

**From:** Councillor, Reid McAlpine - Markham <[RMcAlpine@markham.ca](mailto:RMcAlpine@markham.ca)>

**Date:** December 2, 2024 at 7:00:10 AM EST

**Subject:** Council Staff Relations Policy

**To:** Kitteringham, Kimberley <[KKitteringham@markham.ca](mailto:KKitteringham@markham.ca)>

**Cc:** Mayor, Councillors & C.A.O. <[MayorCouncillorsAndC.A.O@markham.ca](mailto:MayorCouncillorsAndC.A.O@markham.ca)>, Prasad, Arvin <[APrasad@markham.ca](mailto:APrasad@markham.ca)>, Jones, Morgan <[mjones@markham.ca](mailto:mjones@markham.ca)>, Cane, Trinela <[TCane@markham.ca](mailto:TCane@markham.ca)>

Dear Kimberley,

Attached is a markup of the proposed Council Staff Relations Policy and the Council Request for Service or Information Policy. Please excuse the mess. I am not adept at marking up a pdf. I trust that it is legible. The markup is the result of my own thinking, confirmed in large part by consultations with a number of residents whose opinions I trust, including two former councillors. Please also note that the markup is based on the draft policies as they are. My preference would be for much greater revision, as noted below.

In retrospect it is a bit surprising that the original staff report did not reference best or common practice. The presentation by Strategy Corp in July did make very vague references to best practice but referenced no other municipality. So, I looked for equivalent policies from several other peer municipalities. It is instructive many seem to have embedded their policies in their council codes of conduct and that all are much shorter with less prescriptive detail than what is being proposed for Markham.

York Region's policy says explicitly that the council code of conduct includes the council-staff relations policy. The relevant portion of their code of conduct is less than a page long, in about three key paragraphs.

The Burlington council-staff relations policy is just 5 pages long with large type and wide margins. I was particularly struck by this line: *"All staff should feel comfortable responding appropriately to straightforward Council requests, advising their supervisors of the inquiry."*

The Vaughan Council Staff Relations Policy is just 7 pages long and includes this line: *"Routine questions from a member of Council or access to information that is readily available to a member of the public can be provided by any knowledgeable staff member the same way we serve all citizens."*

The Brampton Council-Staff Relations Policy is just 10 pages long, including 5 pages on the ownership of councillor records.

In Toronto the relevant section of the Code of Conduct for Members of Council is just four paragraphs long, including three paragraphs of commentary.

The relevant portion of the Mississauga Code of Conduct for Members of Council is just over two pages long, including commentary.

The relevant portion of the Richmond Hill Code of Conduct for Council and Local Boards is about a page and a half long.

The proposed codes for Markham are, in my view, too detailed and prescriptive to be effectively and consistently implemented across the corporation.

Apart from the details in the markup, there are a number of overarching comments I would like to make, many in line with those I expressed at the November 5 General Committee meeting and in subsequent meetings with senior staff:

The policies lack guiding principles. One in particular is the need for a common focus on excellent customer service and that any policy that impedes that goal be reconsidered. It is interesting to note that the Strategy Corp report notes that "Generally things are working well in Markham." I would like to see a new policy build on what we have by identifying why things are working well, documenting that, and then focusing only on where there are problems to be solved.

It should be stated that in any conflict between policies the Council Code of Conduct prevails.

The opening sections on the role of councillors must include their role (and that of their staff) as front-line customer service agents, as expected by residents but not addressed in relevant legislation.

The underlying tone of the proposed policies indicates a lack of trust by senior staff in councillors -- and in junior staff. I appreciate that there are inherent tensions between the various levels and functions of the corporation. However, in my view this is best dealt with by strong leadership, particularly by the Mayor and CAO, and the deliberate fostering of an appropriate collaborative corporate culture. Councillors and staff need to know their roles, but they also need to be able to work collaboratively with the expectations of residents in mind at all times.

While respect for staff expertise and competence is essential, any provisions that they should be the only or even the primary source of knowledge is undemocratic. It is also inappropriate to suggest that councillors make decisions independently of other councillors. How councillors arrive at their decisions is beyond the purview of a council-staff relations policy, other than the need for mutual respect between councillors and staff.

Much of what is suggested assumes an appropriately resourced contact centre. With respect to those involved, I am not convinced that this is the case. Staffing levels are less than adequate and follow up to councillors or their offices on the status of outstanding

requests is missing. Perhaps portions of the new policies can become operative when the new CRM system is implemented, but for the moment that is not reasonable.

Assumptions are also built in that senior staff have the capacity or interest in triaging councillor requests. My discussions with a number of senior staff members would indicate that this is often not the case. They are happy to allow members of their staff deal with those requests. My experience is that they have confidence that issues are prioritised appropriately and that inappropriate requests will be resisted and escalated as necessary. Perhaps there is an opportunity to share internal knowledge and expertise across all departments and commissions to arrive at a more consistent approach to dealing with council requests at a lower level than senior management.

The policies fail to distinguish between routine requests and those that have been escalated to the councillor due to some glitch in our processes or systems. It is not appropriate to route escalated requests only through the contact centre.

Neither is it always appropriate to route escalated issues only through senior staff. If a councillor knows who the appropriate staff member is who can deal with an issue, they should not be barred from approaching that person – of course keeping in mind that councillors cannot direct staff, and assuming staff training and a corporate culture that support resisting any inappropriate pressure. This is primarily about the cost of staff time and efficiency. In principle the more staff touches there are with respect to a resident concern, the less efficiently it is being dealt with.

Kimberley, I would recommend that staff return to the drawing board with a goal to develop a policy that addresses the concerns above and that occupies a maximum of two pages.

Best regards,

Reid

Reid McAlpine  
Councillor  
Ward 3, Unionville  
City of Markham

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**COUNCILLOR** Reid  
**McAlpine**  
UNIONVILLE WARD 3

**MARKHAM**

## **URA (Unionville Resident's Association) Deputation**

### **Re: Item 9.1 COUNCIL-STAFF RELATIONS POLICY General Committee Tuesday December 3<sup>rd</sup> 2024**

Dear Committee Members,

Whilst we fully understand the need for a workplace free of harassment, we strongly feel that the draft policy statement as currently written oversteps the mark, and as a result prevents Councilors from properly representing residents, which is their primary role. Here are just a few specifics below, and as you read these sections, please replace "Councillors" by "Residents", to appreciate our concerns.

*"4.2. For greater certainty, Councillors shall not seek to improperly influence or interfere in the operations of the City. Councillors may not on their own authority direct the conduct of Staff through:*

*4.2.1. Directing or influencing Staff other than by way of Council or Committee resolution;*

*4.4. City Staff carry out and implement the laws and policies of the City as enacted by Council. For a Councillor to advocate on behalf of an individual challenging a position taken by staff on a matter, is to challenge the very direction staff have been given by Council.*

*4.5. For greater clarity, Councillors shall not formally or informally speak to members of a City's adjudicative tribunal (e.g. Committee of Adjustment) about matters before them."*

So residents, through their Councilors, cannot seek to influence the operations of the City? This disenfranchises the very taxpayers that pay for these operations. Example, residents cannot communicate with staff, through their councilor, without a Council/Committee resolution? Many resident concerns have been properly and expertly dealt with by appropriate staff in cordial meetings prior to any committee involvement. Remember how the York Downs development was handled and reached an amicable resolution? This was only achieved with expert staff guidance hence better educated residents.

*8.3 Respect the outcomes of the decision-making process: All Councillors shall uphold the decisions of Council, regardless of personal opinion or belief, and commit to the implementation of those decisions, except in accordance with the reconsideration provisions of the City's Council Procedural By-law.*

So, once Council has made a decision on anything, residents cannot, through their Councilor, work to reverse a decision? Is this not undemocratic? Has Council never ever in hindsight made an incorrect decision which residents want to amend or reverse? If this policy was in place in 2013 would Councilors have been forced to support the [Arena](#)?

**10.2 “Drop in” meetings are discouraged:** *It is not appropriate for Councillors to convene spontaneous meetings with Staff.*

*10.2.2 To ensure a transparent, accountable, and respectful workplace, staff participation in community information meetings must be authorized by Council. Staff participation in Councillor-constituent and/or ratepayer meetings will be determined by senior executives.*

So, a resident association is not allowed to have a staff expert speaker, or a meeting on, let's say, a new development proposal, without Senior Executive approval? Who is that, and can it be delegated to make sure somebody is available when needed? Is there not an existing staff policy covering required approvals for external engagements? Why is this necessary to prevent staff harassment?

There are many CIMs yearly, for example the Markville Area Secondary plan. Given that Council does not even meet for several months, how is it even logistically possible for Council to approve all staff involvement in CIMs, just to pick a couple of examples?

Other municipalities have been able to implement the required policy without such restrictions on Councilors, and hence their residents. Just a few examples are [Brampton](#), [Ottawa](#), [Peterborough](#), [Region of Waterloo](#), [Oshawa](#), and others. Please reconsider this policy and refocus it on the specific issues of Staff and Councilor relations, without disenfranchising residents. If there are other concerns, perhaps an overly aggressive Councilor, why can't that be dealt with case by case, and/or via other regulatory workplace requirements?

Thank you for reading.

Regards,  
Michael Gannon,  
Director, Unionville Resident's Association.

## **Deputation to the Council of the City of Markham**

**From: Markville Community Association**

**Subject: Concerns Regarding the Proposed Council-Staff Relations Policy**

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Dear Members of the Council,

On behalf of the Markville Community Association, I am writing to express our concerns regarding the proposed Council-Staff Relations Policy (the Policy). While we understand the intent behind this policy is to foster a respectful and efficient working environment, we believe that certain provisions may inadvertently hinder the effectiveness of our elected representatives and the democratic process.

The Policy imposes excessive restrictions that surpass the Municipal Act and many other municipalities, undermining collaboration and democratic engagement. It prohibits Councilors from directing staff, influencing administrative processes, or engaging in technical meetings, which limits their ability to effectively represent constituents. The strict ban on informal meetings and the requirement for formal authorization for staff participation in community discussions stifles responsiveness and open communication. Furthermore, the Policy's prohibition of public criticism between Councilors and staff, while intended to promote respect, can suppress transparency and accountability by discouraging legitimate critique of governance issues. These measures collectively risk creating a rigid and overly bureaucratic structure, hampering effective governance and representation.

Our specific concerns are as follows:

### **1. Ineffectiveness in Addressing Residents' Concerns:**

- The proposed policy restricts Councilors from directly interacting with staff outside of formal Council resolutions. This limitation could significantly delay the response time to urgent issues raised by residents. Councilors need the flexibility to address community concerns promptly and effectively, without being constrained by procedural barriers.

### **2. Limited Access to Information:**

- The policy places stringent controls on how Councilors can access information from staff. This could impede their ability to obtain timely and comprehensive information necessary for informed decision-making and transparent communication with residents. Our community relies on

Councilors to provide updates and insights on various municipal matters, and any hindrance to this flow of information is a disservice to the public.

### **3. Restriction on Freedom of Speech and Constructive Criticism:**

- The policy's emphasis on prohibiting public criticism and maintaining a strict chain of command may stifle open dialogue and constructive criticism. While we agree that interactions should be respectful, it is also crucial that Councilors have the freedom to voice concerns and critique policies or actions that may not serve the public interest. Constructive criticism is a vital component of a healthy democracy and should not be unduly restricted.
- Moreover, we note that similar policies in other municipalities do not include such stringent restrictions. This raises questions about whether the proposed requirements are justified or necessary.

## **Recommended Amendments**

To address these concerns, we propose the following amendments to the policy:

### **1. Enhanced Flexibility for Councilors:**

- Grant Councilors the ability to interact directly with staff on urgent matters, ensuring that residents' concerns are addressed in a timely manner without excessive procedural delays.

### **2. Improved Access to Information:**

- Establish clear guidelines to ensure Councilors can access the information they require while maintaining transparency and accountability. Regular briefings and a streamlined process for information requests could help achieve this balance.

### **3. Balanced Approach to Criticism:**

- Encourage a culture of respectful dialogue where constructive criticism is welcomed and addressed appropriately. This can be achieved by setting clear boundaries for respectful conduct without completely restricting the ability to critique.

We believe that these adjustments will help balance the need for a respectful working environment with the imperative of effective representation and accountability. We urge the Council to consider these recommendations to ensure that the policy supports both the administration and the democratic responsibilities of our elected officials.



Thank you for your attention to these important matters. We look forward to a constructive dialogue on this issue.

Sincerely,  
Markville Community Association



**From:** margaret hough [REDACTED]  
**Date:** Sunday, December 1, 2024 at 7:39 PM  
**To:** Councillor, Reid McAlpine - Markham <[RMcAlpine@markham.ca](mailto:RMcAlpine@markham.ca)>  
**Subject:** Council Staff Relations comments

**CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.**

Hello Councillor McAlpine,

I read the new Council Staff Relations policy.

Our small neighbourhood has been subjected to very challenging events over the past few years. These events at times required same day intervention, reporting anonymity, fire intervention and most importantly an understanding of the totality of the situation and background.

You were the single voice who heard the input of numerous families when one of these 'events' happened and when urgent, could inform staff who had been involved in previous events, allowing staff to assess the situation.

If I interpret the amended policy correctly, it appears that you can no longer speak directly to staff except in council?

You are to go through the contact center?

My experience with the contact center is a generated reply with an issue number and no further feedback.

When I recently witnessed a bordering Walnut tree being killed, I emailed city staff directly. That staff had used my property in the past to observe a neighbour's prior tree violations. They looked at my video and based on their expertise and priorities, they intervened quickly.

If this new policy is passed, would you as a councillor be able to do this?

Would I then have more access to staff than you, who was elected to represent me?

I'm quite certain staff would prefer the experiences of a neighbourhood be reported by an experienced rational councillor as compared to a dozen angry neighbours.

I am also certain some incidents require immediate response that the contact center doesn't provide 24/7.

Those are my thoughts.

Margaret Hough

In accordance with this Policy, Requests for Service will be processed as follows:

- 5.2.6 Councillors and their Offices are to direct Requests for Service they have received from the public to the Contact Centre after receiving consent from the requestor. Councillors and their staff are not to send requests directly to staff. Councillors or their office staff are also not to copy staff when generating a work order through the Contact Centre.
- 5.2.7 The Contact Centre will send the Request for Service to the appropriate department for response.
- 5.2.8 Councillors and their Offices are to direct non-routine Requests for Service to the appropriate Director and/or Commissioner, depending on the nature of the matter.
- 5.2.9 If a Request for Services involves a significant change to a Council-approved program, it will require escalation to a Director or Commissioner, or require a Council resolution for amendment.
- 5.2.10 When a Request of substantive administrative change or action affects multiple departments or is corporate in nature, the Commissioner responsible for the issue will lead the review and address the matter accordingly.



## Council Staff Relations Policy

Policy No.:

Implementing Procedure No.:

- 4.3. Councillors are not permitted to advocate for the private interests of any individual, Corporation, Corporate or business interest as to do so would be to use their influence for a purpose other than the exercise of their duties (see Role of Council Section 1.1) and which would contravene Section 3.2 (b) and Section 13.1 of the City of Markham Council Code of Conduct.
- 4.4. City Staff carry out and implement the laws and policies of the City as enacted by Council. For a Councillor to advocate on behalf of an individual challenging a position taken by staff on a matter, is to challenge the very direction staff have been given by Council.
- 4.5. For greater clarity, Councillors shall not formally or informally speak to members of a City's adjudicative tribunal (e.g. Committee of Adjustment) about matters before them.
- 4.6. For greater clarity, Councillors shall not formally or informally speak to members of a City's advisory committee or board (e.g. Heritage Committee) about matters before them. This does not apply to a Councillor appointed by Council to serve on the advisory committee or board.
5. **Respect the Chain of Command:** Having regard to the role of Council to set policy, and the role of the Administration set out in section 3, the normal chain of command shall be followed as set out below:

5.1. Normally, Staff are directed in their regular duties by the CAO, the Senior Executive, and their designates.

-----Original Message-----

From: Gerald T [REDACTED]  
Sent: Monday, December 2, 2024 2:21 PM  
To: Mayor & Councillors <mayorandcouncillors@markham.ca>  
Cc: Clerks Public <clerkspublic@markham.ca>  
Subject: Council Staff Relations Policy

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hello Markham Council:

My local councilor Reid McAlpine asked that I share some feedback I sent to him on the proposed Council Staff Relations Policy document.

To provide a bit of context, I come from a corporate world where we spent a great deal of time and effort to break down functional silos and instead replace them with cross functional teams where issues could be rapidly worked without all the overhead and parochial functional barriers. I find the fact that you are proposing to do the exact opposite quite troubling.

Specifically, the proposed strict hierarchical process seems very slow moving and bureaucratic. We citizens don't reach out to our councilor very often, but when we do, we always appreciate a quick accurate response. This new process would force him to respond with his best guess vs getting the facts, which I don't think either of us like. The alternative appears to require a formal order from council to be passed to a chief of staff from where it would be prioritized, staffed and formally responded to. For a problem local to a single ward that requires a dialogue, this seems very inefficient. I don't see anything in the budget to fund the additional workload - many meetings, presentations and recycling where today it's addressed through a conversation.

I believe this would tend to minimize oversight & free up staff to do (or not do) what they want. I think the insight councilors can currently provide directly to staff working with our ward is critical to effective management.

While I understand Town Staff might be frustrated by interruptions slowing down their work on projects, and welcome this more isolated approach, I think the risk to effective handling of small day to day issues is just too great.

Regards,  
Gerald Tomlinson

**From:** Dianne Azzarello [REDACTED]  
**Date:** Monday, December 2, 2024 at 10:47 AM  
**To:** Reid McAlpine [REDACTED]  
**Subject:** RE: Ward 3 Unionville Newsletter - December 2024

Hi Reid,

Thanks for sharing the proposed limitations on communication between the people's representatives and the bureaucracy of the City. The document is even more poorly written than a Health Canada Guidance document. I did not know that was even possible.

My concern is that as usual, the Devil is in the details. If Councillors are unable to advocate on behalf of their constituents, they are effectively neutered and rendered redundant. Perhaps this is the outcome the Mayor is looking for. If however, the intent is only to prevent influence peddling on behalf of a supplier to the City, then I am okay with it.

It is a little bit disturbing that as a resident, I may not be able to gain assistance from you to manage a problem or issue and that I would be forced to have to navigate the City bureaucracy myself to gain assistance for without the benefit of knowledge on how to advocate on my own behalf.

On another note, any progress on the lobbyist registry? I do find it curious that we don't have a lobbyist registry and now we won't be able to avail ourselves of the support of our own elected councillor if we have a problem. My take away is that businesses have access to staff and voters do not unless they happen to be skilled in the art of communicating with bureaucracy. Is this a correct assumption?

A voter not skilled in the art is on their own and good luck to them. "Corporation, Corporate or business interest" may advocate for their interests directly with staff, perhaps with the help of paid lobbyists.

**"Councillors** are not permitted to advocate for the private interests of any **individual,** Corporation, Corporate or business interest as to do so would be to use their influence for a purpose other than the exercise of their duties (see Role of Council Section 1.1) and which would contravene Section 3.2 (b) and Section 13.1 of the City of Markham Council Code of Conduct."

Finally, as a former author of Policies, Guidance Documents etc., my comment is this. If you can't describe rules of conduct in one page, something is wrong. Seven pages is ridiculous.

Maybe I have misunderstood the text. I am not a politician.

Dianne

## Deputation of the Grandview Area Residents Association

### Re: Draft policy on Council-Staff Relations

General Committee, item 9.1, December 3, 2024

#### Introduction:

The Grandview Area Residents Association has been in existence since 1989 and has had respectful and productive relations with our Councillors and Markham staff during that time. We have interacted with Council and staff on many issues and have always felt heard and respected in turn. This policy, as written, appears to be trying to fix a problem that doesn't exist. The City of Markham has always been a desirable place to work but this document makes it seem like it is in dire need of fixing. While we understand the need for a Council-Staff policy, we feel this one does not represent the City well and will not serve it well.

1. On its face this document addresses the issue of relations between City Council and City staff. Such a policy can be important but this draft policy seems to us to be heavy handed, overly prescriptive, and ignores the effects that it may have on the residents of Markham and their relationships with their respective Councillor, Markham Council as a whole, and members of staff.

2. We support in its entirety the deputation of the Unionville Residents Association on this issue, submitted by Mike Gannon.

3. The draft policy, in section 4, creates an unnecessary and unsupportable distance between Council and staff, and subsequently between the taxpayers and Council and staff.

4.2. For greater certainty, Councillors shall not seek to improperly influence or interfere in the operations of the City. Councillors may not on their own authority direct the conduct of Staff through: 4.2.1. Directing or influencing Staff other than by way of Council or Committee resolution;

In s.4.2, what does it mean for a Councillor to "improperly" influence the operations of the City? Since the Councillors represent their constituents, and their job is to influence the operations of the City on behalf of the



residents, what exactly does it mean to do so “improperly”? Short of a Councillor undertaking something illegal, this phrase is vague and confusing and seems to disempower residents and residents associations.

4. In s.4.4. City Staff carry out and implement the laws and policies of the City as enacted by Council. For a Councillor to advocate on behalf of an individual challenging a position taken by staff on a matter, is to challenge the very direction staff have been given by Council.

This section appears to give the impression that staff is infallible and cannot be questioned. It also ignores the fact that staff is not always implementing the policies of the City as enacted by Council, but sometimes is advising on and influencing those policies before they are enacted by Council. It is entirely appropriate for Councillors to take the concerns of their residents to staff for consideration. In addition, sometimes residents have their own experts whose views should at least be considered.

5. Section 8 seems authoritarian and once again appears to remove the power of the residents to influence how the City is run. There should always be opportunity for the residents, through their Councillor, to object to Council or staff decisions.

6. 10.2.2 To ensure a transparent, accountable, and respectful workplace, staff participation in community information meetings must be authorized by Council. Staff participation in Councillor-constituent and/or ratepayer meetings will be determined by senior executives.

It is not clear why this section is necessary. It seems unduly complicated and has little to do with ensuring a “transparent, accountable and respectful workplace.” It just increases bureaucracy which no one really needs.

7. In general, this policy gives the impression that Markham is not the great place to work that it is supposed to be. For those who might be considering employment by the City, if they were to read this policy as it currently is, they might have second thoughts. It does not come across as trying to create a collegial workplace but rather trying to fix a toxic one. It is a perfect example of administrative overkill that does the opposite of what it was intended to do.

Thank you for the opportunity to address this matter,

Marilyn Ginsburg,

For the Grandview Area Residents Association Executive