

MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL

MONDAY, NOVEMBER 22, 2010

Minutes of the Regular Meeting of Fredericton City Council held on Monday, November 22, 2010, at 7:33 p.m. in the Council Chamber, City Hall, Fredericton.

ATTENDANCE

Attendance

Council:

Mayor Brad Woodside, Deputy Mayor Dan Keenan, Councillors Stephen Chase, Bruce Grandy, Steven Hicks, David Kelly, Stephen Kelly, Marilyn Kerton, Scott McConaghy, Eric Megarity, Tony Whalen, and Mike O'Brien.

Staff:

Melanie D. MacDonald, Assistant City Clerk
Paul Stapleton, City Administrator
Chris MacPherson, Assistant City Administrator
Philip Toole, Fire Chief
Wayne Tallon, Director of Community Services
Murray Jamer, Director of Engineering & Public Works
Frank Flanagan, Director of Development Services
Jane Blakely, Director of Corporate Services
Tina Tapley, Director of Finance/City Treasurer, Acting
Alex Forbes, Assistant Director of Development Services
Leanne Fitch, Deputy Police Chief
Michelle Brzak, City Solicitor
Sean Lee, Manager, Engineering Services
Joe Lumsdon, Manager, Human Resources
Wayne Knorr, Manager, Corporate Communications

Absent:

Councillor Jordan Graham

APPROVAL OF MINUTES

Approval of Minutes

Moved by Councillor Steven Hicks, seconded by Councillor Eric Megarity, THAT the Minutes of the Regular City Council meeting of Monday, October 25, 2010, be approved as circulated. CARRIED UNANIMOUSLY

MAYOR BRAD WOODSIDE WELCOMED THE CHIEF ADMINISTRATION OFFICER OF BLACKS HARBOUR TO THE COUNCIL CHAMBER

Mayor Brad Woodside welcomed the Chief Administration Officer of Blacks Harbour to the Council Chamber

His Worship Mayor Brad Woodside extended greetings to Heather Chase, Chief Administration Officer of Blacks Harbour, who was present to observe the proceedings.

PRAYER

Prayer

Rev. Paul Ross was present and led Council in prayer.

CONNECTING THE D.O.T.S. NB (DEVELOPMENT OF TREATMENT SERVICES FOR MENTAL HEALTH IN NEW BRUNSWICK)

Connecting the D.O.T.S. NB

A request was received from Maureen Bilerman and Sandi MacKinnon for approval to hold a delivery ceremony on December 8, 2010.

Ms. Bilerman provided a brief overview of the special event, and encouraged Members of Council and City staff to commit to participating in the event by accepting one of the black dots being distributed by Rachel Bilerman and Max Kerr.

Moved by Councillor David Kelly, seconded by Councillor Marilyn Kerton, THAT City Council adopt the following resolution:

BE IT RESOLVED that approval be given to D.O.T.S. NB to hold a delivery ceremony along city sidewalks from Wilmot Park to the Legislature on Wednesday, December 8, 2010, subject to recommendations from staff; AND that permission be granted to allow members of D.O.T.S. NB to stencil dots with washable paint on city sidewalks prior to the event.

CARRIED UNANIMOUSLY

FOOD DRIVE, EXIT REALTY

Food Drive, EXIT Realty

A request was received from Sandra Comeau for approval to conduct a food drive on November 25, 2010.

Moved by Councillor Bruce Grandy, seconded by Councillor Eric Megarity, THAT City Council adopt the following resolution:

BE IT RESOLVED that approval be given to EXIT Real Estate Professionals to conduct a food drive for the Fredericton Food Bank in the Nashwaaksis area of Fredericton between the hours of 5:30 – 8:00 p.m. on Thursday, November 25, 2010.

CARRIED UNANIMOUSLY

CHRISTMAS TREE LIGHTING CEREMONIES

Christmas Tree Lighting Ceremonies

A request was received from Shasta Stairs for approval to hold the annual double Christmas tree lighting ceremonies on December 3, 2010.

Moved by Councillor Steven Hicks, seconded by Councillor Stephen Chase, THAT City Council adopt the following resolution

BE IT RESOLVED that approval be given to hold the annual double Christmas tree lighting ceremonies at the Legislature and City Hall, along with a marching people parade from the Legislative Building to City Hall, on Friday, December 3, 2010, subject to recommendations from staff.

CARRIED UNANIMOUSLY

FOOD DRIVE, EXIT REALTY

Food Drive, EXIT Realty

A request was received from Sandra Comeau for approval to conduct a food drive on December 16, 2010.

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Tony Whalen, THAT City Council adopt the following resolution:

BE IT RESOLVED that approval be given to EXIT Real Estate Professionals to conduct a food drive for the Fredericton Food Bank in the Nashwaaksis area of Fredericton between the hours of 5:30 – 8:00 p.m. on Thursday, December 16, 2010.

CARRIED UNANIMOUSLY

MILITARY EXERCISE

Military Exercise

A request was received by Lt. Col. Craig Aitchison for approval to hold a military exercise on February 16, 2011.

Moved by Councillor Tony Whalen, seconded by Councillor Marilyn Kerton, THAT City Council adopt the following resolution:

BE IT RESOLVED that approval be given to the Infantry School, CTC - CFB Gagetown to hold their Military Exercise Training in the Queen Street / Officers' Square area of downtown Fredericton during the hours of 9:00 a.m. and 4:00 p.m. on Wednesday, February 16, 2011; AND that the Mayor and City Clerk be authorized to execute the document entitled 'Right of Use'.

CARRIED UNANIMOUSLY

BY-LAW REAFFIRMATIONS

By-law Re-affirmations

A report was received from the Planning Advisory Committee reaffirming its position with respect to the following by-laws:

1. By-law Nos. Z-1.14 & Z-2.719 – Fredericton Lands Commission – 518 Springhill Road
2. By-law No. 2.712 – Manny Patel – 1300 Hanwell Road

Moved by Councillor Scott McConaghy, seconded by Councillor Marilyn Kerton, THAT the report of the Planning Advisory Committee be received. CARRIED UNANIMOUSLY

ZONING AMENDMENT – 62-68 AVONLEA COURT

Zoning Amendment – 62-68 Avonlea Court

Moved by Councillor Scott McConaghy, seconded by Councillor Stephen Kelly, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated November 18, 2010, with respect to an application submitted by James Mark Commercial Realty to amend the Service Industrial Zone to permit offices at 62 – 68 Avonlea Court, be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

RESOLUTION

Resolution

Moved by Councillor Scott McConaghy, seconded by Councillor Stephen Kelly THAT WHEREAS, at the meeting of November 22, 2010, Council received a report of the Planning Advisory Committee recommending that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended under the Service Industrial Zone (S.I.) in order to permit offices to be used by the Law Society of New Brunswick on property located at 62-68 Avonlea Court Street, as indicated on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions;

BE IT RESOLVED that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, January 10, 2011 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the consideration of objections/support to the proposed by-law.

CARRIED UNANIMOUSLY

Schedule “A” is attached to these minutes as Appendix 1.

ZONING AMENDMENT – 899 PROSPECT STREET (ADI LTD.)

Zoning Amendment – 899 Prospect Street (ADI Ltd.)

Moved by Councillor Scott McConaghy, seconded by Councillor Stephen Chase, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated November 18, 2010, with respect to an application submitted by ADI Ltd. to amend the Highway Commercial Zone to permit medical/health offices at 899 Prospect Street be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Scott McConaghy, seconded by Councillor Stephen Chase, THAT WHEREAS, at the meeting of November 22, 2010, Council received a report of the Planning Advisory Committee recommending that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended under the Highway Commercial Zone (H.C.)

in order to permit a medical/health office on property located at 899 Prospect Street, as indicated on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions;

BE IT RESOLVED that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, January 10, 2011 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the consideration of objections/support to the proposed by-law.

CARRIED UNANIMOUSLY

Schedule “A” is attached to these minutes as Appendix 2.

ZONING AMENDMENT – 31 PATIENCE LANE (SHANNEX INC.)

Zoning Amendment – 31 Patience Lane (Shannex Inc.)

Moved by Councillor Marilyn Kerton, seconded by Councillor David Kelly, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated November 18, 2010, with respect to an application submitted by Shannex Inc. to amend the Institutional Zone to permit a liquor license at 31 Patience Lane be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Marilyn Kerton, seconded by Councillor David Kelly THAT WHEREAS, at the meeting of November 22, 2010, Council received a report of the Planning Advisory Committee recommending that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended under the Institutional Zone (I) in order to allow the serving of liquor in designated spaces inside the Senior Citizens Centre on property located at 31 Patience Lane, as indicated on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions;

BE IT RESOLVED that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, January 10, 2011 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the consideration of objections/support to the proposed by-law.

CARRIED UNANIMOUSLY

Schedule “A” is attached to these minutes as Appendix 3.

SUBDIVISION APPROVAL – 100 RUBY STREET (JEANNE SMITH)

Subdivision Approval – 100 Ruby Street (Jeanne Smith)

Moved by Councillor Marilyn Kerton, seconded by Councillor Steven Hicks, THAT City Council adopt the following resolution:

BE IT RESOLVED that the 8% public land dedication, in relation to a subdivision application by Jeanne Smith, to create two (2) R-2 lots at 100 Ruby Street, be taken in the form of cash.

CARRIED UNANIMOUSLY

SUBDIVISION APPROVAL – 13 DEWITT ACRES (DONALD VINCENT)

Subdivision Approval – 13 Dewitt Acres (Donald Vincent)

Moved by Councillor Marilyn Kerton, seconded by Councillor Eric Megarity, THAT City Council adopt the following resolution:

BE IT RESOLVED that the 8% public land dedication, in relation to a subdivision application by Donald Vincent, to create two (2) R-2 building lots at 13 Dewitt Acres, be taken in the form of cash.

CARRIED UNANIMOUSLY

SUBDIVISION APPROVAL AND ASSENT OF COUNCIL – 380-390 YORK STREET (J.D. IRVING LTD.)

Subdivision Approval and Assent of Council – 380-390 York Street (J.D. Irving Ltd.)

Prior to any discussion, Councillor Mike O’Brien declared a Conflict of Interest and retired from the Council Chamber at 7:56 p.m.

Moved by Councillor Marilyn Kerton, seconded by Councillor Bruce Grandy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the subdivision application by J.D. Irving Ltd. to add land to the public right-of-way and to create a Municipal Services Easement at 380–390 York Street be approved; and

BE IT RESOLVED that the final plan of subdivision prepared by Trainor Surveys (1974) Ltd., entitled “Subdivision Plan Fredericton Railway Company Subdivision 2009-1, 390 York Street, City of Fredericton, County of York, Province of New Brunswick” receive the Assent of Council pursuant to Section 56(2) of the *Community Planning Act*.

CARRIED UNANIMOUSLY

Councillor Mike O’Brien returned to the Council Chamber at 7:58 p.m.

SUBDIVISION APPROVAL AND ASSENT OF COUNCIL – 607, 669, 687 QUEEN STREET (CITY OF FREDERICTON)

Subdivision Approval and Assent of Council – 607, 669, 687 Queen Street (City of Fredericton)

Moved by Councillor David Kelly, seconded by Councillor Stephen Chase, THAT City Council adopt the following resolution:

BE IT RESOLVED that the subdivision application by the City of Fredericton to add a portion of property located at 607, 669 and 687 Queen Street to the public right-of-way be approved; and

BE IT RESOLVED that the final plan of subdivision prepared by Trainor Surveys (1974) Ltd., entitled “Crowne Plaza/Queen Street Subdivision 607 & 659 Queen Street, City of Fredericton, County of York, Province of New Brunswick”, receive the Assent of Council pursuant to Section 56(2) of the *Community Planning Act*.

CARRIED UNANIMOUSLY

SUBDIVISION APPROVAL AND ASSENT OF COUNCIL – BROOKSIDE DRIVE AND REYNOLDS STREET (CITY OF FREDERICTON)

Subdivision Approval and Assent of Council – Brookside Drive and Reynolds Street (City of Fredericton)

Moved by Councillor David Kelly, seconded by Councillor Bruce Grandy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the subdivision application by the City of Fredericton, to add a portion of property located at Brookside Drive and Reynolds Street to the public right-of-way, be approved; and

BE IT RESOLVED that the final plan of subdivision prepared by Central NB Surveys Ltd., entitled “Subdivision Plan, Dalin

Investments Ltd., Riocan Holdings Inc., Subdivision, Reynolds Street (Public) PIDs 01488261 & 75007583 Reynolds Street & Brookside Drive, City of Fredericton, County of York, Province of New Brunswick”, receive the Assent of Council pursuant to Section 56(2) of the *Community Planning Act*.

CARRIED UNANIMOUSLY

SUBDIVISION APPROVAL AND APPROVAL OF STREET NAMES – BROOKSIDE DRIVE, NORTHBROOK PHASE 4 (ADI LIMITED)

Subdivision Approval and Approval of Street Names – Brookside Drive, Northbrook Phase 4 (ADI Limited)

Moved by Councillor David Kelly, seconded by Councillor Bruce Grandy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the 8% public land dedication, in relation to a subdivision application by ADI Ltd. to create 25 R-2 building lots and 1 water reservoir lot off Brookside Drive (Northbrook Phase 4), be taken in the form of land/cash; AND that the street names “*Aiden Street*” and “*Benoit Street*,” as shown on Map III of Planning Report 142/10, be approved.

CARRIED UNANIMOUSLY

SUBDIVISION RE-APPROVAL AND APPROVAL OF STREET NAMES – BROOKSIDE DRIVE, NORTHBROOK PHASE 3 (NORTHRUP HOLDINGS LTD.)

Subdivision Re-Approval and Approval of Street Names – Brookside Drive, Northbrook Phase 3 (Northrup Holdings Ltd.)

Moved by Councillor David Kelly, seconded by Councillor Bruce Grandy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the 8% public land dedication, in relation to a subdivision application by Northrup Holdings Ltd., to create 20 RM-1 Lots, two (2) R-3 Lots and 1 R-5 Lot off Brookside Drive (Northbrook Phase 3), be taken in the form of land and/or cash; and that the street names “*Nason Street*”, “*Fearneley Street*” and “*Shannon Street*,” as shown on Map III, be approved.

CARRIED UNANIMOUSLY

REPORTS OF COUNCIL-IN-COMMITTEE

Reports of Council-in-Committee

The following reports of Council-in-Committee were presented:

AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – PARKING RESTRICTIONS ON CLAREMONT DRIVE

Amendment to By-law No. T-1, A By-law to Regulate Traffic – Parking Restrictions on Claremont Drive

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Scott McConaghy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the Legal Division to draft the appropriate by-law to amend By-law No. T-1, A By-law to Regulate Traffic, to restrict parking on both sides of Claremont Drive, for a distance of 125 metres in a southerly direction, from the intersection of Sunset Drive.

CARRIED UNANIMOUSLY

AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – REMOVAL OF GIBSON STREET AND THE SECTION OF CANADA STREET, SOUTH OF BRIDGE STREET, AS TRUCK ROUTES

Amendment to By-law No. T-1, A By-law to Regulate Traffic – Removal of Gibson Street and the section of Canada Street, south of Bridge Street, as Truck Routes

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Steven Hicks, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the Legal Division to draft the appropriate by-law to amend By-law No. T-1, A By-law to Regulate Traffic, to remove Gibson Street and the section of Canada Street, south of Bridge Street, as truck routes.

On the question, Councillor Steven Hicks commented that he was very pleased that these particular sections of Gibson Street and Canada Street would no longer be designated as truck routes.

Councillor Hicks also cautioned that police would be monitoring the areas very closely; an increase to fines was also being considered for such traffic violations.

The original motion was then put to the vote and declared **CARRIED UNANIMOUSLY.**

AGREEMENT WITH HOLLAND COLLEGE – PRE-EMPLOYMENT FIREFIGHTER TRAINING PROGRAM

Agreement with Holland College – Pre-employment Firefighter Training Program

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Mike O’Brien, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes the Mayor and City Clerk to execute an Agreement between Holland College, a post secondary educational institution headquartered in Charlottetown, Prince Edward Island, and The City of Fredericton, for the rental of the fire training facility located at 500 Two Nations Crossing for a fourteen week pre-employment firefighter training program to be delivered in 2011 by Holland College in the amount of \$45,000.00, including HST; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute such further legal documents as may be required to facilitate this direction.

CARRIED UNANIMOUSLY

APPLICATION TO THE MUNICIPAL CAPITAL BORROWING BOARD – WATER & SEWER NORTHBROOK RESERVOIR PROJECT

Application to the Municipal Capital Borrowing Board – Water & Sewer Northbrook Reservoir Project

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Eric Megarity, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the City Treasurer, Acting, to submit an application to the Municipal Capital Borrowing Board to borrow money for a capital expense by way of a loan or by the issue of debentures or guarantee the repayment of any loan or issue of debentures made for a capital expense in an amount up to and not to exceed \$1,100,000 for a term not to exceed five (5) years for the purpose of capital construction, under the capital classification of Environmental Health Services – Water & Sewer Northbrook reservoir. The application is made pursuant to subsection 4(1) of the *Municipal Capital Borrowing Act* (“Act”) and subsection 3(1) of the New Brunswick regulations 84-113 under the Act.

CARRIED UNANIMOUSLY

APPLICATION TO THE MUNICIPAL CAPITAL BORROWING BOARD – CONVENTION CENTRE, PARKING GARAGE, AND GRANT•HARVEY CENTRE

Application to the Municipal Capital Borrowing Board – Convention Centre, Parking Garage, and Grant•Harvey Centre

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Scott McConaghy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the City Treasurer, Acting, to submit an application to

the Municipal Capital Borrowing Board to borrow money for a capital expense by way of a loan or by the issue of debentures or guarantee the repayment of any loan or issue of debentures made for a capital expense in an amount up to and not to exceed \$1,329,188 for a term not to exceed twenty (20) years for the purpose of capital construction, under the capital classification of General Government Services, and \$1,079,171 under Recreational Services. The application is made pursuant to subsection 4(1) of the *Municipal Capital Borrowing Act* (“Act”) and subsection 3(1) of the New Brunswick regulations 84-113 under the Act.

CARRIED UNANIMOUSLY

AMENDMENTS TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC, AND BY-LAW NO. T-7, A BY-LAW RELATING TO PARKING METERS, PARKING ZONES, AND PAY AND DISPLAY MACHINES – REMOVAL OF PARKING ON SECTIONS OF REGENT AND KING STREETS

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Tony Whalen, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the Legal Division to draft the appropriate by-laws to amend By-law No. T-1, A By-law to Regulate Traffic, and By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines, in order to remove parking on the north side of King Street, from Regent Street to St. John Street, and on the west side of Regent Street, from King Street to Queen Street.

On the question, Councillor Stephen Chase noted that this was a difficult matter to come to terms with and, if approved, the removal of parking from sections of King Street and Regent Street may adversely affect area businesses, and increased traffic speeds may put pedestrians at risk.

Councillor Stephen Chase indicated that he would be voting in support of the motion, albeit reluctantly.

The original question was then put to the vote and declared CARRIED UNANIMOUSLY.

Amendments to By-law No. T-1, A By-law to Regulate Traffic, and By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines – Removal of Parking on Sections of Regent and King Streets

AMENDMENT TO BY-LAW NO. T-7, A BY-LAW RELATING TO PARKING METERS, PARKING ZONES, AND PAY AND DISPLAY MACHINES – PARKING RATES AND HOURS OF OPERATION

Amendment to By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines – Parking Rates and Hours of Operation

Moved by Deputy Mayor Dan Keenan, seconded by Councillor Stephen Kelly, THAT City Council adopt the following resolution:

BE IT RESOLVED that City Council approves the 2011 rate recommendations in the attached Table 6, “Proposed 5-year rate schedule of all parking services (excluding East End Garage)” and Table 7, “Proposed Rate Structure – East End Garage – Years 1-5 Operating 24 hours/day, 7 days a week” with the understanding that a comprehensive parking rate table will be brought forward for reconsideration every year during budget; and

BE IT FURTHER RESOLVED that City Council authorizes the Legal Division to prepare the appropriate by-law amendment to amend Schedule “B” of By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines.

On the question, Councillor Bruce Grandy suspected that, should the motion be approved, businesses in close proximity to the convention centre would be adversely affected by the 24/7 parking fees.

In light of this, Councillor Grandy indicated that he would not be supporting the motion.

Conversely, Councillor Scott McConaghy commented that the proposed fee schedule was a compromise between funding the building of the structure and the subsequent operation of same. As such, Councillor McConaghy indicated that he would be voting in support of the motion.

The original question was then put to the vote and declared CARRIED ON DIVISION; Councillor Bruce Grandy voting “nay.”

SINGLE SOURCE PURCHASE OF ONE (1) ALLEN-BRADLEY MOTOR CONTROL CENTER PANEL FOR THE CITY OF FREDERICTON WATER AND SEWER DIVISION

Single Source Purchase of One Alle-Bradley Motor Control Center Panel awarded to Harris & Roome Supply

Moved by Councillor Mike O’Brien, seconded by Councillor Tony Whalen, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the single source purchase of one (1) Allen-Bradley Motor Control Center Panel from *Harris & Roome Supply*, single source supplier, at the total quoted price of \$19,814.11 (Nineteen Thousand Eight Hundred Fourteen Dollars and Eleven Cents), HST extra.

CARRIED UNANIMOUSLY

QUOTATION #Q34-10 FOR THE SUPPLY AND DELIVERY OF LUMEC LUMINAIRES AND LUMEC POLES (NO SUBSTITUTIONS) FOR THE CITY OF FREDERICTON PARKS AND TREES DIVISION

Quotation #Q34-10
Awarded to Liteco

Moved by Councillor Mike O’Brien, seconded by Councillor Marilyn Kerton, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Quotation #Q34-10 for the supply and delivery of Lumec Luminaires and Lumec Poles, (No Substitutions), for the City of Fredericton Parks and Trees Division, to *Liteco*, single response bidder meeting specifications at the quoted price of \$19,075.00 (Nineteen Thousand Seventy Five Dollars), HST extra.

On the question, Councillor Bruce Grandy inquired whether or not LED lights had been considered as a cost saving option.

Mr. Wayne Tallon, Director of Community Services, indicated that the Lumec lights match the decorative lighting currently in the downtown.

The original question was then put to the vote and declared **CARRIED UNANIMOUSLY**.

MOTION TO ADD “REQUEST FOR PROPOSAL #P10-33, SUPPLY & DELIVERY STAGERIGHT PORTABLE STAGING SYSTEM AND RELATED ACCESSORIES OR APPROVED EQUAL FOR THE FREDERICTON CONVENTION CENTRE” TO THE REGULAR CITY COUNCIL MEETING AGENDA

“Request for Proposal #P10-33, Supply & Delivery Stageright Portable Staging System and Related Accessories or Approved Equal for the Fredericton Convention Centre” added to the Regular City Council Meeting Agenda

Moved by Councillor Bruce Grandy, seconded by Councillor David Kelly THAT the “Request for Proposal #P10-33, Supply & Delivery Stageright Portable Staging System and Related Accessories or Approved Equal for the Fredericton Convention Centre” be added to the Regular City Council Agenda as Item 6.C. **CARRIED UNANIMOUSLY**

REQUEST FOR PROPOSAL #P10-33 SUPPLY & DELIVERY STAGERIGHT PORTABLE STAGING SYSTEM AND RELATED ACCESSORIES OR APPROVED EQUAL FOR THE FREDERICTON CONVENTION CENTRE

Request for Proposal #P10-33 Awarded to Schoolhouse Products Inc.

Moved by Councillor Mike O'Brien, seconded by Deputy Mayor Dan Keenan, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Request for Proposal #P10-33, Supply & Delivery Stageright Portable Staging System and Related Accessories, or Approved Equal, for the Fredericton Convention Centre, to *Schoolhouse Products Inc.*, highest scored bidder meeting specifications at the proposed price of Fifty Thousand, One Hundred and Ninety One Dollars and Ninety Five Cents (\$50,191.95), HST extra; freight is included.

CARRIED UNANIMOUSLY

TENTATIVE COLLECTIVE AGREEMENT WITH CUPE LOCAL 1783

Tentative Collective Agreement with CUPE Local 1783

Moved by Councillor Steven Hicks, seconded by Councillor Scott McConaghy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the Mayor and City Clerk to execute the collective agreement between the City of Fredericton and CUPE Local 1783 commencing January 1, 2010, expiring December 31, 2014.

On the question, Councillor Mike O'Brien, Member of the Negotiations Liaison Committee, commented on the difficult nature of the issue, and noted that the City could not continue to sustain substantial wage increases on a go-forward basis. As such, Councillor O'Brien indicated that he would not be supporting the tentative collective agreement reached with CUPE Local 1783.

Deputy Mayor Dan Keenan and Councillor Bruce Grandy echoed Councillor O'Brien's sentiments, adding that the City is also dealing with a deficit in its pension plan.

Councillor Scott McConaghy and Councillor Stephen Chase were sympathetic to the points raised by their counterparts, but both indicated they would be voting in support of the motion.

The original motion was then put to the vote and declared CARRIED ON DIVISION; Deputy Mayor Dan Keenan, Councillor Bruce Grandy, Councillor Stephen Kelly, and Councillor Mike O'Brien voting "nay."

APPOINTMENT OF CANADIAN CORPS OF COMMISSIONAIRES AS BY-LAW ENFORCEMENT OFFICERS TO ENFORCE CITY OF FREDERICTON BY-LAWS

Appointment of Canadian Corps of Commissionaires as By-law Enforcement Officers to enforce City of Fredericton By-laws

Moved by Councillor Eric Megarity, seconded by Councillor Marilyn Kerton, THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton hereby directs that William Thomas Wheelan and Stephan Charles Burt be appointed under Section 14 of the *Police Act* as By-law Enforcement Officer to enforce the following By-laws:

- By-law No. R-6, A By-law to Regulate Taxi Owners and Operators of the City of Fredericton, and amendments thereto;
- By-law No. T-1, A By-law to Regulate Traffic, and amendments thereto;
- By-law No. T-6, A By-law Respecting Public Motor Buses, and amendments thereto;
- By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines, and amendments thereto.

CARRIED UNANIMOUSLY

APPOINTMENT OF TWO POLICE OFFICERS

Appointment of Two Police Officers

Moved by Councillor Eric Megarity, seconded by Councillor David Kelly, THAT City Council adopt the following resolution:

BE IT RESOLVED THAT the Council of the City of Fredericton appoint Jerri Beckwith and Zachery Coady as police officers pursuant to section 11 (1) (c) of the *New Brunswick Police Act*.

CARRIED UNANIMOUSLY

AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – PARKING RESTRICTIONS ON CLAREMONT DRIVE AND REMOVAL OF GIBSON STREET AND CANADA STREET, SOUTH OF BRIDGE STREET, AS A TRUCK ROUTE

Moved by Councillor Steven Hicks, seconded by Councillor Eric Megarity, THAT By-law No. T-1.46, A By-law to Regulate Traffic, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. T-1.46 Given
First Reading

Moved by Councillor Steven Hicks, seconded by Councillor Eric Megarity, THAT By-law No. T-1.46, A By-law to Regulate Traffic, be given second reading by title. CARRIED UNANIMOUSLY

By-law No. T-1.46 Given
Second Reading

PUBLIC HEARING – MUNICIPAL PLAN AMENDMENT AND REZONING – 518 SPRINGHILL ROAD (FREDERICTON LANDS COMMISSION)

Public Hearing – Municipal Plan Amendment and Rezoning – 518 Springhill Road (Fredericton Lands Commission)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Municipal Plan (Z-1) by re-designating a portion of the property located at 518 Springhill Road from Future Development (F.D.) to Residential; and to rezone a portion of the property from Future Development (F.D.) to Residential Zone Two (R-2).

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

First and Second Reading of By-law No. Z-1.14

Moved by Councillor David Kelly, seconded by Councillor Tony Whalen, THAT By-law No. Z-1.14, A By-law to Amend By-law No. Z-1, A By-law to Adopt a Municipal Plan for The City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. Z-1.14 Given
First Reading

Moved by Councillor David Kelly, seconded by Councillor Tony Whalen, THAT By-law No. Z-1.14, A By-law to Amend By-law No. Z-1, A By-law to Adopt a Municipal Plan for The City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY

By-law No. Z-1.14 Given
Second Reading

First and Second Reading of By-law No. Z-2.719

Moved by Councillor David Kelly, seconded by Councillor Tony Whalen, THAT By-law No. Z-2.719, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.719 Given
First Reading

Moved by Councillor David Kelly, seconded by Councillor Tony Whalen, THAT By-law No. Z-2.719, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY

By-law No Z-2.719 Given
Second Reading

PUBLIC HEARING – ZONING AMENDMENT – 1300 HANWELL ROAD (MANNY PATEL)

Public Hearing – Zoning
Amendment – 1300 Hanwell
Road (Manny Patel)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2), under the Service Industrial Zone (S.I.), in order to permit a medical and health office at 1300 Hanwell Road, subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

First and Second Reading of By-law No. Z-2.712

Moved by Councillor David Kelly, seconded by Councillor Steven Hicks, THAT By-law No. Z-2.712, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.712 Given
First Reading

Moved by Councillor David Kelly, seconded by Councillor Steven Hicks, THAT By-law No. Z-2.712, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY

By-law No Z-2.712 Given
Second Reading

REZONING AND SUBDIVISION – 700 FOREST HILL ROAD (TERRAIN GROUP INC.)

Rezoning and Subdivision –
700 Forest Hill Road
(Terrain Group Inc.)

Due to being absent from the City Council meeting held on November 8, 2010, when Hearing of Objections took place, Mayor Brad Woodside and Councillor Stephen Chase excused themselves and retired from the meeting at 8:50 p.m.

Accordingly, Deputy Mayor Dan Keenan assumed the Chair.

Moved by Councillor Tony Whalen, seconded by Councillor Scott McConaghy, THAT City Council adopt the following resolution:

BE IT RESOLVED that the application for subdivision submitted by Terrain Group Inc. to create one (1) new building lot on property located at 700 Forest Hill Road be approved.

CARRIED UNANIMOUSLY

COUNCILLOR JORDAN GRAHAM EXCUSED

Councillor Graham Excused

Moved by Councillor Steven Hicks, seconded by Councillor Eric Megarity, THAT Councillor Jordan Graham be excused from the meeting and relieved of the penalty as provided by by-law. CARRIED UNANIMOUSLY

ADJOURNMENT

Adjournment

Moved by Councillor Mike O'Brien, seconded by Councillor Tony Whalen, THAT the meeting adjourn. CARRIED UNANIMOUSLY

The meeting adjourned at 8:52 p.m.

Recording Secretary : Karen Garrett

Brad Woodside,
Mayor

Melanie D. MacDonald,
Assistant City Clerk