

Electronic General Committee Meeting Minutes

Meeting Number: 7
April 26, 2021, 9:30 AM - 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	Morgan Jones, Director, Operations
	Trinela Cane, Commissioner, Corporate Services	Meg West, Manager of Business Planning and Projects
	Arvin Prasad, Commissioner, Development Services	Shane Manson, Senior Manager, Revenue & Property Taxation
	Claudia Storto, City Solicitor and Director of Human Resources	Mark Visser, Sr Manager Strategy Innovation & Investments
	Joel Lustig, Treasurer	Eddy Wu, Acting Director, Environmental Services
	Bryan Frois, Chief of Staff	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Martha Pettit, Deputy City Clerk	John Wong, Technology Support Specialist II
	Catherine Biss, Chief Executive Officer	Ned Sirry, Acting Chief Information Officer
	Adam Grant, Fire Chief	Lisa Chen, Sr. Manager, Financial Planning & Reporting
	Mary Creighton, Director, Recreation Services	Jason Ramsaran, Facility Assets Coordinator
	Graham Seaman, Director, Sustainability & Asset Management	Rob Grech, Manager, Stormwater
	Alex Moore, Manager of Purchasing & Accounts Payable	Bindi Patel, Supervisor, Community Program

1. CALL TO ORDER

Under the authority of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) and the City of Markham's *Council Procedural By-law 2017-5*, and in consideration of the advice of public health authorities, this meeting was conducted electronically with members of General Committee, staff, and members of the public participating remotely.

General Committee convened at 9:35 AM with Regional Councillor Jack Heath presiding as Chair for all items on the agenda.

The Committee resolved into confidential session at 10:41 AM and reconvened into open session at 11:07 AM. The Committee resolved into confidential session once more at 3:52 PM.

The Committee recessed for lunch at 12:11M and reconvened at 12:50 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE APRIL 6, 2021 GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

1. That the minutes of the April 6, 2021 General Committee meeting be confirmed.

Carried

4. PRESENTATION

4.1 BUILDING MARKHAM'S FUTURE TOGETHER 2020-2023 STRATEGIC PLAN (7.0)

Meg West addressed the Committee and delivered a presentation entitled, Building Markham's Future Together 2020-2023 Strategic Plan, which provided a progress update on City initiatives as they relate to the goals as set out in the strategic plan.

The Committee thanked Meg West, and staff for their work on the presentation and the initiatives as well as on achieving milestones in consideration of the redirection on some of them due to the pandemic.

There was discussion on the following:

- Consideration to provide additional context in relation to the net operating costs per household;
- Inquiry into the ratio of non-residential property taxes as a percentage of total property taxes levied;
- The Provincial Financial Information Return and related measurements;
- The administration of the ten satisfaction surveys, what they measured and what the results indicated; and,
- The agility of staff to continue to provide services and make enhancements in the changing environment.

Staff provided information in relation to the inquiries.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

1. That the report entitled Building Markham's Future Together (BMFT) 2020 – 2023 Strategic Plan Update be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5. DEPUTATIONS

There were deputations on Item 11.1 Tamil Memorial Monument. Please refer to the item for details.

6. COMMUNICATIONS

6.1 YORK REGION COMMUNICATIONS (13.4)

Moved by Regional Councillor Joe Li

Seconded by Councillor Khalid Usman

1. That the following communication dated March 31, 2021 from York Region be received for information purposes:

- a. 2021 Property Tax Ratios

Carried

7. PETITIONS

There were no petitions.

8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

8.1 MINUTES OF THE JANUARY 25, 2021 MARKHAM PUBLIC LIBRARY BOARD (16.0)

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

1. That the minutes of the January 25, 2021 Markham Public Library Board meeting be received for information purposes.

Carried

8.2 MINUTES OF THE FEBRUARY 10, 2021, FEBRUARY 17, 2021 ANNUAL GENERAL MEETING, AND MARCH 10, 2021 BOARD OF MANAGEMENT UNIONVILLE BUSINESS IMPROVEMENT AREA (16.0)

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

1. That the minutes of the February 10, 2021, February 17, 2021 Annual General Meeting and March 10, 2021 Board of Management Unionville Business Improvement Area Committee meetings be received for information purposes.

Carried

8.3 2021 FIRST QUARTER INVESTMENT PERFORMANCE REVIEW (7.0)

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

1. That the report dated April 26, 2021 entitled “2021 First Quarter Investment Performance Review” be received.

Carried

**8.4 2021 UNIONVILLE BUSINESS IMPROVEMENT AREA AND
MARKHAM VILLAGE BUSINESS IMPROVEMENT AREA
OPERATING BUDGETS (7.4)**

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

1. That the report titled “2021 Unionville Business Improvement Area and Markham Village Business Improvement Area Operating Budgets” dated April 26, 2021 be received; and,
2. That the 2021 Operating Budget in the amount of \$300,000 for the Unionville Business Improvement Area (UBIA) be approved; and,
3. That the 2021 Operating Budget in the amount of \$265,763 for the Markham Village Business Improvement Area (MVBIA) be approved; and,
4. That the Special Tax Rate levy, in the amount of \$214,221 for the UBIA members and \$160,559 for the MBIA members be included in the 2021 Tax Levy By-law; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. PRESENTATIONS - ENVIRONMENT & SUSTAINABILITY ISSUES

**9.1 MARKHAM VILLAGE AND UNIONVILLE FLOOD MITIGATION
STUDY (5.0)**

Rob Grech addressed the Committee to provide an update on the Flood Control Program and delivered a presentation entitled Markham Village-Unionville Flood Mitigation which included background information on the program, study findings, potential mitigation solutions and an update on the rate structure.

- The estimated completion time for the blue, yellow and green coloured areas on the map on Slide 4 of the presentation;
- Consideration to advance the completion of these initiatives especially for high risk areas;
- That there be flexibility within the program to extend the 2019 rate structure to small areas such as Locust Hill;
- The implications of the potential installation of a larger pipe to increase the capacity of Church Street and the surrounding area;
- How the Markham Village/Unionville study related to the ongoing work associated with the Mount Joy Secondary Plan;
- That Unionville residents and rate-payers be notified of a public meeting, and that Councillors be contacted to help with notifying the public of public meetings;
- Inquiry into whether Sir Lancelot is included in the study and future mitigation plans in this area; and,
- The potential for hardening/paving of backyards to impact the stormwater system.

Staff provided information in relation to the current projected completion dates and that an upcoming presentation will address the mitigation strategies for smaller areas such as Locust Hill. Public meetings have been planned for the effective areas to review the current strategies.

Moved by Councillor Khalid Usman

Seconded by Deputy Mayor Don Hamilton

1. That the presentation entitled “Markham Village/Unionville Flood Control Study Results,” be received; and,
2. That Staff be authorized to hold Public Meetings to obtain feedback on the proposed implementation plan for the Markham Village and Unionville Mitigation Project; and,
3. That Staff report back to Council with feedback obtained from the public prior to endorsement of the implementation plan for the Markham Village/Unionville Project; and further,

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

Carried

10. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

10.1 STAFF AWARDED CONTRACTS FOR THE MONTH OF MARCH 2021 (7.12)

There was an inquiry into the following staff award:

- 269-Q-20 Printing and Distribution of Councillors Ward Newsletters.

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

That the report entitled “Staff Awarded Contracts for the Month of March 2021” be received; and,

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

Carried

10.2 274-R-20 INTEGRITY COMMISSIONER SERVICES FOR CITY COUNCIL

Trinela Cane, Commissioner, Corporate Services, addressed the Committee to advise that staff recently underwent an Request For Proposal process for the procurement of an Integrity Commissioner for the City. ADR Chambers won the contract award having attained the highest evaluation score.

The Committee discussed the following in relation to this contract award:

- The depth of experience and the selection process;
- The manner which other municipalities select their Integrity Commissioners;
- The complexity of *Municipal Conflict of Interest Act*;
- Consideration for a list of additional lawyers to refer to on matters of conflicts of interest;
- The compensation structure for the Integrity Commissioner;

- The holding of a workshop on the *Municipal Conflict of Interest Act*, the role of the Integrity Commissioner, trend analysis and the types of investigations that have occurred in Ontario; and,
- Alternative IC service delivery models.

Kimberley Kitteringham, City Clerk, addressed the Committee and provided information on which other municipalities are also serviced by ADR Chambers. She advised they have a roster of experienced individuals to provide advice and assistance on municipal conflict of interest matters. Staff indicated that municipalities are required to have an Integrity Commissioner (IC) to receive complaints on perceived contraventions of the Council Code of Conduct and that ADR Chambers won the award as per the current procurement process and the Council approved selection model. She also reaffirmed that a Council workshop can be arranged in the Fall to provide the requested information.

The Committee requested staff provide additional information via a memo on this matter on the May 26, 2021 Council Meeting Agenda.

Moved by Councillor Amanda Collucci
Seconded by Regional Councillor Jim Jones

1. That the report entitled “Integrity Commissioner Services for City Council” be received; and,
2. That the contract for 274-R-20 Integrity Commissioner Services for City Council be awarded to the highest ranked/lowest priced bidder, ADR Chambers Inc. for a term of five (5) years in an annual retainer amount of \$17,299.20 inclusive of HST; and,
 - July 2021-June 2022 - \$17,299.20
 - July 2022-June 2023 - \$17,299.20
 - July 2023-June 2024 - \$17,299.20
 - July 2024-June 2025 - \$17,299.20
 - July 2025-June 2026 - \$17,299.20

Total \$86,496.00

3. That staff be authorized to issue an additional purchase order to ADR Chambers Inc. in an annual amount of \$6,023.80 to be utilized for investigations, additional meetings, workshops, and presentations on an as required basis; and,
4. That the contract include an option for the City (in its sole discretion) to extend the contract for up to five (5) one (1) year terms, subject to a CPI increase (all-item Ontario) to a maximum of 2%; and,
5. That the Commissioner, Corporate Services be authorized to exercise this option to extend the contract for such additional one (1) year terms on behalf of the City and execute any required documentation in a form satisfactory to the City Solicitor; and,
6. That the contract be funded from the 840-841-7899 (Integrity Commissioner) in the amount of \$23,323.00 (\$17,299.00 + \$6,023.80) and any future years be subject to Council approval of the annual operating budget;
7. That this item be placed on the May 26, 2021 Council Meeting Agenda; and,
8. **That a Council workshop be arranged in the Fall; and further,**
9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. MOTIONS

11.1 TAMIL MEMORIAL MONUMENT (12.0)

Councillor Khalid Usman read the motion aloud and requested the following two changes:

- That Tamil people be changed to Tamil community; and
- That waterfall or garden be replaced with waterfall or peace garden.

These changes were considered friendly and were agreed to by Regional Councillor Jim Jones, the seconder of this motion.

The Committee consented to resolve into confidential session to receive legal advice on the proposed motion in view of correspondence recently received by Committee Members on same. Please refer to Item 15.1.1.

Councillor Usman further addressed the Committee and advised this is an important issue to the residents he represents and that the creation of the proposed

waterfall or peace garden will help the Tamil community recognize those who lost their lives.

The Committee heard from the following deputants in relation to this item:

Dr. Joseph Chandrakantham, expressed support for the motion.

Roy Wignarajah, expressed support for the motion.

Balan Alagaratnam, expressed support for the motion.

Joseph Remisiar, expressed support for the motion.

Killivalavan Chelliah, noted that he will listen to the meeting.

Logan Logendralingam, expressed support for the motion.

Saira Rasakumar, expressed support for the motion.

Mahenth Sivaruban, expressed support for the motion.

Mary Jaya Inpanayagam, expressed support for the motion.

Yalini Rajakulasingam, expressed support for the motion.

Malar Varatharaja, express support for the motion.

Juanita Nathan, expressed support for the motion.

Neethan Shan, expressed support for the motion.

Kapila Jayaweera, Consul General from the Sri Lanka Consulate, expressed opposition for the motion.

The Committee thanked all of the deputants for their participation in the meeting. Mayor Scarpitti noted that the City of Markham welcomes people of all backgrounds and supports all of its communities.

The Committee discussed the following:

- The establishment of a peace garden;
- The need to have a selected location prior to fund raising;
- The manner in which the City should allocate public space in order to ensure fairness for all communities;
- A fair approach to recognizing significant historic events; and,
- The need for a formal City policy to address these types of requests going forward.

The Committee requested that this matter be referred back to staff for a report on a City policy.

Moved by Councillor Khalid Usman

Seconded by Councillor Karen Rea

That Item 11.1 Tamil Memorial Monument be moved forward to Item 5, Deputations.

Carried

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Don Hamilton

1. **That the matter be referred to staff for a report to be brought back to General Committee by end of October, 2021 on the creation of a policy regarding the erection of memorials on municipal property; and,**
2. **That the deputations from Joseph Chandrakanthan, Roy Wignarajah, Balan Alagaratnam, Joseph Remisiar, Killivalavan Chelliah, Logan Logendralingam, Saira Rasakumar, Mahenth Sivaruban, Mary Jaya Inpanayagam, Yalini Rajakulasingam, Malar Varatharaja, Juanita Nathan, Neethan Shan, and, Kapila Jayaweera be received; and,**
3. **That the written communications from Sunimal Karunaratne, Hewage Law Group, Chandre Dharma-wardana, Don J. Wick, Mal Munasingha, and Sena Munasinghe be received; and further,**
4. **That Staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Jim Jones

Whereas the City of Markham is home to a large community of Tamil diaspora with over 21,000 living in Markham; and

Whereas The City of Markham's Tamil community has made significant contributions to business, culture, and art in the City of Markham; and

Whereas the City of Markham acknowledges that during the Sri Lankan civil war thousands of Tamil civilians lost their lives; and

Whereas the City of Markham condemns the demolition of a memorial site built in Sri Lanka at Jaffna University in 2019 which was dedicated to the Sri Lankan civilians who lost their lives in the Mullivaikkal at the end of their 26 year civil war in Sri Lanka ending in May of 2009; and

Therefore the City of Markham will join with the Tamil diaspora in Markham to build a memorial in the shape of a waterfall or **peace garden** for the Sri Lankan Tamils that lost their lives in Sri Lanka fighting a 26 year civil war; and

Therefore this proposed memorial be built in collaboration with the **Tamil community** and the City of Markham; and

Therefore the proposed memorial site be built as a waterfall or **peace garden** or another style memorial that meets Bylaw requirements and is located in a designated park in Ward 7 of Markham which has a large Tamil diaspora; and

Therefore the funding for this initiative be arranged by the community through fundraising efforts within the community and once attained the City of Markham will provide a suitable size land for this initiative with installation of this initiative at no cost to the community; and

Therefore this proposed designated site be in accordance with Markham City bylaws and with the Markham community.

12. NOTICES OF MOTION

There were no notices of motion.

13. NEW/OTHER BUSINESS

The Committee raised an item of new business regarding resident concerns about coyotes and measures that the City can take to address them in the interest of public safety.

The Committee consented that this matter be referred to the City Clerk and that a response be brought back to a General Committee meeting in the coming weeks with consideration to include the Toronto Regional Conservation Authority and Parks Canada.

Staff noted the positive impact that the City's new animal care officers have made on these types of matters and advised that a written response and presentation with information on potential next steps will be provided as requested.

14. ANNOUNCEMENTS

There were no announcements.

15. CONFIDENTIAL ITEMS

General Committee resolved into confidential session at 10:41 AM to obtain legal advise in relation to agenda Item 11.1 Tamil Memorial Monument and reconvened into open session at 11:07 AM.

General Committee adjourned at 3:31 PM and convened into closed session after a brief recess at 3:52 PM. The Committee did not return to open session and consented to place Item 15.1.3 on the May 4, 2021 Restricted and Confidential Council Meeting Agenda and Item 15.2.1 on the May 4, 2021 Confidential Council Meeting Agenda for consideration.

Moved by Councillor Karen Rea

Seconded by Mayor Frank Scarpitti

That, in accordance with Section 239 (2) (f) of the Municipal Act, General Committee resolve into a confidential session at 10:41 AM to obtain advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Moved by Regional Councillor Joe Li

Seconded by Mayor Frank Scarpitti

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters:

Carried

15.1 FINANCE & ADMINISTRATIVE ISSUES

15.1.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE

Legal advice in relation to Item 11.1 Tamil Memorial Monument.

15.1.2 APPROVAL OF RESTRICTED AND CONFIDENTIAL GENERAL COMMITTEE MINUTES – FEBRUARY 18, 2020; SEPTEMBER 8, 2020, NOVEMBER 30, 2020 AND DECEMBER 7, 2020 (16.0) [Section 239 (2) (b)(d)]

General Committee confirmed the Restricted and Confidential General Committee Minutes

**15.1.3 LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS;
RESTRICTED AND CONFIDENTIAL (11.0) [SECTION 239 (2)(d)]**

The Committee consented to place this item on the May 4, 2021 Restricted and Confidential Council Meeting Agenda for consideration.

15.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES

**15.2.1 THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY
OR LOCAL BOARD; (8.7) [SECTION 239 (2) (a)]**

The Committee consented to place this item on the May 4, 2021 Confidential Council Meeting Agenda for consideration.

That the General Committee confidential session adjourn at 4:55 PM.

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

Carried

16. ADJOURNMENT

General Committee adjourned at 3:31 PM and convened into closed session after a brief recess at 3:52 PM. The Committee did not return to open session and consented to place Item 15.1.3 on the May 4, 2021 Restricted and Confidential Council Meeting Agenda and Item 15.2.1 on the May 4, 2021 Confidential Council Meeting Agenda for consideration.

Moved by Regional Councillor Joe Li

Seconded by Mayor Frank Scarpitti

General Committee adjourned at 3:31 PM.

Carried