Electronic Council Meeting Minutes

Meeting No. 3
February 23, 2021, 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Trinela Cane, Commissioner, Corporate Services	Morgan Jones, Director, Operations
	Arvin Prasad, Commissioner, Development Services	David Plant, Sr. Mgr, Parks, Horticulture & Forestry
	Claudia Storto, City Solicitor and Director of Human Resources	Todd Wilkinson, Manager, By-Law Services
	Biju Karumanchery, Director, Planning & Urban Design	Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship
	Joel Lustig, Treasurer	Eric Lariviere, Manager, Flato Theatre
	Bryan Frois, Chief of Staff	Harvinder Saini, Supervisor, Provincial Offences Officer
	Meg West, Manager of Business Planning and Projects	Jeff Rahim, Supervisor, Licensing & Standards
	Kimberley Kitteringham, City Clerk	Jeff Madeley, Manager, Financial Services
	Martha Pettit, Deputy City Clerk	Amanda Samara, Administrative Assistant, Building Standards Dept.
	John Wong, Technology Support Specialist II	Crystal Thorne, Administrative Assistant, Development Services Commission

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1. CALL TO ORDER

The meeting of Council convened at 1:10 PM on February 23, 2021. Mayor Frank Scarpitti presided.

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

Mayor Frank Scarpitti recognized the passing of Lucy Anne Poscente, a Thornhill resident and a long-time organizer of the annual Heintzman House Art Show. Council observed a moment of silence.

The Mayor also announced that Markham's 2020 virtual Canada Day celebrations was announced as a winner of a "2021 FEO Achievement Award" and congratulated the Corporate Communications team as well as the Canada Day Committee and Committee Co-Chairs, Councillor Amanda Collucci and Councillor Khalid Usman.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - FEBRUARY 9, 2021

Moved by Councillor Andrew Keyes
Seconded by Councillor Isa Lee

1. That the Minutes of the Council Meeting held on February 9, 2021, be adopted.

Carried

4. PRESENTATIONS

4.1 UNITED WAY CHEQUE PRESENTATION (12.2.6)

Samantha Cook of United Way Greater Toronto was in attendance for the cheque presentation. Mayor Frank Scarpitti recognized Amanda Samara and Crystal

Thorne, Co-Chairs, and Andy Taylor and Arvin Prasad, co-Sponsors of the 2020 United Way Campaign and all City of Markham staff who demonstrated their commitment to this great cause.

5. DEPUTATIONS

5.1 DEPUTATIONS - WINTER ACTIVITIES ON PONDS (5.6)

The following addressed Council on this matter:

1. Andrea Winarski
2. Daniel Santos
3. Fred Wong

(See Item 8.2.2, Report 6 for Council's decision on this matter)

6. COMMUNICATIONS

There were no communications.

6.1 COMMUNICATIONS - WINTER ACTIVITIES ON PONDS (5.6)

1. Email from Mark Deep dated February 23, 2021 providing comments.
2. Email from Fred Wong dated February 23, 2021 providing comments.

(See Item 8.2.2, Report 6 for Council's decision on this matter)

7. PROCLAMATIONS

None.

8. REPORT OF STANDING COMMITTEE

8.1 REPORT NO. 5 - GENERAL COMMITTEE (FEBRUARY 16, 2021)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

That the report of the General Committee be received & adopted. (Items 1 and 2):

Carried

8.1.1 SCHOOL CROSSING GUARD PROGRAM CONTRACT EXTENSION (CITY WIDE) (7.4, 7.12)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the report entitled " School Crossing Guard Program Contract Extension (City Wide)" be received; and,

2. That the contract for school crossing guard services be extended for one (1) year with Staffing Services Inc. from September 2021 to June 2022 in the amount of $718,753.65 (inclusive of HST); and,

3. That the tendering process be waived in accordance with the City's Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, "when the extension of an existing Contract would prove more cost-effective or beneficial"; and,

4. That the award in the amount of $718,753.65 inclusive of HST be funded from Operating Budget #740-998-5642 "School Crossing Guards"; and further,

5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.1.2 AWARD OF PROPOSAL 102-R-20 CONSULTING SERVICES - SUPPLY, IMPLEMENTATION, AND ONGOING SUPPORT OF A PARKING ENFORCEMENT E-TICKETING AND PAYMENT SOLUTION (2.17)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the report entitled “Award of Proposal 102-R-20 Consulting Services -Supply, Implementation, and Ongoing Support of a Parking Enforcement E-Ticketing and Payment Solution” be received; and,

2. That the contract 102-R-20 for Supply and Implementation of a Parking Enforcement E-Ticketing and Payment Solution (One time - hardware, implementation and training costs) (Recurring - software licenses, ongoing support and maintenance) be awarded to the highest ranked/lowest priced bidder, Groupe Techna Inc. in the amount of $210,996.28 inclusive of HST; and,

3. That a contingency in the amount of $21,099.63 inclusive of HST be established to cover any additional project costs be approved, and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,

4. That staff be authorized to hire a Business Support project resource for 10 months at a cost of $104,032.82 to support the project implementation; and,

5. That the capital costs be funded from capital project GL account 400-101-5399-20053 and GL account 049-6150-18316-005, with a combined available budget of $623,745.00; and,

6. That the remaining budget in the amount of $287,616.27 ($623,745.00 - 336,128.73) be returned to the original funding source; and,

7. That the contract for software licenses, ongoing support and maintenance costs for 9 years be awarded to Groupe Techna Inc. in the amount of $385,073.44, inclusive of HST ($199,001.60 fee for 5 years + $186,071.84 fee for the 4 renewal options) to be funded from 400-400-5361 with a current annual budget of $15,526.54, and subject to Council approval of the 2022-2030 operating budgets in the amounts of:

    a. Year 2 (2022) - $ 39,800.32

    b. Year 3 (2023) - $ 39,800.32

    c. Year 4 (2024) - $ 39,800.32

    d. Year 5 (2025) - $ 39,800.32

    e. Year 6 (2026) - $ 39,800.32

f. Year 7 (2027) - $ 46,517.96 *

g. Year 8 (2028) - $ 46,517.96 *

h. Year 9 (2029) - $ 46,517.96 *

i. Year 10 (2030) - $ 46,517.96 *

Total - $385,073.44

* Optional Year Renewal

8. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized to approve the additional renewal years (Years 7 to 10) on behalf of the City (in its sole discretion), and execute any required documentation in a form satisfactory to the City Solicitor; and,

9. That Groupe Techna Inc. be designated as the preferred vendor for the City's Parking Enforcement E-Ticketing and Payment Solution service needs at the sole discretion of the City and for Groupe Techna Inc. software products for the term of this contract; and,

10. That the Chief Administrative Officer and Commissioner, Corporate Services be authorized to approve any new purchases related to this contract needed due to growth and/or future Parking Enforcement E-Ticketing and Payment Solution upgrades due to change in technology or system integration with other applications related to the project during the term of this contract, subject to the Expenditure Control Policy and budget approval, in a form satisfactory to the City Solicitor and at the sole discretion of the City; and further,

11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 REPORT NO. 6 - DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 22, 2021)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

That the report of the Development Services Committee be received & adopted (Item 8.2.1).

Carried

8.2.1 DESTINATION MARKHAM CORPORATION 2021 BUSINESS PLAN AND BUDGET (10.16)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

1. That the report "Destination Markham Corporation 2021 Business Plan and Budget" be received; and,
2. That Council approve the "Destination Markham Corporation 2021 Business Plan"; and,
3. That Council approve the Destination Markham Corporation 2021 Budget to a maximum of $1,236,000; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2.2 WINTER ACTIVITIES ON PONDS (5.6)

Morgan Jones, Director of Operations outlined the history of activities, reports and resolutions on this matter. Claudia Storto, City Solicitor and Director of Human Resources, advised that legislation and case law has evolved over the years and that the City could be held liable for a variety of potential claims even if it has taken all steps possible to protect the public. On the issue of transferring liability, it will likely not be accepted by the Courts and will leave the City open to liability.

Moved by Councillor Andrew Keyes
Seconded by Councillor Reid McAlpine

1. That the Memorandum dated February 23, 2021 from Morgan Jones on "Toogood Pond - Recreational Use of Natural Ice"; be received, and,
2. **That the deputations from Andrea Winarski, Daniel Santos and Fred Wong, and the written communications from Mark Deep and Fred Wong, be received; and,**

3. **That Staff look into developing 3 - 4 potential key skating surfaces located throughout the City, in addition to artificial public rinks, and report back on potential sites and costs; and,**

4. **That Staff review areas like the area in the vicinity of Milne Pond to determine whether similar issues are encountered and report back in time for the 2021-2022 winter season to see what can be provided for the public to enjoy; and further,**

5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Council consented to amend the resolution by adding the following clauses:

3. That Staff look into developing 3 - 4 potential key skating surfaces located throughout the City, in addition to artificial public rinks, and report back on potential sites and costs; and,

4. That Staff review areas like the area in the vicinity of Milne Pond to determine whether similar issues are encountered and report back in time for the 2021-2022 winter season to see what can be provided for the public to enjoy; and further,

Council had before it the following original recommendation for consideration:

1. That the Memorandum dated February 23, 2021 from Morgan Jones on "Toogood Pond - Recreational Use of Natural Ice", be received, and,

2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That Council consider the matter of "Winter Activities on Ponds" immediately following Communications with respect thereto.

Carried

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

There were no new / other business.

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

None.

14. CONFIDENTIAL ITEMS

Council consented to not resolve into confidential session. The following Confidential items were approved by Council:

14.1 COUNCIL

14.1.1 APPROVAL OF CONFIDENTIAL COUNCIL MINUTES - FEBRUARY 9, 2021 (10.0)

Moved by Councillor Amanda Collucci
Seconded by Councillor Karen Rea

1. That the confidential Council minutes of February 9, 2021, be adopted.

Carried

14.1.2 APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES (16.11) [SECTION 239 (2)(b)]

Moved by Regional Councillor Joe Li
Seconded by Councillor Keith Irish

1. That the following persons be appointed or re-appointed to the Heintzman House Community Centre Board with a term expiry as indicated:

Dorenda McNeil	November 30, 2024
Robert Edmison	November 30, 2024
Chung Seto	November 30, 2024

2. That the following persons be re-appointed to the Race Relations Committee with a term expiry as indicated:

Sujane Kandasmy	November 30, 2024
Edward Choi	November 30, 2024
Faiz Mohyuddin	November 30, 2023

3. That the resignation of Jack Leung and Anisa Anwar from the Friends of the Markham Museum Board be received with regret for information purposes and that letters of appreciation be forward by Mayor Frank Scarpitti.

Carried

14.1.3 APPOINTMENTS AND RESIGNATIONS TO BOARDS/COMMITTEES - APPOINTMENT OF MEMBER TO THE BOARD OF MANAGEMENT FOR THE MAIN STREET UNIONVILLE BUSINESS IMPROVEMENT AREA (UBIA) (16.24) [SECTION 239 (2)(b)]

Moved by Councillor Reid McAlpine
Seconded by Deputy Mayor Don Hamilton

1. That Council appoint the following individuals as Directors of the Board of Management for the Main Street Unionville Business Improvement Area (UBIA) with a term expiry as indicated:

Debbie Smrz	November 14, 2022
Kash Mahmood	November 14, 2022

2. That the resignation of Rob Kadlovski and Sylvia Morris as Directors of the Board of Management for the Main Street Unionville Business Improvement Area (UBIA) be received with regret for information purposes and that letters of appreciation be forward by Mayor Frank Scarpitti.

Carried

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Alan Ho
Seconded by Councillor Khalid Usman

That By-law 2021-17 be given three readings and enacted.

Three Readings

BY-LAW 2021-17 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF February 23, 2021

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 3:08 p.m.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor