



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
FEBRUARY 11, 2019 AT 6:00 PM
IN THE COUNCIL CHAMBER

Present: Mayor Don Darling
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
Councillor Ward 4 Ray Strowbridge

Also Present: City Manager J. Collin
Police Inspector Tanya LeBlanc
Fire Chief K. Clifford
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

Mayor Darling, Deputy Mayor McAlary and Council presented certificates of appreciation to the City's athletes and coaches who have been selected to attend the 2019 Canada Winter Games in Red Deer Alberta.

1. Call to Order

2. Approval of Minutes

2.1 Minutes of January 28, 2019

Moved by Deputy Mayor McAlary, seconded by Councillor Armstrong:

RESOLVED that the minutes of the meeting of Common Council, held on January 28, 2019, be approved.

MOTION CARRIED.

3. Approval of Agenda

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the agenda of this meeting, with the addition of the following items be approved:

- 17.1 Safe, Clean Drinking Water – Payment of Relief Events
- 17.2 Funding Agreement with ACOA and Province
- 17.3 Recommended Appointments to Committees

MOTION CARRIED.

4. Disclosures of Conflict of Interest

J. Nugent, City Solicitor and Councillor G. Norton declared a conflict of interest with item 12.4 West Saint John – Corrosion Control Investigation.

5. Consent Agenda

5.1 That pursuant to Section 14 of the Police Act of the Province of New Brunswick, the Common Council of the City of Saint John does hereby appoint the following member of the Canadian Corps of Commissionaires as By-Law Enforcement Officer with the responsibility and authority to enforce provisions of the Parking Meter By-Law and the provisions of Section 5, Section 5.1, Section 7, Section 8, Section 15 and Section 16 of the Saint John Traffic By-Law, namely: Markus Edison, Badge No. 9964.

And further that this appointment shall continue until such time as the appointee ceases to be a member of the Canadian Corps of Commissionaires or until the appointment is rescinded by Common Council, whichever comes first.

5.2 That the Quebec Major Junior Hockey League Letter re Facilities Updates in Amphitheatres be referred to the Harbour Station Commission.

5.3 That as recommended by the City Manager in the submitted report *2019-015: City of Saint John Transportation Strategic Plan MoveSJ Phase 3 Consulting and Engineering Services*:

- 1) Common Council award engineering and consulting services for Transportation Strategic Plan MoveSJ, Phase 3 to IBI Group at a cost of \$180,615 plus applicable taxes.
- 2) That the Mayor and Common Clerk be authorized to execute the Consulting Engineering Agreement.

5.4 That as recommended by the City Manager in the submitted report *2019-010: Designation of Community Standards Coordinator*, Common Council adopt the following:

1. **WHEREAS** the Common Council of The City of Saint John has enacted certain by-laws pursuant to the authority of the *Local Governance Act*, S.N.B. 2017 c.18, and amendments thereto, (the "*Local Governance Act*") including the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, By-law Number M- 30 and amendments thereto, and it may from time to time be necessary to make inspections for the administration or enforcement of the By-law;

AND WHEREAS section 72 of the *Local Governance Act* provides that a council may appoint by-law enforcement officers for the local government and may determine their terms of office;

AND WHEREAS subsection 144(2) of the *Local Governance Act* provides that a council may authorize officers enter the land, building or other structure at any reasonable time, and carry out the inspection after giving reasonable notice to the owner or occupant of the land, building or other structure to be entered;

NOW THEREFORE BE IT RESOLVED, that Mark O'Leary, By-law Enforcement Officer, is hereby appointed as an inspection officer and authorized to enter at all reasonable times upon any property within the territorial boundaries of the City of Saint John for the purpose of making any inspection that is necessary for the administration or enforcement of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law* which received first and second reading by Common Council on May 22, 2018 and third reading on June 4, 2018, being enacted upon approval by the Minister of Local Government, and/or the *Local Governance Act*

effective immediately, and this authorization shall continue until he ceases to be an employee of the Growth and Community Development Services department of The City of Saint John or until rescinded by Common Council, whichever comes first.

2. **WHEREAS** the Common Council of The City of Saint John has enacted certain by-laws pursuant to the authority of the *Local Governance Act*, including the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, By-law Number M-30, and amendments thereto, (the "*Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*") and it may from time to time be necessary to commence proceedings in the Provincial Court of the Province of New Brunswick, when a person has violated or failed to comply with the said By-law;

AND WHEREAS section 72 of the *Local Governance Act* provides that a council may appoint by-law enforcement officers for the local government and may determine their terms of office;

AND WHEREAS subsection 132(1) and 132(2) of the *Local Governance Act* provides that an officer appointed by council may notify the owner or occupier of premises, a building or structure by notice in the form prescribed by regulation when a condition exists pursuant to subsections 131(1), 131(2) or 131(3) of the said Act;

AND WHEREAS section 150(1) of the *Local Governance Act* provides that proceedings for breach of a by-law shall be commenced in the name of the clerk of the municipality or such other person as is designated for that purpose by the council;

NOW THEREFORE BE IT RESOLVED, that Mark O'Leary is hereby appointed as a By-law Enforcement Officer with respect to the enforcement of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, effective immediately, and this appointment shall continue until he ceases to be an employee of Growth and Community Development Services of The City of Saint John or until it is rescinded by Common Council, whichever comes first;

AND BE IT FURTHER RESOLVED, that Mark O'Leary is hereby appointed and authorized to notify owners and occupiers with respect to premises, buildings or structures that are unsightly; buildings or structures that are a hazard to the safety of the public by reason of being vacant or unoccupied; buildings or structures that are a hazard to the safety of the public by reason of dilapidation or unsoundness of structural strength, as set out in the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, effective immediately, and this appointment and authorization shall continue until he ceases to be an employee of Growth and Community Development Services of The City of Saint John or until it is rescinded by Common Council, whichever comes first;

AND BE IT FURTHER RESOLVED, that Mark O’Leary is hereby designated and authorized to lay informations in the Provincial Court of the Province of New Brunswick for breach of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, effective immediately, and this designation and authorization shall continue until he ceases to be an employee of Growth and Community Development Services of The City of Saint John or until it is rescinded by Common Council, whichever comes first.

3. **WHEREAS** the Common Council of The City of Saint John has enacted certain by-laws pursuant to the authority of the *Community Planning Act*, S.N.B 2017, c. 19, and amendments thereto, (the “*Community Planning Act*”) including the *Saint John Building By-law*, By-law Number C.P. 102 and amendments thereto, and it may from time to time be necessary to make inspections for the administration of this By-law;

AND WHEREAS subsection 133(1) of the *Community Planning Act* provides that a council may authorize persons at all reasonable times, and with the consent of the owner or occupant, enter any land, building or premises for the purposes of inspection if the Director, the development officer or the person authorized by the Minister or the council has reasonable grounds to believe that a development or form of development on or in the land, building or premises violates a provision of this Act or the regulations or a bylaw or an order made under this Act;

NOW THEREFORE BE IT RESOLVED, that Mark O’Leary, who is a By-law Enforcement Officer, is hereby authorized at all reasonable times, and with the consent of the owner or occupant, enter any land, building or premises within the territorial boundaries of the City of Saint John for the purpose of making any inspection that is necessary for the administration of the *Saint John Building By-law*, effective immediately, and this authorization shall continue until he ceases to be an employee of the Growth and Community Development Services department of The City of Saint John or until rescinded by Common Council, whichever comes first.

4. **WHEREAS** the Common Council of The City of Saint John has enacted certain by-laws pursuant to the authority of the *Community Planning Act*, S.N.B 2017, c. 19, and amendments thereto, (the “*Community Planning Act*”) including the *Saint John Building By-law*, By-law Number C.P. 102, and amendments thereto, and it may from time to time be necessary to make orders for the administration of this By-law;

AND WHEREAS subsection 134(1) of the *Community Planning Act* provides that a council may authorize persons to, when a development is undertaken in violation of the *Community Planning Act*, a by-law or regulation under the *Community Planning Act*, a by-law or terms and conditions imposed on the development, order the cessation of the development, alteration of such development so as to remove the violation, or the doing of anything required to restore the land, building or structure to its condition immediately prior to the undertaking of such development;

NOW THEREFORE BE IT RESOLVED, that Mark O’Leary who is a By-law Enforcement Officer, is hereby authorized to, when a development is undertaken in violation of the *Community Planning Act*, the *Saint John Building By-law* or the terms and conditions imposed on the development, order the cessation of the development, alteration of such development so as to remove the violation, or the doing of anything required to restore the land, building or structure to its condition immediately prior to the undertaking of such development, effective immediately, and this authorization shall continue until he ceases to be an employee of the Growth and Community Development Services department of The City of Saint John or until rescinded by Common Council, whichever comes first.

5. **WHEREAS**, the Common Council of The City of Saint John has enacted certain by-laws pursuant to the authority of the *Local Governance Act* and the *Community Planning Act*, including the *Saint John Dog Control By-law*, By-law Number M-13, *Mobile Home Parks By-law*, By-law Number M-20, *City of Saint John Flood Risk Areas By-law*, By-law Number C.P. 11, *Saint John Building By-law*, By-law Number C.P. 101, and *The Zoning By-law*, By-law Number C.P. 110, including all amendments thereto, and it may from time to time be necessary to commence proceedings in the Provincial Court of the Province of New Brunswick, when a person has contravened or failed to comply with these By-laws;

AND WHEREAS section 72 of the *Local Governance Act* provides that a council may appoint by-law enforcement officers for the local government and may determine their terms of office;

AND WHEREAS section 150(1) of the *Local Governance Act* provides that proceedings for breach of a by-law shall be commenced in the name of the clerk of the municipality or such other person as is designated for that purpose by the council;

NOW THEREFORE BE IT RESOLVED, that Mark O’Leary is hereby appointed as a By-law Enforcement Officer with respect to the enforcement of the *Saint John Dog Control By-law*, the *Mobile Home Parks By-law*, the *City of Saint John Flood Risk Areas By-law*, the *Saint John Building By-law*, and *The Zoning By-law*, effective immediately, and this appointment shall continue until he ceases to be an employee of Growth and Community Development Services of The City of Saint John or until it is rescinded by Common Council, whichever comes first;

AND BE IT FURTHER RESOLVED, that Mark O’Leary is hereby designated and authorized to lay informations in the Provincial Court of the Province of New Brunswick for breach of the *Saint John Dog Control By-law*, the *Mobile Home Parks By-law*, the *City of Saint John Flood Risk Areas By-law*, the *Saint John Building By-law*, and *The Zoning By-law*, effective immediately, and this appointment and

authorization shall continue until he ceases to be an employee of Growth and Community Development Services of The City of Saint John or until it is rescinded by Common Council, whichever comes first.

6. **WHEREAS** subsection 135(4) of the *Local Governance Act* provides that within thirty days after the terms of a notice have been complied with or a debt due to a municipality or due to the Minister of Finance, as the case may be, is discharged, the municipality shall provide a certificate in the form prescribed by regulation which requires that the corporate seal of the municipality to be affixed.

NOW THEREFORE BE IT RESOLVED, that Jonathan A. Taylor, Common Clerk, is hereby authorized to affix the corporate seal of The City of Saint John to a Certificate of Discharge that is issued by Mark O'Leary under the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, and such authorization shall continue until Jonathan A. Taylor ceases to be the Common Clerk of The City of Saint John or until it is rescinded by Common Council, whichever comes first.

5.5 Refer to Item 14.1

5.6 That as recommended by the City Manager in the submitted report *2019-012: Contract No. 2018-10: Sanitary Sewer System - CSO-SSO Controls Phase III*, the tender be awarded to the low Tenderer, Galbraith Construction Ltd., at the tendered price of \$121,635.50 (including HST) as calculated based upon estimated quantities, and further that the Mayor and Common Clerk be authorized to execute the necessary contract documents.

5.7 That as recommended by the City Manager in the submitted report *2019-020: Contract 2019-08: King Square South (Charlotte Street to Civic #12) – Watermain Renewal and Storm Sewer Installation*, the tender be awarded to the low Tenderer, Fairville Construction Ltd., at the tendered price of \$217,114.25 (including HST) as calculated based upon estimated quantities, and further that the Mayor and Common Clerk be authorized to execute the necessary contract documents.

5.8 That as recommended by the City Manager in the submitted report *2019-022: Contract 2019-04: Queen Square North (Charlotte Street to Sydney Street) – Water Main, Sanitary and Storm Sewer Installation and Street Reconstruction*, the tender be awarded to the low Tenderer, Galbraith Construction Ltd., at the tendered price of \$469,896.90 (including HST) as calculated based upon estimated quantities, and further that the Mayor and Common Clerk be authorized to execute the necessary contract documents.

5.9 That Shining Horizons Therapeutic Riding Association – Request to Present be referred to the Clerk to Schedule.

5.10 That as recommended by the City Manager in the submitted report *2019-027:*

CentralSquare Technologies Maintenance Fees, Common Council:

1. Authorize payment to CentralSquare Technologies (formally Superion) of up to \$192,524.40 + HST associated with the maintenance and support for 2019 for various applications related to the City's Enterprise Resource Planning (ERP) system; and
2. Approve the payment of future maintenance and support costs until such time as the City implements a new ERP system.

5.11 That the Saint John Board of Police Commissioners Letter re 2019 Executive be received for information.

5.12 That the Carleton Community Centre, Inc. – 2018 Final Report be received for information.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the recommendation set out in each consent agenda item respectively, excluding item 5.5 that was identified for discussion, be adopted.

MOTION CARRIED UNANIMOUSLY.

6. Members Comments

Council members commented on various community events.

7. Proclamations

7.1 Heritage Week – February 11th to 18th, 2019

The Mayor declared February 11th to 18th, 2019 as Heritage Week in the City of Saint John.

8. Delegations/Presentations

8.1 Saint John Heritage Awards 2018

Bob Boyce, Chair of the Heritage Development Board announced the 2018 Saint John Heritage Award winners:

1. Residential Façade Restoration, 16 Queen Street, Colin & Jan Waldschutz,
Contractors: Manchester Enterprises; William Leaman – TING Painting.
2. Residential Façade Rehabilitation, 30 Queen Street, C. O'Brien & G.R. Webb

Contractors: McDonough Bros. Landscaping; M&M Painting; Ultimate Windows and Doors; Fundy Fencing; Jim O'Reilly.

3. Commercial Façade Restoration, 112 Princess Street, Saint John Theatre Company
Contractors: Dowd Roofing Inc.; Terry Butler; Echelon Home Improvements; Design Art Signs; Robert Boyce; Bonfire Communications.

8.2 HMCS Brunswicker Naval Memorial Presentation

Referring to the submitted report entitled *HMCS Brunswicker Naval Memorial Presentation*, D.M. Brown Commanding Officer HMCS Brunswicker, Senator Noel Kinsella Honorary Captain HMCS Brunswicker, requested that Common Council approve a license to place the memorial of City land. The sod turning is planned for May 5th, 2019, the anniversary of the Battle of the Atlantic.

The City Solicitor advised that a licensing agreement would be required.

Moved by Councillor Sullivan, seconded by Deputy Mayor McAlary:
RESOLVED that HMCS Brunswicker request to locate a Naval Memorial on City owned land on Harbour Passage be referred to the City Manager for implementation.

MOTION CARRIED.

8.3 Saint John Energy – A Vision for the Future

Referring to the submitted report entitled *Saint John Energy – A Vision for the Future* R. Robinson President & CEO outlined the opportunities SJ Energy projects will bring to the City.

Benefits of SJ Energy:

- Rates are the lowest in Atlantic Canada
- No long term debt
- Customer satisfaction 85%
- Reliability higher than the National Average
- Customer support for renewables 95%

Challenges / Opportunities:

- Disruptive technologies – change presents opportunities for those who embrace it
- To be relevant and sustainable to consumers
- SJE is uniquely positioned to be able to play a leadership role in the new energy economy.

Projects:

- Wind Projects: Burchill Wind Project
- NRCAN Smart Grid Project (\$11M)
- PV Pilot (Solar Pilot)

In summary, SJ Energy remains committed to the growth strategy and the evolution from a pure electric distribution utility to a more diverse generation, distribution and customer-driven energy services firm, a model that has been successfully implemented by municipalities of all sizes across Canada.

Moved by Deputy Mayor McAlary, seconded by Councillor Strowbridge:

RESOLVED that the Saint John Energy Presentation – A Vision for the Future, be received for information.

MOTION CARRIED

9. Public Hearings 6:30 PM

10. Consideration of By-laws

10.1 Nuisance Deer Management Program and Bylaw Respecting the Feeding of Deer within the City (1st and 2nd Reading)

Referring to the submitted report entitled *Nuisance Deer Management Program*, Commissioner M. Hugenholtz introduced the Deer Management Program, and the *Feeding of Deer Bylaw*. As recommended in the report the Commissioner suggested that Council give first and second reading of the *Feeding of Deer Bylaw* at this meeting and that part two of the recommendation, the *Nuisance Deer Management Assistance Program* be tabled to a future meeting.

Responding to a question, the City Manager advised that trespassing will be defined before third reading.

Responding to a question, the City Solicitor advised that the Bylaw does not permit trespassing.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "A By-Law Respecting the Feeding of Deer within The City of Saint John", be read a first time.

MOTION CARRIED with Deputy Mayor McAlary voting nay.

Read a first time by title, the by-law entitled, "A By-Law Respecting the Feeding of Deer within The City of Saint John".

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "A By-Law Respecting the Feeding of Deer within The City of Saint John", be read a second time.

MOTION CARRIED with Deputy Mayor McAlary voting nay.

Read a second time by title, the by-law entitled, "A By-Law Respecting the Feeding of Deer within The City of Saint John."

10.2 By-Law Respecting the Procedures of the Common Council of The City of Saint John

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the by-law entitled, "By-Law Number M-5 A Law to Amend a By-Law respecting the Procedures of the Common Council of the City of Saint John" to permit remote participation for Council members via telephone conference call for special meetings, emergency meetings and Committee of the Whole closed session; and provide a formal process for managing submissions or representations received by the City subsequent to a legislated public hearing held by Council, be read.

MOTION CARRIED.

In accordance with the *Local Governance Act* sub-section 15(3) the by-law entitled, "By-Law Number M-5 A Law to Amend a By-Law respecting the Procedures of the Common Council of the City of Saint John" instead of being read in its entirety was read in summary as follows:

"The bylaw will permit remote participation for Council members via telephone conference call for special meetings, emergency meetings and Committee of the Whole closed session; and provide a formal process for managing submissions or representations received by the City subsequent to a legislated public hearing held by Council."

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the by-law entitled, "By-Law Number M-5 A Law to Amend a By-Law respecting the Procedures of the Common Council of the City of Saint John" to permit remote participation for Council members via telephone conference call for special meetings, emergency meetings and Committee of the Whole closed session; and provide a formal process for managing submissions or representations received by the City subsequent to a legislated public hearing held by Council, be read a third time, enacted and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, “By-Law Number M-5 A Law to Amend a By-Law respecting the Procedures of the Common Council of the City of Saint John.”

10.3 Zoning Bylaw Amendment – 3700 King William Road (3rd Reading) with Section 59 Conditions

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the by-law entitled, “A Law to Amend the Zoning By-Law of The City of Saint John” amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 31.1 hectares, located at 3700 King William Road, also identified as PID Number 55218754 from Medium Industrial (IM) to Pit and Quarry (PQ), be read in its entirety.

MOTION CARRIED.

The by-law entitled, “A Law to Amend the Zoning By-Law of The City of Saint John” was read in its entirety.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that, pursuant to the provisions of Section 59 of the *Community Planning Act*, the use of the parcel of land with an area of 31.1 hectares, located at 3700 King William Road, also identified as PID Number 55218754, for the use of a Pit and for the use of a Quarry, be subject to the following conditions:

- a. An engineered storm drainage submission must be provided for excavation and rehabilitation activities. No storm drainage to the roadway or adjacent lands is allowed.
- b. Notwithstanding the provisions of 12.4(6)(a) of the Zoning By-law, the existing treed buffer along the portions of the property along King William Road shall be maintained. If the existing treed buffer along King William Road is damaged or further reduced, the owner must replant the buffer to meet the requirements of 12.4(6)(a) of the Zoning By-law.

MOTION CARRIED.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the by-law entitled, “A Law to Amend the Zoning By-Law of The City of Saint John” amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 31.1 hectares, located at 3700 King William Road, also identified as PID Number 55218754 from Medium Industrial (IM) to

Pit and Quarry (PQ), be read a third time, enacted and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, "A Law to Amend the Zoning By-Law of The City of Saint John."

11. Submissions by Council Members

12. Business Matters - Municipal Officers

12.1 Demolition of Vacant, Dilapidated and Dangerous Building at 76 St. James Street West (PID# 55145916)

Commissioner Hamilton introduced R. Van Wart Manager of the Demolition of Vacant Buildings Program to provide an overview of the demolition.

The Mayor read the cautionary statement as follows:

"The information which has been provided in the Council Kit includes the report of the Building Inspector stating that the building located at 76 St. James Street West (PID 55145916) is 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 building is structurally sound and not dilapidated?"

No one came forward to present evidence that the building is structurally sound and not dilapidated.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:

RESOLVED that as recommended by the City Manager in the submitted report *M&C 2019-021: Demolition of Vacant, Dilapidated and Dangerous Building at 76 St. James Street West (PID 55145916)*, Common Council approve the following:

RESOLVED that the building located at 76 St. James Street West, PID# 55145916, is to be demolished as it has become a hazard to the safety of the public by reason of dilapidation; and

BE IT FURTHER RESOLVED, that said building is to be demolished as it has 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 2019 Community Grant Recommendations

Commissioner Hugenholtz outlined the Committee's work reviewing and evaluating 52 grant applications totaling over \$648,503. The total grant envelope of \$179,721 will be dispersed in community grants. B. Freeze responded to questions on criteria for selection.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the City Manager in the submitted report entitled *M&C 2019-019: 2019 Community Grant Recommendations*, Common Council approve that the following applicants be approved for funding at the indicated amount:

360 Stand.....	\$4,000.00
ARCf de Saint-Jean.....	\$2,000.00
Bee Me Kidz.....	\$6,000.00
Brilliant Labs.....	\$15,000.00
Cherry Brook Zoo.....	\$15,000.00
Denis Morris Community Centre.....	\$6,000.00
Fog Lit Festival.....	\$1,500.00
Fundy Gymnastics.....	\$2,000.00
Fundy Fringe Festival.....	\$5,000.00
Human Development Council.....	\$15,000.00
Junior Achievement.....	\$300.00
KBM Outing Association.....	\$6,000.00
Lancaster Kiwanis Club.....	\$1,500.00
Latimore Lake Community Centre	\$6,000.00
Lorneville Community Centre	\$6,000.00
Marathon by the Sea.....	\$8,000.00
Martinon Community Centre.....	\$6,000.00
Milford Community Centre	\$6,000.00
NB Competitive Festival of Music.....	\$2,000.00
NBYO – Sistema.....	\$5,000.00
New Dawn Community.....	\$1,000.00
PRUDE Inc.....	\$15,000.00
Read SJ.....	\$2,000.00
Seaside Lawn Bowling Club.....	\$1,500.00
Seniors Resource Centre	\$8,000.00
Shining Horizons Therapeutic Riding Assoc.....	\$15,000.00
SJ Multicultural NRC.....	\$15,000.00

Symphony New Brunswick.....	\$2,000.00
The Y's Men.....	\$250.00
Saint John Cycling Club/Trail Miners.....	\$1,671.00

MOTION CARRIED.

12.3 2019 Sports Field Rates and Outdoor Facility Allocation Policy

Commissioner Hugenholtz stated the increases are based on a council resolution and report from 2016.

Responding to questions on continuing increases to user fees and residency requirements, the City Manager stated that user fees, residency and administration will be examined in a long term sustainability plan.

Moved by Deputy Mayor McAlary, seconded by Councillor Armstrong:

RESOLVED that as recommended by the City Manager in the submitted report *M&C 2019-017: 2019 Sports Field Rates and Outdoor Facility Allocation Policy*, Common Council approve the proposed 2019 Field Rates and Outdoor Facility Allocation Policy.

MOTION CARRIED.

The City Solicitor and Councillor Norton withdrew from the meeting. The Acting City Solicitor M. Tompkins took her seat at the Council Table.

12.4 West Saint John - Corrosion Control Investigation

Referring to the submitted report entitled *M&C 2019-24: West Saint John - Corrosion Control Investigation*, Commissioner McGovern updated Council on the results from Dalhousie University's Centre for Water Resources and the review by Mr. Chaulk of CBCL Limited.

Mr. Chaulk communicated his review of the results from the study.

The Acting City Solicitor advised Council that the Water Dispute is under a litigation process begun by a group of residents on the West Side. Council committed to investigate and make the results of the investigation undertaken by Dalhousie University publicly available. Staff presented the results of the investigation this evening, and the information has been posted publicly on the City website. The solicitor cautioned that there is a court and plaintiff approved communication that provides that council as a public body is in a precarious position in that it has to fulfill its political obligations while at the same time not negatively impacting the legal process which is why questions that relate to the fundamental core or causation of this problem should be directed to legal

counsel. The solicitor cautioned council members to keep that in mind as they proceed with their questions.

Moved by Councillor Sullivan, seconded by Deputy Mayor McAlary:

RESOLVED that the submitted report *M&C 2019-024: West Saint John - Corrosion Control Investigation*, be received for information.

MOTION CARRIED.

13. Committee Reports

14. Consideration of Issues Separated from Consent Agenda

14.1 Service Agreements - Priority Neighbourhood Associations

Referring to the submitted report entitled *M&C 2019-023: Service Agreements - Priority Neighbourhood Associations*, Commissioner Hugenholtz stated that in previous years the term had been three years, however due to the forthcoming sustainability review the term has been reduced to two years.

Responding to a question the Commissioner stated that each Agreement has a cancellation clause.

Moved by Councillor Reardon, seconded by Councillor MacKenzie:

RESOLVED that the term for the Service Agreements be extended to three years.

MOTION DEFEATED with Deputy Mayor McAlary and Councillors Armstrong, Merrithew, Norton, Casey and Sullivan voting nay.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the City Manager in the submitted report 2019-023: Service Agreements - Priority Neighbourhood Associations:

- 1) Common Council approve service agreements with the Priority Neighbourhood Association's identified in this report, and that;
- 2) The City Solicitor be directed to prepare all necessary documents outlining the terms and conditions for specific Service Agreement with each Neighbourhood Association, and that;
- 3) The Mayor and Common Clerk be authorized to sign any required documentation.

MOTION CARRIED with Councillor Reardon voting nay.

15. General Correspondence

15.1 Ticket Purchase Request - Amazeatorium 2019 at Harbour Station

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the ticket purchase request for Amazeatorium 2019 at Harbour Station be approved and the Office of the Common Clerk be directed to purchase the minimum number (25) tickets for those Council members wishing to attend the event subject to PRO kids not having already purchased tickets.

MOTION CARRIED.

16. Supplemental Agenda

17. Committee of the Whole

17.1 Safe, Clean Drinking Water – Payment of Relief Events

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the Committee of the Whole having met on February 11th, 2019 Common Council adopt the following:

1. That the City accept the documentation provided by Port City Water Partners (PCWP) establishing at \$2,019,917.25 plus HST the increase to PCWP's net cost of carrying out the SCDWP Works caused by contamination Relief Events, for which the City retained the risk under the Project Agreement, during the Construction Period; and further,
2. That, pursuant to section 14 of the Project Agreement, the City pay to PCWP \$2,019,917.25 plus HST for all open Relief Events on the project, except Relief Events 23 and 36, in return for a Full and Final Release.

MOTION CARRIED.

17.2 Funding Agreement with ACOA and Province of New Brunswick

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the Committee of the Whole having met on February 11th, 2019 Common Council adopt the following:

RESOLVED that pursuant to applications for funding made by The City of Saint John (the "City") to the Atlantic Canada Opportunities Agency ("ACOA") and to the Province of New Brunswick (the "Province"), Common Council approves a funding agreement with each of ACOA and the Province;

BE IT FURTHER RESOLVED that the Mayor and Common Clerk be authorized to execute each such funding agreement;

BE IT FURTHER RESOLVED that the Mayor and Common Clerk authorize the allocation of \$66,774 from the Growth Reserve over the coming three years to support the Succeed and Stay tri-government partnership;

AND BE IT FURTHER RESOLVED that the aforesaid funding agreements be kept confidential as required by ACOA, until a public announcement is coordinated by all involved partners.

MOTION CARRIED.

17.3 Recommended Appointments to Committees

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the Committee of the Whole having met on February 11, 2019, Common Council approve the following appointments:

Citizen Recognition Awards Committee: to appoint Deputy Mayor McAlary, Councillor Norton, and Jonathan Taylor from Feb 11, 2019 until a recommendation is brought back to Council

Heritage Development Board: Notwithstanding the policy adopted by Common Council on October 29, 2012 regarding appointments to agencies, boards, and commissions, to reappoint Bob Boyce for a 1 year term from April 4, 2019 to April 4, 2020

Lord Beaverbrook Rink: to appoint Heather McBriarty for a 3 year term from April 29, 2019 to April 29, 2022

PRO Kids: to appoint Jason Court, Laura Gould, and Caleb Jones for 3 year terms from February 11, 2019 to February 11, 2022

Saint John Aquatic Centre Commission: to appoint Leslie Keirstead for a 3 year term from February 11, 2019 to February 11, 2022

Saint John Parking-Transit Commission: to reappoint Patricia Ellsworth for a 3 year term from April 29, 2019 to April 29, 2022 to both the Parking and Transit Commissions

Saint John Substandard Properties Appeal Committee: Notwithstanding the policy adopted by Common Council on October 29, 2012 regarding appointments to agencies, boards, and commissions, to reappoint Cheryl Johnson from April 4, 2019 to April 4, 2022

FCM Committee: Mayor Darling and Councillor MacKenzie to attend the 2019 FCM Conference in Quebec City.

MOTION CARRIED.

18. Adjournment

Moved by Councillor Sullivan, seconded by Councillor Armstrong:

RESOLVED that the meeting of Common Council held on February 11, 2019, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 9:48 p.m.