



The City of Saint John

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

Present: Mayor Don Darling
Presiding Officer 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 4 David Merrithew

Regrets: Councillor Ward 3 Donna Reardon
Councillor Ward 4 Ray Strowbridge

Also Present: City Manager J. Collin
Deputy City Manager N. Jacobsen
City Solicitor J. Nugent
Inspector T. Leblanc
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
Common Clerk J. Taylor
Administrative Officer R. Evans

1. Call to Order

2. Approval of Minutes

2.1 Minutes of April 23, 2019

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the minutes of the meeting of Common Council, held on April 23, 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 be approved with the addition of the following items:

16.1 Ticket Purchase Request – 2019 Seafood Fiesta

16.2 Ticket Purchase Request – 2019 Loyalist Day Dinner

16.3 Ticket Purchase Request – Shining Horizons Gala

17.1 SCDWP Update

17.2 Update to the Terms and Conditions of Employment for Management / Professional Personnel

17.3 Dredging of Market Slip.

MOTION CARRIED.

4. Disclosures of Conflict of Interest

5. Consent Agenda

5.1 That the J. Stephenson Letter – 7 Year Rule for Age of Taxi Vehicles be referred to the Transit Commission.

5.2 That the submitted report *M&C 2019-106: Public Information Session: Chipman Hill (Union Street to King Street) – Water, Sanitary and Storm Sewer Renewal and Street Reconstruction*, be received for information.

5.3 That as recommended by the City Manager in the submitted report *M&C 2019-110: Fleet Replacement Procurement – April 2019*, Common Council award the purchase of two (2) Tandem Refuse Packers at a total cost of \$600,916.00 plus HST to Saunders Equipment Ltd.

5.4 That as recommended by the City Manager in the submitted report *M&C 2019-108: Engineering Services – Musquash Water Pumping Station Upgrades*, the proposal from CBCL Limited for engineering services for the Musquash Water Pumping Station Upgrades Project No. 2019-091002P (the “Project”), be accepted as follows:

- a) Design work to be completed by CBCL Limited under the 2019 Capital Program, at a cost of \$426,600 plus HST.
- b) Subject to Common Council’s approval that the funding for the construction component of the Project will be included in the 2020 & 2021 Water & Sewerage Utility Fund Capital Programs, the remainder of the engineering services work (construction management) for the Project is to be carried out by CBCL Limited after Common Council approval of the 2020 & 2021 Capital Programs at a cost of \$397,020 plus HST.

5.5 That as recommended by the City Manager in the submitted report *M&C 2019-102: 2019 Unidirectional Water System Flushing*, notwithstanding the City’s Procurement Policy for Engagement of Professional Services, Common Council authorize staff to extend the agreement with Aqua Data Atlantic for an additional year (2019) at the same cost as 2018.

5.6 That as recommended by the City Manager in the submitted report *M&C 2019-109: City Market Lease with Naan-Ya Business Restaurant Ltd.*,

1. The City enter into a Lease for Stall “No. 5” in the City Market with Naan-Ya Business Restaurant Ltd., under the terms and conditions as set out in the Lease submitted with M&C 2019–109; and,
2. That the Mayor and Common Clerk be authorized to execute any necessary documents.

5.7 That the Saint John Community Arts Board Letter - 2019 Funding Program be received for information and the Commissioner of Finance be directed to issue cheques to be distributed to the grants recipients at a forthcoming presentation.

Moved by Deputy Mayor McAlary, 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

7.1 Emergency Preparedness Week - May 5 to May 11, 2019

The Mayor declared May 5th to May 11th, 2019 as “Emergency Preparedness Week” in The City of Saint John.

7.2 National Police Week - May 12 to May 18, 2019

The Mayor declared May 12th to May 18th, 2019 as “National Police Week” in The City of Saint John.

7.3 Huntington Disease Awareness Month - May 2019

The Mayor declared May 2019 as “Huntington Disease Awareness Month” in The City of Saint John.

8. Delegations/Presentations

8.1 Shining Horizons - Therapeutic Riding Association

Dave Ryan, Executive Director of Shining Horizons Therapeutic Riding Association, presented to Council on their equine therapy program and their new facility.

Moved by Deputy Mayor McAlary, seconded by Councillor Norton:

RESOLVED that the Shining Horizons - Therapeutic Riding Association presentation be received for information.

MOTION CARRIED.

9. Public Hearings 6:30 PM

10. Consideration of By-laws

11. Submissions by Council Members

12. Business Matters - Municipal Officers

12.1 Continuous Improvement Initiatives - Verbal Update

The Deputy City Manager introduced the presenters of continuous improvement initiatives and stated that there are additionally 27 core Continuous Improvement projects underway and that the City is halfway to achieving the goal of \$2.5 million in savings to the operating expenditures by the end of 2019. The 3 presenters and their initiatives are as follows:

David Kirkpatrick – City Market Employee Ambassador Program
John Nugent – Introductory Guide for Developers to Subdivision Agreements
Lisa Caissie – Municipal Minute Video Series

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:
RESOLVED that the Continuous Improvement Initiatives - Verbal Update be received for information.

MOTION CARRIED.

12.2 City of Saint John Climate Change Action Plan

Referring to the submitted report and presentation Samir Yammine briefed Council on the action items from the City of Saint John Climate Change Action Plan.

Moved by Councillor Sullivan, seconded by Deputy Mayor McAlary:
RESOLVED that as recommended by the City Manager in the submitted report entitled *M&C 2019-107: City of Saint John Climate Change Action Plan*, Common Council approve the following Climate Change Action Items, subject to the City's Long-Term Financial Plan and required community energy partnerships:

- 1) City of Saint John Corporate GHG and Energy Action Plan attached at Appendix A and,
- 2) City of Saint John Community GHG and Energy Action Plan attached at Appendix B and,
- 3) Corporate GHG Emission Target of 30% by 2025 below 2015 levels and,
- 4) Community GHG Emission Target of 9% by 2025 and 18% by 2035, below 2015 levels and,
- 5) City of Saint John Corporate Operation to be Carbon Neutral by 2040 and,
- 6) City staff to establish a governance structure to manage/monitor the implementation of the community and corporate energy action plan and,
- 7) City of Saint John shall consider climate change impacts and mitigation measures in all future decision to ensure that residents, the built environment and infrastructure are protected and,
- 8) Approve the Declaration on Climate Change.

MOTION CARRIED.

12.3 Flood/Recovery - Verbal Update

The City Manager recognized Chief Clifford for his leadership, passion, and caring for the citizens and businesses during the flood effort.

Chief Clifford updated Council with data from the flood and briefed on the recovery process.

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:
RESOLVED that the Flood/Recovery - Verbal Update be received for information.

MOTION CARRIED.

13. Committee Reports

14. Consideration of Issues Separated from Consent Agenda

15. General Correspondence

16. Supplemental Agenda

16.1 Ticket Purchase Request - Seafood Fiesta 2019

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:
RESOLVED that the Ticket Purchase Request – Seafood Fiesta 2019 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.

16.2 Ticket Purchase Request – 2019 Loyalist Day Dinner

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:
RESOLVED that the Ticket Purchase Request – 2019 Loyalist Day Dinner 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.

16.3 Ticket Purchase Request – Shining Horizons Gala

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that the Ticket Purchase Request – Shining Horizons 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.

17. Committee of the Whole

Councillor Norton and J. Nugent withdrew from the meeting due to conflicts of interest.

17.1 Safe Clean Drinking Water - West Water Class Action

Moved by Deputy Mayor McAlary, seconded by Councillor Sullivan:

RESOLVED that as recommended by the Committee of the Whole having met on May 6, 2019, Common Council approve the proposed Consent Certification Order presented to Committee of the Whole in closed session at its meeting on May 6th, 2019 recognizing that the Consent Certification Order requires the ratification of the Court and will be made public once it receives Court approval.

MOTION CARRIED.

Councillor Norton and J. Nugent re-entered the meeting.

17.2 Update to the Terms and Conditions of Employment for Management / Professional Personnel

Moved by Deputy Mayor McAlary, seconded by Councillor Merrithew:

RESOLVED that as recommended by the Committee of the Whole having met on May 6, 2019, Common Council adopt the updated Terms and Conditions of Employment for Management / Professional Personnel, effective April 8, 2019 in the form attached to M&C 2019-68.

MOTION CARRIED.

17.3 Dredging of Market Slip

Moved by Councillor Sullivan, seconded by Deputy Mayor McAlary:

RESOLVED that as recommended by the Committee of the Whole having met on May 6, 2019, Common Council approve a tender call for the dredging of that portion of Market Slip, in the City of Saint John identified by co-ordinates:

Point	Latitude	Longitude
1	45.272363°	-66.065894°
2	45.272586°	-66.064690°

3	45.272282°	-66.064497°
4	45.272096°	-66.065525°

to a “dredge depth of -2m Low Water Ordinary Spring Tide (LWOST)” which tender call shall be issued pursuant to the terms of the General Specifications of the City of Saint John with the following changes:

1. The language of 2.9.02 will be deleted and replaced with the following:
“Maximum Contract Price. If the total tender price identified by the lowest compliant tenderer exceeds \$400,000 the City shall not award a contract pursuant to this tender call.”
2. Section 2.8.03 “Over Budget Bids” will be deleted.
3. Section 2.2.01 “General” will be renumbered “2.2.01(a)” and the following will be added as 2.2.01(b):

The City shall not award a contract pursuant to this tender call unless the City has received binding and satisfactory confirmation from the Saint John Port Authority respecting the latter’s sharing in the dredging costs and associated maintenance costs for the following 12 years.

AND FURTHER BE IT RESOLVED that Common Council authorize the Mayor and Common Clerk to execute a contract with the tenderer submitting the low compliant bid in response to the tender call for the dredging of Market Slip, which tender call was approved by Common Council at its open session meeting of May 6, 2019, and which tender call stipulates that a contract will not be awarded if the low compliant bid exceeds \$400,000.

MOTION CARRIED.

18. Adjournment

Moved by Councillor Sullivan, seconded by Councillor Armstrong:

RESOLVED that the meeting of Common Council held on May 6, 2019, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 8:18 p.m.