The meeting was called to order.

1. **WELCOME PROFESSOR ANDREW SANCTON**

Chair Samson introduced Professor Sancton and indicated that he first met him in London with Minister of Provincial Parliament Ted McMeekin.

Professor Sancton acknowledged that he has received background information about the Task Force and copies of the written submissions received from the public.

In the opinion of Professor Sancton, legislated amalgamations were unjustified and there are problems with designing Community Councils.

He cited the Quebec model where the City’s were allowed to de-amalgamate and continue to pay for and receive regional services. They are amalgamated cities with enhanced de-centralization.

i.e. Montreal has very strong Community Councils which are called Borough Councils.

If Ontario is serious about the Community Councils initiative, Montreal is a good model. The result is more political decentralization which is pushed down to the boroughs.

The City of Montreal has authority over police services and transit. Ontario’s new legislation opens a small door. It is probably designed to not follow the Quebec model.

Professor Sancton sees three major problems with the new legislation. They are as follows:

1. The absence of provisions for elections of Community Councils members;
2. The City Councils don't have the authority to delegate zoning legislation. (Zoning is a local issue);

3. There is a lack of financial authority. The Community Councils won't be able to levy taxes. User fees are not mentioned in the legislation. In Quebec, the Community Councils can levy user chargers. Recently an amendment has been passed allowing Quebec community councils to add an extra property tax to the tax bill.

In Professor Sancton’s opinion, the new Ontario legislation is not meaningless and he believes that local politicians have worked hard to push this legislation as far as possible.

He indicated that the Minister of Municipal Affairs isn’t likely to give advice to the Task Force. The Task Force should seek advice from the City Solicitor. The Task Force has the opportunity to push the limits where the legislation is vague. The only danger would be that the by-law establishing the Community Councils may be challenged by an aggrieved citizen or business. There is no doubt that other Ontarians are looking to see what Hamilton is doing.

He thinks that Hamilton should run elections for members of the Community Council’s and then officially appoint them. Candidates could run for either City Council or Community Council but not both. The rules for Municipal elections should be followed and the elections should be held at the same time to ensure a decent voter turn out. There shouldn't be any term limits as it will result in the loss of institutional memory.

Appointing only elected members would eliminate central disputes and patronage. The disadvantage would be that small groups will lose control. Professor Sancton doesn’t think Community Councils would be a bad mechanism to ease candidates into Municipal Council.

He believes that some governance issues should be retained in the central area (i.e. traffic patterns, centralized business district). The core of Hamilton belongs to all residents. The streets are different from the streets in a subdivision. For example, the noise by-law would apply differently.

The mandates for the Community Councils should be harmonized (i.e. same powers for each one) to ensure fairness although each Community Council may exercise those powers differently. Every Community Council should be responsible for the same standard services. Andrew Sancton suggested that the Task Force review the powers exercised by the former area municipalities prior to amalgamation and consider whether they could be delegated to the Community Councils. He also suggested that Hamilton start slow and ease into the delegation of powers and eventually consider pushing the limit.

Once elected, the Community Councils would need something to do and the money to do it. The question is how this would be financed. Area rating may be a solution. Community Councils may recommend to Council to area rate certain services (i.e. sidewalk snow clearing.) The money would have to come from the existing Hamilton budget.
Andrew Sancton believes that Community Councils should have a budget to pay the part-time Councillors and to provide services. For example, one Community Council may wish to trade off street cleaning in exchange for keeping public pools open longer, etc.

A discussion followed on how Community Councils were established in Montreal. Professor Sancton indicated that although the Quebec Provincial Government was pro amalgamation, one of the Ministers, Louis Bernard, believed that the boroughs (i.e. Community councils) should be able to levy a tax.

Also there were different collective agreements in the different boroughs which were against taxation. The boroughs are permitted to set user fees, have jurisdiction over zoning, libraries, parking on local streets, and have a budget for providing local services. Each borough has a mayor and community council, an executive director and staff. The employer is the City of Montreal. The salaries are equivalent to those paid by small municipalities. Staff was guaranteed jobs. This model is not good for saving money. Also, the arrangement is difficult for staff because they have to share the equipment between the different boroughs.

Today, the City of Montreal is made up of 13 municipalities which are separate corporate entities and a conglomerate Council which oversees transit and police services.

Social services are entirely provided by the Province of Quebec.

The structure of the City of Montreal is confusing. It is made up of a conglomerate council, City of Montreal Council and borough councils. It is a three tier system – similar to Hamilton prior to amalgamation. The boroughs can extract money from the City. This is likely not a cost saving organization. However, there is remarkable political recognition in the boroughs.

The problem with the Ontario Legislation is that it allows the delegation of powers to make certain decisions but not the opportunity to raise money to finance those decisions. There is no direct link between the taxes and the services wanted by the taxpayers. Like the Ontario school boards, the community councils would be required to extract money from the City to provide the services.

The Halifax Community Councils system is different. The Community Councils are made up entirely of Council members. There are five Community Councils in the City of Halifax and 3 to 5 members of Council sit on each. The Community Councils cannot pass by-laws. They can spend a modest amount of money on local services (i.e. parks equipment). Only Clerk’s staff assist the Community Councils. This is a weaker version of the Montreal situation.

The Toronto model has only four Community Councils. (Prior to amalgamation, Toronto was made up of 6 area municipalities.) Elections are not needed as Toronto has enough Councillors to sit on the Community Councils.

In the Winnipeg model, Community Councils are basically Community Committees similar to the standing committee structure so there’s no real decentralized structure. The rate payers groups in Winnipeg became the resident advisory groups.
Andrew Sancton stated that the quality of urban life is affected by political decisions. Community Councils may allow residents to recapture what was lost after amalgamation. Every community would have to have a council. They don’t all have to be the same size as long as they have a sense of community. The boroughs in Montreal are different sizes. An upset limit and minimum limit of the Community Councils membership should be set – for example, a minimum of 5 to a maximum of 15 members. In his opinion, the Task Force’s report will need to make suggestions with respect to boundaries. It won’t be easy to divide the City, however, there are some natural City dividers (i.e. the escarpment.)

At the end of the discussion, Andrew Sancton agreed to read and comment on the Task Force’s report once it has been prepared.

5. NEXT STEPS
5.1 Meeting with Neighbourhood Associations (mid July)

The Legislative Assistant was requested to schedule a meeting on July 10, 2007 at 7:00 p.m. in Room 110 and invite the Wards 1 and 2 Neighbourhood Associations.

5.2 Public meetings:

The Legislative Assistant was requested to schedule the following public meetings:

September 11 – west end - in the upstairs of the Dundas Town Hall
October 16 – downtown – perhaps the Hamilton Public Library
October 30 – east end – perhaps St. Gregory’s Church or the East end Policy Station (not the Stoney Creek Municipal Service Centre)

6. ADJOURNMENT

There being no further business, the meeting adjourned at 4:00 p.m.

Respectfully submitted,

Art Samson, Chair
Community Councils Task Force

Ida Bedioui
Legislative Assistant
Community Councils Task Force
June 26, 2007