



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
May 17th, 2021 AT 6:00 PM
2nd FLOOR COMMON 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 John MacKenzie
Councillor Ward 3 Donna Reardon
Councillor Ward 3 David Hickey
Councillor Ward 4 David Merrithew
Councillor Ward 4 Ray Strowbridge

Also Present: City Manager J. Collin
General Counsel M. Tompkins
Fire Chief & Chief Emergency Management Services K. Clifford
Chief of Staff & Chief Financial Officer K. Fudge
Commissioner, Human Resources S. Hossack
Commissioner, Public Works and Transportation Services M. Hugenholtz
Commissioner, Utilities & Infrastructure Services B. McGovern
Commissioner, Growth & Community Services J. Hamilton
Director Legislative Services / City Clerk J. Taylor
Deputy City Clerk P. Anglin
Administrative Clerk R. Evans

1. Call to Order

Due to the COVID-19 Mandatory Order restriction protocols public access to the Council Chambers is restricted. To ensure public access and transparency the meeting is being livestreamed, video recorded and posted to the City's website after the meeting has concluded.

2. Approval of Minutes

2.1 Minutes of May 3, 2021

Moved by Councillor Merrithew, seconded by Councillor MacKenzie:
RESOLVED that the May 3rd, 2021 meeting minutes be approved.

MOTION CARRIED.

2.2 Minutes of May 5th, 2021

Moved by Councillor Sullivan, seconded by Councillor Reardon:
RESOLVED that the May 5th, 2021 meeting minutes be approved.

MOTION CARRIED.

3. Approval of Agenda

Moved by Councillor Reardon, seconded by Councillor Hickey:
RESOLVED that the agenda of May 17th, 2021 be approved with the addition of the following:

- Attachment to item 5.9 Confidentiality and Non-Disclosure Agreement,
- Addition of item 8.1 a recommendation from Committee of the Whole with respect to a Letter of Intent with LBR.

MOTION CARRIED.

4. Disclosures of Conflict of Interest

5. Consent Agenda

5.1 That as recommended by the City Manager in the submitted report M&C 2021-124: Refrigeration System Upgrades - Various Arenas that:

1. The tender submitted by Black & McDonald Limited, for the Refrigeration System Upgrades at the various Arenas in the amount of \$240,235 plus HST be accepted. Further to the base tender amount, a contingency allowance be

included out for this project in the amount of \$10,000 plus HST, for a total cost of \$250,235 plus HST; and that the Mayor and City Clerk be authorized to execute the necessary contract documents; and

2. That the City accept the offer by the Regional Development Corporation for funding from the Community Development Fund for the project entitled "City of Saint John - Improvements" also known as "Project No.: 14107" as presented to Council at its May 17, 2021 meeting and that the Mayor and City Clerk be authorized to execute the said offer.

5.2 That as recommended by the City Manager in the submitted report M&C 2021-146: Lower Roofs Replacement, City Market, Common Council approve the tender submitted by Dowd Roofing Inc, for the Replacement of the Lower Roofs at the City Market in the amount of \$204,250.00 (plus HST) be accepted. Further to the base amount, it a contingency allowance be carried for this project in the amount of \$20,000.00 plus HST, for a total amount of \$224,250.00 plus HST; and that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.3 That as recommended by the City Manager in the submitted report M&C 2021-147: Contract 2021-147: National Disaster Mitigation Program (NDMP) Funding Sub-Contribution Agreement; Common Council adopt the following:

That the City enter into a Sub-Contribution Agreement with Her Majesty the Queen in Right of New Brunswick as represented by the Minister of Justice and Public Safety for financial contribution to the approved project "Flood Risk Mitigation Strategy for Lower Cove Loop" in the form attached to M&C 2021-147; and that the Mayor and City Clerk be authorized to execute the necessary contract documents; and,

Common Council approve the proposal from CBCL Limited for the Flood Risk Mitigation Strategy for Lower Cove Loop in the amount of \$89,987.50 including HST be accepted and that the Mayor and City Clerk be authorized to execute the appropriate documentation in that regard.

5.4 That as recommended by the City Manager in the submitted report M&C 2021-152: Contract 2021-07: Broadview Avenue (Charlotte Street to Carmarthen Street) - Water, Sanitary and Storm Sewer Renewal and Street Reconstruction the contract be awarded to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$1,151,535.25 (including HST) as calculated based upon estimated quantities, and further that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.5 That as recommended by the City Manager in the submitted report M&C 2021-157: Fire Services Review Reserve Funding, Common Council approve the transfer of

\$95,800.00 (plus applicable HST) from the General Fund Operating Reserves to fund the cost of the Fire Service Review as part of the approved restructuring plan.

5.6 That as recommended by the City Manager in the submitted report M&C 2021-148: CCTV Restore Peel Parking Garage,

1. Common Council approve the expenditure of funds of \$63,855.71 plus HST to restore CCTV (closed-circuit television) functionality at the Peel Plaza Parking Garage, and;
2. Authorize the City Manager to sign the quote from Atlantic Alarm and Sound Ltd. to indicate the prices, specifications and conditions are satisfactory and accepted; and to authorize work to begin.

5.7 That as recommended by the City Manager in the submitted report M&C 2021-149: Emergency Alerts – Voicemail and Text Services, Common Council approve that:

1. The City expend \$0.02 per voicemail and text message sent during an emergency event for emergency alert services from Twilio Inc. until the service is terminated within 30 days of written notice; and further
2. That the City accept Twilio's Terms of Service for sending out emergency alerts from the City's website; and further
3. That the Mayor and City Clerk be authorized to execute any necessary documents to effect the use of the Twilio emergency alert service.

5.8 That as recommended by the City Manager in the submitted report M&C 2021-151: Statement of Work Agreement with Esri Canada, Common Council approve the Agreement Esri Canada Consulting Service Request Terms and Conditions between Esri Canada ("Vendor") and the City of Saint John ("Customer") for professional services to restore ArcGIS Enterprise and that Mayor and City Clerk be authorized to execute the necessary documents.

5.9 That as recommended by the City Manager in the submitted report M&C 2021-158: Non-Disclosure Agreement Between the City and Irving Pulp & Paper, Limited, Torchlight Bioresources Inc., and Rathco Ltd:

1. The City of Saint John enter into a Non-Disclosure Agreement ("NDA") between the City Irving Pulp & Paper, Limited, ("IPPL"), TorchLight Bioresources Inc. ("Torchlight"), and Rathco ENG Ltd. ("Rathco") to ensure the confidentiality of information to be disclosed by The City of Saint John, IPPL, Torchlight, and Rathco in discussions amongst the foregoing pertaining to the possibility of a district energy system ("DES"); and further that

2. the Mayor and City Clerk be authorized to execute NDAs in a form substantially similar to the template agreement attached, in order to ensure the confidentiality of information as may be disclosed between The City of Saint John and other applicable parties in future discussions with such parties regarding a DES.

5.10 That as recommended by the City Manager in the submitted report M&C 2021-159: Student Microsoft Licensing the City enter into an Agreement with Softchoice LP, an Ontario limited partnership, to purchase Office 365 on the Microsoft Cloud Solution Provider (“CSP”) Program in the form attached to M&C 2021-159; and that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.11 That as recommended by the City Manager in the submitted report M&C 2021-155: Strategic Real Estate Capital Reserve Fund:

BE IT RESOLVED that Common Council create a Strategic Real Estate Capital Reserve Fund, and that this fund is established from \$1,625,899 received from Develop Saint John as part of its wind down on December 31, 2021;

FURTHER BE IT RESOLVED that this fund be restricted for strategic real estate development opportunities in the City of Saint John, and that the City Manager be directed to return to Council with a policy on the parameters for spending from this fund.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

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

MOTION CARRIED UNANIMOUSLY.

6. Proclamations

6.1 Disability Awareness Week – May 30 to June 5, 2021

The Mayor proclaimed May 30 - June 5, 2021 Disability Awareness Week in the City of Saint John.

7. Consideration of Issues Separated from Consent Agenda

8. Committee of the Whole

8.1 Letter of Intent – LBR

Moved by Councillor MacKenzie, seconded by Councillor Reardon:

RESOLVED that the City enter into a Letter of Intent with the Board of Trustees of the Lord Beaverbrook Rink at Saint John, Inc. for the purpose of adopting a License Agreement to

access the Peter Murray Arena in the form attached to M&C No. 2021-156; and that the Mayor and City Clerk be authorized to execute the necessary documents.

MOTION CARRIED.

9. Members Comments

Moved by Councillor MacKenzie, seconded by Councillor Reardon:

RESOLVED that the Procedural Bylaw rules regarding speaking time limits be suspended to allow Council Members to speak longer than 3 minutes.

MOTION CARRIED.

Council Members commented on their term as elected officials on Common Council coming to an end May 25th passing on the torch to a newly elected council and gave thanks to their family, colleagues, staff and the public for their support, contributions, hard work and sacrifices.

10. Adjournment

Moved by Councillor Norton, seconded by Councillor Reardon:

RESOLVED that the meeting of Common Council held on May 17, 2021 be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 7:16 p.m.