



The City of Saint John

MINUTES – REGULAR MEETING  
COMMON COUNCIL OF THE CITY OF SAINT JOHN  
FEBRUARY 25, 2019 AT 6:00 PM  
IN THE COUNCIL CHAMBER

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Present: Mayor Don Darling  
Deputy Mayor Shirley McAlary  
Councillor Ward 1 Blake Armstrong  
Councillor Ward 1 Greg Norton  
Councillor Ward 2 Sean Casey  
Councillor Ward 2 John MacKenzie  
Councillor Ward 4 David Merrithew  
Councillor Ward 4 Ray Strowbridge

Absent: Councillor-at-Large Gary Sullivan  
Councillor Ward 3 Donna Reardon

Also Present: City Manager J. Collin  
Deputy City Manager N. Jacobsen  
Police Chief B. Connell  
Fire Chief K. Clifford  
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  
City Solicitor J. Nugent  
Common Clerk J. Taylor  
Deputy Common Clerk P. Anglin

**1. Call to Order**

**2. Approval of Minutes**

**2.1 Minutes of February 11, 2019**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

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

MOTION CARRIED.

**3. Approval of Agenda**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

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

16.1 Proposed Public Hearing Date – 175 Hilyard Street and 86-88 Regent Street

MOTION CARRIED.

**4. Disclosures of Conflict of Interest**

**5. Consent Agenda**

5.1 That the Huntington Society of Canada Letter re Awareness of Huntington Disease be referred to the Clerk to prepare a Proclamation.

5.2 That as recommended by the City Manager in the submitted report M&C 2019-31: *Contract No. 2019-01: Wentworth Street (Union Street to Elliot Row) – Water, Sanitary and Storm Sewer Renewal and Street Reconstruction*, the contract be awarded to the low Tenderer, TerraEx Inc., at the tendered price of \$483,194.35 (including HST) as calculated based upon estimated quantities, and further that the Mayor and Common Clerk be authorized to execute the necessary contract documents.

5.3 That as recommended by the City Manager in the submitted report M&C 2019-34: *Contract No. 2019-12: Ellerdale Street – 200mm Water Main*, the contract be awarded to the low Tenderer, Galbraith Construction Ltd., at the tendered price of \$635,170.30 (including HST) as calculated based upon estimated quantities, and further that the Mayor and Common Clerk be authorized to execute the necessary contract documents.

5.4 That as recommended by the City Manager in the submitted report M&C 2019-36: *Traffic Paint Sole Source*, Notwithstanding the City's Procurement Policy, Common Council authorize City staff to purchase Franklin Paint Company traffic paint for the 2019 construction season as a sole source procurement from Stinson Equipment Limited at a cost of \$95,307.17 plus HST.

5.5 That as recommended by the City Manager in the submitted report M&C 2019-033: *Emera Brunswick Pipeline Company Ltd. Reinstatement, Continuation & Amending Agreement Required for Contract 2019-09: M-R-G Forcemain Renewal – Phase 1*:

1. The City of Saint John enter into the Emera Brunswick Pipeline Company Ltd. Reinstatement, Continuation & Amending Agreement attached to M&C 2019-33 for the one-time fee of \$10 plus HST; and further,
2. That the Mayor and Common Clerk be authorized to execute the submitted Agreement document.

5.6 That the Saint John Jeux Canada Games Foundation, Inc. Letter re Proposed Amendment Agreement of Letters Patent be referred to the City Manager.

5.7 That as recommended by the City Manager in the submitted report M&C 2019-039: *Fleet Replacement Procurement – February 2019*, Common Council award the purchase of one (1) Vacuum/Jetter Truck at a total cost of \$538,843.00 plus HST to FST Canada Inc. O/A Joe Johnson Equipment.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

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**

### **7.1 Freedom to Read Week – February 24<sup>th</sup> to March 2<sup>nd</sup>, 2019**

The Mayor declared February 24<sup>th</sup> to March 2<sup>nd</sup>, 2019 as Freedom to Read Week in the City of Saint John.

## **8. Delegations/Presentations**

**8.1 Saint John Tool Library & DIY Centre**

B. Harris presented to Council on the SJ Tool Library mission to inspire, equip, and revitalize our neighbourhoods. The Community Build concept similar to a pioneer barn raising was described to illustrate volunteer support. Mr. Harris advocated that Council help the Tool Library become a de facto piece of the City's infrastructure.

Moved by Deputy Mayor McAlary, seconded by Councillor Merrithew:

RESOLVED that the Saint John Tool Library & DIY Centre Presentation be received for information.

MOTION CARRIED.

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

**10. Consideration of By-laws**

**10.1 Public Presentation – Proposed Municipal Plan Amendment re: Policies Related to Regional Retail Centres**

Commissioner Hamilton advised Council that the Public Presentation is for a proposed *Municipal Plan Amendment* to policies related to the City's Regional Retail Centres. This commences a 30 day public review period during which the public can make written submissions to Council on the application. While this plan amendment was prompted by site specific application which involves a new 200 unit residential development in the East Point area, the amendment will allow this approach to be considered more broadly in the City's Regional Retail Centres both East and West.

Reading into the record, J. Hamilton provided stated: "This is a Public Presentation for a proposed amendment to the Municipal Development Plan which would include amendments to the Municipal Plan policies including those in subsections 2.3.2 Employment Areas, 3.5.2 Employment Areas and 4.3.5 Urban Design Principles for Employment Areas in addition to other relevant subsections and policies to provide for residential development within the Regional Retail Centre land use designation or a mix of commercial and residential land uses as part of a mixed use development proposal."

Written objections to the proposed amendment may be addressed to Council and submitted to the Office of the Common Clerk by March 27, 2019.

Enquiries on the proposed amendment may be made to the Growth and Community Planning Department at City Hall, 658-2911 between the hours of 8:30 a.m. – 4:30 p.m. Monday to Friday.

10.2 Public Presentation – Proposed Municipal Plan Amendment re: 1007-1019 Millidge Avenue

Commissioner Hamilton advised Council the public presentation is for a proposed *Municipal Plan* amendment to 1007-1019 Millidge Avenue. This commences a 30 day public review period during which the public can make written submissions to Council on the application.

Reading into the record, J. Hamilton stated: This is a Public Presentation for a proposed amendment to the Municipal Development Plan which would redesignate on Schedule A of the Municipal Development Plan, a parcel of land with an area of approximately 7242 square metres located at 1007-1019 Millidge Avenue, also identified as PID Numbers 00048397, and 00048389, from Stable Area and Park and Natural Area to Employment Area; and to redesignate, on Schedule B of the Plan, the same parcel of land, from Stable Residential and Park and Natural Area to Stable Commercial, to construct a building for boat repair and large recreational vehicle sales and service.

Written objections to the proposed amendment may be addressed to Council and submitted to the Office of the Common Clerk by March 27, 2019.

Enquiries on the proposed amendment may be made to the Growth and Community Planning Department at City Hall, 658-2911 between the hours of 8:30 a.m. – 4:30 p.m. Monday to Friday.

10.3 By-Law Respecting the Feeding of Deer within The City of Saint John (3<sup>rd</sup> Reading)

The City Manager advised that a report on the entire Deer Management Nuisance Program will be brought to Council at a later date. Tonight is only third reading of the Deer Feeding Bylaw.

Responding to a question concerning the different needs in PDA high density areas and rural areas, Commissioner Hugenholtz responded that the bylaw will apply to the entire City. However, enforcement of the bylaw will be focused in the Milford, Millidgeville hot spots where deer are in close proximity to residents. The bylaw enforcement will be complaint driven and our limited resources will be directed to those areas.

Moved by Councillor MacKenzie, seconded by Councillor Strowbridge:  
RESOLVED that the by-law entitled, “By-Law Number L.G.-3, A By-Law Respecting the Feeding of Deer within The City of Saint John”, be read.

MOTION CARRIED with Deputy Mayor McAlary voting nay.

The by-law entitled, “By-Law Number L.G.-3, A By-Law Respecting the Feeding of Deer within The City of Saint John”, was read in its entirety.

Moved by Councillor Merrithew, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "By-Law Number L.G.-3, A By-Law Respecting the Feeding of Deer within The City of Saint John", be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED with Deputy Mayor McAlary voting nay.

Read a third time by title, the by-law entitled, "By-Law Number L.G.-3, A By-Law Respecting the Feeding of Deer within The City of Saint John".

**10.4 A By-Law Respecting Closing of Road, Streets or Highways in The City of Saint John (1<sup>st</sup> and 2<sup>nd</sup> Reading)**

The City Solicitor commented on the legislative requirements under the former *Municipalities Act* and the current *Local Governance Act*. The only material difference in the process to close a street is the form of publication required; formerly the notice had to be made by publishing in a newspaper, now the form of advertising can be done on the City's website.

Consideration was given to the submitted report, M&C 2019-38: A By-Law Respecting Closing of Roads, Streets or Highways in The City of Saint John.

Moved by Deputy Mayor McAlary, seconded by Councillor Norton:

RESOLVED that the by-law entitled, "A By-Law Respecting the Closing of Roads, Streets or Highways in The City of Saint John", be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled, "A By-Law Respecting the Closing of Roads, Streets or Highways in The City of Saint John."

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "A By-Law Respecting the Closing of Roads, Streets or Highways in The City of Saint John", be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled, "A By-Law Respecting the Closing of Roads, Streets or Highways in The City of Saint John."

**11. Submissions by Council Members**

**11.1 Localized Flooding (Councillor Strowbridge)**

The City Manager addressed the referral motion stating he understands the spirit of the motion but has some concern with the wording. To do an in depth analysis would require 3<sup>rd</sup> party consultation full engineering survey. The City could report back initially with an overview of the current City storm water management plan for discussion and improvement.

Moved by Councillor Merrithew, seconded by Councillor MacKenzie:

RESOLVED that Council refer agenda item 11.1 *Localized Flooding* to the City Manager and direct the City Manager to report back on the current City storm water management plan.

MOTION CARRIED.

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

### **12.1 Love Your City Campaign**

The City Manager commented that the Population Growth Framework deliverables include several positive messaging phases to inspire residents to share their stories. This Love Your City campaign phase, has a radio call-in contest sponsored on 97.3 The Wave and Country 94. Residents are invited to call in and share their stories. The radio call-in will be conducted over a 3-4 month term.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the submitted report *M&C 2019-40: Love Your City Campaign*, be received for information.

MOTION CARRIED.

## **13. Committee Reports**

### **13.1 Growth Committee: 2019 Expectation Letters for Economic Development Agencies**

The Mayor as Chair of the Growth Committee highlighted the continuous development of the Mandate letters since implemented in 2017. The outcomes are to accelerate growth in the three pillars - people, jobs, and growing the tax base. The City's expectations are to see an excellent return on investment, foster transparency and communication with Council, growth outcomes, enhanced reporting through an annual plan, progress reports on the plan, and a year-end summary. Economic Development Greater Saint John and Develop SJ are the City's economic development agencies.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that as recommended by the Growth Committee in the submitted report *2019 Expectation Letters for Economic Development Agencies*, Common Council approve the 2019 expectation letters with DevelopSJ and Economic Development Greater Saint John.

MOTION CARRIED.

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

**15. General Correspondence**

**15.1 Ticket Purchase Request – 2019 Red Triangle Award Gala**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the ticket purchase request for the 2019 Red Triangle Award Gala be approved and the Office of the Common Clerk be directed to purchase tickets for those Council members wishing to attend the event.

MOTION CARRIED.

**15.2 Ticket Purchase Request – Children’s Wish Foundation**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the ticket purchase request for the 2019 Children’s Wish Foundation Gala be approved and the Office of the Common Clerk be directed to purchase tickets for those Council members wishing to attend the event.

MOTION CARRIED.

**16. Supplemental Agenda**

**16.1 Proposed Public Hearing Date – 175 Hilyard Street and 86-88 Regent Street**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that as recommended by the City Manager in the submitted report M&C 2019-369: Proposed Public Hearing Date – 175 Hilyard Street and 86-88 Regent Street, Common Council schedule the public hearings for the zoning by-law text amendment and rezoning applications of Haldor (1972) Ltd. (175 Hilyard Street) and Joseph Fabien Duguay and John Bujold (on behalf of Stephen and Linda Jarvis) (86-88 Regent Street) for Monday April 8, 2019 at 6:30 p.m. in the Ludlow Room, and refer the applications to the Planning Advisory Committee for a report and recommendation.

MOTION CARRIED.



**17. Committee of the Whole**

**18. Adjournment**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the meeting of Common Council held on February 25, 2019, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 7:23 p.m.