



Minutes

City Council – Special Meeting

The Corporation of the City of Brampton

Friday, February 11, 2022

Members Present: Mayor P. Brown
Regional Councillor R. Santos
Regional Councillor P. Vicente
City Councillor D. Whillans
Regional Councillor M. Palleschi
City Councillor J. Bowman
Regional Councillor M. Medeiros
City Councillor C. Williams
Regional Councillor P. Fortini
City Councillor H. Singh
Regional Councillor G. Dhillon

Members Absent: Nil

Staff Present: D. Barrick, Chief Administrative Officer
R. Forward, Commissioner, Planning, Building and Economic Development
M. Kallideen, Commissioner, Legislative Services
M. Nader, Commissioner, Community Services
M. Parks, Director, Road Maintenance, Operations and Fleet, and Acting Commissioner, Public Works and Engineering
B. Boyes, Fire Chief, Fire and Emergency Services
A. Milojevic, General Manager, Transit
S. Akhtar, City Solicitor
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator

The meeting was called to order at 10:08 a.m. and recessed at 10:20 a.m. Council moved into Closed Session at 10:30 a.m. and recessed at 11:01 a.m. Council reconvened in Closed Session at 11:16 a.m. and recessed at 11:31 a.m. Council further reconvened in Closed Session at 11:40 a.m. and recessed at 12:05 a.m. Council reconvened in Open Session at 12:24 p.m. and adjourned at 12:26 p.m.

1. Call to Order

As this meeting of Brampton City Council was conducted with electronic participation by Members of Council, the meeting started with the City Clerk calling the roll for attendance at the meeting, as follows.

Members present during roll call: Regional Councillor Santos, Regional Councillor Vicente, City Councillor Whillans, Regional Councillor Palleschi, City Councillor Bowman, Regional Councillor Medeiros, City Councillor Williams, Regional Councillor Fortini, City Councillor Singh, Regional Councillor Dhillon, and Mayor Brown

Members absent during roll call: nil

2. Approval of Agenda

Mayor Brown outlined the purpose of this special meeting, which was called by a petition of a majority of the Members of Council, for the following special purposes:

- Motion to provide notice of proposed amendments to the Procedure By-law 160-2004
- Discussion regarding corporate security matters
- Open Session meeting exception under Section 239 (2) (b) and (d) of the Municipal Act, 2001: Personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.
- Open Session meeting exception under Section 239 (2) (b) and (d) of the Municipal Act, 2001: Personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.
- Open Session meeting exception under Section 239 (2) (d) and (f) of the Municipal Act, 2001: Labour relations or employee negotiations; and advice

that is subject to solicitor-client privilege, including communications necessary for that purpose.

Mayor Brown noted that under Council's meeting rules, no other business can be considered at this special meeting.

Council agreed to a request from Regional Councillor Medeiros to vary the order of business to deal with Closed Session items in the following order: 6.1, 6.3 and then 6.2.

The following motion was considered.

C029-2022

Moved by Regional Councillor Medeiros

Seconded by Regional Councillor Vicente

That the agenda for the Special Council Meeting of February 11, 2022 (10:00 a.m.) be approved as amended to vary the order of business to deal with Closed Session items in the following order: 6.1, 6.3 and then 6.2.

Carried

3. Declarations of Interest under the Municipal Conflict of Interest Act

Nil

4. Business Matters

4.1 Motion to provide notice of proposed amendments to the Procedure By-law 160-2004

A motion, moved by Regional Councillor Medeiros and seconded by Regional Councillor Fortini, was introduced, with the operative clauses as follows:

THEREFORE BE IT RESOLVED AS FOLLOWS:

1. THAT proper and sufficient public notice be given of the February 22, 2022 Special Council Meeting that was called by resolution of Council on February 8, 2022 regarding the 2/3 voting requirements set out in the Procedural By-law 160-2004, and providing advance public notice of this Motion and the proposed amendments to the Procedure By-law 160-2004 attached as Appendix A hereto, specifically relating to the following:

a. deletion of Section 13 (Reopening a Question) in its entirety;

- b. amending sections 4.10 and 14 to permit a majority of Council to suspend the Procedure By-law and to add an item to an agenda; and
- c. to amend section 2.9(13) to permit Council to designate who shall be present when the matter being discussed in closed session relates to the Chief Administrative Officer.

Councillor Medeiros outlined the purpose of the motion and agreed to a request from Mayor Brown that all Members of Council second it.

Peter Fay, City Clerk, confirmed that Council could both hear from any delegations as well as pass a by-law to amend the Procedure By-law at the proposed Special Council Meeting on February 22, 2022.

The motion was considered as follows.

C030-2022

Moved by Regional Councillor Medeiros

Seconded by All Members of Council

WHEREAS the Municipal Act, 2001, provides that a municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS the City of Brampton has enacted Procedure By-law 160-2004, as amended, to govern proceedings of Brampton's City Council.

AND WHEREAS section 13 of the City's Procedure By-law includes provisions relating to re-opening of matters, including the requirement for 2/3 of Council to vote in favour of a re-opening of a previous decision.

AND WHEREAS what constitutes a re-opening decision is not defined and may be misused by a Chair and a minority of Council to abrogate the will of a majority of Council and thereby the democratic process and the right of the electorate to have their will reflected through the votes of a majority of Council.

AND WHEREAS the suspension of the Procedure By-law also requires a 2/3 majority, which may also be misused by a Chair or a minority of Council to abrogate the will of the majority of Council and thereby the democratic process and the right of the electorate to have their will reflected through the votes of those they have elected.

AND WHEREAS other local area municipalities have removed all requirements in their procedure by-laws requiring 2/3 majority in relation to re-opening of decisions.

THEREFORE BE IT RESOLVED AS FOLLOWS:

1. THAT proper and sufficient public notice be given of the February 22, 2022 Special Council Meeting that was called by resolution of Council on February 8, 2022 regarding the 2/3 voting requirements set out in the Procedural By-law 160-2004, and providing advance public notice of this Motion and the proposed amendments to the Procedure By-law 160-2004 attached as Appendix A hereto, specifically relating to the following:

- a. deletion of Section 13 (Reopening a Question) in its entirety;
- b. amending sections 4.10 and 14 to permit a majority of Council to suspend the Procedure By-law and to add an item to an agenda; and
- c. to amend section 2.9(13) to permit Council to designate who shall be present when the matter being discussed in closed session relates to the Chief Administrative Officer.

Carried

4.2 Discussion regarding corporate security matters

Council consideration included concerns about access to the 6th floor and the importance of reinstating the previous sign in protocol for access.

Staff confirmed that the sign in protocol has not been in place since the onset of the COVID-19 pandemic.

A motion, moved by Regional Councillor Medeiros and seconded by Regional Councillor Fortini, was introduced to request that staff report back to the March 2, 2022 Council meeting in this regard.

The motion was considered as follows.

C031-2022

Moved by Regional Councillor Medeiros

Seconded by Regional Councillor Fortini

That staff report back to the March 2, 2022 Council meeting regarding sign in protocols for access to the 6th floor.

5. Public Question Period

Members of the public were given the opportunity to submit questions via e-mail to the City Clerk's Office regarding any decisions made at this meeting.

Peter Fay, City Clerk, confirmed that no questions were submitted regarding decisions made at this meeting.

6. Closed Session

The following motion was considered.

C032-2022

Moved by Regional Councillor Palleschi

Seconded by City Councillor Bowman

That Council proceed into Closed Session to discuss matters pertaining to the following:

6.1. Open Session meeting exception under Section 239 (2) (b) and (d) of the Municipal Act, 2001:

Personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.

6.2. Open Session meeting exception under Section 239 (2) (b) and (d) of the Municipal Act, 2001:

Personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.

6.3. Open Session meeting exception under Section 239 (2) (d) and (f) of the Municipal Act, 2001:

Labour relations or employee negotiations; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Note: In Open Session, Peter Fay, City Clerk, reported on the status of matters considered in Closed Session, as follows:

6.1. – This item was considered in Closed Session and direction was given to staff.

6.2. – This item was withdrawn and not considered.

6.3. – This item was withdrawn and not considered.

7. Confirming By-law

- 7.1 By-law 26-2022 – To confirm the proceedings of Council at its Special Meeting held on February 11, 2022

The following motion was considered.

C033-2022

Moved by Regional Councillor Santos

Seconded by Regional Councillor Dhillon

That the following by-law before Council at its Special Meeting of February 11, 2022, be given the required number of readings, taken as read, and signed by the Mayor and the City Clerk, and the Corporate Seal affixed thereto:

By-law 26-2022 – To confirm the proceedings of Council at its Special Meeting held on February 11, 2022 (10:00 a.m.).

Carried

8. Adjournment

The following motion was considered.

C034-2022

Moved by Regional Councillor Vicente

Seconded by City Councillor Bowman

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, March 2, 2022 at 9:30 a.m. or at the call of the Mayor.

Carried

P. Brown, Mayor

P. Fay, City Clerk