

MINUTES OF A

REGULAR MEETING OF FREDERICTON CITY COUNCIL

Date: Monday, March 13, 2023, 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 Jocelyn Pike
Councillor Mark Peters
Councillor Eric Megarity
Councillor Kevin Darrah
Councillor Cassandra LeBlanc
Councillor Jason LeJeune
Councillor Henri Mallet

Members of Council Participating Virtually: Councillor Bruce Grandy
Councillor Steven Hicks

Members of Council Absent: Councillor Ruth Breen

Staff Participating in the Meeting: Steven Hart, Chief Administrative Officer
Jennifer Lawson, City Clerk/Assist. Director, Legal, City Clerk & HR
Michelle Brzak, City Solicitor
Michael Baldwin, Director, Corporate Services
Ken Forrest, Director, Planning & Development
Jane Blakely, Director, Legal, City Clerk & Human Resources
Dave Seabrook, Director, Rec., Tourism & Community Engagement
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
Mike Walker, Assistant Director, Engineering & Operations
Wayne Knorr, Manager, Communications
Kyle Rostad, Manager, Purchasing & Customer Services
Kosta Stasiuk, Meeting Technician
Elizabeth Murray, City Marshal
Amy Cronkhite, Recording Secretary/Assistant City Clerk

CALL TO ORDER

Her Worship, Mayor Kate Rogers called the meeting to order at 7:32 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 Kevin Darrah

BE IT RESOLVED that the Council of the City of Fredericton hereby approves the March 13, 2023, City Council agenda with the following additions:

- item 5.3 titled "*Water and Sewer Account Write-Offs and Lien Process*" under the Consent Agenda;
- item 8.5 titled "*Purchase of Fire Trucks (Pumper Tankers)*" under the Committee Reports Section; and
- item 8.6 titled "*Sale of 100 Two Nations Crossing for Highland Avenue*" under the Committee Reports Section.

CARRIED

CONFLICT OF INTEREST DECLARATIONS

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

CONSENT AGENDA

Moved by: Councillor Cassandra LeBlanc

Seconded by: Councillor Margo Sheppard

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

Blizzard Street Extension - Assent of Council (City of Fredericton)

BE IT RESOLVED that the 8% public land dedication be taken as cash and the final plan of subdivision prepared by Sur Tek Group Ltd., titled “SUBDIVISION PLAN City of Fredericton Subdivision 2022-1 creating Lot 22-1 and Public Street (Public), Vanier Industrial Drive/Beek Court Area, 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*.

Janitorial Services Award (P22-50) and Agreements

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the award of Request for Proposal P22-50, for the Supply of Services for Janitorial Services to the following three highest scored suppliers meeting the requirements: 9266132 Canada Inc. a/o GDI Services (Canada) LP, for a fixed year 1 price of \$110,982.00 HST extra; Imperial Cleaners Ltd., for a fixed year 1 price of \$25,800.00 HST extra; and Crystal Clean Maintenance Ltd. for a fixed year 1 price of \$201,331.00 HST extra with respect to the provision of janitorial services for various municipal facilities as outlined in the RFP for a term of one (1) year with four (4) additional one (1) year renewal terms 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 three separate suppliers being 9266132 Canada Inc. a/o GDI Services (Canada) LP, Imperial Cleaners Ltd., and Crystal Clean Maintenance Ltd. (the “Agreements”) with respect to janitorial services for various municipal facilities for the fees outlined in each Schedule C for a one (1) year term commencing April 1, 2023 and expiring March 31, 2024, with four (4) optional one (1) year renewal terms; AND THAT the Mayor and City Clerk be authorized to execute each of the respective Agreements on behalf of the local government and such further legal documents as may be required to facilitate each of the Agreements and this resolution.

COUNCIL-IN-COMMITTEE REPORT

Water and Sewer Account Write-Offs and Lien Process (Additional Item)

BE IT RESOLVED that an amount of \$6,082.95 in principle plus interest be written off for the purposes of collection.

CARRIED ON DIVISION
(Councillor Darrah voting “nay”)

APPROVAL OF MINUTES

Minutes of the Regular Meeting of City Council - December 12, 2022

Moved by: Councillor Kevin Darrah

Seconded by: Councillor Eric Megarity

BE IT RESOLVED that the Council of the City of Fredericton hereby approves the December 12, 2022, City Council minutes.

CARRIED

THIRD READING OF BY-LAWS

By-law No. L-19.1 - Amendments to Reflect Usage of e-bicycles, e-scooters, and e-vehicles in Parklands and on Trail Systems, and Complete Housekeeping Amendments

By-law No. L-19.1, A By-law to Amend By-law No. L-19, A By-law Respecting Parklands and Trail Systems

- Reading by Summary
- Third Reading of By-law No. L-19.1, by title

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes that By-law No. L-19.1, A By-law to Amend By-law No. L-19, A By-law Respecting Parklands and Trail Systems, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

CARRIED

Proposed Amendment

Moved by: Councillor Cassandra LeBlanc

Seconded by: Councillor Margo Sheppard

BE IT RESOLVED that By-law No. L-19.1, A By-law to Amend By-law No. L-19, A By-law Respecting Parklands and Trail Systems be amended by changing all maximum speed references contained in the by-law from 25 kilometres per hour to 20 kilometres per hour

CARRIED ON DIVISION

(Deputy Mayor Ericson and Councillors Mallet and Darrah voting “nay”)

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Mark Peters

WHEREAS municipalities may make by-laws pursuant to the *Local Governance Act*; and City Council has authorized the reading of By-law No. L-19.1, 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. 19.1 is to amend By-law No. L-19, A By-law Respecting Parklands and Trail Systems, by updating the by-law to reflect usage of e-bicycles, e-scooters, and e-vehicles in parklands and on trail systems, as well as housekeeping amendments; and **THAT** the said by-law be given third reading by title, as amended.

CARRIED

By-law No. R-5.5 – Amendments to the Plumbing By-law to Include the Newly Annexed areas as of January 1, 2023 to the City

By-law No. R-5.5, A By-law to Amend By-law No. R-5, A By-law Respecting the Plumbing Trade

- Reading by Summary
- Third Reading of By-law No. R-5.5, by title

Moved by: Councillor Margo Sheppard

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes that By-law No. R-5.5, A By-law to Amend By-law No. R-5, A By-law Respecting the Plumbing Trade, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

CARRIED

Moved by: Councillor Margo Sheppard

Seconded by: Councillor Mark Peters

WHEREAS municipalities may make by-laws pursuant to the *Local Governance Act*; and City Council has authorized the reading of By-law No. R-5.5, A By-law to Amend By-law No. R-5, A By-law Respecting the Plumbing Trade, 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. R-5.5, A By-law to Amend By-law No. R-5, A By-law Respecting the Plumbing Trade, is to ensure the by-law applies within the boundaries of the City of Fredericton which includes the areas annexed to the City as of January 1, 2023; and **THAT** the said by-law be given third reading by title.

CARRIED

Councillor Kevin Darrah retired from the Council Chamber as he was not present during the Hearing of Objections/Support held on February 27, 2023 at 7:52 p.m.

By-law No. Z-5.280 - 111 Duncan Lane - Rezoning (Cedar Valley Investments Ltd.)

By-law No. Z-5.280, 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-5.280, by title

Moved by: Councillor Henri Mallet

Seconded by: Councillor Cassandra LeBlanc

BE IT RESOLVED that with respect to an application by Cedar Valley Investments Ltd. to rezone 111 Duncan Lane from Institutional Zone One (I-1) to Multi-Residential Zone Five (MR-5) and a consolidated portion of 464 Golf Club Road [PID 01500461] from Residential Zone Five (R-5) to Multi-Residential Zone 5 (MR-5) to permit a 147-unit multi-residential building, on property located at 111 Duncan Lane, as outlined in proposed By-law No. Z-5.280, 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

(Councillor Kevin Darrah was absent for the vote)

Moved by: Councillor Henri Mallet

Seconded by: Councillor Cassandra LeBlanc

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.280, 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

(Councillor Kevin Darrah was absent for the vote)

Proposed Tabling Motion

Moved by: Councillor Henri Mallet

Seconded by: Councillor Cassandra LeBlanc

BE IT RESOLVED that the Council of the City of Fredericton hereby tables third reading of By-law No. Z-5.280 - 111 Duncan Lane - Rezoning (Cedar Valley Investments Ltd.

DEFEATED ON DIVISION

(Deputy Mayor Ericson and Councillors Peters, Pike, Megarity, LeJeune, Hicks, Grandy voting “nay”)

(Councillor Kevin Darrah was absent for the vote)

Moved by: Councillor Henri Mallet

Seconded by: Councillor Cassandra LeBlanc

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-5.280, 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 the proposed By-law No. Z-5.280 is to rezone 111 Duncan Lane from Institutional Zone One (I-1) to Multi-Residential Zone Five (MR-5) and a consolidated portion of 464 Golf Club Road [PID 01500461] from Residential Zone Five (R-5) to Multi-Residential Zone 5 (MR-5) to permit a 147-unit multi-residential building; and **THAT** the said by-law be given third reading by title.

CARRIED ON DIVISION

(Councillors Mallet, LeBlanc and Sheppard voting “nay”)

(Councillor Kevin Darrah was absent for the vote)

Councillor Kevin Darrah returned to the meeting at 8:07 p.m.

COMMITTEE REPORTS

Economic Vitality Committee Update (February 28, 2023)

Councillor Jason LeJeune, Chair of the Economic Vitality Committee provided an overview of the highlights of the February 28, 2023 Economic Vitality Committee meeting.

Highlights included a presentation by the Consultant William Hicks with Broken Shovel Consulting providing an overview of his draft report pertaining to the Heritage program and services review.

COUNCIL-IN-COMMITTEE REPORTS

Greening the City of Fredericton's Tree Planting Program

Moved by: Councillor Kevin Darrah

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton accept the funding grant from Natural Resources Canada of \$162,000 to assist the City of Fredericton to create capacity to undertake tree planting in a changing climate and decrease carbon emissions required to access climate suitable planting stock with the development of greenhouse to grow planting stock and gain knowledge in the operation of the green house; And that the Mayor and City Clerk be authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED

Delegation of Authority By-law

Moved by: Deputy Mayor Greg Ericson

Seconded by: Councillor Jocelyn Pike

BE IT RESOLVED that the Council of the City of Fredericton hereby directs and authorizes the City Solicitor to prepare a delegation of authority by-law pursuant to the *Local Governance Act* that would delegate City Council's power, duties or functions to the Chief Administrative Officer to consider and decide various matters, such as but not limited to, procurement matters (request for proposal awards and associated agreements), and agreements related to law enforcement and police services, facility rentals, leases of equipment or vehicles, software licensing, confidentiality, public safety dispatch services, phone services, approvals/exceptions to the noise by-law and non-disclosure agreements.

CARRIED

Acquisition of portion of 600 Golf Club Road for Duncan Lane ROW

Moved by: Councillor Henri Mallet

Seconded by: Councillor Cassandra LeBlanc

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the acquisition of 103.4 m² of land located at 600 Golf Club Road (part of SNB PID 75547067) from Andrew Chamberlain and Michelle Chamberlain for the sum of Nine Thousand Five Hundred Dollars (\$9,500.00) plus any applicable taxes and adjustments, to

be added to Duncan Lane (Public); and authorizes the Mayor and City Clerk to execute any legal documents necessary to facilitate this transaction.

CARRIED

Purchase of Fire Trucks (Pumper Tankers) (Additional Item)

Moved by: Councillor Eric Megarity

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the award of Request for Proposal P22-41, for the Supply and Delivery of Pumper Tanker Fire Trucks to the following two highest scored suppliers meeting the requirements: Metalfab Ltd. And Safety Source Fire Inc. with respect to the provision of pumper tanker fire trucks (“Fire Trucks”) as outlined in the RFP for a period commencing on March 1, 2023 and expiring two (2) years after receipt of the Fire Trucks for a fixed price of \$655,298.66 (HST extra) and \$1,038,623.16 (HST extra); 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 two separate suppliers being Metalfab Ltd. and Safety Source Fire Inc. (the “Agreements”) with respect to the provision of Fire Trucks as outlined in the RFP, subject to the annual approved budget; 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.

CARRIED

Sale of 100 Two Nations Crossing for Highland Avenue (Additional Item)

Moved by: Councillor Jocelyn Pike

Seconded by: Councillor Eric Megarity

BE IT RESOLVED the Council of the City of Fredericton declares “surplus” and authorizes and approves the conveyance of a ± 15,571 m² portion of land situate at 100 Two Nations Crossing (SNB PID 75401612) to Ross Ventures Ltd. in exchange for a ± 27 acre parcel of lands situate on the northern side of Two Nations Crossing and east of Smartcentres Way (SNB PID 75334011) and the sum of Thirty Thousand Dollars plus any applicable taxes and adjustments; and authorizes the Mayor and City Clerk to execute any legal documents necessary to facilitate this transaction, including consent to the planning process.

CARRIED

OTHER MATTERS

Capital Region Service Commission (RSC 11) Update

Deputy Mayor Greg Ericson, Council Representative for RSC 11 advised that on Tuesday, March 7, 2023, The Capital Region Service Commission hosted a Director's Meeting via Zoom. The meeting agenda and accompanying reports are attached to these minutes as an appendix.

MOTION TO EXCUSE

Moved by: Councillor Kevin Darrah

Seconded by: Councillor Jason Leeune

BE IT RESOLVED that Councillor Ruth Breen be excused from the March 13, 2023 Regular City Council meeting.

CARRIED

ADJOURNMENT

Moved by: Councillor Mark Peters

Seconded by: Councillor Jocelyn Pike

BE IT RESOLVED that the meeting adjourn at 8:22 p.m.

CARRIED

Kate Rogers,
Mayor

Jennifer Lawson,
City Clerk