Minutes
Corporate Services Committee
Committee of the Council of
The Corporation of the City of Brampton

February 4, 2015

Members Present: Regional Councillor M. Medeiros – Wards 3 and 4 (Chair)
Regional Councillor G. Gibson – Wards 1 and 5
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Miles – Wards 7 and 8
(Vice-Chair, Corporate and Financial Affairs)
Regional Councillor J. Sprovieri – Wards 9 and 10
(Vice-Chair, By-law Enforcement)
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10

Staff Present: Corporate Services Department:
Mr. P. Simmons, Chief Corporate Services Officer, and Acting Chief Administrative Officer
Mr. R. Zuech, Acting City Solicitor
Mr. P. Honeyborne, Executive Director, Finance and Treasurer
Mr. P. Fay, City Clerk
Mr. E. Evans, Deputy Clerk
Ms. S. Pacheco, Legislative Coordinator
The meeting was called to order at 1:01 p.m. and adjourned at 3:22 p.m.

After due consideration of the matters placed before this Committee, the members beg leave to present its report as follows:

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CS021-2015
CS022-2015

H 6. CS027-2015 Fees Charged for a Closed Meeting Investigation Request

I. Minutes

J. Other/New Business

K. Referred Matters


L. Deferred Matters

M. Notices of Motion

N. Correspondence

O. Regional Council Business

P. Councillors Question Period

Q. Public Question Period

R. Closed Session

S. CS028-2015 Adjournment

Regional Councillor M. Medeiros, Chair
A. **Approval of Agenda**

CS019-2015 That the agenda for the Corporate Services Committee Meeting of February 4, 2015 be approved, as amended to add the following item:

H 6. Discussion at the request of Mayor Jeffrey, re. **Fees Charged for a Closed Meeting Investigation Request**.

Carried

Note: Later in the meeting on a two-thirds majority vote to re-open the question, Item H 6 was added to the agenda.

The following supplementary information, relating to Item E 1 on the published agenda, was provided at the meeting:

H 5. Correspondence from Kevin Montgomery, Brampton resident, dated February 4, 2015, re: **Prayer at Council Meetings**.

B. **Declarations of Interest under the Municipal Conflict of Interest Act – nil**

C. **Consent**

The following items listed with an asterisk (*) were considered to be routine and non-controversial by the Committee and were approved at one time.

(H2)

(Item H 1 was removed from consent)

D. **Announcements** – nil

E. **Delegations**

E 1. Delegations, re: **Prayer at Council Meetings**.
   1. Ms. Greta Archer, Brampton resident, on behalf of the Brampton Christian Community
   2. Dr. Ralph Greene, Brampton resident
   3. Ms. Susanne Guenther, Brampton resident
Items H 3, H 5 and K 1 were brought forward and dealt with at this time.

Ms. Susanne Guenther, Brampton resident, expressed concern regarding the discontinuation of the Lord’s Prayer at Council meetings, and provided the following:

- Her opinion and view on why the Lord’s Prayer should be reinstated
- Her understanding that no formal complaint was submitted to the City regarding the recital of this prayer
- Her opinion that reciting this prayer at Council meetings is not illegal
- Her opinion that the decision to discontinue this prayer at Council meetings was undemocratic
- Request that Council reinstate this prayer at Council meetings

Dr. Ralph Greene, Brampton resident, expressed concern regarding the discontinuation of the Lord’s Prayer at Council meetings, and provided the following:

- Reference to various media releases regarding a provincial government decision on the Lord’s Prayer in Parliament
- Importance of maintaining Canada’s Christian heritage
- Information regarding the case of Freitag v. Town of Penetanguishene
- City of Mississauga decision to continue to recite this prayer at Council meetings
- Indication that a significant number of people have signed a petition to reinstate this prayer at Brampton Council meetings

Ms. Greta Archer, Brampton resident, on behalf of the Brampton Christian Community, expressed concern regarding the discontinuation of the Lord’s Prayer at Council meetings, and provided the following:

- Her opinion that the tradition of reciting the Lord’s Prayer at Council meetings is important to the Christian heritage of Canada
- Her suggestion that a moment of reflection be added at Council meetings to recognize all faiths
- Responsibility of Council to be open and transparent in their decisions
- Request that Council reinstate this prayer at Council meetings and that a recorded vote be called

The following motion was considered.

CS020-2015 1. That the following delegations to the Corporate Services Committee Meeting of February 4, 2015, re: Prayer at Council Meetings be received:
1. Ms. Greta Archer, Brampton resident, on behalf of the Brampton Christian Community
2. Dr. Ralph Greene, Brampton resident
3. Ms. Susanne Guenther, Brampton resident; and,

2. That the following correspondence to the Corporate Services Committee Meeting of February 4, 2015, re: Prayer at Council Meetings be received:
   1. Rev. Matthew VanLuik, Pastor, Grace Canadian Reformed Church, dated January 26, 2015

Carried

Committee waived its right to move into closed session for advice that is subject to solicitor-client privilege, and sought legal advice from R. Zuech, Acting City Solicitor, Corporate Services, in open session, regarding the subject matter.

Mr. Zuech advised Committee that in the case of Freitag v. Town of Penetanguishene (1999), the Ontario Court of Appeal found that the Town’s practice to recite the Lord’s Prayer at Council meetings was unconstitutional and infringed on Freitag’s rights under the Charter of Rights and Freedoms. Mr. Zuech provided further information regarding this and other case law, the constitutional rights and freedoms under the Charter, and provided his legal opinion that the recital of the Lord’s Prayer at Council meetings is unconstitutional.

The following motion was introduced and later withdrawn

   Whereas Council is of the opinion that persons of all faiths and beliefs be provided the opportunity to reflect and seek strength prior to the start of a regularly scheduled Council meeting;

   Therefore Be It Resolved that prior to the start of a regularly scheduled Council meeting, after the national anthem, a moment of reflection be observed by all persons in attendance at the meeting.

Committee discussions took place regarding the matter of the Lord’s Prayer at Council meetings, as follows:

- Contrary views and opinions on this issue
- Clarification on how the decision to replace the Lord’s Prayer with a non-denominational prayer was made
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- Potential consequences of continuing to recite the Lord’s Prayer at Council meetings
- Diversity and inclusiveness in the City of Brampton
- Suggestion that a public meeting be held to allow the public to voice their opinions regarding this issue
  - Request that the public meeting be held after Council approval of the 2015 budget
  - Suggestion that Council continue with the status quo until the public meeting is held

The following motion was introduced and later withdrawn

That the subject of prayers at council meetings, and the following motion by Regional Councillor Gibson, be referred to a special Council meeting to be held in April 2015.

Whereas Council is of the opinion that persons of all faiths and beliefs be provided the opportunity to reflect and seek strength prior to the start of a regularly scheduled Council meeting;

Therefore Be It Resolved that prior to the start of a regularly scheduled Council meeting, after the national anthem, a moment of reflection be observed by all persons in attendance at the meeting.

The following motion was introduced.

1. That the recital of the Lord's Prayer at regular Council meetings be reinstated on an interim basis; and,

2. That a special evening meeting of Council be called for after the 2015 budget approval process (April 2015) to consider the matter of a prayer at Council meetings.

The motion was split and clauses 1 and 2 were voted on separately. A recorded vote was requested for each clause.

CS021-2015 That the recital of the Lord's Prayer at regular Council meetings be reinstated on an interim basis.

Lost

A recorded vote was requested and the motion lost, as follows:

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That a special evening meeting of Council be called for after the 2015 budget approval process (April 2015) to consider the matter of a prayer at Council meetings.

A recorded vote was requested and the motion carried, as follows:

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<th>Yea</th>
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E 2. Ms. Yvonne Squires, Brampton resident, re:

- High property taxes
- Job description of Councillors
- Minutes of Council meetings
- Financial statements

Ms. Yvonne Squires, Brampton resident, expressed her concern and opinion that property taxes in Brampton are too high and requested information be sent to her with respect to the following:

- How property taxes are calculated and rates are set
- Job description and salary of Brampton Councillors
In response to Ms. Squires’ delegation, Committee clarified that Brampton’s property taxes are not the highest in the GTA, and advised that the information requested could be sent to her.

The following motion was considered.

CS0023-2015 That the delegation from Ms. Yvonne Squires, Brampton resident, to the Corporate Services Committee Meeting of February 4, 2015, re: High property taxes, job description of Councillors, minutes of Council meetings and financial statements be received.

Carried

F. Staff Presentations – nil

G. By-law Enforcement – nil
   (Vice-Chair, Regional Councillor J. Sprovieri)

H. Corporate and Financial Affairs
   (Vice-Chair, Regional Councillor G. Miles)

H 1. Report from P. Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, dated January 25, 2015, re: Amendments to the Corporate Travel Expense Policy (13.3.5) and to the Travel Expenses Section of the Mayor and Councillors’ Expense Policy (File GD.x).

In response to questions from Committee regarding the elimination of the per diem for incidental expenses from the Corporate Travel Expense Policy, staff clarified the intent of the report and advised that expenses supported by a receipt will be reimbursed.

The following motion was considered.

CS024-2015 1. That the report from P. Honeyborne, Executive Director, Finance and Treasurer, Corporate Services, dated January 25, 2015, to the Corporate Services Committee Meeting of February 4, 2015, re: Amendments to the Corporate Travel Expense Policy (13.3.5) and to the Travel Expenses Section of the Mayor and Councillors’ Expense Policy (File GD.x) be received; and,
2. That the Corporate Travel Expense Policy 13.3.5 be amended to include a requirement that all City staff submit a completed Record of Attendance form with their Travel Expense Report in respect of their attendance at Conferences, Symposia, Seminars and Workshops; and,  

3. That the Chief Corporate Services Officer is authorized to amend the Record of Attendance form and required content for completion of the Record of Attendance; and,  

4. That the additional/unaccountable per diem of $25 that is provided for incidental expenses be eliminated from the Corporate Travel Expense Policy (13.3.5) and the Travel Expenses Section of the Mayor and Councillors’ Expense Policy; and,  

5. That the Corporate Travel Expense Policy (13.3.5) and the Travel Expenses Section of the Mayor and Councillors’ Expense Policy be amended to enable elected officials and staff to submit claims for reasonable incidental expenses incurred while travelling on City business and such expenses must be evidenced by receipts or itemized on a hotel statement; and,  

6. That the housekeeping amendments described in the report be approved.

Carried


CS025-2015 1. That the report from J. Adshead, Manager, Records and Information Management, Corporate Services, dated December 15, 2014, to the Corporate Services Committee Meeting of February 4, 2015, re: Request to Begin Procurement – Brampton’s Records and Information Management System (BRIMS) (File EG.x) be received; and,  

2. That the Purchasing Agent be authorized to proceed to procurement for supply, delivery, configuration, implementation, maintenance, support and services for BRIMS in accordance with approved budget.

Carried
H 3. Correspondence from Rev. Matthew VanLuik, Pastor, Grace Canadian Reformed Church, dated January 26, 2015, re: **Prayer at Council Meetings**.

**Dealt with under Item E 1 – Recommendation CS020/21/22-2015**

H 4. Discussion at the request of P. Fay, City Clerk, Corporate Services, re. **Public Question Period at City Council Meetings**.

P. Fay, City Clerk, Corporate Services, clarified the purpose and intent of Public Question Period, why it is was removed from the City Council Meeting Agenda, the process for reinstating it, and the process for delegating at Council Meetings. Mr. Fay added that a public education campaign will be undertaken in this regard.

The following motion was considered.

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**CS026-2015**

1. That a by-law be passed to amend Procedure By-law 160-2004, as amended, to reinstate Public Question Period for City Council Meetings, being a maximum 15 minute period (unless unanimous consent of the members present to extend the time limit) to allow any member of the public to ask a question related to any item on the meeting agenda for that meeting, except a matter dealt with in closed session; and

2. That the City Clerk be requested to provide the required public notice for the by-law amendment to enable Council to enact the by-law amendment at its February 11, 2015 meeting.

Carried

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H 5. Correspondence from Kevin Montgomery, Brampton resident, dated February 4, 2015, re: **Prayer at Council Meetings**.

**Dealt with under Item E 1 – Recommendation CS020/21/22-2015**

H 6. Discussion at the request of Mayor Jeffrey, re: **Fees Charged for a Closed Meeting Investigation Request**.

Note: On a two-thirds majority vote to re-open the question, Item H 6 was added to the agenda.
Committee discussion took place with respect to closed meeting investigation requests, as follows:

- Requirement for all cities to have a closed meeting investigator
- Suggestion that the $250 administrative fee be eliminated
- Information from staff that:
  - most municipalities do not charge a fee
  - the City has not received any investigation requests since the fee was instated
  - some staff administrative work is required to process investigation requests
  - the current fee would be refunded if the investigation request was legitimate

In response to a question from Committee, P. Fay, City Clerk, Corporate Services, advised that more specific information on the nature of closed session items is now being provided on open session agendas, where it is warranted.

The following motion was considered.

CS027-2015

1. That a by-law be passed to amend User Fee By-law 380-2003, as amended, to eliminate an administrative fee in the amount of $250 for each investigation complaint filed with the City, related to a closed meeting investigation under Section 239.1 and 239.2 of the Municipal Act, 2001; and,

2. That the City Clerk be requested to provide the required public notice for the by-law amendment to enable Council to enact the by-law amendment at its February 11, 2015 meeting.

Carried

I.  **Minutes** – nil

J.  **Other/New Business** – nil

K.  **Referred Matters**

K 1.  **Prayer at Council Meetings.**

  Dealt with under Item E 1 – Recommendation CS020/21/22-2015
L. **Deferred Matters** – nil

M. **Notices of Motion** – nil

N. **Correspondence** – nil

O. **Regional Council Business** – nil

P. **Councillors Question Period** – nil

Q. **Public Question Period**

   1. With regard to Item E 1 (Prayer at Council Meetings), Dr. Ralph Greene, Brampton resident, asked when the Special Council Meeting on this matter would be held. Regional Councillor Medeiros, Chair, advised that the meeting date would be publicized once it has been confirmed.

R. **Closed Session** – nil

S. **Adjournment**

CS028-2015  That the Corporate Services Committee do now adjourn to meet again on Wednesday, February 18, 2015 at 1:00 p.m.

Carried