

# City released report only after legal threat, man says

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A former Fredericton man who filed a lawsuit against the city after his request for a copy of a fire station location study was denied says he thinks the city's decision to publish the report Tuesday was more the result of a pending court date than a desire to be open or transparent.

Julian Renaud filed the lawsuit April 25 after spending three months trying to obtain a copy of the northside fire station location study for an article he was writing for New Brunswick Media Co-op publication The Dominion on the relationship between the city and the firefighters union. The report, completed in 2002, has been sought by members of the firefighters union as well as by The Daily Gleaner over the years.

The city had responded to requests saying it was unable to locate a copy of the report. When contacted by The Daily Gleaner, Tom Powell, the consultant who completed the study, said he still had the report on file. He declined to release it to the newspaper, but said all the city had to do was ask and he'd send it a copy.

Mayor Brad Woodside later said he wouldn't be requesting a copy of the report and releasing it to the public.

Last week, Renaud said, a July 3 hearing date had been set by the Court of Queen's Bench.

"It's probably not a coincidence that three business days later the city decided to release the report," he said Tuesday.

"It's the same thing that happened last time when I sued them because of what they did with the shelter that myself and others erected. We sued them and they stalled for a year and a half, then the moment the court set a trial date, they called me and asked to negotiate a settlement.

"There's definitely an overarching narrative here with these two issues. In both cases, the legal system provided an important safeguard against politicians doing things they really shouldn't be doing."

Woodside announced at Monday night's council meeting that the city had obtained a copy of the report completed by T. L. Powell and Associates and would be releasing it publicly on the website Tuesday morning.

Fire Chief Paul Fleming said the fire department started looking into obtaining a copy of the report about two months ago, sending an official request to Powell on May 9.

“We did search for it. We just could not find it. It did not go to council and the people involved aren’t with the city anymore,” Fleming said.

“We went back to the consultant and he sent us a copy of it.”

Fleming said the report was vetted upon receipt but what was published on the city’s website is the whole report word for word. He said the report was shared with the union but it wasn’t released until it went to council.

He said he’s not sure why it took so long for the 12-year-old report to be released.

“I don’t know why it was so secretive. In good faith, we did that (release it). We did that with the KCB report. Immediately we gave it to the union,” he said of the second fire services study, completed in 2013.

“I was a lieutenant on the trucks when this was done. I was just as curious as everybody else. I really don’t know, and the people who were involved, the decision-makers, aren’t here anymore.”

Renaud said city residents should have had access to the report when it was published 12 years ago.

“I think it’s very important that the public be able to see the documents that guide city policy, especially considering taxpayers are paying for those documents,” he said.

Now that the report has been released, Renaud said he plans to read it and finally finish the article he’s been working on. He said while he’s glad to have the report to use for his article, he’s frustrated it took so long to receive a copy.

“Frankly, I shouldn’t have had to sue the city again to do the right thing,” he said.

“There are so many people who say you can’t fight city hall. I think I’ve shown you can. But you shouldn’t have to. I shouldn’t have had to fight the city to get a copy of this document and I shouldn’t have had to fight the city to get them to admit what they did to Occupy (protesters) was illegal. But evidently asking them nicely to do the right thing isn’t enough. In both cases, they didn’t do anything until they were faced with the prospect of a court date. That’s what got them to finally do the right thing.

“If it wasn’t for the courts, we would be living in a very dark society where politicians could run around doing whatever they wanted at any time and there would be no accountability whatsoever. That courthouse serves a very valuable purpose. That’s why I’ve decided to become a lawyer. I very much look forward to starting law school this fall.”