

## Council

**Date:** August 10, 2020  
**Time:** 1:00 PM  
**Location:** Online Video Conference

<b>Members</b>	Mayor Bonnie Crombie	
	Councillor Stephen Dasko	Ward 1
	Councillor Karen Ras	Ward 2
	Councillor Chris Fonseca	Ward 3
	Councillor John Kovac	Ward 4
	Councillor Carolyn Parrish	Ward 5
	Councillor Ron Starr ( <b>Acting Mayor, CHAIR</b> )	Ward 6
	Councillor Dipika Damerla	Ward 7
	Councillor Matt Mahoney	Ward 8
	Councillor Pat Saito	Ward 9
	Councillor Sue McFadden	Ward 10
	Councillor George Carlson	Ward 11

### Staff Present

Paul Mitcham City Manager and Chief Administrative Officer  
Gary Kent Commissioner of Corporate Services and Chief Financial Officer  
Geoff Wright Commissioner of Transportation and Works  
Shari Lichterman, Commissioner of Community Services  
Andra Maxwell City Solicitor, Legal Services  
Nupur Kotecha, Legal Counsel Municipal Law, Legal Services  
Samuel Rogers, Director, Enforcement  
Diana Rusnov Director of Legislative Services and City Clerk  
Sacha Smith Manager of Legislative Services and Deputy Clerk  
Dayna Obaseki, Legislative Coordinator, Legislative Services Division

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**1. CALL TO ORDER**

Councillor Starr, Acting Mayor called the meeting to order at 1:02PM.

**2. INDIGENOUS LAND STATEMENT**

Councillor Starr, Acting Mayor recited the Indigenous Land Statement.

**3. APPROVAL OF AGENDA**

Councillor Starr, Acting Mayor spoke to the addition of the following matter; a verbal update from the City Solicitor under Closed Session (Item 22.1)

Verbal Motion

Moved By Councillor D. Damerla

Seconded By Councillor C. Parrish

That the agenda for the August 10, 2020 Special Council meeting be approved as amended.

Received

**4. DECLARATION OF CONFLICT OF INTEREST - Nil.****5. MINUTES OF PREVIOUS COUNCIL MEETING - Nil.****6. PRESENTATIONS - Nil.****7. DEPUTATIONS - Nil.****8. PUBLIC QUESTION PERIOD - 15 Minute Limit**

Shane Markle, Barrister and Solicitor spoke to the request from Hindu Forum Canada and noted his concerns surrounding the request to broadcast religious hymns not being in good faith. He notes that Hindu Forum Canada previously publicly expressed that they were opposed to Council's previous decision allowing the Call for Prayer. He further speaks to the political combat between the Hindu and Muslim communities and that allowing these exemptions presents religious ideologies with public consent. Mr. Markle noted the method of approval is counter to the rule of law and/or correct process for applying to exemption to the Noise By-law. He also refers to his written submissions to the Clerk's office and Members of Council.

**9. MATTERS PERTAINING TO COVID-19 - Nil.****10. CONSENT AGENDA - Nil.****11. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS - Nil.**

**12. PRESENTATION OF COMMITTEE REPORTS****12.1 Diversity and Inclusion Advisory Committee Report 2 - 2020 - dated August 6, 2020**

Councillor Damerla brought forward a motion.

**RESOLUTION 0293-2020**

Moved By Councillor S. McFadden

Seconded By Councillor M. Mahoney

That recommendation DIAC-0003-2020 as contained in the Diversity and Inclusion Advisory Committee Report 2-2020, dated August 6, 2020, be approved.

DIAC-0003-2020

That the Diversity and Inclusion Advisory Committee supports the request from Hindu Forum Canada that the enforcement of the Noise Control By-law 360-79, as amended, be suspended for the broadcasting of the evening hymns at 7:00 p.m. from local Mandirs, between August 11, 2020 and September 1, 2020, provided the broadcast is only for five minutes.

(DIAC-0003-2020)

YES (12): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac , Councillor C. Parrish, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor P. Saito, Councillor S. McFadden, and Councillor G. Carlson

Carried (12 to 0)

**RESOLUTION 0294-2020**

Moved By Councillor D. Damerla

Seconded By Councillor C. Parrish

1. That an exemption application made by Hindu Forum Canada pursuant to the Noise By-law (which currently permits the amplification of sound until 5pm) to permit Hindu Temples located in Mississauga to broadcast religious hymns once per day at 7pm for a maximum of 5 minutes between the period of August 11, 2020 and September 1, 2020, be granted.
2. That an exemption application made by Hindu Forum Canada pursuant to the Noise By-law under section 1 above shall not be subject to the notice requirements in subsection 7(2)(f) of the Noise By-law.
3. That the exemption be provided for this year only, because of COVID, until the newly drafted Noise By-Laws recently presented by staff can be fully vetted with the residents of Mississauga through public consultation meetings held by staff and the local Councillor in each ward.

4. That the matter of broadcasting audible expressions of faith be referred to Council's Diversity and Inclusion Advisory Committee (DIAC) to allow for thoughtful discourse and public engagement and input into the noise by-law amendments.

YES (12): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor C. Parrish, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor P. Saito, Councillor S. McFadden, and Councillor G. Carlson

Carried (12 to 0)

**13. UNFINISHED BUSINESS - Nil.**

**14. PETITIONS - Nil.**

**15. CORRESPONDENCE**

*15.1 Information Items*

- 15.1.1 Correspondence dated August 7, 2020, from Rabbi Audrey Pollack regarding Hindu Forum Canada's request for Call to Prayer

Received for information

- 15.1.2 Correspondence dated August 7, 2020 from Rao N. Yendamuri regarding the broadcast of religious hymns and observe religious processions

Received for information

**16. NOTICE OF MOTION - Nil.**

**17. MOTIONS - Nil.**

**18. INTRODUCTION AND CONSIDERATION OF BY-LAWS - Nil.**

**19. MATTERS PERTAINING TO REGION OF PEEL COUNCIL - Nil.**

**20. COUNCILLORS' ENQUIRIES - Nil.**

**21. OTHER BUSINESS/ANNOUNCEMENTS - Nil.**

**22. CLOSED SESSION**

*(Pursuant to Subsection 239(2) of the Municipal Act, 2001)*

Council moved into Closed Session at 1:05 PM.

Andra Maxwell, City Solicitor spoke to the legality surrounding the requests for exemption to the Noise By-law to broadcast Religious hymns.

Members of the Committee asked questions and discussion took place.

Council moved out of Closed Session at 1:30 PM.

RESOLUTION 0291-2020

Moved By Councillor S. Dasko

Seconded By Councillor K. Ras

WHEREAS the *Municipal Act, 2001*, as amended (the "Act"), requires Council to pass a resolution prior to closing part of a meeting to the public;

AND WHEREAS the Act requires that the resolution states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;

NOW THEREFORE be it resolved that a portion of the Council meeting held on August 10, 2020 shall be closed to the public to deal with the following matters:

- a. Pursuant to the *Municipal Act*, Sections 239 (2):
  - i. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose: Broadcasting of Religious Hymns (Verbal Update)

YES (12): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac , Councillor C. Parrish, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor P. Saito, Councillor S. McFadden, and Councillor G. Carlson

Carried (12 to 0)

RESOLUTION 0292-2020

Moved By Councillor M. Mahoney

Seconded By Councillor G. Carlson

That the verbal update on August 10, 2020 from the City Solicitor regarding Broadcasting of Religious Hymns be received.

YES (12): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac , Councillor C. Parrish, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor P. Saito, Councillor S. McFadden, and Councillor G. Carlson

Carried (12 to 0)

**23. CONFIRMATORY BILL**

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on August 10, 2020

0196-2020

**24. ADJOURNMENT**

1:39PM