



The City of Saint John

MINUTES – REGULAR MEETING  
COMMON COUNCIL OF THE CITY OF SAINT JOHN  
JANUARY 14, 2019 AT 6:00 PM  
IN THE COUNCIL CHAMBER

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Present: Acting Mayor / Deputy Mayor Shirley McAlary  
Councillor-at-Large Gary Sullivan  
Councillor Ward 1 Blake Armstrong  
Councillor Ward 1 Greg Norton  
Councillor Ward 2 Sean Casey  
Councillor Ward 2 John MacKenzie  
Councillor Ward 3 Donna Reardon  
Councillor Ward 4 David Merrithew

Absent: Mayor Don Darling  
Councillor Ward 4 Ray Strowbridge

Also Present: City Manager J. Collin  
Fire Chief K. Clifford  
Police Chief B. Connell  
City Solicitor J. Nugent  
Commissioner Growth and Community Development J. Hamilton  
Commissioner of Finance and Treasurer K. Fudge  
Commissioner of Transportation and Environment M. Hugenholtz  
Commissioner of Saint John Water B. McGovern  
Common Clerk J. Taylor  
Deputy Common Clerk P. Anglin

**1. Call to Order**

**2. Approval of Minutes**

**2.1 Minutes of December 17, 2018**

Moved by Councillor Sullivan, seconded by Councillor Norton:

RESOLVED that the minutes of the meeting of Common Council, held on December 17, 2018, be approved.

MOTION CARRIED.

**3. Approval of Agenda**

Moved by Councillor MacKenzie, seconded by Councillor Sullivan:

RESOLVED that the agenda of this meeting be approved.

MOTION CARRIED.

**4. Disclosures of Conflict of Interest**

**5. Consent Agenda**

5.1 That the Saint John Tool Library & DIY Centre Request to Present be referred to the Clerk to schedule.

5.2 That as recommended in the submitted Planning Advisory Committee report *Subdivision (Money-in-lieu of Land for Public Purposes) 944 Fairville Boulevard*, Common Council authorize the acceptance of money-in-lieu of the required land for public purposes.

5.3 That the submitted report *2019-2: Terms of the Fall 2018 Debenture Issue*, be received for information.

5.4 That as recommended by the City Manager in the submitted report *2019-4: Borrowing Resolutions*, Common Council adopt the following resolutions:

1. That the Commissioner of Finance is hereby authorized to borrow, on behalf of the City of Saint John (the Corporation), from the Bank of Nova Scotia (the Bank) from time to time by way of direct advances by Promissory Notes, Overdraft, or Standby Letters of Credit/Letters of Guarantee, a sum or sums not exceeding at any one time six million dollars (\$6,000,000) to meet current expenditures for the year 2019; and

2. That the Commissioner of Finance is hereby authorized to borrow, on behalf of the City of Saint John (the Corporation), from the Bank of Nova Scotia (the Bank) from time to time by way of direct advances by Promissory Notes, a sum or sums not exceeding at any one time twenty five million dollars (\$25,000,000) to meet capital expenditures for the year 2019.

5.5 That as recommended by the City Manager in the submitted report *2019-3: City Market Lease with Chicken by Felix*,

1. That the City enter into a Lease for Stall “No. 10” in the City Market with Yufan Investment Ltd., under the terms and conditions as set out in the Lease submitted with M&C 2019–3, and further;
2. That the Mayor and Common Clerk be authorized to execute any necessary documents.

5.6 That as recommended by the City Manager in the submitted report *M&C 2019-08: 2019 Insurance Renewal*, Council accepts the insurance package presented by BFL Canada, underwritten by AIG Insurance Company and Certain Underwriters at Lloyds through our Agent of Record, JM & CW Hope Grant Ltd. and approves maximum payments as follow:

Insurance Premiums of	\$921,336
Agreed Agency Fee of	\$26,400
Payable to JM & CW Hope Grant Ltd.	\$938,736

Moved by Councillor Sullivan, seconded by Councillor Merrithew:

RESOLVED that the recommendation set out in each consent agenda item respectively, be adopted.

MOTION CARRIED UNANIMOUSLY.

## **6. Members Comments**

Council members commented on various community events.

## **7. Proclamations**

## **8. Delegations/Presentations**

### **8.1 Lord Beaverbrook Rink Presentation**

Referring to the submitted report entitled *LBR Presentation*, M. Simon MD, Chair LBR, board members and Manager D. Nicholson provided an update on the revitalization and enhancements to the LBR facilities and social media presence.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:  
RESOLVED that the Lord Beaverbrook Rink Presentation be received for information.

MOTION CARRIED.

**9. Public Hearings 6:30 PM**

**10. Consideration of By-laws**

**10.1 Business Improvement Area 2019 Budget**

Referring to the submitted report entitled *Business Improvement Area 2019 Budget* the Clerk advised that the budget has been advertised in the newspaper and no written objections have been received. Council may proceed with approving the budget and amending the BIA bylaw for 2019.

Moved by Councillor Norton, seconded by Councillor Reardon:  
RESOLVED that the Executive Director of Uptown Saint John, Nancy Tissington be invited to speak to the submitted report entitled *Business Improvement Area 2019 Budget* on the budget expenditures.

MOTION CARRIED.

Council asked the Executive Director to address the budget. Executive Director of Uptown Saint John, Nancy Tissington responded to questions on the budget item for Operations and Administrative Expenses comprising \$291,174.00 of the total budget amount of \$481,997.00. Ms. Tissington said the Membership approved the budget at the AGM in November and that the budget follows other BIA budgets in the area.

Moved by Councillor Sullivan, seconded by Councillor Norton:  
RESOLVED that the verbal presentation from Ms. Tissington be received for information.

MOTION CARRIED.

Moved by Councillor Sullivan, seconded by Councillor Reardon:  
RESOLVED that as recommended by the Board of Directors of Uptown Saint John Inc., Common Council approve the submitted 2019 budget for the Business Improvement Area.

MOTION CARRIED with Councillor Merrithew voting nay, stating that the budget for Operations and Administrative Services is too high, comprising 60% of the overall budget.

Moved by Councillor Sullivan, seconded by Councillor Reardon:

RESOLVED that the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law", by applying a levy of 16 cents for each one hundred dollars of assessed value for 2019, be read.

MOTION CARRIED with Councillor Merrithew voting nay.

The by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law" was read in its entirety.

Moved by Councillor Sullivan, seconded by Councillor Reardon:

RESOLVED that the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law", by applying a levy of 16 cents for each one hundred dollars of assessed value for 2019, be read a third time, enacted and the Corporate Common Seal affixed thereto.

MOTION CARRIED with Councillor Merrithew voting nay.

Read a third time by title, the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law."

## **11. Submissions by Council Members**

### **11.1 Expanding the Saint John Common Council Committee Structure to add a Public Safety Committee (Councillor Norton)**

Referring to the submitted motion, Councillor Norton said that the intent is to refer the matter to the City Manager to come back with recommendations. The motion is intended to provide a broad view of Public Safety, not just fire and police. Fire and police in this instance would be two bullets in a series of bullets that would fall under the proposed committee structure, other safety issues would include:

- Pedestrian Safety
- Sidewalk surfacing
- EMO
- School Zone safety
- Positive recreation
- Street lighting
- Cyber security
- Environmental hazards and response.

The referral would provide the City Manager leeway to bring recommended feedback back to council in an open timeline.

Moved by Councillor Norton, seconded by Sullivan:

RESOLVED that Council refer item 11.1 *Expanding the Saint John Common Council Committee Structure* to the City Manager, to report back recommendations on developing a plan to expand the City of Saint John Common Council Committee Structure to include a third Committee, that being a Public Safety Committee / Environment and Transportation services.

MOTION CARRIED with Councillor Merrithew stating he is voting nay at this time because of the priority of the city's sustainability and the 2018 Provincial Election white paper focus being required in Q1 and Q2 of 2019; Councillor Reardon also voting nay.

## **12. Business Matters - Municipal Officers**

R. Van Wart provided Council a visual description of the three properties on the location. The City Solicitor advised that the property description should be noted as containing three buildings.

### **12.1 Demolition of three vacant, dilapidated and dangerous buildings at 1536 Loch Lomond Road (PID 312744)**

The Deputy Mayor provided the following cautionary statement:

"The information which has been provided in the Council Kit includes the report of the Building Inspector stating that the three buildings located at 1536 Loch Lomond Road (PID 312744) are a hazard to the safety of the public by virtue of its being, amongst other things, dilapidated or structurally unsound. Is there present an owner, including anyone holding any encumbrance upon this property, who wishes to present evidence to the contrary, i.e. that the three buildings are structurally sound and not dilapidated?"

No one came forward to present evidence that the three buildings are structurally sound and not dilapidated.

Moved by Councillor Sullivan, seconded by Councillor Merrithew:

RESOLVED that the three buildings located at 1536 Loch Lomond Road, PID# 312744, are to be demolished as they have become a hazard to the safety of the public by reason of dilapidation; and

BE IT FURTHER RESOLVED, that said three buildings are to be demolished as they have become a hazard to the safety of the public by reason of unsoundness of structural strength; and

BE IT FURTHER RESOLVED, that one or more by-law enforcement officers appointed and designated under the Saint John Unsightly Premises and Dangerous Buildings and Structures By-law are hereby authorized to arrange for the demolition, in accordance with the applicable City purchasing policies.

MOTION CARRIED.

## 12.2 Winter Management Plan Overview

Referring to the submitted PowerPoint and report entitled *Winter Management Plan Overview*, M. Hugenholtz outlined the 7 governing principles, priorities and deliverables of the plan aligned with best practices in other jurisdictions. The plan was adopted in 2009, but it is a living document reviewed annually, and has been updated from time to time. The budget and staffing were discussed.

Quick facts of the Winter Management Plan:

- The City services 1,160 lane kilometers of road
- The City services 240 kilometers of sidewalk (61% of the City's sidewalks)
- 81 primary pieces of equipment used to service streets, plus 6 that clear parks, arenas and other recreational facilities
- In an average year, the City consumes 13,000 tons of road salt, and
- 3,000 tons of sand

Street plowing is prioritized into categories to effectively use resources. Each of which has service standards to meet once the storm has ended.

- Priority 1 – Emergency routes, main streets and highway connections.
- Priority 2 – Major bus routes, school zones, community centres and business districts
- Priority 3 – Residential collector streets, minor bus routes and industrial parks
- Priority 4 – Local or subdivision streets

Service standards for road conditions after a storm:

- Within 8 hours Priority 1 and 2 roads are passable
- Within 12 hours Priority 3 and Priority 4 roads are passable
- Within 2 days Priority 1 and Priority 2 – snow has been pushed back and anti-icing material has been applied
- Within 3 days Priority 3 - snow has been pushed back and anti-icing material has been applied
- Within 4 days Priority 4 - snow has been pushed back and anti-icing material has been applied

Sidewalk plowing is prioritized into categories:

- Priority 1 – Major retail areas and Saint John Transit bus stops
- Priority 2 – Immediate school areas
- Priority 3 – Arterial routes
- Priority 4 – Local or subdivision streets

Sidewalk service maintenance standards for each priority:

- During Storm
  - Priority 1 and Priority 2 – create a basic level of accessibility
- Post Storm
  - Priority 1 – Basic pedestrian passage within 12 hours
  - Salt or sand applied within 2 days
  - Priority 2 and Priority 3 – Basic pedestrian passage within 1 day
  - Salt or sand applied within 3 days
  - Priority 4 – Basic pedestrian passage within 3 days
  - Salt or sand applied within 4 days

The Commissioner demonstrated the interactive map on the City website that indicates the service level objectives and street priority for property locations in the City. The interactive map replaces a PDF static map.

The Commissioner responded to questions.

Q: What is the snow threshold gauge / at how many centimeters do you decide to bring out the snow removal equipment?

A:

- When conditions deteriorate, if it is regular working hours the crews are out once the snow begins to fly tending to the routes.
- During off hours we have customer service staff that are in and about 24 / 7. As they observe street conditions change, or as citizens call in, they discuss with a duty manager an appropriate response.
- There is a threshold for full city plow operation when 10 cm of snow has accumulated.

Q: Is it possible to call the crews out earlier, at 4 cm?

A:

- Even if we called in all our resources once the snow starts to fly that does not preclude ice or packed snow developing on a road. There will be a time gap when our crews are working to when they can clear any particular street. They do have routes to run and snow will accumulate. Any vehicle driving by will pack the snow down. No matter how quick you call out your resources.

Q: How many staff are available to plow snow on a regular shift?

A:



- We have 92 front line
- 24 are night shift
- The rest are day shift or evening

Q: Does the operator make a single pass, or does he go back and widen?

A:

- Typically the priority focus on the mains is to maintain accessibility. The plow may go back several times to do another pass. Typically when the snow ends they go back again to clear the full travel lane.

Q: When is a snow ban declared?

A:

- The goal is to balance livability in the city and the necessity to call a parking ban. The entire weather system is assessed. There is no hard and fixed rule.

Q: What is the actual time to plow all the priority streets?

A:

- The routes are designed to be plowed in a 10 hour shift, post storm.

Q: If a priority 1 street is 1 km long with 10 side streets that are priority 4s: why can't the loops off the priority 1 be plowed at the same time?

A:

- During a storm, focus is on the priority 1 to keep passable. If conditions warrant, they may divert off if they are able, i.e. if the priority 1 can be maintained accessible.

Councillor comment: Residents must take some responsibility to mitigate the ice and snow, for example wearing proper footwear.

Q: Are continuous improvement initiatives undertaken?

A:

- Yes, a number of projects are undertaken during the Winter Management Plan. For example, sidewalk machines are decentralized. Two units have depots uptown out of City Hall, others are located at Rothesay Ave, Boars Head Road and East and West Saint John and other locations. This saves travel time not to have all the depot units in one location.

Q: Are parking bans used to clean up after the storm?

A:

- The MVA allows parking bans for the specific purpose of clearing snow without putting signage up.
- The North, East and West (N.E.W.) parking ban will be called during the actual event or the evening of the event to get folks off the street and clean up

- The South / Central Peninsula ban is typically the following night to push back snow and clear

Q: Specific improvements since the plan was presented three years ago?

A: We added the following:

- Added a section of sidewalk from Coast Guard site to Market Square
- Introduction North East parking ban
- No change to the inventory of sidewalks
- Improvement to service delivery - direct brine application
- Re-location depots

Q: Are there audits and reporting deadlines for priority 1,2,3,4, streets?

A:

- Yes, foreman audit the routes during the storm and after the storm to service level standards.
- We are leveraging Automatic Vehicle Location (AVL) technology to get objectivity in the data.

Q: Is there a policy / capacity for drivers to call tow trucks during a parking ban to remove cars?

A:

- Yes.
- We also have a pre-event meeting with Parking Staff and the Police to discuss the game plan and hotspots.
- The Parking Commission tickets cars before snow removal crews go out.
- Police follow the Parking Staff to call and authorize towing.

Q: Can the driver on the plow during the storm report a car?

A: Yes, absolutely.

Q: The road policy does not clear down to pavement. Have you considered paving every street so that it is passable? There might be some snow on the ground, but it won't be two feet deep. Maybe you cannot drive 50 km per hour, but 20-25 km.

A:

- We will never let the snow accumulate to that kind of level.
- If those streets are accumulating to that level we would have our full crews out responding.
- Our expectation we would achieve a measure of accessibility - for priority 4 streets to be passable in 12 hours after the end of the storm.
- If we need to call in extra resources to achieve that, we would.

Councillor comment: Priority 4s located in subdivisions are not a main priority, density rather than urban sprawl is a method to manage road clearing.

Councillor comment: Living on a bus route also is a manner to manage public expectations for getting around in a storm. Bus routes are a higher priority.

Q: Using AVL technology and audits – are we confident our plan is executed as intended?

A:

- Yes, I have confidence the plan is being executed. We discuss the plan and communicate with the foreman during storm events.

Councillor comments: How can we provide services where density exists to drive more density? Services are cheaper to deliver where density exists.

Bans and towing are important to keep the city streets passable.

Sidewalks should be the responsibility for owners not city. City can augment with sidewalk plows.

Snow dumping – who monitors? Enforcement is a waste of Police time – It would be better to have authority in a bylaw for City Bylaw Enforcement Officers.

A: Re: the enforcement - we made the request for Parking Staff to have the authority to enforce towing to the Provincial Registrar over a year ago, and have sent a reminder. We don't have that authority. We have to rely on working closely with the Police.

Q: We can't control weather but we can control the policy, if we are not satisfied with the outcomes. AVL technology to make plows more efficient. How can we as a council help improve the outcomes? As councillors direct calls to the Customer Service line 658-4455 or the Parking ban information line 658-4040. Have programs, such as Adopt a hydrant, Adopt a catch basin? Be good stewards in our own community.

A: Increasing public awareness of the plan and the service standards deliverables and timelines are very important. Communicating the plan will assist managing expectations.

The City Manager highlighted the overarching message: We need to get much better at communicating the message and increasing the awareness of everyone. We failed it that this year. I am here to recognize that and to tell you that we will get better at it. What you see before you, the info graphs, the new interactive map and this meeting three examples of where we are trying to get in terms of that awareness. I also heard discussion that the plan is 10 years old and is it still valid? We believe so and don't believe it needs a fundamental revision right now. But as an example where we have failed to communicate effectively, we have not made you aware of the changes we have

made and the continuous improvements and performance outcomes on a regular basis. We have taken on as an initiative that our overall situational awareness has to improve across the board - both with Council and the residents of Saint John.

Q: What is staffing during the week and weekend. When we call in do we need to pay overtime?

A: Every year we look at the Plan, past experience and the resources and try to come up with the optimum shift schedule that allows us to achieve those objectives of the Winter Management Plan. That allows us to have sufficient resource to do the other things we need to do in the winter – things like: snow removal, pothole patching.

- Our shift structure is Mon – Fri during the day.
- We have an evening shift and a night shift Sun – Thurs night.

That is sufficient for a lot of the events we see on a weekly basis. When issues or weather occurs outside those times we do cover using overtime resources.

Customer Service Staff, Com Centre staff and a duty manager and others are on rotation call 24/7.

Q: If we had a bad storm on the weekend – we need to use overtime?

A: Yes. We look at the past experience as somewhat beneficial. We look at the worst case scenario analysis. We analyzed the shift structures and believe the current shift structure is the best to mitigate overtime in a heavy snow winter.

Q: Do you have meeting with the drivers for input?

A: The foremen represent the front line and their concerns, gaps for improvement in service delivery. The foremen have offices in the depot and see the front line staff on a daily basis.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:  
RESOLVED that the submitted report *M&C 2019-6: Winter Management Plan Overview*, be received for information.

MOTION CARRIED.

**13. Committee Reports**

**14. Consideration of Issues Separated from Consent Agenda**

**15. General Correspondence**

**16. Supplemental Agenda**

**17. Committee of the Whole**

**18. Adjournment**

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:

RESOLVED that the meeting of Common Council held on January 14, 2019, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 8:55 p.m.