



MINUTES
GENERAL COMMITTEE
November 19, 2012
Meeting No. 28

Finance & Administrative Issues

Chair: Mayor Frank Scarpitti
Vice Chair: Councillor Carolina Moretti

Community Services Issues

Chair: Councillor Alex Chiu
Vice Chair: Councillor Howard Shore

Environment & Sustainability Issues

Chair: Councillor Valerie Burke
Vice Chair: Regional Councillor Joe Li

Building, Parks, & Construction Issues

Chair: Councillor Logan Kanapathi
Vice Chair: Councillor Colin Campbell

Alternate formats are available upon request.

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor. Howard Shore
Councillor Don Hamilton
Councillor Carolina Moretti
Councillor Colin Campbell
Councillor Alan Ho
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community & Fire Services
Trinela Cane, Commissioner of Corporate Services
Gary Adamkowski, Director, Asset Management
Martha Pettit, Acting City Clerk
Paul Ingham, Director, Operations
Joel Lustig, Treasurer
Nory Takata, Parks Planner
Andrea Tang, Manager, Financial Planning
Paul Wealleans, Director, Revenues
Bob Penner, Supervisor Business System Improvements
Jeff McMann, Supervisor of Forestry
Mary Creighton, Director of Recreation
Alida Tari, Council/Committee Coordinator

The General Committee convened at the hour of 9:11 a.m. with Mayor Frank Scarpitti in the Chair, Councillor Alex Chiu and Councillor Howard Shore Chaired Community Services items.

General Committee recessed at 1:10 p.m. and reconvened at 1:52 p.m.

DISCLOSURE OF INTEREST

None disclosed.

1. INTEGRITY COMMISSIONER & COUNCIL CODE OF CONDUCT (9.0)

[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

Ms. Joyce Ramer, Markham resident addressed the Committee regarding an Integrity Commissioner and Council Code of Conduct and spoke in support.

Ms. Karen Rea, Markham resident addressed the Committee with respect to an Integrity Commissioner and Council Code of Conduct and spoke in support.

Ms. Donna Bush, Markham resident addressed the Committee regarding an Integrity Commissioner and Council Code of Conduct and spoke in support.

Ms. Alenz Gotz, Markham resident addressed the Committee with respect to an Integrity Commissioner and Council Code of Conduct and spoke in support. She also provided some comments.

There was brief discussion relative to the proposed qualifications for the Integrity Commissioner.

The Committee suggested that the Council Code of Conduct be deferred to a future Council Workshop.

There was brief discussion regarding the cost associated with retaining an Integrity Commissioner and the hourly rate ranges.

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Carolina Moretti

- 1) That the report entitled “Integrity Commissioner & Council Code of Conduct” be received for information purposes; and,
- 2) That Staff be authorized to proceed with the recruitment of an Integrity Commissioner, on a retainer basis, using the recruitment model detailed in this report; and,
- 3) That Council adopt the mandate for the Integrity Commissioner included with this report as Appendix ‘A’; and,
- 4) That Council adopt the complaint protocol included with this report as Appendix ‘B’; and,
- 5) That the Council Code of Conduct included with this report as Appendix ‘C’ **be deferred to a Council Workshop in 2013**; and,
- 6) That the 2013 costs for the Integrity Commissioner be funded from the existing operating budget and that staff be authorized to monitor the expenses and that any adjustments required be considered in the 2014 operating budget process; and further,

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

CARRIED

**2. MINUTES OF THE NOVEMBER 5, 2012
GENERAL COMMITTEE (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the November 5, 2012 General Committee be confirmed.

CARRIED

**3. MINUTES OF THE NOVEMBER 8 & 12 & 13, 2012
SPECIAL GENERAL COMMITTEE (16.0)**
[November 8](#) [November 12](#) [November 13](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the November 8 & 12 & 13, 2012 Special General Committee be confirmed.

CARRIED

**4. MINUTES OF THE OCTOBER 26, 2012
BUDGET SUB-COMMITTEE (16.0)**
[October](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the October 26, 2012 Budget Sub-Committee be received for information purposes; and,
- 2) That Council endorse the following resolution passed at the October 26, 2012 Budget Sub-Committee Meeting:

“That the following 2013 Celebrate Markham Grants be approved:

- Tony Roman Hockey Tournament - \$5.4 K
- Black History Month - \$3 K
- Chinese New Year Celebration- \$10 K.”

CARRIED

**5. MINUTES OF THE APRIL 19, MAY 17, JUNE 21,
JULY 19 AND SEPTEMBER 20, 2012 ENVIRONMENTAL ADVISORY
COMMITTEE (16.0)**

[April](#) [May](#) [June](#) [July](#) [September](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the April 19, May 17, June 21, July 19 and September 20, 2012 Environmental Advisory Committee be received for information purposes.

CARRIED

**6. MINUTES OF THE AUGUST 9 & AUGUST 20 &
AUGUST 27 & OCTOBER 2, 2012 RBC MARKHAM
MILLIKEN MILLS CHILDREN'S FESTIVAL COMMITTEE (16.0)**

[August 9](#) [August 20](#) [August 27](#) [October 2](#)

Councillor Logan Kanapathi indicated that there might be some subcommittee members that were in attendance at the meeting, but not noted. He also inquired why the August minutes are being received at this time. Staff advised that they will send him an e-mail regarding his questions.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the August 9, August 20, August 27 and October 2, 2012 RBC Markham Milliken Mills Children's Festival Committee be received for information purposes.

CARRIED

**7. MINUTES OF THE NOVEMBER 1, 2012 MARKHAM
LIVE (MISTA) COMMITTEE (16.0)**

[November](#)

The Committee suggested that the Mayor and all Members of Council be appointed to the Request for Information (RFI) Interview Subcommittee. It was suggested that the first RFI Interview Subcommittee meeting should be arranged for December 2012 or January 2013.

The Committee suggested that the third paragraph on page three (3) of the November 1, 2012 Markham Live Committee minutes should read as follows: "Some members suggested that....."

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the November 1, 2012 Markham Live (MISTA) Committee be received for information purposes; and,
- 2) **That the Mayor and all Members of Council be appointed to the Request for Information (RFI) Interview Subcommittee relative to Markham LIVE (MISTA) Committee.**

CARRIED

**8. MINUTES OF THE NOVEMBER 8, 2012
UNIONVILLE BUSINESS IMPROVEMENT AREA (16.0)**
[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the November 8, 2012 Unionville Business Improvement Area be received for information purposes.

CARRIED

**9. NOVEMBER 2012 – CANCELLATION, REDUCTION
OR REFUND OF TAXES UNDER SECTIONS 357 AND
358 OF THE MUNICIPAL ACT, 2001 (7.3)**
[Report](#) [Appendix A](#) [Appendix B](#)

The Committee inquired about why there is duplicate address and roll number. Staff advised that it is for different tax years.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That taxes totalling approximately \$204,150.74 be adjusted under Section 357 (in the amount of \$159,743.40) and Section 358 (in the amount of \$44,407.34) of the *Municipal Act, 2001* of which the City's portion is estimated to be \$41,587.82; and,
- 2) That the associated interest be cancelled in proportion to the tax adjustments; and,
- 3) That the Treasurer be directed to adjust the Collector's Roll accordingly; and,
- 4) That the Markham portion of the taxes be charged to Tax Write-off Account 850 850 7051; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

9 (A). STAFF AWARDED CONTRACTS FOR MONTH OF OCTOBER (7.12)

[Report](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

- 1) That the report entitled “Staff Awarded Contracts for the Month of October 2012” be received;
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution

CARRIED

9 (B) 2013 OPERATING BUDGET (7.4)

[Report](#) [Appendix 1](#)

There was discussion regarding the proposed additional 0.5% tax rate increase for infrastructure to fund an extraordinary item, the Emerald Ash Borer (EAB) infestation. It was suggested that staff provide more information regarding future use of the infrastructure reserve.

The Committee discussed the potential of receiving Federal or Provincial Funding to offset the cost of the EAB infestation. Staff pointed out that regardless of the repeated request from the affected municipalities, to date there has not been any Federal or Provincial funding provided to any affected municipalities to assist with the cost of dealing with EAB.

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the report dated November 19, 2012 entitled, “2013 Operating Budget” be received; and,
- 2) That Council approve a 1.0% tax rate increase to the City’s tax levy; and,
- 3) That Council approve an additional 0.5% tax rate increase for infrastructure to fund an extraordinary item, the Emerald Ash Borer (EAB) infestation; and,
- 4) That Council approve the establishment of an interest bearing infrastructure reserve fund for the Emerald Ash Borer program; and,
- 5) That Council approve the 2013 Operating budget for City services totalling \$180,795,409 (excluding the 2012 surplus) which includes a 1.5% tax rate increase over 2012 (\$171,553,698) of which the principal components are detailed in Appendix 1; and,

- 6) That the gross operating expenditures of \$180,795,409, (excluding the 2012 surplus) be funded from the following sources:

	<u>2013 Budget \$</u>
<u>Revenue</u>	
Taxation Levies	124,765,727
Grants-in-lieu of Taxes	1,209,007
Grant & Subsidy Revenues	1,546,994
General Revenues (Investment Income, Fines, Permits, Interest & Penalties)	26,393,689
User Fees & Service Charges (User Fees, Rentals, Sales)	22,281,315
Other Income / Recoveries	4,598,677
Total Revenues	<u>180,795,409</u>

; and,

- 7) That upon finalization of the 2012 audited financial statements, the 2013 Operating budget be adjusted to reflect the 2012 operating results; and
- 8) That a copy of the budget document be made available to the public through the Clerk's Department, the City's website and each of the Markham Public Libraries; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

10. SEPTEMBER 2012 YEAR TO DATE REVIEW OF OPERATIONS AND YEAR END PROJECTION (7.4)

[Presentation](#) [Report](#) [Appendix 1](#) [Appendix 2](#) [Appendix 3](#)
[Appendix 4](#) [Appendix 5](#) [Appendix 6](#) [Appendix 7](#)
[Appendix 8](#) [Appendix 9](#) [Appendix 10](#) [Appendix 11](#)
[Appendix 12](#)

Andrea Tang, Manager, Financial Planning delivered a PowerPoint presentation entitled "September 2012 Year to date Review of Operations and Year End Projection."

There was brief discussion regarding the net vacancies and over-time salaries within the fire department.

The Committee inquired about the variance between the 2012 Budget and 2012 Projection for the Building Reserve Balance. Staff noted that this is forecasted on a five (5) year period.

There was discussion regarding the challenges relative to non-revenue water.

Moved by Councillor Logan Kanapathi
Seconded by Deputy Mayor Jack Heath

- 1) That the report dated November 19, 2012 entitled "September 2012 year-to-date review of operations" be received.

CARRIED

**11. INTERIM SPENDING AUTHORITY PENDING
APPROVAL OF THE 2013 UNIONVILLE & MARKHAM
VILLAGE BUSINESS IMPROVEMENT AREA (B.I.A) BUDGETS (7.4)**
[Report](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the report dated November 19, 2012, entitled “Interim Spending Authority Pending Approval of the 2013 Unionville & Markham Village Business Improvement Areas (B.I.A.) Budgets” be received; and,
- 2) That Council approve 50% of the 2012 Operating Budget equivalent to the amounts of \$128,000 and \$152,833 for the Unionville B.I.A. (UBIA) and Markham Village B.I.A. (MBIA) respectively as pre-budget approval for the 2013 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**12. CONTRACT EXTENSION FOR THE SUPPLY &
DELIVERY OF E10 GASOLINE WITH THE YORK
REGION BUYERS CO-OPERATIVE CT-09-02 (7.12)**
[Report](#)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Colin Campbell

- 1) That the report entitled “Contract Extension for the Supply & Delivery of E 10 Gasoline with the York Region Buyers Co-operative CT-09-02” be received; and,
- 2) That the contract for supply & delivery of E10 Gasoline be awarded to Ultramar Ltd. in the estimated amount of \$460,937 inclusive of HST; and,
- 3) That the term of the contract be for a one (1) year period, effective January 1, 2013 thru to December 31, 2013 subject to budget approval; and,
- 4) That the Tender process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7.1 (c), Non-Competitive Procurement, when the extension of an existing contract would prove more cost effective or beneficial; and,

- 5) That the 2013 estimated costs be provided for within the Operations Department Operating Budgets 750-752-4300 for gasoline; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

13. EMERALD ASH BORER PRESENTATION (5.0)
[Presentation](#)

Paul Ingham, Director of Operations addressed the Committee and provided some opening remarks relative to the Emerald Ash Borer Update.

Jeff McMann, Supervisor of Forestry delivered a PowerPoint presentation providing an update regarding the Emerald Ash Borer.

The Committee discussed the following:

- How many trees are treatable
- Staff to investigate whether any potential for residents to pay the cost difference if they want a bigger calliper of a tree installed as their replacement tree
- Hold targeted Community Information meetings in coordination with the Ward Councillor - include maps that visually show where the Ash Trees are located
- Can there be a more enhanced program to save the tree
- Ensure proper information is communicated to the residents
- Should the door hangers include more information
- Importance of adopting a reasonable program
- The need for unity throughout subdivisions when replanting trees
- Importance to have a substantial maintenance program for the trees that are replaced
- Staff to investigate whether there is an opportunity to bulk purchase with other municipalities to obtain a cheaper cost per tree that is being replaced
- Wood chips from trees being taken down - investigate if there is a market that will provide a higher rate of return - alternatively make it available for use to the residents

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alan Ho

- 1) That the presentation by Mr. Jeff McMann, Supervisor of Forestry, entitled “Emerald Ash Borer Update” be received; and,
- 2) **That a schedule for targeted Community Information meetings be established to convey the important information regarding Emerald Ash Borer (EBA) to the various affected neighbourhoods in coordination with the Ward Councillor.**

CARRIED

**14. OPERATING DEPARTMENTS 2012 COMMUNITY”
ENGAGEMENT UPDATE (3.0)**

[Presentation](#)

Nory Takata, Parks Planner delivered a PowerPoint presentation providing an update regarding the Operations Department 2012 Community Engagement.

The Committee discussed the "Adopt-a-Park" program and the "Parks Ambassador Program."

There was discussion regarding the potential to beautify the Hydro Corridor lands where possible.

Moved by Councillor Valerie Burke
Seconded by Councillor Don Hamilton

- 1) That the presentation by Mr. Nory Takata, Parks Planner entitled “ Operations Department 2012 Community Engagement Update” be received.

CARRIED

14 (A) REBUILDING CAMP PROGRAM RESULTS (6.4)

[Presentation](#)

Mary Creighton, Director of Recreation Services delivered a PowerPoint presentation outlining the results of rebuilding camp programs.

There was brief discussion relative to the financial impacts.

The Committee suggested that staff investigate what percentages of past campers have returned the following year.

There was discussion regarding the increase of the seasonal camp directors.

Moved by Councillor Colin Campbell
Seconded by Councillor Logan Kanapathi

- 1) That the presentation by Ms. Mary Creighton, Director of Recreation Services, entitled “Rebuilding Camp Program Results” be received.

CARRIED

15. WATER METER BY-LAW REPORT (5.3)

[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

The Committee discussed the following:

- Ownership of water meters
- Cannot cross connect well water to the water meter

- Water meter maintenance program
- Flat rate water charge
- AMR and AMI programs - is there a way to generalize this section so that the by-law does not have to be amended in the future.

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Colin Campbell

- 1) That the report entitled “Water Meter By-law” be received; and,
- 2) That Council enact the proposed Water Meter By-law, as described in this report and in the form set out in Attachment ‘A’; and,
- 3) That Council repeal Sections 25 to 33 in the current Waterworks System By-law (By-law #1602, Attachment ‘B’) on rules and regulations for the installation, maintenance, access and reading of water meters; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

16. FORMER SABISTON LANDFILL SITE – STATUS UPDATE (5.7)
[Report](#) [Figure 1](#) [Figure 2](#) [Attachment A](#)

There was discussion regarding "German Mills Settlers Park" being renamed to "German Mills Meadow and Natural Habitat."

The Committee suggested that staff report back with the potential to establish a Community Liason Committee that would assist in dealing with issues related to the former Sabiston Landfill site.

Moved by Councillor Howard Shore
Seconded by Councillor Valerie Burke

- 1) That the report entitled “Former Sabiston Landfill Site – Status Update” be received; and,
- 2) That staff continue to monitor the gas probes at the boundary between the landfill Site and residential properties at a frequency every two months as per the approved Ministry of Environment (MOE) Operating and Procedures and Maintenance Manual for the Site; and,
- 3) That staff prepare appropriate signage to be installed within the Site identifying it as the “German Mills Meadow and Natural Habitat” to assist in the education and management of public use of these lands as outlined in the report; and,

- 4) That the funding available in account 750-101-5399-7028 'Settlers Park Landfill Site Management' of \$367,776 be re-allocated to fund the additional rehabilitation works identified in the report; and,
- 5) **That staff be directed to report back on the potential to establish a Community Liason Committee relative to the former Sabiston Landfill site; and further,**
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

NEW BUSINESS

17. CORNELL PARKING (2.17)

Councillor Colin Campbell suggested that staff investigate other solution for the parking pass program in the Cornell area who live near Markham Stouffville Hospital.

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

- 1) That staff investigate and report back to General Committee the potential to replace the parking tags with stickers that can be permanently affixed to the inside of the car windshield; and,
- 2) That staff investigate and report back to General Committee the potential for Cornell residents to register their plate numbers with the City of Markham.

CARRIED

18. IN-CAMERA MATTERS

General Committee obtained a majority to add a new item to the in-camera agenda.

Moved by Councillor Colin Campbell

Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into an in-camera session to discuss the following confidential matters (12:48 p.m.):

- 1) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. (Minutes of In-Camera November 5, 2012 General Committee)
[Section 239 (2) (g)]

- 2) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. (Minutes of In-Camera July 12, August 9, September 10, October 3 and October 26, 2012 Markham Sports, Entertainment and Cultural, Centre Sub-Committee)
[Section 239 (2) (g)]
- 4) The security of the property of the municipality or local board. A proposed or pending acquisition or disposition of land by the municipality or local board. Advise that is subject to solicitor-client privilege, including communications necessary for that purpose
[Section 239 (2) (a) (c) (f)]
- 5) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. (Restricted Agenda- Minutes of October 26, 2012 Budget-Sub Committee Meeting)
[Section 239 (2) (g)]
- 6) **Personal matters about an identifiable individual, including municipal or local board employees.**
[Section 239 (2) (b)]

CARRIED

Moved by Councillor Valerie Burke
Seconded by Councillor Alan Ho

That the General Committee rise from the in-camera session at 1:10 p.m.

CARRIED

ADJOURNMENT

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

That the General Committee meeting adjourn at 3:55 p.m.

CARRIED