

# GREATER SAINT JOHN

Milestone Port Saint John welcomes the two millionth cruise passenger to the city **C3**

Housing Real estate market is poised to show positive growth say some developers **C4**

SECTION C / TUESDAY, SEPTEMBER 24, 2013

TELEGRAPHJOURNAL.COM

## Viral fight video leads to arrest

**KARISSA DONKIN**  
TELEGRAPH-JOURNAL

SAINT JOHN – A 20-year-old Saint John woman is facing several charges stemming from a viral video that claims to show a pregnant woman involved in a fight on the city's east side.

The fight allegedly happened on July 2, but the video – reportedly shot on Ellerdale Street – recently surfaced on Facebook, said Sgt. Jay Henderson of the Saint John Police Force.

Police discovered the video after several people sent emails saying they were concerned about what they watched in the clip, which Henderson described as disturbing.

PLEASE SEE → **VIDEO, C4**

## GREATER SAINT JOHN JOURNAL

### Council

#### Retirees want on pension board

SAINT JOHN – The city's retirees association is renewing requests to be part of the new pension board. But Common Council effectively turned down the request on Monday with a move to receive and file the association's letter, which asked for a chance to meet with council. "Council has just approved this plan, and it wouldn't serve a purpose to sit down and explain what is already obviously very clear," Mayor Mel Norton said after the meeting. "The new plan document is already clear on who is part of the pension board." Coun. Susan Fullerton said she thought the retirees were the most vulnerable group in the new shared-risk plan, which she has vehemently opposed. "I see no problem with allowing the retirees to come and meet with us."

### Crime

#### Police probing robbery attempt

SAINT JOHN – The Saint John Police Force's Major Crime Unit is looking for witnesses of an alleged attempted robbery uptown on Sunday. A man approached another man at the King's Square bus stop around 9:30 p.m. and made some demands, said Saint John Police Force spokesman Sgt. Jay Henderson. The suspect is described as five-foot-six to five-foot-nine, with a large, muscular build, goatee and dirty blond hair. He was wearing a dark blue baseball cap, a blue shirt with a logo on it, shorts and white sneakers.

## Council backs flexible Sunday shopping

**Retail** Staff to draft amendment that would allow stores to set their own hours

**APRIL CUNNINGHAM**  
TELEGRAPH-JOURNAL

SAINT JOHN – Sunday shopping hours could change within a few weeks now that Common Council has asked city staff to amend the bylaw.

The move – supported unanimously at Monday night's meeting – came a week after the city politicians appeared torn on whether to adjust shopping hours beyond the noon to 5 p.m. restriction.

"We need to send every signal we can to the business community to welcome them and provide them with all the tools to be as competitive as possible," said Mayor Mel Norton in an interview after the meeting. "We are a relatively small community and we have to compete not just against the region but in fact well beyond this region."

Norton was on vacation in Europe last week when council heard a presentation from the Saint John Board of Trade that showed 85

per cent of businesses supported flexible shopping hours. That data came from an online survey.

At the time, some council members expressed concerns over whether longer hours would impact employees' ability to go to church or spend time with their families. Coun. Ray Strowbridge also said he wasn't satisfied with the 42 per cent response rate.

Coun. Shirley McAlary said Monday she believes it is still important for employees to have proper time off. But she said with the economic

climate, employees want extra hours and many retailers say flexible hours would lead to better business.

McAlary withdrew her previous motion that had advocated for the status quo.

"We have to support those in the business and those making a living at it," she said.

Coun. Greg Norton presented the motion asking city staff to amend the bylaw to allow retailers

PLEASE SEE → **SHOPPING, C2**

## STREETS SHOULD BE FOR BIKES, TOO



**KURT PEACOCK**  
THE NEXT CITY

In recent years, both the provincial and municipal government have talked a good game about healthy living, even if their rhetoric has yet to really translate into meaningful changes in public policy. The New Brunswick government now actually has a cabinet minister responsible for healthy communities, in the form of Saint John Lancaster MLA Dorothy Shephard. City hall, for its part, has finally taken the plunge into using dedicated bicycle lanes to promote healthy living – having opened its Millidgeville-to-Uptown bike connection earlier this year.

By themselves, both of these government initiatives don't amount to that much, but there is a real opportunity for both levels of government to actually promote more active living in Saint John, if the stars can somehow align. I state this, because in this week's council package there contained a management brief on how much the provincial government might invest on the Saint John roads that are considered part of the provincially designated highway system.

According to the staff document, it is suggested that the province of New Brunswick allocate close to a million dollars fixing up key city arterials over the next couple of years. The list of proposed repairs will include portions of Fairville Boulevard and Lancaster Street on the city's west side, Loch Lomond Road in east Saint John, and the long corridor of Main Street from Chesley Drive to the viaduct. Still unresolved is the exact amount that is to be spent tackling Simms Corner – an intersection that is old hat to Saint John residents, but is something that can be a whole lot more confusing to those coming to the city for the first time.

The capital improvement program that is being considered by both city and provincial officials will extend until 2018, although only the first couple of years of work is highlighted in

PLEASE SEE → **BIKES, C2**

## Former Saint Johner lives through mall terror in Kenya

**KARISSA DONKIN**  
TELEGRAPH-JOURNAL

Joanne Ball-Burgess was leaving the bathroom at her local mall when the terror began.

First, she heard the shots, loud and distinctive.

Then she heard the screams. What was supposed to be a quick trip to a local mall turned into hours of horror, and a woman who once felt at home in Saint John wasn't sure if she would make it out of Westgate Mall in Nairobi, Kenya, alive.

At least 62 people have died in a three-day attack that some are calling Kenya's Sept. 11. A group of attackers first stormed the mall on Saturday, firing at shoppers and taking hostages. The terror lasted into Monday, when most of the hostages had been cleared from the popular mall after a firefight with Kenyan security forces, the Associated Press reported. Somali terror group al-Shabab has taken credit for the terror.

Ball-Burgess was born in Bermuda, but is also a Canadian citizen and spent a lot of time in Saint John growing up; her mother, Wanda (Leek) Ball, is from Saint John. Other family members are spread out in Fredericton and Halifax.

She moved to Nairobi two years ago. There, she's a local celebrity, a dancer, singer and author who is a judge on *Sakata*, a Kenyan dance competition that's similar to *America's Best Dance Crew*.

She often takes trips to Westgate Mall in Nairobi to use the free Internet in the eateries and take her six- and seven-year-old boys to activities.

On Saturday, she went to the mall alone, with her family waiting for her at a football practice.



Joanne Ball-Burgess spent time growing up in Saint John, her mother's hometown. PHOTO: SUBMITTED



Security helps a wounded woman outside the Westgate Mall in Nairobi, Kenya on Saturday after gunmen threw grenades and opened fire during an attack that left several dead and dozens wounded. PHOTO: KHALIL SENOSI/AP

Her trip was supposed to be brief, long enough to withdraw money from an ATM and use the

rest room. Fifteen minutes after she arrived, the chaos began. As the

shots rang out, she tried to leave the bathroom but a man shouted to close the door.

"We locked ourselves in the stalls," Ball-Burgess told the Telegraph-Journal.

"We were scared but also in shock as if we weren't sure whether or not to believe our senses."

Crouching in the stall, she pulled out her phone and composed a tweet: "There's shooting at Westgate. Hiding. Someone call police and the bomb squad," it read, telling her followers that some "thugs" had taken over the mall. Seven other people hid around her.

She crouched in that spot for

PLEASE SEE → **TERROR, C2**

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# GREATER SAINT JOHN

"If you really want a lawyer, apply from jail because I understand they fast-track you." HENRIK TONNING

## Curfew violation lands man in jail

BRUCE BARTLETT  
TELEGRAPH-JOURNAL

SAINT JOHN – Kyle Alexander Cameron, appearing from the prisoner's box Monday, told the judge he wants to get his legal messes cleaned up so he can go out west to earn some money.

But provincial court Judge Henrik Tønning reminded Cameron he still hasn't hired a lawyer to deal with a shoplifting charge from last April, despite the fact the judge asked his probation officer to walk him down to the Legal Aid office in August, after one of his most recent court appearances.

Cameron was on a conditional sentence for other charges, but was picked

up on Sept. 19. Police had been looking for him since the beginning of the month after they learned he left his mother's home on Lancaster Avenue at the end of August without telling his sentence supervisor.

The move only came to light after he was back in court on Sept. 5 for causing a disturbance the day before. He pleaded not guilty and was placed on a curfew by the judge. Cameron didn't bother to say he had moved, so when police went to check on him the next night they learned from his mother that he no longer lived there.

Last week police finally picked Cameron up at Tim Hortons on Waterloo Street on a curfew violation and he

spent the weekend in jail. His sentence supervisor doesn't know where he was between the time he left his mother's home and when he was picked up, prosecutor Patrick Wilbur said.

Cameron's sentence supervisor told Tønning that Cameron still has 32 days left on his conditional sentence. The judge revoked the conditional sentence and told Cameron he has to serve the rest of it behind bars.

The judge looked at Cameron's criminal record and noted it was his third conviction for breaking a promise to the court, so he added another 30 days for the curfew violation, giving Cameron a total sentence of 62 days in jail.

"If you really want a lawyer, apply

from jail because I understand they fast-track you if you are there," the judge said.

Cameron has been to court several times in the past few months after pleading not guilty to an alleged shoplifting charge from Dave's No Frills, and is due back Oct. 15 to set trial dates, but he will still be in jail at that time.

Tønning advised him to get a lawyer and be ready to either set a trial date on Oct. 15 or deal with the charge, because if he really wants to clean things up it would be a good time to do it.

"But its completely up to you," the judge said.

"Then you can go out to the oilsands and earn some money."

### IN THE COURTS

#### Alcoholic chef given a break

SAINT JOHN – Daniel Mateo appeared in the prisoner's box Monday in his chef's uniform after he was picked up early Sunday morning leaving a bar on Union Street, despite being on a 7 p.m. to 7 a.m. curfew when not working. Mateo, 43, admits he is an alcoholic. His problems with the law all stem from incidents while drinking. He told the judge he was working as a cook Sunday and returned home before his 7 p.m. curfew, but went out again later to meet some friends at a bar. He was not causing any problems as he was going home around 12:30 a.m. But he was arrested because he was recognized by an officer who knew he was on a curfew, said prosecutor Patrick Wilbur. Mateo is also on a conditional sentence imposed last spring for five offences, including four breaches of a court order and fraudulently obtaining alcohol after he didn't pay his bill at a bar inside the Hilton Hotel. Provincial court Judge Henrik Tønning said he had reviewed Mateo's file and it appears he knows he has a problem and has taken steps to deal with it, but has not been successful so far. Many of the charges on Mateo's criminal record result from the fact he was placed on court orders to abstain from alcohol, was not able to and notched up another criminal charge, the judge said. Tønning decided to take no action on the conditional sentence breach and amended the conditions to remove the curfew and the prohibition on drinking. But he reminded Mateo he must still attend any counselling recommended by his sentence supervisor and try to get sober. "I can't see any justification, legal, moral or otherwise, for throwing him in jail every time he has a drink," the judge said.

## Making proper investments in bike lanes would pay off down the road

BIKES ← C1

the brief. This window of construction opportunity presents a real chance to actually promote a better streetscape balance on city roads – one that offers the lone cyclist ample opportunity to share the road with commuting cars.

There are many reasons why we should use the construction plans ahead of us to promote a healthier form of community transportation. If we're going to be digging up key city roads under an agreement with the province anyway, why don't we have a good planning session in advance, and figure out how we can leverage the asphalt repairs into producing a streetscape design that works for pedestrians and cyclists? After all, that's what a "healthy community" would do – and

it's the sort of concept that was behind Saint John's active transportation strategy, which envisioned a network of bike lanes throughout the region.

Making the proper investments in bike lanes now would not just promote more active, healthy city living, it would also give our city a real opportunity to have the sort of frank environmental discussion we ought to be having. If much of the city's business class is ready to embrace the Energy East pipeline, there should be alongside it a thoughtful debate on what sorts of community investments are needed to excite those citizens who aren't quite as enthralled with the latest round of energy hub dreams. This isn't to equate a network of bike lanes with a massive, multi-year capital investment; it's simply to argue that a healthy community

needs more than one economic driver behind it.

Of course, if the proposed capital budget for major streets includes one significant opportunity to make things right, it is in the long stretch of Main Street from Chesley Drive in the north end to Union Street in the uptown core. Almost from the earliest days of urban renewal, Main Street has been stripped of all its character, becoming a soulless corridor for fast-driving cars. In recent years, city hall has experimented with tiny fixes for Main Street – with the temporary summer bike lane being the most significant – but the upcoming street repairs offer a real opportunity to establish a more permanent, and people-friendly, corridor into the uptown. Before we call in the asphalt graders, let's sharpen the design pencils

on one of the city's most important (albeit neglected) streets.

As we finalize the list of provincially funded street repairs, let's ensure that more than the family sedan is considered in any capital improvements – far too often, provincial transport officials have focused only on the automobile.

A healthy community would actively develop other transportation options. If Saint John is to be a healthy community, we need to make the right investments when the opportunity presents itself. The council brief on road repairs is one such opportunity.

**Kurt Peacock** is a columnist with the *Telegraph-Journal*. He can be reached on Twitter @kurtpeacock or by email at peacock.kurt@telegraphjournal.com.

## Board boss happy with decision

SHOPPING ← C1

to set their own hours, which passed unanimously. Deputy Mayor Shelley Rinehart, Coun. Donna Rardon and Coun. Bill Farren were absent.

New Brunswick is the only province that gives municipalities the power to set Sunday shopping hours, and Saint John is the last of the province's largest cities to adjust its bylaw to allow retailers to set their own hours. Fredericton passed a bylaw on the issue in August, and Moncton has allowed flexible Sunday hours for several years.

Reached on Monday night, David Duplisea, executive director of the Saint John Board of Trade, said it was "wonderful news" that council had taken the first steps toward amending the bylaw.

"They were doing their job asking the right questions at the time, and I think the business community has spoken quite loudly in terms of letting their wishes be known in terms of what they want for Sunday shopping," he said.

Changes to the Sunday shopping hours would mean that depending on the



City manager Patrick Woods  
PHOTO: KATE BRAYDON/TELEGRAPH-JOURNAL

business model or sector, store owners – from grocery stores to malls to boutiques – would have the flexibility to choose what hours to open.

"We don't restrict any other sector – not manufacturing, industrial or any of those – so why would we cherry pick the retail?" Duplisea said.

City manager Patrick Woods told council it would take at least two meetings and three readings of a bylaw amendment before the change would take effect.

### WORDS IN SEASON

And not only that, but we also glory in tribulations, knowing that tribulation produces perseverance; and perseverance, character; and character, hope.

**Romans 5:3-4 (King James Version)**

### ALMANAC

#### Lotteries

**Keno for Sunday – Sept. 22:** The unofficial winning numbers were: 02-08-09-13-16-18-25-26-29-36-38-49-51-53-55-59-62-63-64-70. The tag number was: 541354.

**Bucko for Sunday – Sept. 22:** The unofficial winning numbers were: 10-13-24-33-36.

**Lotto 6/49 for Saturday – Sept. 21:** The unofficial winning numbers were: 07-19-21-29-31-36. Bonus number was: 42.

**Atlantic 49 for Saturday – Sept. 21:** The unofficial winning numbers were: 13-22-24-25-39-48. Bonus number was: 37.

**Lotto MAX for Friday – Sept. 20:** The unofficial winning numbers were: 02-14-15-24-40-43-44. Bonus number was: 45. The tag number was: 481728.

#### Today in history

1780 – Benedict Arnold escaped one day after his treason was disclosed. Arnold – a major-general and commander of the American fort West Point – had planned to surrender the fort to the British. He became a colonel in the British army and later lived in Saint John, N.B. – where he engaged in business for four years.

1788 – Canada made its first shipment of furs to China.

1869 – the Black Friday panic hit Wall Street after an attempt by financiers Jay Gould and James Fisk to corner the gold market.

1870 – Georges Claude – an engineer who devised a process for liquefying air – was born in Paris.

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The City of Saint John is proceeding with a program of fire hydrant flushing to clean the water distribution pipes in East Saint John. Over the next few weeks flushing will be performed between the hours of 8:00 a.m. and 8:00 p.m. This may affect water customers in areas or subdivisions bordered by Consumers Drive, Westmorland Road, Rotheray Avenue, Loch Lomond Road, MacDonald Street and Bayside Drive.

Customers may experience dirty water for up to 20 minutes if they use water during the time that the line on their street is being flushed. Though customers may encounter a drop in water pressure, at no time should they be without water.

For further information please contact 658-4455. TTY Service 632-6172

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The City of Saint John entreprend un programme de nettoyage par chasse d'eau des bouches d'incendie afin de nettoyer les conduites d'eau dans Saint John Est. Le nettoyage sera effectué au cours des prochaines semaines entre 8 h et 20 h et. Cette activité pourrait toucher les consommateurs d'eau dans les secteurs ou les lotissements bordant la promenade Consumers, le chemin Westmorland, l'avenue Rotheray, le chemin Loch Lomond, la rue MacDonald et la promenade Bayside.

Il est possible que les clients remarquent que leur eau est souillée pour une période allant jusqu'à 20 minutes pendant la durée du nettoyage de la conduite d'eau sur sa rue. Quoique les clients puissent constater une diminution de la pression de l'eau, ils ne devraient en aucun cas manquer d'eau.

Pour obtenir de plus amples renseignements, veuillez composer le 658-4455, ou le numéro de l'ATS 632-6172.

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## 'Everything moved in slow motion'

TERROR ← C1

three hours, phone in hand until its battery died, and her mind focused on the gunfire erupting around her.

"My emotions and thoughts swung back and forth from hope to despair, from fear to courage, that I would live and then that life would end in the bathroom. And then the thoughts would swing around again," she said.

"Mostly I thought about my kids. I needed to get out alive for them."

After three and a half hours, the bathroom filled with smoke and Ball-Burgess thought the mall was on fire.

The eight people hiding in the bathroom decided to make a run for it.

As they ran, the gunfire started again. "The fire exit was nearby but we weren't sure where the terrorists were," she said.

Beyond that fire exit was freedom. If she made it through those doors, she could hug her little boys again.

"We then decided that no matter what, we'd run down the exit," she said.

"From that moment, everything moved in slow motion. I was running fast and didn't know if I'd be shot in the back while running."

She ran until she saw police officers and ambulances. She was safe. She collapsed.

They took her into the ambulance to check for wounds, and later to a help centre nearby. She reunited with her husband 30 minutes later.

She didn't get to know the people hiding in the bathroom with her while they were waiting out the attack. But since they made it out alive, Ball-Burgess has bonded with some of them over the experience, and called one lady she was trapped with on Sunday.

Since making it out alive, she's remarked on Twitter that she can hardly believe her good fortune of surviving. The attack, she tweeted, could have been at anyone's mall.

Thousands of miles away, her family in New Brunswick is glad she's safe.

"My family in Canada (was) upset when they heard what happened," she said.

News of the Port			
Name	Ship Line	Agent	Cargo activity
<b>VESSELS IN PORT</b>			
<b>Wednesday</b>			
Star 1	Charter	Kent Agency	Petroleum for foreign ports
<b>Thursday</b>			
Elizabeth I.A.	Charter	Kent Agency	Crude Oil from foreign ports
AMI	Charter	Kent Agency	Petroleum for foreign ports

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Different areas will have different flyers. You may receive flyers from several, but not necessarily all, of the following advertisers.

**SATURDAY (#1)**

Maritime Travel	Sears	CCTFA Foundation
SD Excavating	NB Wildlife Trust Fund	

**MONDAY**

Hall Brothers		
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**TUESDAY**

No inserts

**WEDNESDAY**

Salvation Army	Giant Tiger	Shurgain
Home Depot	Sportchek	Mark's Work Wearhouse
Dulux Paint	Staples	St Hubert

**THURSDAY**

Pharmachoice	Co-op	Sobeys
Toyota	Kent Building Supplies	Lawtons
Home Hardware	Guardian Drugs	Groco
Sears	Toys R Us	M&M Meat Shop
Canadian Tire	Loeb's	Leon's Furniture
Wal-Mart	Bell Alliant	Pharmasave
Save Easy	Superstore	No Frills

**FRIDAY**

Bulk Barn	Future Shop	Michaels
Shoppers Drug Mart	Sears	

**SATURDAY (#2)**

Indigo	Brandsaver	Sears
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