

Wednesday, July 2, 2020

Special Meeting

Members Present in Chambers:

Mayor P. Brown

Members Present via Electronic Meeting Participation:

Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor P. Fortini – Wards 7 and 8
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Members Absent: City Councillor D. Whillans – Wards 2 and 6 (vacation)

Staff Present:

D. Barrick, Chief Administrative Officer
R. Forward, Commissioner, Planning, Building and Economic Development
J. Pittari, Commissioner, Legislative Services
J. Raina, Commissioner, Public Works
D. Boyce, Acting Commissioner, Community Services
B. Boyes, Fire Chief, Fire and Emergency Services
A. Milojevic, General Manager, Transit
D. Soos, Acting City Solicitor, Legislative Services
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator, City Clerk's Office

**Minutes
City Council**

Note: In consideration of the current COVID-19 public health orders prohibiting public gatherings of more than ten (10) people and requirements for physical distancing between persons, in-person attendance at this Council meeting was limited to Members of Council and essential City staff only. Physical distancing was maintained in Council Chambers at all times during the meeting.

The meeting was called to order at 9:02 a.m. and adjourned at 9:58 a.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: Councillor Santos, Councillor Vicente, Councillor Palleschi, Councillor Bowman, Councillor Medeiros, Councillor Williams, Councillor Fortini, Councillor Singh, Councillor Dhillon, Mayor Brown

Members absent during roll call: Councillor Whillans

2. Approval of Agenda

Mayor Brown outlined the purpose of the Special Meeting to consider a mandatory mask policy for the City of Brampton.

Council discussion took place with respect to a proposed addition to the agenda.

The following motion was considered.

C240-2020 Moved by Regional Councillor Palleschi
Seconded by City Councillor Singh

That the agenda for the Special Council Meeting of July 2, 2020 be approved as amended to add:

4.2. Delegation from Dr. Kulvinder Gill, Brampton, re. **Mandatory Mask Policy**.

Carried

The following was received by the City Clerk's Office after the agenda was published and related to a published item on the agenda (Council approval was not required for addition of this item in accordance with Procedure By-law

**Minutes
City Council**

160-2004, as amended). This material was published on the City's web portal on July 2, 2020.

- 6.1. Correspondence re: **Mandatory Mask Policy for City of Brampton:**
1. Christine Massey, Brampton resident, dated June 30, 2020
 2. Dr. Kulvinder Gill, Brampton, dated July 2, 2020

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

4. **Delegations**

- 4.1. Delegation from Dr. Lawrence Loh, Medical Officer of Health, Region of Peel – Public Health, re. **Mandatory Mask Policy**.

Dr. Lawrence Loh, Medical Officer of Health, Region of Peel – Public Health, outlined Peel Public Health's recommendation as it relates to a mandatory mask policy for Peel and evidence in support of the recommendation.

Dr. Loh provided some of the reasons for the recommendation, particularly now that the Region has moved to stage 2, including:

1. non-medical masks are a means of source control;
2. in certain public places, non-medical masks help reduce the risk of transmission to others; and,
3. a mandatory policy for non-medical masks would bring consistent clarity to what was already a strong recommendation.

Dr. Loh responded to questions of clarification from Council, and highlighted that masks are one part of the Region's Core Four Actions to help prevent the spread of COVID-19, as follows:

Core Four Actions:

1. **Stay apart**
Maintain 2-metres distance from everyone outside your safe social circle.
2. **Lather up**
Wash your hands often with soap and water or use hand sanitizer.
3. **Mask up**
Wear a non-medical mask where maintaining physical distancing is difficult and where masks are mandatory. Protect the supply of medical grade masks for health care workers.
4. **Get tested**
If you think you might have COVID-19 or have been exposed to it you should get tested. While waiting for test results, stay home, self-isolate and prevent potential spread.

**Minutes
City Council**

At the request of Council, later in the meeting following Dr. Gill's delegation (Item 4.2), Dr. Loh responded to additional questions of clarification.

The following motion was considered.

C241-2020 Moved by City Councillor Williams
Seconded by Regional Councillor Santos

That the delegation from Dr. Lawrence Loh, Medical Officer of Health, Region of Peel – Public Health re. **Mandatory Mask Policy**, to the Special Council Meeting of July 2, 2020, be received.

Carried

4.2. Delegation from Dr. Kulvinder Gill, Brampton, re. **Mandatory Mask Policy**.

Council agreed to provide additional time for this delegation.

Dr. Kulvinder Gill, Brampton, outlined her position as it relates to a mandatory mask policy for the City of Brampton, and referenced the written correspondence (Item 6.1-2) she provided in support of her position.

Dr. Gill responded to questions of clarification from Council.

The following motion was considered.

C242-2020 Moved by Regional Councillor Dhillon
Seconded by City Councillor Singh

That the delegation from Dr. Kulvinder Gill, Brampton, re: **Mandatory Mask Policy**, to the Special Council Meeting of July 2, 2020, be received.

Carried

5. Reports

5.1. Discussion Item at the request of Mayor Brown re: **Mandatory Mask Policy for City of Brampton**.

A motion, moved by Mayor Brown and subsequently seconded by all Members of Council (in attendance at this meeting), was introduced, with the operative clauses as follows:

**Minutes
City Council**

NOW THEREFORE the Council of The Corporation of the City of Brampton **HEREBY RESOLVES** as follows:

1. That the City enact a by-law requiring persons or organizations that own or are responsible for the operation of a facility or business to have a policy to ensure non-medical masks or face covering are worn by the public in enclosed public spaces, subject to appropriate exemptions and requirements as recommended by the Medical Officer of Health, including exemptions for persons unable to wear a mask or face covering for medical reasons, children under the age of two years old and such other reasonable accommodations;
2. That such by-law be enacted to be in force for a temporary period of time expiring at 12:01 a.m. on October 1, 2020, unless extended by Council; and
3. That such by-law be developed in consultation with and to give effect to the advice of the Medical Officer of Health and in collaboration with other Peel Region municipalities to provide consistency and reduce the risk and spread of COVID19 within the Region.

Members of Council outlined their comments with respect to the proposed mandatory mask policy outlined in the motion.

In response to questions from Council, staff provided details on the communications plan for a mandatory mask policy.

The motion was considered as follows.

C243-2020 Moved by Mayor Brown
Seconded by All Members of Council

WHEREAS in March 2020 the World Health Organization declared a worldwide pandemic regarding the 2019 Novel Coronavirus Disease (“**COVID-19**”);

AND WHEREAS in March 2020 the Province of Ontario and the City of Brampton declared an emergency pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 related to COVID-19;

AND WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to respond to municipal issues, including matters relating to the health,

**Minutes
City Council**

safety and well-being of persons, as the municipality considers necessary or desirable for the public;

AND WHEREAS the Region of Peel’s Medical Officer of Health (the “**Medical Officer of Health**”) has strongly recommended the use of non-medical masks and face coverings where physical distancing may be difficult and in enclosed public spaces such as on public transit, and has recommended the enactment of “a time-limited, broader by-law mandating when and where non-medical masks must be used to further strengthen these recommendations and protect Peel residents”;

AND WHEREAS on June 30, 2020 the Premier of the Province of Ontario endorsed a local approach to the establishment of regulations mandating the wearing of non-medical masks, including within the Region of Peel;

AND WHEREAS the Council of the Corporation of the City of Brampton wishes to enhance the protection of its residents, reduce the spread and adverse impacts of COVID-19 within the City, and support the City and Province in moving toward the next phase of Provincial re-opening;

NOW THEREFORE the Council of The Corporation of the City of Brampton **HEREBY RESOLVES** as follows:

1. That the City enact a by-law requiring persons or organizations that own or are responsible for the operation of a facility or business to have a policy to ensure non-medical masks or face covering are worn by the public in enclosed public spaces, subject to appropriate exemptions and requirements as recommended by the Medical Officer of Health, including exemptions for persons unable to wear a mask or face covering for medical reasons, children under the age of two years old and such other reasonable accommodations;
2. That such by-law be enacted to be in force for a temporary period of time expiring at 12:01 a.m. on October 1, 2020, unless extended by Council; and
3. That such by-law be developed in consultation with and to give effect to the advice of the Medical Officer of Health and in collaboration with other Peel Region municipalities to provide consistency and reduce the risk and spread of COVID19 within the Region.

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

Yea
Santos

Nay
Whillans

Absent
nil

**Minutes
City Council**

Vicente
Palleschi
Bowman
Medeiros
Williams
Fortini
Singh
Dhillon
Mayor

Carried
10 Yeas
1 Nays
0 Absent

6. Correspondence

- 6.1. Correspondence re: **Mandatory Mask Policy for City of Brampton:**
1. Christine Massey, Brampton resident, dated June 30, 2020
 2. Dr. Kulvinder Gill, Brampton, dated July 2, 2020

The following motion was considered.

C244-2020 Moved by Regional Councillor Dhillon
Seconded by City Councillor Singh

That the following correspondence re: **Mandatory Mask Policy for City of Brampton**, to the Special Council Meeting of July 2, 2020, be received:

1. Christine Massey, Brampton resident, dated June 30, 2020; and,
2. Dr. Kulvinder Gill, Brampton, dated July 2, 2020

Carried

7. 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.

Diana Soos, Acting City Solicitor, Legislative Services, responded to a question from Dr. Kulvinder Gill, Brampton, with respect to legal liability as it relates to a mandatory mask policy for the City of Brampton.

8. By-laws – nil

**Minutes
City Council**

9. Confirming By-law

The following motion was considered.

C245-2020 Moved by Regional Councillor Vicente
Seconded by Regional Councillor Fortini

That the following by-law before Council at its Special Meeting of July 2, 2020, 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 117-2020 To confirm the proceedings of Council at its Special Meeting held on July 2, 2020

Carried

10. Adjournment

The following motion was considered.

C246-2020 Moved by Regional Councillor Medeiros
Seconded by City Councillor Bowman

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, July 8, 2020 at 1:00 p.m. or at the call of the Mayor.

Carried

P. Brown, Mayor

P. Fay, City Clerk