, it is difficult to get committees together.

Councillor Bourgeois defended the motion advising that the City does not have a committee to allow newcomers advise the City of their needs.

Motion: That item 10.3 Resolution to Establish a Council Committee on Multiculturalism brought forth by Councillor Bourgeois and Deputy Mayor Thériault, be postpone.

Moved by Councillor LeBlanc
Seconder Councillor Kingston

MOTION CARRIED

11.

READING OF BY-LAWS

The following by-laws will be posted on line at www.moncton.ca in lieu of reading them into the record at future meetings, pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act, or same can be faxed, mailed or e-mailed to interested parties at their request.

- 11.1 **A By-Law** in Amendment of a By-Law relating to the adoption of the City of Moncton Municipal Plan, being By-Law Z-222.42 (358 Ryan Street) **First Reading (subject to approval of item 7.1)**

The Clerk gave first reading to By-Law Z-222.42.

12.

NOTICES MOTIONS AND RESOLUTIONS

- 12.1 Deposit to general operating reserve fund

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

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

WHEREAS the City Treasurer recommends the deposit of **\$991,033**, being the budgeted 2025 deposit from the City's General Operating Fund, be made to the General Operating Reserve Fund.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of **\$991,033** into the General Operating Reserve Fund.

MOVED by Councillor Butler
SECONDED by Councillor Edgett

MOTION CARRIED

Councillors Léger and Crossman were absent for the vote.

- 12.2 Deposit to general capital reserve fund

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

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

WHEREAS the City Treasurer recommends the deposit of **\$6,900,548**, being the 2025 budgeted deposit from the City's General Operating Fund, be made to the General Capital Reserve Fund.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of **\$6,900,548**, into the General Capital Reserve Fund.

Moved by Councillor Kingston
Seconded by Councillor Steeves

MOTION CARRIED

Councillor Crossman was absent for the vote.

12.3 Deposit to utility operating reserve fund

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

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

WHEREAS the City Treasurer recommends the deposit of **\$45,000**, being the budgeted 2025 deposit from the City’s Utility Operating Fund, be made to the Utility Operating Reserve Fund.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of **\$45,000** into the Utility Operating Reserve Fund.

Moved by Deputy Mayor Thériault
Seconded by Councillor Richard

MOTION CARRIED

12.4 Deposit to utility capital reserve fund

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

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

WHEREAS the City Treasurer recommends the deposit of **\$3,934,938**, being the budgeted 2025 deposit from the City’s Utility Operating Fund, be made to the Utility Capital Reserve Fund.

THEREFORE BE IT RESOLVED that authorization be granted for a deposit in the amount of **\$3,934,938**, into the Utility Capital Reserve Fund.

Moved by Councillor LeBlanc
Seconded by Councillor Léger

MOTION CARRIED

12.5 Resolution Animal Control Officers

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 animal control officers as by-law enforcement officers for the local government, and animal control officers, as by-law enforcement officers, have the powers and immunities of police officers for the purposes of enforcing By-Law # H-1322, A By-law Relating to Animal Control of the local government for which they are appointed as are stipulated in their appointment, but has in no other regard the powers or immunities of a police officer;

WHEREAS section 144 of the Local Governance Act, any other applicable Acts and By-Law # H-1322, A By-law Relating to Animal Control, and any amendments thereto and replacement By-laws of Council, authorizes an inspection or requires anything to be inspected by a local government, animal control officers, as by-law enforcement officers, 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;

WHEREAS by virtue of an Animal Control Service Agreement entered into on December 2, 2024, between the City of Moncton and S.P.C.A. (Moncton) Inc., carrying out business under the business name People for Animal Wellbeing (“PAW”), Council may appoint and prescribe duties for employees of PAW as animal control officers, and as by-law enforcement officer, acting on behalf of the local government;

Proceedings

WHEREAS by virtue of Section 150(1) of the Local Governance Act, Council may designate for the purposes of laying Informations in the Provincial Court, a person to act on its behalf for that purpose; and

NOW THEREFORE BE IT RESOLVED THAT Victor Wickholm, Danice Comeau and Richard Perry are hereby appointed animal control officers and by-law enforcement officers, and hereby authorized to act for and on Council’s behalf pursuant to the Animal Control Service Agreement referenced above and pursuant to the sections noted in the Acts referenced above, to conduct inspections for the purpose of administering or enforcing By-Law # H-1322, A By-law Relating to Animal Control.

BE IT FURTHER RESOLVED THAT Victor Wickholm, Danice Comeau and Richard Perry are hereby authorized to act for and on Council’s behalf pursuant to the Animal Control Service Agreement referenced above and pursuant to the sections noted in the Acts referenced above, to issue administrative penalties, Orders or Notices, make applications to the Court of King’s Bench and lay Informations with the Provincial Court to obtain Orders applicable to By-Law # H-1322, A By-law Relating to Animal Control.

Moved by Councillor Richard
Seconded by Councillor Kingston

Councillor Bourgeois requested that the Clerk’s Office forward the translated version of the resolution.

MOTION CARRIED

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

/ 5:43 p.m.

/dh