

MINUTES OF A

REGULAR MEETING OF FREDERICTON CITY COUNCIL

Date: Tuesday, October 11, 2022, 7:30 p.m.
Location: Council Chamber and Via Web Conferencing

Members of Council Present: Mayor Kate Rogers
Deputy Mayor Greg Ericson
Councillor Margo Sheppard
Councillor Mark Peters
Councillor Bruce Grandy
Councillor Jocelyn Pike
Councillor Eric Megarity
Councillor Kevin Darrah
Councillor Ruth Breen
Councillor Cassandra LeBlanc
Councillor Jason LeJeune
Councillor Steven Hicks
Councillor Henri Mallet

Staff Participating in the Meeting: Steven Hart, Chief Administrative Officer
Sara DeGrace, Deputy Chief Administrative Officer
Jennifer Lawson, City Clerk/Assist. Director, Legal, City Clerk & HR
Michelle Brzak, City Solicitor
David Seabrook, Director, Rec., Tourism & Community Engagement
Michael Baldwin, Director, Corporate Services
Dylan Gamble, Director, Engineering & Operations
Marcello Battilana, Assistant Director, Planning & Development
Sean Lee, Assistant Director, Engineering & Operations
Alicia Keating, Assistant Director, Corporate Services/City Treasurer
Wayne Knorr, Manager, Communications
Kyle Rostad, Manager, Purchasing & Customer Service
Adam Grant, Recreation Leader
Carolyn Baldwin, Meeting Technician
Leslie Morrell, City Marshal
Amy Cronkhite, Recording Secretary/Assistant City Clerk

CALL TO ORDER

Her Worship, Mayor Kate Rogers called the meeting to order at 7:49 p.m.

MOMENT OF REFLECTION

Her Worship, Mayor Kate Rogers read the following territorial acknowledgment during the Moment of Reflection:

I acknowledge that this meeting of Fredericton City Council is taking place on traditional Wolastoqey territory. The territory of the Wolastoqiyik people are recognized in the Peace and Friendship Treaties to establish an ongoing relationship of peace, friendship and mutual respect between equal nations. The river that runs through our City is known as the Wolastoq, along which lived the Wolastoqiyik, “the people of the beautiful and bountiful river.”

APPROVAL OF AGENDA

Moved by: Deputy Mayor Greg Ericson

Seconded by: Councillor Jocelyn Pike

BE IT RESOLVED that the Council of the City of Fredericton hereby approves the October 11, 2022, City Council agenda with the addition of the items listed below under the consent agenda and the reorder of agenda item 7.1 titled “*Mayor’s Activity Award Presentations*” to be considered prior to the Consent Agenda items.

Additional Items:

- **Item 5.9** titled "*Snow Removal Services Award P22-38 - City Facilities and Parking Lots*"; and
- **Item 5.10** titled "*Supply and Delivery of Uniforms & Clothing - P22-16*".

CARRIED

CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declared by members of Council.

PRESENTATIONS

Mayor's Activity Award Presentations

Adam Grant, Recreation Leader welcomed and congratulated the recipients of this year’s Mayor’s Activity Awards. He noted that there were several other award recipients that were unable to attend this evening that would receive their awards at a later date.

The Mayor’s Activity Awards is a program that runs over the summer that encourages healthy eating and physical activity for youth ages 3 – 12. The program started over 20 years ago and has gone through different changes to make it fit the needs of the busy lifestyles of modern families.

The program is broken down into four categories whereby participants receive points for each task completed working towards a bronze, silver or gold medal.

Her Worship, Mayor Kate Rogers presented gold medal awards to the following recipients:

- Logan and Haddie Vaughn
- Mitchell and Colton O’Keefe
- Beckett and Jackson Fenn
- Kathryn Brody
- Carter Wilkins

CONSENT AGENDA

Moved by: Councillor Kevin Darrah

Seconded by: Councillor Henri Mallet

BE IT RESOLVED that the Council of the City of Fredericton hereby approves collectively the recommendations set out under the consent agenda outlined below:

OTHER MATTERS

Student Hunger Month Proclamation (October 2022)

BE IT RESOLVED that the Student Hunger Month Proclamation be received and placed on file.

Fire Prevention Week Proclamation (October 9-15, 2022)

BE IT RESOLVED that the Fire Prevention Week Proclamation be received and placed on file.

2023 Business Improvement Levy - Downtown Fredericton Inc.

WHEREAS By-law No. L-13, Business Improvement Area By-law, designates a portion of the City of Fredericton as a Business Improvement Area pursuant to the provisions of the Business Improvement Areas Act;

AND WHEREAS the Board of Directors of Downtown Fredericton Inc. has submitted a proposed budget to the Council of the City of Fredericton pursuant to Section 4 of the Business Improvement Areas Act, as set out in Schedule "A", attached to this resolution and forming part hereof, which estimates a levy of 20 cents per \$100 of assessment on non-residential property within the area designated by By-law No. L-13;

AND WHEREAS the provisions of the Business Improvement Areas Act requires the fulfilment of various conditions in the enactment of by-laws under the Act;
BE IT RESOLVED that the Council of the City of Fredericton hereby states its intention to consider the budget as set out in Schedule "A" and directs that the public notice requirements of Section 4(2) of the Business Improvement Areas Act be fulfilled.

2023 Business Improvement Levy - Business Fredericton North Inc.

WHEREAS By-law No. L-15, Business Improvement Area By-law, designates a portion of the City of Fredericton as a business improvement area pursuant to the provisions of the Business Improvement Areas Act;

AND WHEREAS the Board of Directors of Business Fredericton North Inc. has submitted a proposed budget to the Council of the City of Fredericton pursuant to Section 4 of the Business Improvement Areas Act, as set out in Schedule "A" attached hereto and forming a part hereof, which estimates a levy of twenty (20) cents per \$100 of assessment on non-residential property within the area designated by By-law No. L-15;

AND WHEREAS the provisions of the Business Improvement Areas Act requires the fulfillment of various conditions in the enactment of by-laws under the Act;

BE IT RESOLVED that the Council of the City of Fredericton hereby states its intention to consider the budget as set out in Schedule "A" and directs that the public notice requirements of Section 4(2) of the Business Improvement Areas Act be fulfilled.

Appointment of Fire Prevention/By-law Enforcement Officers- Inspectors Joshua Bradley & Jason Waterhouse

BE IT RESOLVED that the Council of the City of Fredericton hereby appoints and designates Inspector Joshua Bradley and Inspector Jason Waterhouse as Fire Prevention Officers pursuant to By-law No. S-2, A By-law Respecting Fire Prevention, effective immediately, within the territorial boundary of the City of Fredericton; and

BE IT FURTHER RESOLVED that the Council of the City of Fredericton hereby appoints and designates Inspector Joshua Bradley and Inspector Jason Waterhouse, pursuant to Section 72 the Local Governance Act and Subsection 14(3) of the Police Act, as By-law Enforcement Officers to enforce By-law No. S-15, A Fire Lane By-law for the City of Fredericton, and By-law No. S-2, A By-law Respecting Fire Prevention, effective immediately, within the territorial boundary of the City of Fredericton; and

BE IT FURTHER RESOLVED that the appointments shall continue until Inspector Joshua Bradley and Inspector Jason Waterhouse cease to be employed with the City of Fredericton Fire Department or until their respective appointments under this resolution are rescinded by City Council, whichever comes first.

Bramble Way – Assent of Council (City of Fredericton)

BE IT RESOLVED that the final plan of subdivision prepared by Eastern Land Surveys (1993) Ltd., titled “SUBDIVISION PLAN HAVEN HEIGHTS SUBDIVISION 2022-1 showing Lot 12-245, BRAMBLE WAY, BROOKSIDE DRIVE - ST. MARY’S STREET, CITY OF FREDERICTON, COUNTY OF YORK, PROVINCE OF NEW BRUNSWICK” receive the Assent of Council pursuant to Section 88(1) of the *Community Planning Act*.

Remembrance Day 21 Gun Salute

BE IT RESOLVED that approval be given to Department of National Defense to hold a 21 Gun Salute on November 11, 2022.

Freddy Fright Fest

BE IT RESOLVED that an exemption be granted to Freddy Fright Fest organizing committee pursuant to Subsection 5.01(6) of By-law No. S-17, a By-law Respecting Disturbance by Noise for events occurring as part of the Freddy Fright Fest on Friday October 21, 2022, from 6:00pm until 12:30am, Saturday October 22, 2022 from 4:00pm until 12:30am, Friday October 28, 2022 from 6:00pm until 12:30am and Saturday October 29, 2022 from 4:00pm until 12:30am.

Snow Removal Services Award P22-38 City Facilities and Parking Lots (Additional Item)

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the award of Request for Proposal P22-38, For the Supply of Services for Snow Removal to the following five highest scored suppliers meeting the requirements:

- Earthworks Landscaping & Design Inc.
- Fulton Real Estate Solution Inc.
- Jeffrey Mills Service & Repair Inc.
- Lawn Care Extra-Ordinaire Inc. and
- V. Martin Design Build Company Inc.

with respect to the provision of snow removal services (plowing only, plowing and hauling and snow ice control) for various municipal facilities as outlined in the RFP for a term of five (5) years, with fixed pricing, subject to the annual approved budget; and

BE IT FURTHER RESOLVED that the Council of the City of Fredericton hereby approves and authorizes the agreements between the City of Fredericton and the five separate suppliers being Earthworks Landscaping & Design Inc., Fulton Real Estate Solution Inc., Jeffrey Mills Service & Repair Inc., Lawn Care Extra-Ordinaire Inc., and V. Martin Design Build Company Inc. (the “Agreements”) with respect to snow removal services for various municipal facilities for the fees outlined in each Schedule B of the Agreements having a Term of five (5) years commencing November 15, 2022 and expiring April 15, 2027; **AND THAT** the Mayor and City Clerk be authorized to execute the Agreements on behalf of the local government and such further legal documents as may be required to facilitate the Agreements and this resolution.

Supply and Delivery of Uniforms & Clothing – P22-16 (Additional Item)

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the award of Request for Proposal P22-16 For the Supply and Delivery of Uniforms and Clothing to Urban Tactical Brantford Ltd., the highest scored supplier meeting the requirements with respect to the provision of uniforms and clothing for the Fredericton Police Force; and

BE IT FURTHER RESOLVED that the Council of the City of Fredericton hereby approves and authorizes the agreement between the City of Fredericton and Urban Tactical Brantford Ltd. (the “Agreement”) with respect to the provision of uniforms, clothing and footwear for a three year term commencing October 1, 2022 and expiring on September 30, 2025 with two additional one year Renewal Term options at the sole discretion and option of the City of Fredericton; **AND THAT** the Mayor and City Clerk be authorized to execute the Agreement on behalf of the local government and such further legal documents as may be required to facilitate the Agreement and this resolution.

CARRIED

APPROVAL OF MINUTES

Minutes of the Regular Meeting of City Council - July 25, August 8 and August 22, 2022

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Margo Sheppard

BE IT RESOLVED that the Council of the City of Fredericton hereby approves the July 25, August 8 and August 22, 2022, City Council minutes.

CARRIED

Councillors Mark Peters and Jocelyn Pike retired from the meeting at 8:05 p.m., as they were not present during the Hearing of Objections/Support, held on September 26, 2022.

THIRD READING OF BY-LAWS

By-law No. Z-5.273 - 184 Woodstock Road - Zone Amendment (Stephen Cole)

By-law No. Z-5.273, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoption of Terms & Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.273, by title

Moved by: Councillor Cassandra LeBlanc

Seconded by: Councillor Henri Mallet

BE IT RESOLVED that with respect to an application by Stephen Cole for a zone amendment on the property located at 184 Woodstock Road to permit a jewelry boutique as outlined in proposed By-law No. Z-5.273, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

CARRIED

(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

Moved by: Councillor Cassandra LeBlanc

Seconded by: Councillor Henri Mallet

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.273, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

CARRIED

(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

Moved by: Councillor Cassandra LeBlanc

Seconded by: Councillor Henri Mallet

WHEREAS municipalities may make by-laws pursuant to the *Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.273, by summary;

BE IT RESOLVED that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.273 is to amend By-law No. Z-5 under the Institutional Zone One (I-1) in order to permit a jewelry boutique on property located at 184 Woodstock Road; and THAT the said by-law be given third reading by title.

CARRIED

(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

By-law No. Z-5.274 - 103 Church Street - Zone Amendment (Victoria Boer)

By-law No. Z-5.274, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoption of Terms & Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.274, by title

Moved by: Councillor Jason LeJeune

Seconded by: Councillor Kevin Darrah

BE IT RESOLVED that with respect to an application by Victoria Boer for a zone amendment on the property located at 103 Church Street to permit a total of five dwelling units as outlined in proposed By-law No. Z-5.274, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

On the Question:

Councillor Cassandra Leblanc questioned if there was any term and condition in place to prevent the applicant from operating the premises as an Airbnb? Marcello Battilana, Assistant Director of Planning & Development advised that the only requirement in place to operate as an Airbnb is that the Applicant must live on site. Councillor LeBlanc further questioned if there was any limit to how many Airbnbs could be in operation? Mr. Battilana responded that there is no limit.

Councillor Ruth Breen questioned if Applicants that go through the Planning Advisory Committee are asked to provide details around use and whether or not it is a short- or long-term development proposal? Marcello Battilana, Assistant Director of Planning & Development responded that yes applicants are questioned on details and long-term plans; however, presently there is no legislation in place to prevent these types of Airbnb developments.

The original motion was then put to vote and declared CARRIED
(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

Moved by: Councillor Jason LeJeune

Seconded by: Councillor Kevin Darrah

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.274, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

CARRIED
(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

Moved by: Councillor Jason LeJeune

Seconded by: Councillor Kevin Darrah

WHEREAS municipalities may make by-laws pursuant to the *Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.274, by summary;

BE IT RESOLVED that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.274 is to amend By-law No. Z-5 under the City Centre Institutional Zone (CCI) in order to permit a total of five dwelling units on property located at 103 Church Street; and THAT the said by-law be given third reading by title.

CARRIED
(Councillors Mark Peters and Jocelyn Pike were absent when the vote was taken)

Councillors Mark Peters and Jocelyn Pike returned to the meeting at 8:13 p.m.

COMMITTEE REPORTS

Municipal Finance & Corporate Administration Committee Update (September 29, 2022)

Councillor Henri Mallet, Chair of the Municipal Finance & Corporate Administration Committee provided an overview of the highlights of the September 29, 2022 Municipal Finance & Corporate Administration Committee meeting.

Highlights included:

- Statement of Revenue and Expense overview for period ending August 31, 2022.
- Supplier Code of Conduct.
- Updates to the Human Resources Policy – HR Tactical Plan.

Governance & Civic Engagement Committee Update (October 6, 2022)

Deputy Mayor Greg Ericson, Chair of the Governance & Civic Engagement Committee provided an overview of the highlights of the October 6, 2022, Governance & Civic Engagement Committee meeting.

Highlights included:

- Presentation/discussion on the need to implement a Basic Income for New Brunswickers.
- Discussion on Committee Updates on the City Council agenda.

MUNICIPAL FINANCE & CORPORATE ADMINISTRATION COMMITTEE REPORT

Supplier Code of Conduct

Moved by: Councillor Henri Mallet

Seconded by: Councillor Jocelyn Pike

BE IT RESOLVED that the Council of the City of Fredericton hereby approves and authorizes the adoption of the attached Supplier Code of Conduct which sets the minimum standards of suppliers and their subcontractors who participate in the City's procurement process or are selected to provide goods or services to the City of Fredericton.

On the Question:

Councillor Margo Sheppard noted that the City also has a procurement policy that is currently under review as it is 8 years old. She asked that in the course of the review that staff determine, if like Charlottetown, Fredericton can adopt procurement best practices and also study what reasonable steps could be taken to lead us to these best practices.

Deputy Mayor Greg Ericson inquired if staff could report back over a period of time on how the Code of Conduct is functioning as there are certain expectations of it. Michael Baldwin, Director of Corporate Services advised that staff would report back on the progress of the Supplier Code of Conduct, as well as, the progress of the procurement policy.

The original motion was then put to vote and declared CARRIED

COUNCIL-IN-COMMITTEE REPORT

NB Power’s Plug-In NB Charging Rebates Initiative

Moved by: Councillor Kevin Darrah

Seconded by: Councillor Margo Sheppard

BE IT RESOLVED that the Council of the City of Fredericton hereby approves and authorizes the Participation Agreement between the New Brunswick Power Corporation and the City of Fredericton with respect to the Plug-in NB Charging Rebates for Business Rebate Initiative for the installation of electric vehicle charging infrastructure in public places; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Agreement on behalf of the municipality and such further legal documents as may be required to facilitate the Agreement and this resolution.

On the Question:

Councillor Bruce Grandy noted that he doesn’t believe this is a good deal for the city and he has concerns with the City’s investment of \$250,000.00. Councillor Grandy indicated that he also doesn’t agree with the business case for this project.

Councillor Margo Sheppard indicted that this project is less than ideal because it comes in the absence of an electric vehicle strategy; however, it is a start in the right direction as electric vehicles will soon be everywhere.

Councillor Steven Hicks advised that he would not be supporting this motion as he doesn’t believe it is good value for the taxpayers. He noted that the project is for visitors as most residents would charge their electric vehicles at their homes.

Councillor Ruth Breen noted that charging stations are being installed everywhere and as a responsible government, we need to do this project.

Councillor Jason LeJeune inquired if the installation of the charging stations at the current sites allows for more charging stations to be installed in the future. Sean Lee, Assistant Director of Engineering & Operations advised that the project does have embedded costs that cover the capital cost of installation that will be leveraged in the future if further stations are required at the same locations.

Deputy Mayor Greg Ericson inquired as to what the return would be to the city from the use of the charging stations and if they would ever pay for themselves. Sean Lee, Assistant Director of Engineering & Operations advised that the amount is unknown as this is relatively new. Mr. Lee explained that the charging stations are more about providing a service than a revenue source to the city.

Mr. Lee explained that the charging stations being installed are level two chargers that take approximately 7-8 hours for a full charge. He noted that the fast-charging stations are currently not available and cost in the \$100,000.00 range each.

**The original motion was then put to vote and declared CARRIED ON DIVISION
(Councillors Mallet, Pike, Grandy and Hicks voting “nay”)**

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Adoption of 2023 Implementation Plan – Fredericton Affordable Housing Strategy

Moved by: Councillor Jason LeJeune

Seconded by: Councillor Ruth Breen

BE IT RESOLVED that the Council of the City of Fredericton adopt, by resolution, the 2023 Implementation Plan for the Fredericton Affordable Housing Strategy and that the Director of Planning and Development be directed to identify the financial resources required to implement the plan as part of the 2023 budget process.

CARRIED

OTHER MATTERS

Capital Region Service Commission (RSC 11) Update

Her Worship, Mayor Kate Rogers advised that she attended the October 4th, 2022, RSC 11 meeting in Deputy Mayor Ericson’s absence. She noted that the budget was reviewed and that there continues to be a lot of unknowns because of the transition period related to the municipal reform. Mayor Rogers noted that one positive from the meeting was that a motion was passed to proceed with the design phase of the regional aquatic centre.

Comments from Mayor and Councillors

Councillor Margo Sheppard advised that the Preservation Review Board met on this date, October 11, 2022, with the Consultant to commence the review of the Heritage Preservation program. Councillor Sheppard indicated that between now and the end of November 2022, the Consultant would be hosting a public meeting with stakeholders for their input and then a report would come

back by the end of January 2023 with the finding and recommendations for a Heritage program for the City of Fredericton.

Her Worship Mayor Kate Rogers advised that the Public Safety open houses/information sessions were well attended and lots of great information was gathered. She noted that another session would take place in November with businesses. Mayor Rogers thanked residents for attending and for voicing their concerns.

Deputy Mayor Greg Ericson requested that a report of the findings from the open houses be presented to Council, as well as the results gathered from Communications Staff from residents as they exited the open houses on the quality of the engagement process. He noted that it was not the normal Town Hall meeting and format, and he would be interested to know how well it was received by the attendees. Steven Hart, Chief Administrative Officer advised that a report would come back following the meeting with businesses, providing feedback to Council.

ADJOURNMENT

Moved by: Councillor Mark Peters

Seconded by: Councillor Jocelyn Pike

BE IT RESOLVED that the meeting adjourn at 8:45 pm.

CARRIED

Kate Rogers,
Mayor

Jennifer Lawson,
City Clerk