

**MEMO**

TO: Department Heads  
Brenda Lyons, Assistant City Clerk  
Peggy Doyle, Executive Assistant

FROM: Mary Cameron, Legislative Assistant

DATE: October 13, 2011

SUBJECT: **Copies of Minutes**

Copies of minutes of the following committees are available on the portal and the City's web site:

- Special Community Development & Tourism Committee, August 29, 2011
- Community Wellness & Recreation Committee, September 6, 2011
- Community Development & Tourism Committee, September 6, 2011
- Economic & Business Development Committee, September 6, 2011
- Transportation & Utilities Committee, September 12, 2011
- Infrastructure & Capital Works Committee, September 12, 2011
- Finance & Administration Committee, September 19, 2011
- Regular Council Meeting, September 22, 2011

**Kindly review the package for directives that may require action by your department. No further memos will be sent concerning directives in the minutes.**

**Special Community Development & Tourism Committee  
August 29, 2011**

**Council Chamber  
Miramichi Place**

Present: Chairperson - Councillor Joan Cripps, Mayor Gerry Cormier, Deputy Mayor Nancy Lordon, Councillors: Rupert Bernard, Derek Burchill, Jason Harris, Mike McCoombs, and Bill Treadwell

Staff: City Manager - David Dick, Acting City Clerk - Rhonda Haining, Police Chief – Earl Campbell, City Solicitor – Michael Noel, City Treasurer – Darlene O’Shea, Director of Economic Development – Jeff MacTavish, Director of Public Works – Frank Duffy and Legislative Assistant – Mary Cameron.

Wilson Bell and Colleen Bawn, Miramichi Planning District Commission

Press: Daniel Martins, Miramichi Leader/Weekend, Darcy McLaughlin, Miramichi On Line (joined the meeting at 6:22 p.m.) and an interested citizen.

**ACTION**

1. Call Meeting to Order – Councillor Joan Cripps called the meeting to order at 5:20 p.m. A quorum was present.
2. Recording of Attendance – The Acting City Clerk recorded the attendance.
3. Approval of Agenda – **It was moved by Councillor McCoombs and seconded by Councillor Harris that the agenda be approved as presented. CARRIED.**
4. Disclosure of Conflict of Interest – There was no declarations of conflict of interest.
5. Proposed Changes to the City of Miramichi Municipal Plan and City of Miramichi Zoning By-Law - The Chairperson, Councillor Cripps, reviewed the Management Report which outlined a list of recommendations/suggestions that had been provided to the Clerk’s Department from Councillors along with comments offered by MPDC staff and City Directors. Wilson Bell provided comments and/or clarifications on the items outlined in the Management Report.

**It was moved by Councillor Bernard and seconded by Councillor Harris that the developable residential lots of one (1) acre within the City limits in unserviced areas remain unchanged as well as the current lot size requirements in serviced areas remain unchanged. CARRIED.**

**City Clerk  
MPDC Staff**

Wilson Bell reviewed a memo dated August 24, 2011 “Draft New Municipal Development Plan and Draft New Zoning By-Law “Housekeeping” and other Proposed Changes – Issues arising since last meeting with City Council in March 2011”.

Discussion took place surrounding the above-noted changes.

MPDC staff will provide a report to Council within one month.

**MPDC**

6. Adjournment

**It was moved by Councillor Bernard and seconded by Councillor Harris that the meeting adjourn at 6:42 p.m. CARRIED.**

**Special Community Development & Tourism Committee  
August 29, 2011  
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**Councillor Joan Cripps  
Chairperson**

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**Rhonda Haining  
Acting City Clerk**

**Community Wellness & Recreation Committee  
September 6, 2011**

**7:00 p.m.**

**Council Chamber  
Miramichi Place**

Present: Chairman – Councillor Jason Harris, Mayor Gerry Cormier, Deputy Mayor Nancy Lordon, Councillors: Derek Burchill, Michael Malley, Michael McCoombs, and Bill Treadwell.

Staff: Recreation Director – Suzanne Watters, City Manager – David Dick, Acting City Clerk – Rhonda Haining, Director of Engineering – Csaba Kazamer (joined the meeting at 7:05 p.m.), Project Engineer – Darren Row, Director of Economic Development – Jeff MacTavish, City Solicitor – Mike Noel, Director of Community Development and Tourism – Peter Murphy, and Legislative Assistant – Mary Cameron

Members of the Press – Daniel Martins, Miramichi Leader/Weekend and Darcy McLaughlin, Miramichi On Line

1. Call Meeting to Order – The Chairman, Councillor Jason Harris, called the meeting to order at 7:00 p.m. A quorum was present.
2. Recording of Attendance – The Legislative Assistant recorded the attendance.
3. Approval of Agenda - **It was moved by Mayor Cormier and seconded by Councillor Treadwell that the agenda be approved as circulated. CARRIED.**
4. Declaration of Conflict of Interest – There were no declarations of conflict of interest.
5. Delegation
  - a) Chris Sargent, Hebert's Bottle Exchange Ltd. - Mr. Sargent was not present.
6. James M. Hill Track Lighting, Councillor Malley - Councillor Malley noted that he had asked Council to look into the lighting at the James M. Hill Track. The two lights presently there did always work. Citizens are asking for four lights, perhaps LED lighting. The Director advised that there are two lights at the track – one paid for by the City and one paid for by School District 16. The light placed by the School District has been repaired. Discussion took place.

**It was moved by Councillor Malley and seconded by Mayor Cormier that a management report be drafted with options for Council to consider for lights at James M. Hill Track and that the School District be contacted to cost share. CARRIED.**

7. Management Reports

- a) Wellington Street Project 10-003, Hebert's Bottle Exchange - **It was moved by Councillor McCoombs and seconded by Councillor Treadwell that City Council change By-Law 62, City of Miramichi Zoning By-Law, Section 4 to adopt the Transportation of Canada Geometric Design Guide for Canadian Roads for driveway access. CARRIED. Nay vote – Councillor Malley.**

On the question, Councillor Malley provided comments regarding this item and provided a brief history regarding Hebert's Bottle

**ACTION**

**Rec. Dir.**

**City Clerk**

**Community Wellness & Recreation Committee**

**September 6, 2011**

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Exchange and suggested that there would be nothing wrong with a rolled curb at this location. The Director of Engineering and the Project Engineer provided comments as well.

8. Department Monthly Report – The Recreation Director provided comments regarding the monthly report and advised that she had circulated the Miramichi Community Wellness & Recreation Department's 2011-2012 Program Guide to members of Council and staff present.

**It was moved by Councillor McCoombs and seconded by Councillor Burchill that the department updates for the month of August 2011 be accepted as circulated. CARRIED.**

On the question, Councillor Harris noted that two provincial baseball championship had been won by Miramichi teams and wished the Ironmen success with their efforts. The Recreation Director advised that comments regarding the Nationals had been very positive for the organizing committee and department staff.

7. Adjournment – **It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the meeting be adjourned at 7:24 p.m. CARRIED.**

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Councillor Jason Harris,  
Chairman

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Suzanne Watters  
Recreation Director

**Community Development & Tourism Committee  
September 6, 2011**

**7: 25 p.m.**

**Council Chamber  
Miramichi Place**

Present: Acting-Chairperson – Councillor Jason Harris, Mayor Gerry Cormier, Deputy Mayor Nancy Lordon, Councillor Derek Burchill, Councillor Michael Malley, Councillor Michael McCoombs and Councillor Bill Treadwell.

Staff: Director of Community Development & Tourism – Peter Murphy, City Manager – David Dick, Acting City Clerk – Rhonda Haining, City Solicitor – Michael Noel, Director of Economic Development - Jeff MacTavish, Director of Engineering – Csaba Kazamer, Recreation Director – Suzanne Watters, Project Engineer – Darren Row and Legislative Assistant – Mary Cameron.

Press: Daniel Martins, Miramichi Leader/Weekend and Darcy McLaughlin, Miramichi On Line

1. Call the Meeting to Order – Councillor Jason Harris acted as Chairman for the meeting and called the meeting to order at 7:25 p.m. A quorum was present.

**ACTION**

2. Recording of Attendance – The Legislative Assistant recorded the attendance.

3. Approval of Agenda – **It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs that the agenda be approved as circulated. CARRIED.**

4. Declaration of Conflict of Interest – There were no declarations of conflict of interest.

5. Management Report

a) Funding to Extend Season at Middle Island - The Director provided comments regarding the information contained in the management report.

**It was moved by Deputy Mayor Lordon and seconded by Councillor Burchill that since the budget projections provided by the City Treasurer on August 29, 2011 indicate that there does not appear to be any funding available for any non-budgeted items, that this request be denied and that the City develop a policy for dealing with all commissions that look after City parks and facilities and in the process of developing this policy that discussions be held with these commissions. CARRIED.**

**City Clerk  
Solicitor**

On the question, members of Council provided comments regarding this issue. The Director fielded questions posed by committee members. It was noted that funding listed as a line item for Ritchie Wharf also included other parks in the city. The Recreation Director provided clarification on some of the funding questions as the Recreation Department look after maintenance.

6. Department Updates - The Director reviewed the departmental updated for August 2011.

7. Adjournment – **It was moved by Councillor McCoombs and seconded by Councillor Burchill that the meeting be adjourned at 7:41 p.m. CARRIED.**

**Community Development and Tourism Committee  
September 6, 2011**

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Councillor Jason Harris,  
Acting Chairperson

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Peter Murphy,  
Director of Community  
Development & Tourism

**Economic & Business Development Committee  
September 6, 2011**

**7:42 p.m.**

**Council Chamber  
Miramichi Place**

Present: Vice - Chairman – Councillor Derek Burchill, Mayor Gerry Cormier, Deputy Mayor Nancy Lordon, Councillors: Jason Harris, Michael Malley, Michael McCoombs and Bill Treadwell.

Staff: Director of Economic Development - Jeff MacTavish, City Manager – David Dick, Acting City Clerk – Rhonda Haining, City Solicitor – Michael Noel, Director of Engineering – Csaba Kazamer, Director of Community Development & Tourism – Peter Murphy, Recreation Director – Suzanne Watters, Project Engineer – Darren Row, and Legislative Assistant – Mary Cameron.

Members of the Press – Daniel Martins, Miramichi Leader/Weekend and Darcy McLaughlin, Miramichi On Line

1. Call the Meeting to Order – The Vice-Chairman, Councillor Burchill, called the meeting to order at 7:42 p.m. A quorum was present.
2. Recording of Attendance – The Legislative Assistant recorded the attendance.
3. Approval of Agenda – **It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the agenda be approved as circulated. CARRIED.**
4. Conflict of Interest – There were no declarations of conflict of interest.
5. Chatham Historic Properties, Councillor McCoombs - Councillor McCoombs noted that there was a motion made in July where he had requested that this be a line agenda item for Finance and it was not on and he hopes it will be on in September agenda.

He stated that the 2008/2009 financial statements from Chatham Historic Properties have not been received. He noted that due to this lack of cooperation he will be asking the Mayor to disband the board and to appoint a new one.

Councillor Harris stated that the 2008/09 financial statements from CHP should be available and that a request be sent asking for them again. Councillor Burchill noted that CHP had advised they weren't going to meet until they have the statements and stated why can't they have a special meeting to address the City's questions. Deputy Mayor Lordon advised that she agrees with Councillors Harris and McCoombs as to why the financial statements from 2008-2009 can't be made available. Councillor Malley suggested asking the board to appear before Council and present their audited statements.

6. Department Updates – The Director reviewed the updates for August 2011. **It was moved by Councillor McCoombs and seconded by Councillor Malley that the Department Updates for the month of August 2011 be accepted. CARRIED.**

7. Personal Matters (Manager recommends Committee of the Whole, as per Section 10.2(4)(b) of the *Municipalities Act*) - **It was moved by Councillor McCoombs and seconded by Mayor Cormier to move to Committee of the Whole (at 7:54 p.m.) as per section 10.2 (4) (b) of the *Municipalities Act*. CARRIED.**

**ACTION**

**Economic & Business Development Committee  
September 6, 2011  
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**It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon to call the meeting back to order and to rise without report. CARRIED.**

**8. Adjournment – It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the meeting be adjourned at 8:47 p.m. CARRIED.**

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Councillor Derek Burchill  
Vice-Chairman

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Jeff MacTavish  
Director of Economic Development

**Transportation & Utilities Committee  
September 12, 2011**

**ACTION**

**7:00 p.m.**

**Council Chamber  
Miramichi Place**

Present: Chairperson, Councillor Brian King; Mayor Gerry Cormier, Deputy Mayor Nancy Lordon; Councillors: Jason Harris, Derek Burchill, Rupert Bernard, Bill Treadwell, Joan Cripps, Mike McCoombs, Michael Malley

Staff: Manager David Dick, Director of Public Works Frank Duffy, Solicitor Michael Noel, Acting City Clerk Rhonda Haining,  
Director of Engineering Csaba Kazamer, Project Engineer Darren Row and Executive Assistant Peggy Doyle

Press: Daniel Martins, Miramichi Leader; Darcy McLaughlin, Miramichi On-Line

1. Call Meeting to Order- Chairman Councillor King called the meeting to order at 7:00 p.m. A quorum was present.
2. Recording of Attendance – The Executive Assistant Peggy Doyle recorded the attendance.
3. Approval of Agenda – **It was moved by Councillor Cripps and seconded by Councillor Harris that the agenda be approved as circulated. CARRIED.**

4. Declaration of Conflict of Interest

There was no conflict of interest declared.

5. Business Arising from Previous Committee Meetings

- a) Crosswalks - update

Requests have been received for crosswalks to be placed on King George Highway at Miramichi Law Courts and Douglastown Boulevard/Boston Pizza entrance and a motion of Council was passed in April, 2011 "requesting that the Department of Transportation cost share in a study" regarding viability of these crosswalks. Director Duffy received information from the Department of Transportation that due to budgetary constraints they will not be cost sharing in the study.

6. Northumberland Solid Waste Commission Report

There was no report.

7. New Business

- a) Flushing of Water Mains (Councillor Malley)

Councillor Malley expressed concern over the advertising of watermain flushing, which is contracted out. Director Duffy advised Council that the City of Miramichi is responsible for all flushing carried out on the water system, therefore the advertisement is correct.

**Transportation & Utilities Committee**

**September 12, 2011**

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b) Ditch Maintenance (Councillor Malley)

Councillor Malley suggested that more money be placed in the budget for maintenance of ditches. Director Duffy agreed.

**ACTION**

c) Railway Crossings

Councillor Malley noted the recent repairs carried out on railway Crossings. Director Duffy advised that the process involves CN Rail being on site for all repairs and that CN also cost shares in the repairs, therefore all schedules and budgets must coincide with between the City of Miramichi and CN Rail.

8. Department Report

**It was moved by Councillor Treadwell and seconded by Councillor Bernard, that the Departmental Report for the month of August be approved as circulated. CARRIED.**

Director Duffy advised that this would be his last meeting before his official retirement on September 30<sup>th</sup>, 2011 and thanked Mayor Cormier, Chairman Councillor King, Vice-Chairman Councillor Treadwell, Council, Manager and Directors for their support over the years and thanked the Public Works Staff for all their hard work and dedication.

9. Adjournment

**It was moved by Councillor Harris and seconded by Deputy Mayor Lordon that the meeting adjourn, the time being 7:16 p.m. CARRIED.**

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**Councillor Brian King**  
**Chairman**

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**Frank Duffy**  
**Director of Public Works**

**Infrastructure & Capital Works Committee  
September 12, 2011**

**ACTION**

**7:17 p.m.**

**Council Chamber  
Miramichi Place**

Present: Chairperson, Councillor Rupert Bernard; Mayor Gerry Cormier, Deputy Mayor Nancy Lordon; Councillors: Jason Harris, Joan Cripps, Bill Treadwell, Brian King, Michael Malley, Michael McCoombs, Derek Burchill

Staff: Manager David Dick; Director of Engineering Csaba Kazamer, Solicitor Michael Noel, Acting Clerk Rhonda Haining, Project Engineer Darren Row and Executive Assistant Peggy Doyle

Press: Daniel Martins, Miramichi Leader; Darcey McLaughlin, Miramichi On-Line

1. Call Meeting to Order- Chairman Councillor Rupert Bernard called the meeting to order at 7:17 p.m. A quorum was present.
2. Recording of Attendance – Executive Assistant Peggy Doyle recorded the attendance.
3. Approval of Agenda – **It was moved by Councillor Cripps and seconded by Councillor Malley that the agenda be approved as presented. CARRIED.**
4. Declaration of Conflict of Interest

There was no declaration of conflict of interest.

5. Delegations: Chris Sargent, Hebert's Bottle Exchange

Tracy Sargent on behalf of Hebert's Bottle Exchange expressed concern to Council with the 15 meter opening provided to them at their place of business and in conjunction with the re-construction of Wellington Street. They are requesting a dropped curb for their entire driveway.

Chairman Rupert Bernard thanked Mrs. Sargent for her presentation. Colleen Forbes then asked to speak on the curbing issue along Wellington Street. A unanimous motion to allow Mrs. Forbes to speak was required.

**It was moved by Councillor Malley and seconded by Councillor King that Colleen Forbes be allowed to address Council as a delegation. CARRIED.**

Mrs. Forbes expressed concern regarding the 15 metre opening at her location, however now that the curbing was in place she would live with it. Another concern was the \$1,500 hook-up fee.

Chairman Councillor Bernard thanked Mrs. Forbes for her comments.

6. Management Reports

- a) Project 10-003 Wellington Street Reconstruction: Storm Outfall Ditch Along Walking Trail

It was moved by Councillor Malley that the cost to replace the existing 115 metres of ditch 70 metres east and 40 metres west of trail, estimated to cost approximately \$820 per metre or \$92,000. There was no seconder.

**Infrastructure & Capital Works Committee**  
**September 19, 2011**  
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**ACTION**

**It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs that approximately 205 metres guide rail be installed along the east and west sides of the walking trail for the Wellington Street project as indicated and approximated in the attached Figure 1. CARRIED. Nay vote Councillor Bernard.**

**Dir. of  
Engineering**

Joan Madore asked for permission to address Council on this issue.

Chairman Bernard advised that a unanimous vote of Council members present was required.

**It was moved by Councillor Malley and seconded by Councillor King that Joan Madore be permitted to speak to Council. DEFEATED. Nay vote Councillor Burchill**

7. Left turns onto King George Highway from Canadian Tire parking lot (Councillor Malley)

**It was moved by Councillor Malley and seconded by Councillor Harris that a Management Report be prepared regarding left turn onto King George Highway from Canadian Tire parking lot. CARRIED.**

**Clerk**

8. Reports

**It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the Engineering monthly report for August be accepted as presented. CARRIED.**

9. Adjournment

**It was moved by Councillor Harris and seconded by Councillor Cripps that the meeting adjourn, the time being 8:09 p.m. CARRIED.**

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Councillor Rupert Bernard  
Chairman

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Csaba Kazamer, M.Sc. E, P.Eng  
Director of Engineering

**Finance & Administration Committee  
September 19, 2011**

**ACTION**

**7:00 p.m.**

**Council Chamber  
Miramichi Place**

Present: Chairman Councillor Burchill; Mayor Gerry Cormier; Deputy Mayor Nancy Lordon, Councillors: Bill Treadwell, Michael McCoombs, Michael Malley, Rupert Bernard, Brian King.

Staff: Manager David Dick, Treasurer Darlene O'Shea, Solicitor Michael Noel, Acting Clerk Rhonda Haining, Deputy Police Chief Paul Fiander, Fire Chief Ian Gavet, Directors, Suzanne Watters, Jeff MacTavish, Heather Coughlan, Peter Murphy and Executive Assistant Peggy Doyle.

Press Daniel Martins, Miramichi Leader; Darcey McLaughlin, Miramichi On-Line

1. Call Meeting to Order- Chairman Councillor Derek Burchill called the meeting to order at 7:00 p.m. A quorum was present.
2. Recording of Attendance – Executive Assistant Peggy Doyle recorded the attendance.
3. Approval of Agenda – **It was moved by Councillor Bernard and seconded by Councillor Treadwell that the agenda be approved as presented. CARRIED.**
4. Conflict of Interest – There was no conflict of interest declared.
5. Management Reports
  - a) University Hoops Showcase Sponsorship Request

**It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the request for financial assistance be denied since it is not a budgeted item and that the group is informed of the procedure for applications for assistance during the budget process. CARRIED.**

**Clerk**

- b) Senior National Baseball Championship & Letter of Support for 2013, 2014 and 2015

**It was moved by Councillor Bernard and seconded by Councillor Malley that a letter of support be given to the Ironmen Baseball Bid Committee for the hosting of the Canadian Senior Baseball Championships in 2013, 2014 and 2015. CARRIED.**

**Clerk  
Treasurer**

- c) Wellness Committee Website

**It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs that permission be granted to the Mango Wellness Network to use \$3,000 (three thousand dollars) on the development of a website for the group and its partners. CARRIED.**

**Recreation Dir.  
Treasurer**

- d) Advertising & Recruitment for the Executive Assistant to the Chief of Police

**It was moved by Councillor Treadwell and seconded by Councillor King that the City of Miramichi advertise immediately to begin the recruitment process for the position of Executive Assistant to the Chief of Police. CARRIED.**

**Human Resources  
Police Chief**

**Finance & Administration Committee  
September 19, 2011**

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**ACTION**

e) Funding for Miramichi Landings

It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that no further funding be allocated to Miramichi Landings and that funding that was allocated to Miramichi Landings be re-designated for other tourism and economic development projects and for the maintenance and upkeep of the City facilities and/or be used to help reduce the 2012 budgetary requirements.

**It was moved by Councillor Bernard and seconded by Councillor Malley that the motion be tabled until the budget process where Miramichi Landings will get a fair chance with other budget projects. DEFEATED. Nay votes Mayor Cormier, Deputy Mayor Lordon, Councillors Treadwell, McCoombs**

The vote was then taken on the original motion.

**It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that no further funding be allocated to Miramichi Landings and that funding that was allocated to Miramichi Landings be re-designated for other tourism and economic development projects and for the maintenance and upkeep of the City facilities and/or be used to help reduce the 2012 budgetary requirements. CARRIED. Nay votes Councillors Bernard, Malley and King**

**Treasurer  
Clerk**

On the question, Councillor King expressed concern for the \$18m application to ACOA for phase 2 of the project and what would happen to the sites if Miramichi Landings was abolished. Director Peter Murphy explained that ACOA advised that the \$18m is not available as there is only \$10m for the entire Province. Treasurer Darlene O'Shea further explained that the Management Report is only concerned with the current funding the City provides Miramichi Landings during the budget process to operate the office.

Further on the question, Councillor Bernard advised that contrary to the Management Report \$500,000 has been received from the Province. He further questioned the Community Development & Tourism's (CD&T) plan for marketing direction and initiatives of the Miramichi Region Tourism Association (MRTA), which Miramichi Landing was leading. Director Murphy advised that he was told by the Regional Development Corporation that \$366,000 of the \$500,000 is no longer available. As well, on advice from Regional Development Corporation and Hon. Robert Trevors, the Director has submitted an application for a new boardwalk and access and egress to the water level at French Fort Cove. He further explained that CD & T works with MRTA and that the marketing guide that Miramichi Landings is using, is the study that was done for the MRTA and being used by CD & T. His department always works with MRTA and will continue to do so in the future.

Councillor McCoombs advised of the discussions of the ad hoc committee, where it was realized that most of the \$137,900 in funding, was for administration. He further explained that the Committee felt that it be a better spend to re-direct funding to other tourism and economic development projects. Chairman Councillor Burchill explained that the funding being discussed is for the office only, all of the individual sites that operate basically are being financed by the sites themselves through volunteers or by the City through in-kind services.

**Finance & Administration Committee  
September 19, 2011  
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**ACTION**

6. Contractual Matter – Manager recommends Committee of the Whole as per section 10.2(4) (c) of the *Municipalities Act*

7. Property Matter (Solicitor recommends Committee of the Whole, as per section 10.2(4)(d) of the *Municipalities Act*.

**It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs that the meeting go to Committee of the Whole. CARRIED.**

**It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs that the meeting return to regular session and rise without report. CARRIED.**

8. Adjournment

**It was moved by Councillor Bernard and seconded by Councillor McCoombs that the meeting adjourn, the time being 8:12 p.m. CARRIED.**

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**Councillor Burchill  
Chairman**

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**Darlene O'Shea  
Treasurer**

**Regular Council Meeting  
September 22, 2011**

**7:00 p.m.**

**Council Chamber  
Miramichi Place**

**Present:** Mayor Gerry Cormier, Deputy Mayor Nancy Lordon, Councillors: Rupert Bernard, Derek Burchill, Joan Cripps, Jason Harris, Brian King, Michael Malley, Michael McCoombs and Bill Treadwell

**Staff:** Acting City Clerk – Rhonda Haining, City Manager – David Dick, City Solicitor – Michael Noel, Director of Public Works – Frank Duffy, City Treasurer – Darlene O’Shea, Deputy Police Chief – Paul Fiander, Director of Economic Development – Jeff MacTavish, Director of Community Development & Tourism – Peter Murphy, Recreation Director – Suzanne Watters, Director of Engineering – Csaba Kazamer and Legislative Assistant – Mary Cameron.

Members of the Press – Darcy McLaughlin, Miramichi On Line and Daniel Martins, Miramichi Leader/Weekend, Matt Maher from Rogers TV and a group of interested citizens

Prayerful Reflection – Mayor Gerry Cormier requested that all those present stand for a moment of prayerful reflection.

1. Call Meeting to Order – Mayor Gerry Cormier called the meeting to order at 7:00 p.m. A quorum was present.

2. Recording of Attendance – The Legislative Assistant recorded the attendance.

3. Approval of Agenda – Mayor Cormier requested that item 12. a) iii) be discussed following the Mayor’s Updates. **It was moved by Councillor Harris and seconded by Deputy Mayor Lordon that the agenda be approved as amended – 12 a) iii) will be discussed following item 12. d) Mayor’s Updates. CARRIED.**

4. Disclosure of Conflict of Interest – There were no declarations of conflict of interest.

5. Delegations

a) John MacKay, Re: Serious Current Challenges Facing City of Miramichi - John MacKay thanked Council for the opportunity to address Council. Mr. McKay stated that we are approaching a serious crisis in our community and the community is looking from leadership from Mayor and Council to be a non-partisan voice for our community. Two events that have caused concern recently are the dismissal of the board members from Miramichi from our hospital and the need for upgrades to the railway. Mr. MacKay reviewed the history of the region when dealing with governments regarding health care, education and infrastructure. He suggested Miramichi has to put aside partisanship and do what’s good for this valley. Mr. MacKay made note of efforts to try and have the railway system upgraded and that government didn’t respond with funding. He provided comments regarding UMOE Solar and the wood allocation arrangements made with them, efforts to have natural gas in the north and the unconditional grant situation as it relates to Miramichi.

In closing, Mr. MacKay suggested Miramichi has to work actively together to prevent further erosion of government services. He made note of the following:

- insist when the government spends money on Route 11 that the entrance to King Street be a main priority

**ACTION**

**Regular Council Meeting  
September 22, 2011**

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- maintain all health services we have and to have the immediate reinstatement of the hospital board members
- immediate meeting with CN and pursue the federal and provincial government for funding to upgrade the rail line.
- work with the Mayors of Northern New Brunswick and the port of Belledune to demand the cessation of wood exports from our region
- actively demand that the Province upgrade the university campus to have a degree program in Miramichi

Mayor Cormier thanked Mr. MacKay for this presentation.

b) Ann O'Neill-MacDonnell and Emma Boulay, Re: Rick Hansen Wheels in Motion Tour - Ms. MacDonnell introduced herself as a teacher at Miramichi Valley High School (MVHS) and Emma Boulay as a Grade 12 student at MVHS. She spoke to Council regarding the Wheel in Motion Tour. There is a project team for this event at MVHS and they would like to invite Mayor and Council to their Rick Hansen 25<sup>th</sup> Anniversary Relay event they are hosting on September 28<sup>th</sup>. Their team was responsible for lobbying for the automated doors at MVHS gym entrance. Ms. MacDonnell thanked Council for their support for this project.

Ms. Boulay then advised that three of MVHS students, along with Barry Amos and Ms. MacDonnell have been chosen to be medal bearers in the Rick Hansen Relay event in Shediac. The Relay Team was so impressed with the students that they will be travelling to MVHS to celebrate their success. MVHS has organized a ribbon cutting ceremony along with a 50 minute presentation to help welcome the team.

They invited the Mayor to be part of the ribbon cutting as well as meet the Relay Team and enjoy the presentation that students and the team have for our community. Members of Council were invited as well. The event is planning for September 28<sup>th</sup> from 12:40 to 2:00 p.m. at the MVHS gymnasium.

Mayor Cormier thanked them for their presentation.

c) Joan Mador, Re: England's Hollow and the Trails - Mrs. Mador addressed Council with respect to safety concerns regarding the upgrade to England's Hollow. She outlined concerns with respect to the project and noted that all of the citizens living in the area of the Hollow feel that the ditches should be piped and covered as originally planned and outlined during the presentation at St. Andrews School. A copy of Mrs. Mador's presentation is on file in the Clerk's Department.

Mayor Cormier thanked Mrs. Mador for her presentation.

7. Adoption of Minutes

a) Regular Council Meeting, August 29, 2011 - **It was moved by Councillor Bernard and seconded by Deputy Mayor Lordon that the minutes of the Regular Council Meeting held on August 29, 2011 be adopted as circulated. CARRIED.**

8. Correspondence - Correspondence has been dealt with in the following committee meetings.

**Regular Council Meeting  
September 22, 2011  
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9. Committee Reports

a) Special Community Development & Tourism Committee, August 29, 2011 - **It was moved by Councillor Cripps and seconded by Deputy Mayor Lordon that the minutes of the Special Community Development & Tourism Committee Meeting held August 29, 2011 be adopted as circulated. CARRIED.**

Councillor Cripps reviewed the minutes.

**It was moved by Councillor Cripps and seconded by Councillor Burchill that the recommendations and directions contained in the minutes of the Special Community Development & Tourism Committee Meeting held August 29, 2011 be approved. CARRIED.**

On the question, Councillor Bernard asked if the permanent list of the 64 road that the city is planning to curtail services is ready. The Director of Public Works was asked by the Mayor to field this question and Mr. Duffy advised that the list has been completed and that the list would be provided to Council the first of the week.

Councillor Bernard also asked if the August 29<sup>th</sup> memo from the City Clerk regarding concerns raised by Council who were named in the memo and that concerns raised by staff members who were not identified in the memo. He asked if the comments provided by staff could be identified. The Acting City Clerk advised that she would be providing this information to Council.

Councillor Malley and Councillor Cripps also provided comments on the question. Councillor Cripps noted that she had chaired this meeting and that the Miramichi Planning District Commission will be providing a report to Council.

b) Community Wellness & Recreation Committee, September 6, 2011 - **It was moved by Councillor Harris and seconded by Councillor King that the minutes of the Community Wellness & Recreation Committee Meeting held September 6, 2011 be adopted as circulated. CARRIED.**

Councillor Harris reviewed the minutes.

**It was moved by Councillor Cripps and seconded by Deputy Mayor Lordon that the recommendations and directions contained in the minutes of the Community Wellness & Recreation Committee Meeting held September 6, 2011 be approved with the exception of item 7 a) Wellington Street Project 10-003, Hebert's Bottle Exchange. CARRIED.**

7. a) Wellington Street Project 10-003, Hebert's Bottle Exchange - It was moved by Councillor McCoombs and seconded by Councillor Treadwell that City Council change By-Law 62, City of Miramichi Zoning By-Law, Section 4 to adopt the Transportation of Canada Geometric Design Guide for Canadian Road for driveway access.

On the question, Councillor Bernard posed question and responses were provided by the Director of Engineering and the City Clerk. Councillor Malley provided comments in favour of lowering the curb for Hebert's Bottle Exchange. Councillor King advised that he

**City Clerk  
MPDC Staff**

**Dir. of PW**

**City Clerk**

**Rec. Dir.  
City Clerk**

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concur with Councillor Malley. Councillor Cripps also asked how changing the by-law would affect Hebert's and suggested that there has to be flexibility in the by-law.

Discussion took place.

**It was moved by Councillor Burchill and seconded by Councillor Harris that in light of the information provided by the Solicitor, that this motion be tabled until staff can prepare a report on the implications of changing our zoning by-law, the cost of removing curb work, and the safety implications of doing so. CARRIED.**

**Solicitor  
City Clerk  
Engineering  
Police**

c) Community Development & Tourism Committee, September 6, 2011 - **It was moved by Councillor Cripps and seconded by Councillor King that the minutes of the Community Development & Tourism Committee Meeting held September 6, 2011 be adopted as circulated. CARRIED.**

Councillor Cripps reviewed the minutes.

**It was moved by Councillor Cripps and seconded by Deputy Mayor Lordon that the recommendations and directions contained in the minutes of the Community Development & Tourism Committee Meeting held September 6, 2011 be approved. CARRIED.**

**City Clerk  
Solicitor**

d) Economic & Business Development Committee, September 6, 2011 - **It was moved by Councillor Cripps and seconded by Councillor King that the minutes of the Economic & Business Development Committee Meeting held September 6, 2011 be adopted as circulated. CARRIED.**

Councillor McCoombs reviewed the minutes.

**It was moved by Councillor Cripps and seconded by Councillor Harris that the recommendations and directions contained in the minutes of the Economic & Business Development Committee Meeting held September 6, 2011 be approved. CARRIED.**

e) Transportation & Utilities Committee, September 12, 2011 - **It was moved by Councillor King and seconded by Councillor Treadwell that the minutes of the Transportation & Utilities Committee Meeting held September 12, 2011 be adopted as circulated. CARRIED.**

Councillor King reviewed the minutes.

**It was moved by Councillor King and seconded by Councillor Treadwell that the recommendations and directions contained in the minutes of the Transportation & Utilities Committee Meeting held September 12, 2011 be approved. CARRIED.**

On the question, Councillor Malley provided comments regarding flushing of water mains, ditch maintenance, railway crossings and milling of asphalt for patching. The Director fielded question put forth by Councillor Malley.

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It was noted that Frank Duffy, Director of Public Works, is retiring on September 30<sup>th</sup> and he received a standing ovation from those present. Mayor Cormier thanked him for his years of service.

f) Infrastructure & Capital Works Committee, September 12, 2011  
- **It was moved by Councillor Bernard and seconded by Councillor Cripps that the minutes of the Infrastructure & Capital Works Committee Meeting held September 12, 2011 be adopted as circulated. CARRIED.**

Councillor Bernard reviewed the minutes. Councillor Bernard posed questions regarding procedural matters relating to a supplementary motion and the Solicitor fielded the question.

**It was moved by Councillor Bernard and seconded by Councillor Malley that the recommendations and directions contained in the minutes of the Infrastructure & Capital Works Committee Meeting held September 12, 2011 be approved with the exception of item 6. a) Project 10-003 Wellington Street Reconstruction: Storm Outfall Ditch Along Walking Trail. CARRIED.**

Dir. of Eng.  
City Clerk

Item 6. a) Project 10-003 Wellington Street Reconstruction: Storm Outfall Ditch Along Walking Trail - **It was moved by Councillor Bernard and seconded by Councillor King that approximately 205 metres guide rail be installed along the east and west sides of the walking trail for the Wellington Street project as indicated and approximated in the attached Figure 1. CARRIED. Nay votes – Councillor Bernard and Councillor King.**

Dir. of Eng.

On the question, Councillor Bernard and Councillor Malley noted that they were in favour of piping the ditch.

It was moved by Councillor Bernard and seconded by Councillor Malley that an exception be granted for Hebert's Bottle Exchange to permit a dropped curb along their property on Wellington Street.

Mayor Cormier requested information from the Solicitor with respect to this motion as it relates to procedure.

**It was moved by Deputy Mayor Lordon and seconded by Councillor McCoombs to table this motion until a management report can be prepared related to the cost and maintenance associated with the removal of the curb at Hebert's Bottle Exchange as well as all other curbs within the City of Miramichi; and in the meantime, review By-Law No. 62 for possible updates/revisions. CARRIED. Nay votes – Councillor Malley, Councillor King and Councillor Bernard.**

City Solicitor  
City Clerk  
Dir. of Eng.

g) Finance & Administration Committee, September 19, 2011 - **It was moved by Councillor Burchill and seconded by Councillor King that the minutes of the Finance & Administration Committee Meeting held September 19, 2011 be adopted as circulated. CARRIED.**

Councillor Burchill reviewed the minutes.

**It was moved by Councillor Burchill and seconded by King that the recommendations and directions contained in the minutes of the Finance & Administration Committee Meeting**

City Clerk  
Treasurer  
Rec. Dir.

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held September 19, 2011 be approved with the exception of item 5. e) Funding for Miramichi Landings. **CARRIED.**

**Dir. of HR  
Police Chief**

5. e) Funding for Miramichi Landings - **It was moved by Councillor Burchill and seconded by Deputy Mayor Lordon that no further funding be allocated to Miramichi Landings and that funding that was allocated to Miramichi Landings be re-designated for other tourism and economic development projects and for the maintenance and upkeep of the City facilities and/or be used to help reduce the 2012 budgetary requirements. CARRIED.**

**Treasurer**

On the question, discussion took place regarding the Province pulling funding from Miramichi Landings, the re-designation of funding. Mayor Cormier read an e-mail received from Hon. Robert Trevors, Minister of Public Safety and Solicitor General, MLA for Miramichi Centre, reconfirming his wish that any funding budgeted by RDC for Phase 2 of the Miramichi Landings initiative be directed as need to French Fort Cove enhancements.

Councillor Cripps provided comments regarding the role of the Chairman of the Community Development & Tourism Committee as it relates to this issue and that the funding allocation should have been a Council decision. She further noted that one part was missing from the motion and that was that the funding for Miramichi Landings would be available to the end of the year. Councillor Harris provided clarification.

The Director of Community Development & Tourism provided information on the issue.

9. Department Reports - There were no department reports.

10. Other Reports - There were no other reports.

11. By-Laws - There were no by-laws for presentation.

12. Other – New Business

a) Management Reports

i) Tender 11-025, Winter Street Maintenance - **It was moved by Councillor King and seconded by Councillor Treadwell that Tender 11-025, Winter Street Maintenance, be awarded as per our tender specifications to the following bidders, tax included, for the period of November 1, 2011 to April 30, 2013 as follows:**

**City Clerk**

| Zone                           | Contractor       | Contract Price |
|--------------------------------|------------------|----------------|
| #1 (Loggieville)               | Wm J. Kerr Ltd.  | \$163,059.00   |
| #2 (Chatham)                   | Wm J. Kerr Ltd.  |                |
| Grader c/w mold                |                  |                |
| Board & Wing                   |                  | \$120.00/hr    |
| Crawler Tractor D7             |                  | \$125.00/hr    |
| Front end 4-wheel drive loader |                  | \$120.00/hr    |
| #3 (Nelson)                    | 513356 N.B. Ltd. | \$295,628.34   |
| #4 (Douglastown)               | Vye Construction | \$360,470.00   |
| #5 (CFB Chatham)               | Wm J. Kerr Ltd.  | \$186,450.00   |
| #6 (Chatham Parish)            | Wm J. Kerr Ltd.  | \$189,840.00   |
| #7 (Ferry Rd./Millbank)        | Vye Constuction  | \$213,570.00   |

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**#8 (Douglasfield/  
ChathamHead)                      513356 N.B. Ltd.                      \$340,695.00.  
CARRIED.**

On the question, Councillor McCoombs, Councillor Harris and Councillor Malley provided comments.

ii) Tender 11-031, Historic Beaverbrook House, Exterior Painting & Clapboard Repair - **It was moved by Councillor Cripps and seconded by Deputy Mayor Lordon that Tender 11-031, Historic Beaverbrook House, Exterior Painting & Clapboard Repair, be awarded to the low bidder, MacDonald Industrial Services in the amount of \$73,427.50, HST included. CARRIED.**

**City Clerk**

On the question, Councillor Bernard and Councillor Cripps provided comments regarding the amount of the tender price quoted.

b) Chatham Historical Properties - Mayor Cormier - Mayor Cormier advised that the City has been requesting financial information pertaining to Chatham Historical Properties going back to March 2011. To date, the City has not been provided any information from the Board of Directors. He advised that he has heard from taxpayers on numerous occasions that financial details need to be revealed. He advised the he is left with four options that he would like direction from Council on:

- 1) disband the board and replace with a new board of directors
- 2) ask for a forensic investigation
- 3) ask for the board to appear before Council
- 4) do nothing.

He asked Council for direction on the necessary action the City needs to take to complete this issue.

It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the Mayor formally disband the Board of Directors of Chatham Historical Properties and appoint a new Board that will be respectful of Council's requests and that any monies owing be paid back immediately.

On the question, Councillor Cripps asked if the City has the authority to do this. The City Solicitor was asked to field this question. He responded that he if the city makes the appointments, they would but he said that he has to see documents because apparently the by-laws had changed.

On the question, Councillor Bernard responded to the Mayor's comments and noted that much of the information requested was contained in a management report prepared by the City Manager dated March 24, 2011. Councillor Bernard stated that he had provided additional information during an exchange at a Finance and Administration Committee Meeting held June 20, 2011. He advised Council that Chatham Historical Properties Inc. is a private non-profit corporation in which the City of Miramichi has no standing. He outlined the financial transactions which have occurred between the City and Chatham Historical Properties since 1995. A copy of Councillor Bernard's comments is attached.

**Regular Council Meeting  
September 22, 2011**

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**It was moved by Councillor Harris and seconded by Councillor Treadwell that this item be tabled until information is back from the Solicitor. CARRIED.**

City Solicitor

c) By-Law No. 57, A By-Law Relating to the Proceedings of the Council of the City of Miramichi – Mayor Cormier - Mayor Cormier reminded Councillor Malley of By-Law 57, Section 5, Subsection 6 which states... "*no member of Council shall speak disrespectfully of the Council, another member of Council, staff person or a member of the general public or use offensive or profane language*". Mayor Cormier stated that Councillor Malley's comments regarding City engineers on September 6<sup>th</sup> relating to the Management Report of the TAC guidelines was, in his opinion, disrespectful and in violation of this by-law. A copy of Mayor Cormier's comments are attached.

Councillor Malley responded to Mayor Cormier's comments and reviewed events as he had remembered. He stated that he did not use profane language. He was elected to represent the people and that's what he was doing. He further stated that he was not rude to staff.

d) Mayor's Updates

Mayor Cormier provided the following updates:

- Congratulations to Chatham O'Donaghue's Ironmen on winning the 2011 New Brunswick Senior Baseball Championship. This brings to conclusion a very successful season for the Ironmen and their fans. The team will represent the province in 2012 at the Canadian Senior Baseball Championships in Prince George, BC. This gives Miramichi a rare triple crown in baseball, O'Donaghue's Ironmen won the Senior Title, Miramichi Combines won the Intermediate "A" Title and the Junior Ironmen won the Junior Championship.
- Congratulations to Miramichi Transit, they have reached a ridership of 135,600 as of September 1<sup>st</sup>. This is a great service for Miramichi and we hope that the community continues to support this worthwhile venture.
- Mayor Cormier announced that he is appointing Brad Vaysey to the French Fort Cove Commission."

12. a)(iii) Labour & Employment Matter (Manager recommends Committee of the Whole as per the Municipalities Act, Section 10.2 (4))  
**(j) - It was moved by Councillor Harris and seconded by Councillor Burchill to move to Committee of the Whole to discuss this item. CARRIED.**

**It was moved by Councillor Harris and seconded by Councillor Malley to call the regular meeting back to order at 9:45 p.m. CARRIED.**

**It was moved by Deputy Mayor Lordon and seconded by Councillor Cripps that the City of Miramichi appoint Jay Shanahan as Acting Director of Public Works effective October 1, 2011 for a minimum period of six months at the salary recommended in the department report. CARRIED. Nay – Councillor Malley**

Dir. of HR

**Regular Council Meeting  
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On the question, Councillor Malley provided comments regarding his reason for voting against the motion. Councillors Burchill and McCoombs also provided comments.

14. Adjournment – **It was moved by Councillor Malley and seconded by Councillor Harris that the meeting be adjourned at 9:47 p.m. CARRIED.**

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**Gerry Cormier  
Mayor**

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**Rhonda Haining,  
Acting City Clerk**

Attachment for Page 5, item 6(a)

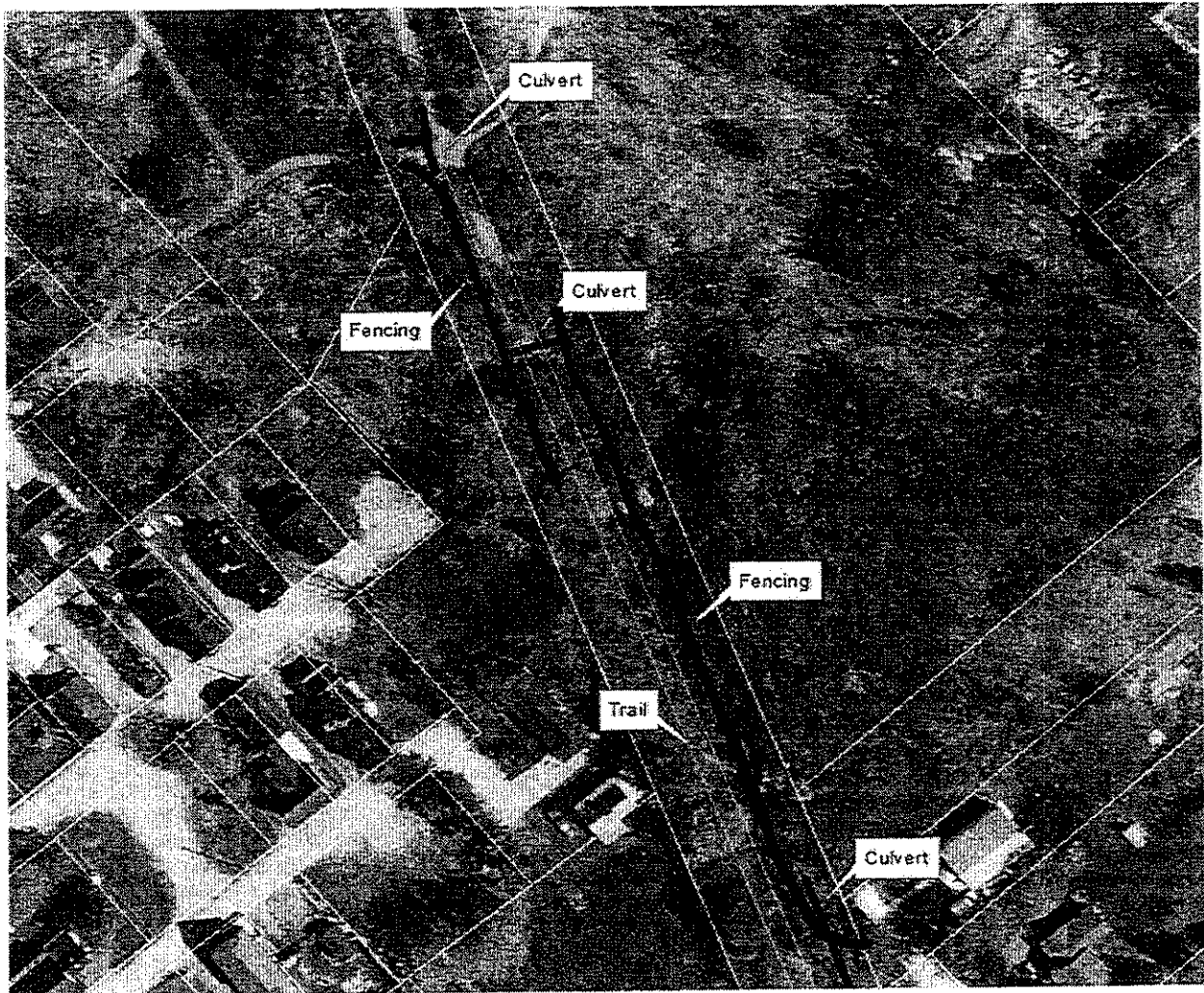


Figure 1 - Approximate Location of Railing along Trail

Comments provided by Councillor Bernard,  
Regular Council Meeting, September 22, 2011  
12.(b) Chatham Historical Properties - Mayor Cormier

Much of the information requested is contained in a management report to Council dated March 24, 2011 prepared by City Manager, David Dick. Additional information was provided by our Chair, Rupert Bernard, during an exchange at a Finance and Administration Committee meeting held on June 20, 2011.

I am compelled to advise Council that Chatham Historical Properties Inc. is a private non-profit corporation in which the City of Miramichi has no standing.

However, I wish to outline the financial transactions which have occurred between the City and Chatham Historical Properties since 1995.

#### WHERE THE MONEY WENT

Nov. 1995 – CHP received \$25,000.00 from the City for rent to accommodate several non-profit organizations displaced as a result of the City decision to locate the Police Station at the Beaverbrook Center.

Feb. 6, 1997 – CHP received a \$43,000.00 loan from the City to cover back property taxes. That loan was repaid with a cheque dated Feb. 15, 2011

Aug. 24, 1998 – CHP received a \$27,500.00 grant from the City of Miramichi to cover back Property taxes.

Jan. 12, 1999 – CHP sold the Connell House property to the City for \$30,000.00 plus an exchange of property for which the City of Miramichi paid \$1.00. (The Connell House property was purchased by the Town of Chatham for \$100,000.00, all but \$6,000.00 of that funding was received from the "Urban Sub-Agreement" As well, CHP spent over \$150,000.00 to upgrade this property for office use. This property was appraised at \$91,000.00 prior to renovations. This transaction saved the City of Miramichi over \$100,000.00 in upgrade costs)

Dec. 23, 1999 – CHP received a \$14,432.42 grant to cover back property taxes on the Old Post Office

Jan. 22, 2001 – CHP received a \$30,000.00 loan from the City to cover back property taxes on the Williston House. (CHP has begun to retire this debt by issuing 10 monthly post-dated cheques for \$1,000.00 each in March, 2011 and will continue with this until fully repaid.)

All of the above transactions occurred in *open, public* Council meetings, with Chatham Historical Properties providing all information requested. To summarize, Chatham Historical Properties has received a total of \$73,000.00 in loans from the City, most of which has been repaid with the balance being repaid at \$1,000.00 per month until fully repaid. Chatham Historical Properties has received a total of \$41,932.42 in grants from the municipality over our 28 year history (which was used to cover back property taxes)

or an average of \$1,500.00 per year and has paid approximately \$500,000.00 in property taxes over the same period, about half of which went to the municipality.

It is also important to note that neither the Town of Chatham nor the City of Miramichi “arranged” any external funding for Chatham Historical Properties in its history. Chatham Historical Properties worked incessantly over the years to arrange its own funding. Some funding when arranged by CHP was required to flow through the municipality but only as a conduit.

The following resolution was adopted by City Council on February 22, 1996:

“Whereas Chatham Historic Properties holds the deeds to the Connell House, Old Post Office, Flat Iron Buildings, Williston House,  
Whereas Chatham Historic Properties is an incorporated body entrusted with the care and maintenance of these buildings,  
Whereas the municipality has (4) appointments to the board of directors in the existing by-laws,  
Be it resolved that the City Manager, Mayor, Solicitor meet with Chatham Historic Properties to amend the by-laws to ensure the maintenance and care of the properties as well as to set up a Board of Directors independent of Council representation.”

Since that resolution was approved and over time Chatham Historical Properties has amended its by-laws to effect the resolution.

Chatham Historical Properties Inc. is a private, non-profit corporation independent of the City of Miramichi and governed by an independent, volunteer Board of Directors. The Board of Directors is governed by the by-laws of the Corporation.

We thought, perhaps naively, that we might receive a “thank you” for repaying our financial obligations, rather than the ensuing “witch hunt” given it has been over 10 years since we sought or received any financial support from the City of Miramichi. “Witch hunt” is defined by the World Book Encyclopedia dictionary as follows “the action of persecuting or defaming persons to gain political advantage”

12(c) Comments from Mayor Gormier  
Regular Council Meeting, Sept. 22, 2011

Councillor Malley, I want to remind you of By-Law 57, Section 5, Subsection 6 which states... *“no member of Council shall speak disrespectfully of the Council, another member of Council, staff person or a member of the general public or use offensive or profane language”*

Your comments regarding our City engineers on September 6 relating to the Management Report of the TAC guidelines was in my opinion disrespectful and in violation of this By-Law

I would also like to reference By-Law 57 Section 5, Subsection 9 which states.. *“any person who breaches this by-law may be required to leave the meeting at the discretion of the chair.*

Further I would like to comment on the events of September 8, 2011 where again, in my opinion, you have violated Policy 79, where you appeared on the job site on Wellington Street and disrespected the wishes of Council as follows:

At the Committee meeting of September 6, 2011, Council approved a management Report requesting adoption of the TAC guidelines with respect to curbing and controlling access from business establishments. The Management Report spoke to the urgency of the adoption, as the curbing along Wellington Street was being placed later that week.

I also need to remind you that the Owners of a specific business were on the agenda to speak to Council but did not show up for their scheduled time slot. I understand that the Engineering Department spoke to these owners early the morning of September 8<sup>th</sup> advising them of the decision of Council and provided them with an option of a 15 meter opening or two separate 8 meter openings. The Owner agreed to the two 8 meter openings. Shortly thereafter, I understand you attended this business enterprise and told the Owners that the Engineers did not provide all options and that they should reject the 8 meter openings and only accept a full opening.

I also understand that subsequent to your discussion with the engineering department the clients once again agreed to two separate 8 meter openings which you once again advised them to not accept.

Councillor, this is extremely upsetting that you would counsel taxpayers against the advice of our engineering department as well as against a decision made by Council at a committee meeting. At this committee meeting you had an opportunity and were the only Councillor in attendance to vote against acceptance. And yes, I understand the decision was made at Committee and not at a Council meeting, but this clearly shows a level of disrespect to both Council and Staff.

I would like to advise Council that our power is at the Council table and not on a job site.

**Regular Council Meeting  
September 22, 2011  
- 7 -**

**#8 (Douglasfield/  
ChathamHead)                      513356 N.B. Ltd.                      \$340,695.00.  
CARRIED.**

On the question, Councillor McCoombs, Councillor Harris and Councillor Malley provided comments.

ii) Tender 11-031, Historic Beaverbrook House, Exterior Painting & Clapboard Repair - **It was moved by Councillor Cripps and seconded by Deputy Mayor Lordon that Tender 11-031, Historic Beaverbrook House, Exterior Painting & Clapboard Repair, be awarded to the low bidder, MacDonald Industrial Services in the amount of \$73,427.50, HST included. CARRIED.**

City Clerk

On the question, Councillor Bernard and Councillor Cripps provided comments regarding the amount of the tender price quoted.

b) Chatham Historical Properties - Mayor Cormier - Mayor Cormier advised that the City has been requesting financial information pertaining to Chatham Historical Properties going back to March 2011. To date, the City has not been provided any information from the Board of Directors. He advised that he has heard from taxpayers on numerous occasions that financial details need to be revealed. He advised the he is left with four options that he would like direction from Council on:

- 1) disband the board and replace with a new board of directors
- 2) ask for a forensic investigation
- 3) ask for the board to appear before Council
- 4) do nothing.

He asked Council for direction on the necessary action the City needs to take to complete this issue.

It was moved by Councillor McCoombs and seconded by Deputy Mayor Lordon that the Mayor formally disband the Board of Directors of Chatham Historical Properties and appoint a new Board that will be respectful of Council's requests and that any monies owing be paid back immediately.

On the question, Councillor Cripps asked if the City has the authority to do this. The City Solicitor was asked to field this question. He responded that he if the city makes the appointments, they would but he said that he has to see documents because apparently the by-laws had changed.

On the question, Councillor Bernard responded to the Mayor's comments and noted that much of the information requested was contained in a management report prepared by the City Manager dated March 24, 2011. Councillor Bernard stated that he had provided additional information during an exchange at a Finance and Administration Committee Meeting held June 20, 2011. He advised Council that Chatham Historical Properties Inc. is a private non-profit corporation in which the City of Miramichi has no standing. He outlined the financial transactions which have occurred between the City and Chatham Historical Properties since 1995. A copy of Councillor Bernard's comments is attached.