

Electronic Council Meeting Minutes

Meeting No. 14
August 25, 2020, 1:00 PM
Live streamed

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| Roll Call | Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho | Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee |
| Staff | Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Brian Lee, Director, Engineering Joel Lustig, Treasurer Bryan Frois, Chief of Staff Martha Pettit, Deputy City Clerk John Wong, Technology Support Specialist II Hristina Giantsopoulos, Elections & Council/Committee Coordinator Claudia Marsales, Senior Manager Waste & Environmental Management | Michael Dipasquale, Supervisor, Waste Management Meg West, Manager of Business Planning and Projects Graham Seaman, Director, Sustainability & Asset Management Margaret Wouters, Senior Manager, Policy & Research Alex Moore, Senior Manager, Procurement & Accounts Payable Francesco Santaguida, Assistant City Solicitor Lisa Riegel, Assistant City Solicitor Ronji Borooh, City Architect Mark Visser, Sr Manager Strategy Innovation & Investments Tony Casale, Senior Construction Buyer |

Alternate formats for this document are available upon request

1. CALL TO ORDER

The meeting of Council convened at 1:05 PM on August 25, 2020. 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 mentioned the large forest fire in Eabametoong First Nations community in Northern Ontario and that the federal government and other agencies are supporting the community.

Councillor Alan Ho arrived at 1:45 pm.

Council recessed at 4:20 pm and reconvened at 4:34 pm.

Regional Councillor Jim Jones left the meeting at 4:20 pm.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 COUNCIL MINUTES - JULY 14, 2020 AND AUGUST 5, 2020 SPECIAL COUNCIL

Moved by Regional Councillor Jack Heath

Seconded by Councillor Amanda Collucci

1. That the Minutes of the July 14, 2020 Council Meeting and August 5, 2020 Special Council meeting be adopted.

Carried

4. PRESENTATIONS

4.1 PRESENTATION - AWARD OF CONTRACT 089-R-19 RESIDENTIAL AND MULTI-RESIDENTIAL WASTE MANAGEMENT COLLECTION (5.1)

Claudia Marsales, Senior Manager, Waste Management & Environment addressed Council and delivered a presentation entitled, "Award of Contract 089-R-19 Residential and Multi-residential Waste Management Collection".

See Item 11.1 under New/ Other Business for details on this matter.

4.2 PRESENTATION - OVERVIEW OF BILL 197, COVID-19 ECONOMIC RECOVERY ACT, 2020 (7.0)

Marg Wouters, Senior Manager, Policy & Research addressed Council and delivered a presentation entitled, "Bill 197 Overview - Covid-19 Economic Recovery Act, 2020".

See Item 11.2 under New/ Other Business for details on this matter.

5. DEPUTATIONS

5.1 DEPUTATIONS - AWARD OF CONTRACT 089-R-19 RESIDENTIAL AND MULTI-RESIDENTIAL WASTE MANAGEMENT COLLECTION (5.1)

The following addressed Council on this matter:

1. Denis Goulet, Miller Waste Systems Inc.
2. Blair McArthur, Miller Waste Systems Inc.

6. COMMUNICATIONS

6.1 21-2020 LIQUOR LICENCE APPLICATION - HAI DI LAO HOT POT (WARD 4) (3.21)

(New liquor licence for indoor areas)

Moved by Councillor Alan Ho

Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.2 22-2020 LIQUOR LICENCE APPLICATION - PROVIDENTIAL 9 (WARD 8)
(3.21)

(New liquor licence for indoor areas)

Moved by Councillor Alan Ho

Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.3 23-2020 LIQUOR LICENCE APPLICATION - MARKHAM EXECUTIVE
GOLF COURSE (WARD 8) (3.21)

(New liquor licence for indoor and outdoor areas)

Moved by Councillor Alan Ho

Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.4 24-2020 LIQUOR LICENCE APPLICATION - PADDYO'S PIZZA (WARD 3)
(3.21)

(New liquor licence for indoor and outdoor areas)

Moved by Councillor Alan Ho

Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.5 25-2020 LIQUOR LICENCE APPLICATION - KONJIKI RAMEN MARKHAM
(WARD 8) (3.21)

(New liquor licence for indoor areas)

Moved by Councillor Alan Ho
 Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

6.6 26-2020 LIQUOR LICENCE APPLICATION - NEW CENTURY BANQUET
 (WARD 8) (3.21)

(New liquor licence for indoor areas)

Moved by Councillor Alan Ho
 Seconded by Councillor Reid McAlpine

1. That the request for the City of Markham to complete the Municipal Information Form be received for information and be processed accordingly.

Carried

7. PROCLAMATIONS

7.1 PROCLAMATION AND FLAG RAISING REQUESTS (3.4)

Moved by Councillor Andrew Keyes
 Seconded by Councillor Amanda Collucci

1. That the following proclamations, issued by the City Clerk in accordance with the City of Markham Proclamation Policy, be received for information purposes:
 - a. Pulmonary Fibrosis Awareness Month - September 2020
 - b. Mitochondrial Disease Awareness Week - September 13 - 19, 2020
 - c. Franco-Ontarian Day - September 25, 2020
2. That the following new requests for proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - a. World Alzheimer's Day - September 21, 2020

b. Show Your Local Love Day - September 25, 2020

Carried

8. REPORT OF STANDING COMMITTEE

There were no reports from Standing Committee.

9. MOTIONS

There were no motions.

10. NOTICE OF MOTION TO RECONSIDER

There were no notices of motions.

11. NEW/OTHER BUSINESS

**11.1 NEW/ OTHER BUSINESS - AWARD OF CONTRACT 089-R-19
RESIDENTIAL AND MULTI-RESIDENTIAL WASTE MANAGEMENT
COLLECTION (5.1)**

Claudia Marsales, Senior Manager, Waste Management & Environment addressed Council and delivered a presentation entitled, "Award of Contract 089-R-19 Residential and Multi-residential Waste Management Collection". Discussion on this matter ensued.

Blair McArthur and Denis Goulet of Miller Waste Systems Inc. providing deputations on the matter.

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the report entitled "Award of Contract 089-R-19 Residential and Multi-residential Waste Management Collection" be received; and,
2. **That the deputations of Blair McArthur and Denis Goulet of Miller Waste Systems Inc., be received; and,**
3. That the Contract for Residential and Multi-residential Waste Management Collection services be awarded to the highest ranked, second lowest priced

proponent, Miller Waste Systems Inc. for a term of eight (8) years, from September 1, 2021 to August 31, 2029 in the amount of \$114,340,912 (incl. of HST), subject to annual adjustments for growth and Consumer Price Index (CPI); and,

4. **That the Contract include an option for the City (in its sole discretion) to extend the Contract term for up to two (2) additional one (1) year terms on the same terms and conditions, including pricing; and,**
5. That the 2021 Waste Management Operating budget be increased by \$2,885,637 inclusive of CPI and growth. The budget shortfall is to be included as part of the 2021 Operating budget, subject to Council approval of the 2021 Operating budget; and,
6. That the City Solicitor be authorized to prepare the Contract in consultation with Staff from Environmental Services and Finance substantially in accordance with the terms, rates, and conditions outlined in this report; and,
7. That the Mayor and City Clerk be authorized to execute the Contract (and any other documentation necessary to give effect to the Contract) in a form satisfactory to the Chief Administration Officer and City Solicitor; and,
8. That future Purchase Orders for Waste Management collection services be revised to reflect the Council approved contract amounts; and further,
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended by Recorded Vote (13-0)

(See following recorded vote)

Council consented to amend clause 3 of the original recommendation from:

That the Contract include an option for the City (in its sole discretion) to extend the Contract term for up to two (2) additional one (1) year terms on the same terms and conditions, including pricing, and that the Chief Administrative Officer be authorized to exercise this option to extend the Contract for such additional one (1) year terms on behalf of the City, upon the recommendation of the Director, Environmental Services (or successor); and,

to:

That the Contract include an option for the City (in its sole discretion) to extend the Contract term for up to two (2) additional one (1) year terms on the same terms and conditions, including pricing.

Recorded Vote (13-0)

YEAS: Councillor Keith Irish, Councillor Alan Ho, Councillor Reid McAlpine, Councillor Karen Rea, Regional Councillor Jim Jones, Deputy Mayor Don Hamilton, Mayor Frank Scarpitti, Regional Councillor Jack Heath, Regional Councillor Joe Li, Councillor Andrew Keyes, Councillor Amanda Collucci, Councillor Khalid Usman, Councillor Isa Lee **(13)**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Jack Heath

1. That the matter of "'Award of Contract 089-R-19 Residential and Multi-residential Waste Management Collection" be received", immediately following the Deputations with respect thereto.

Carried

Council had before it the following original recommendation for consideration:

1. That the report entitled "Award of Contract 089-R-19 Residential and Multi-residential Waste Management Collection" be received; and,
2. That the Contract for Residential and Multi-residential Waste Management Collection services be awarded to the highest ranked, second lowest priced proponent, Miller Waste Systems Inc. for a term of eight (8) years, from September 1, 2021 to August 31, 2029 in the amount of \$114,340,912 (incl. of HST), subject to annual adjustments for growth and Consumer Price Index (CPI); and,
3. That the Contract include an option for the City (in its sole discretion) to extend the Contract term for up to two (2) additional one (1) year terms on the same terms and conditions, including pricing, and that the Chief Administrative Officer be authorized to exercise this option to extend the Contract for such additional one (1) year terms on behalf of the City, upon the recommendation of the Director, Environmental Services (or successor); and,

4. That the 2021 Waste Management Operating budget be increased by \$2,885,637 inclusive of CPI and growth. The budget shortfall is to be included as part of the 2021 Operating budget, subject to Council approval of the 2021 Operating budget; and,
5. That the City Solicitor be authorized to prepare the Contract in consultation with Staff from Environmental Services and Finance substantially in accordance with the terms, rates, and conditions outlined in this report; and,
6. That the Mayor and City Clerk be authorized to execute the Contract (and any other documentation necessary to give effect to the Contract) in a form satisfactory to the Chief Administration Officer and City Solicitor; and,
7. That future Purchase Orders for Waste Management collection services be revised to reflect the Council approved contract amounts; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

11.2 NEW/ OTHER BUSINESS - OVERVIEW OF BILL 197, COVID-19 ECONOMIC RECOVERY ACT, 2020 (7.0)

Marg Wouters, Senior Manager, Policy & Research addressed Council and delivered a presentation entitled, "Bill 197 Overview - Covid-19 Economic Recovery Act, 2020". Discussion on this matter ensued.

Moved by Councillor Keith Irish
Seconded by Councillor Khalid Usman

1. That the report entitled "Overview of Bill 197, COVID-19 Economic Recovery Act, 2020" be received;
2. And that staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11.3 NEW/ OTHER BUSINESS - PROPOSED DEMOLITIONS - ROUGE NATIONAL URBAN PARK (10.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Andrew Keyes

1. That the staff report entitled “Proposed Demolitions – Rouge National Urban Park”, dated August 25, 2020, be received; and,
2. That Rouge National Urban Park staff be requested to confirm if any alternative retention options for the structures were considered, such as marketing the buildings for long term residential lease in exchange for necessary renovations, the exploration of adaptive re-use opportunities, or advertising the availability of the structures for relocation or salvage opportunities; and,
3. That if demolition is to be pursued, Rouge National Urban Park staff be requested to follow Markham’s standard Building Code application requirements as it applies to the proposed demolition of structures within the City, and that any municipal application fees be waived; and,
4. That the two structures which are identified on the Markham Register of Property of Cultural Heritage Value or Interest be circulated to the Heritage Markham Committee for comment; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. ANNOUNCEMENTS

There were no announcements.

13. BY-LAWS - THREE READINGS

Moved by Regional Councillor Joe Li

Seconded by Deputy Mayor Don Hamilton

That By-laws 2020-82 to 2020-86 be given three readings and enacted.

Carried

Three Readings

13.1 BY-LAW 2020-82 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (COMPULSORY STOPS)

To add compulsory stops at specific intersections within the City of Markham.

Carried

- 13.2 BY-LAW 2020-83 A BY LAW TO AMEND PARKING BY-LAW 2005-188
To amend Schedule C of the Parking By-law pertaining to “Prohibited Parking”.

Carried

- 13.3 BY-LAW 2020-84 A BY-LAW TO AMEND SPEED BY-LAW 2017-104
To establish a maximum speed limit of 50 kilometres per hour on specific streets within the City of Markham.

Carried

- 13.4 BY-LAW 2020-85 ROAD DEDICATION BY-LAW - DENISON STREET
A by-law to dedicate certain lands as part of the highways of the City of Markham Part Lot 3, Concession 8, designated as Part 1, Plan 65R-38944, Block 85, Reserve, Plan 65M-3741 and Reserve Block 169, Plan 65M4619 - Denison Street.

Carried

- 13.5 BY-LAW 2020-86 ROAD DEDICATION BY-LAW - MOBIS DRIVE
A by-law to dedicate certain lands as part of the highways of the City of Markham, Part of Lot 28, Concession 3, designated as Part 6, Plan 65R-35210 - Mobis Drive.

Carried

14. CONFIDENTIAL ITEMS

Council consented to add an item to the confidential agenda regarding labour relations and employee negotiations.

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters at 5:15 pm:

14.1 LABOUR RELATIONS AND EMPLOYEE RELATIONS [Section 239
(2) (e)]

Carried

Moved by Regional Councillor Jack Heath
Seconded by Councillor Keith Irish

That Council rise from Confidential session at 5:35 pm.

Carried

Deputy Mayor Don Hamilton assumed the Chair.

The following Confidential item was approved by Council:

14.1 LABOUR RELATIONS AND EMPLOYEES NEGOTIATIONS (11.0) ([Section
239 (2) (d)]

Moved by Councillor Andrew Keyes
Seconded by Mayor Frank Scarpitti

Whereas the financial impacts of COVID-19 have been precedent setting for the private and public sector; and,

Whereas the financial strain on the City of Markham and its residents during COVID-19 is ongoing; and,

Whereas the City of Markham continues to identify mitigating strategies to reduce the financial impact on the City of Markham;

Now therefore it is recommended

That salary rates be maintained at the March 2020 level for all non-Union staff and Members of Council until December 31, 2020; and,

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

Carried

Mayor Frank Scarpitti resumed as Chair of the meeting.

15. CONFIRMATORY BY-LAW - THREE READINGS

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

That By-law 2020-87 be given three readings and enacted.

Three Readings

BY-LAW 2020-87 - A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL MEETING OF AUGUST 25, 2020.

No attachment

Carried

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the Council meeting be adjourned at 5:42 p.m.

Carried

Martha Pettit
Deputy Clerk

Frank Scarpitti
Mayor