COUNCIL OF THE CITY OF WINNIPEG
Thursday, February 10, 2022

The Council met at 9:42 a.m.

The Clerk advised the Speaker that a quorum was present.

The Speaker called the meeting to order.

The opening prayer was read by Councillor Allard.

ROLL CALL

Clerk: Madam Speaker Councillor Sharma, His Worship Mayor Bowman, Councillors Chambers, Eadie, Gillingham, Gilroy, Klein, Nason, Schreyer, Orlikow, Mayes, Allard, Santos, Lukes and Browaty.

Madam Speaker: Thank you. Mr. Clerk, please read the notice for today's special meeting into the record.

Pursuant to Section 79(1) of the City of Winnipeg Charter, a special meeting of Council has been called for Thursday, February 10th, 2022 at 9:30 a.m. to consider the following matter: Item 1 – Protest at the Manitoba Legislature. Pursuant to the requirements of the City of Winnipeg Charter, no other subject matter other than that outlined in this notice shall be considered at the meeting. Signed, Marc Lemoine, City Clerk.

Madam Speaker: Thank you, Mr. Clerk. With that, we'll get right into delegations. We have one delegation on this item. David Grant is appearing in opposition to the item before Council regarding the Protest at the Manitoba Legislature. I believe he is appearing virtually. Mr. Clerk, do we have him on the line?

Clerk: I do. I've just asked Mr. Grant to join the meeting. Mr. Grant, if you could join the meeting, start your video and unmute your microphone, please.

Madam Speaker: Welcome, David Grant. If you could unmute.

DELEGATIONS

David Grant: There we go. Is that better? Push the button.

Clerk: There you go.

David Grant: Exit full screen. Sorry about this. Thank you very much for the opportunity to speak today. I will begin. Medias say that the current protest is blocking city streets. My understanding, there's one road that's closed. South end of Memorial, which is provincial and not a city street, is indeed not open to traffic. Please recall that this part of this road is closed to traffic regularly when special events are held in the area. I have enjoyed many such events over the years, alongside politicians at all three levels, usually in the summer. I know of no city street which is closed to traffic by the current protest. I've driven through the area. I see no evidence that any protesting has been done more than a few steps from Memorial. If it had, the pretty white snow would have been trampled there. Global TV reports that His Worship wants the protestors cleared out because there are burn barrels nearby. We hear that they are unlawful. Remember last month, folks around here were boasting their very own fire service had burn barrels to help warm homeless folks. Whenever we see a winter picket line on TV, we see burn barrels. I do not recall the City ever telling a trade union they cannot keep warm in this way. Is using such tools to warm oneself in the city of Winnipeg lawful or not? Moving on, disruption. Remember, that all local protests which disrupt no one are also widely ignored. Are any of you aware of how often residents feeling outrage stand on public steps with signs calling for justice? Probably not, because no one notices. My studies in engineering and microbiology were in the 1960s. That was an era of loud protests, especially at universities. My friends and I stayed very far away from those protests, preferring to study and attend labs and lectures, but we sure knew they were there. No one has to go very far back into Winnipeg's history to find examples of protests which were disruptive. Since the pandemic began, there have been many disruptive protests here. Some were to raise awareness of Middle East politics, some expressed outrage for NDP and First Nation issues. The most easily ignored protests recently were the peaceful protests in '20 and '21 by folks who thought who felt their rights had been taken away. Because those were not disruptive and were not on city streets, most of us had no idea that those protests even happened. For long-term protest, the tipis on the lawn at 450 Broadway probably have the modern record. I heard of no one calling that an occupation, but

it did go on for most of last year. It was a peaceful protests on provincial land by deeply committed Manitobans. The current pro…current protest is just that. Please remember how City officials reacted to protests in 2020 supporting the BLM cause in the US. Some freely spoke in favour of the protests. WPS watched to avoid confrontation. This is the modern reaction to mildly disruptive protests. This is exactly how the WPS has been reacting to the tucker protests. Winnipeg has clearly shown that peaceful but disruptive protests is to be tolerated and protected. I believe that the current protest on Broadway fits this category. Police and citizens have many hours of video of generally law-abiding behavior as they…as they no doubt collected during all of recent disruptive protests. With respect, may I suggest that reference be made to that WPS footage before Council acts on what may be false outrage allegations of protestor misbehaviour. Again, with respect, the WPS are experts in collecting evidence and acting on it. Please have faith in them. Please do not kick the tar baby, ala Br'er Fox, if you remember the fables, no matter how compelling the stories you hear. Winnipeg has clearly shown that in at least one case, a disruptive protest which turned to targeted destruction to make its point will also be tolerated. I see that Council has not stated a position on the destruction of symbolic property during protests. In this case, for (inaudible) causes. Even as the justice system has chosen not to act, this is an important precedent. I personally see that precedent as problematic, but it has been put on record. I suggest that Council make a statement in support of the way that their WPS has watched over protests like the current one, and the one in June 2020. WPS has a very professional and effective negotiator team which has been active in keeping the handful of counter protesters on their own part of the avenue. WPS knows what they are doing. Please support them. And thank you, again, for this time.

Madam Speaker: Thank you. Are there any questions for our delegation? Seeing none, thank you for your presentation.

Councillor Schreyer: Madam Speaker.

Madam Speaker: Councillor Schreyer, go ahead.

Councillor Schreyer: Thank you. And thank you very much for your presentation. These are all very important…very important words. And I myself…probably Mr. Grant have been at some of the same protests over the years and over the decades. And I can't recall how many protests and marches I have been on literally over the decades, I can now say over the generations, over 50 years. In this case, I cannot recall any one of these protests and marches that in all cases that I can recall was led by the police that have lasted as long as this. But I do recall them lasting hours in terms of blocking traffic. Do you recall any lasting…any long…as long as this one in terms of blocking traffic?

David Grant: I would say no. I'd agree with you, Mr. Schreyer. The…that's why I made reference to the lawn of the legislature, where that one's gone on for months, but it has been much less disruptive. So, I agree, this one…that the current protest is unique that way in…but the time it's gone on; that even the one in June 2020 was just a single day...a portion of a single day.

Councillor Schreyer: Thank you.

David Grant: Thank you.

Madam Speaker: Councillor Nason, your question.

Councillor Nason: Thank you, Madam Speaker, and through you, question for Mr. Grant. Through your presentation, you indicated that there was no public street being blocked. Would you consider York Avenue not a public street?

David Grant: I'm not aware that it's blocked, but I guess I hadn't done a proper reconnaissance of the area. I know that the portion of Memorial that is primarily blocked off with barricades and so on is commonly used and traffic continues on Broadway both ways. But I'm not aware of York. If you ever go down there. But I've been down there on a bus. Anyway, is there evidence that it is blocked, completely blocked to traffic? Councillor Nason...or Speaker? I'm sorry, I'm supposed to address the Speaker.

Madam Speaker: David, thank you. Any further questions for our delegation? Seeing none, thank you for your presentation.

David Grant: Thank you.

Madam Speaker: We'll now move onto the item. Mr. Mayor, you have the floor to introduce.

REPORT OF THE EXECUTIVE POLICY COMMITTEE

Item 1. - Protest at Manitoba Legislature

Mayor Bowman: Thank you, Madam Speaker, and good morning to my council colleagues, those that are here in-person and those that are joining us virtually as well as all those that may be watching our proceedings today. Madam Speaker, this special meeting of Council was called for today regarding the ongoing protest on public streets in the area of the Manitoba Legislature. It's rare for me to call a special meeting of Council. Winnipeggers have heard from me in recent days and have been expressing their concerns about the ongoing protest on public streets in the area of the Manitoba Legislature. Given the level of public interest and concern from Winnipeggers, including those that live and work in the immediate areas of the protest on our public streets, I called this special meeting so that Council's voice could be heard. I want to begin by stating that we're not here to debate the legality of holding a protest. I believe that's a fact that all members of Council and Winnipeggers in general can agree upon. Freedom of expression in a free and democratic society are values we hold very dear. Winnipeggers have seen temporary disruptions because of protests in the past, but what is unique in this case is the multiday occupation of public streets and the noise that has come with it. It must be clearly stated that elected officials are prevented by provincial legislation from directing the operations of the police. And with respect to managing protests, as is typically the case, the Winnipeg Police Service is the lead agency with the power to enforce laws in our community. Today is, as I've mentioned, the purpose of this meeting wasn't to and isn't to debate the legality of holding a protest. It's also not to...my primary reason for calling this wasn't primarily to debate the manner in which various stakeholders, including the Winnipeg Police Service, conducts its responsibilities. Members of Council and the public will have their views. I think Winnipeggers should take note of the leadership of our Police Board Chair and our Protection Chair, and the leadership of the Police Board and, of course, responsibilities of the Police Service. And I think Winnipeggers should have confidence the Winnipeg Police Service, having advised the public that they have the resources to lead and to manage the situation, can and will continue to do so appropriately. We're here today in part because Winnipeggers have communicated loud and clear that they expect compliance with laws, notably those related to traffic and noise. And it is in this public forum that we as a Council can acknowledge those expectations from our residents. I want Winnipeggers to know, especially those who have expressed concern about an unlawful occupation of our public streets and noise that is accompanying it, I want them to know that we have heard from you, we hear your concerns, and we share them. I've communicated those concerns to various leaders in our community. I want to thank our Police Board Chair, I want to thank our Protection Chair. I want to thank our chief of police, our CAO, and Minister Goertzen for the dialogue that we've had in recent days. Today represents an opportunity for members of Council and the viewing public to receive an update from our Public Service and to ask questions of our Chief Administrative Officer who I'll ask to come up in a few moments to provide us with some context about the discussion today and to be available to members of Council to ask questions. Today, City Council will have the opportunity to publicly communicate the expectations of the residents that we serve and also to consider asking our Provincial Government and the Winnipeg Police Service to consider doing all things reasonably necessary to help end the ongoing, unlawful occupation on our public streets. Given that this is a topic that has been followed with great interest by the residents we serve, I believe that, today, Council should communicate this on behalf of the residents that we serve. And I want to thank my council colleagues in advance for their thoughtful deliberation and ongoing efforts. I know many members of Council have been interacting with various stakeholders in our community, including downtown residents. I want to thank each member of Council for doing so. And I look forward to hearing from my council colleagues today, Madam Speaker. With the introduction, I would...I would ask...I see our Chief Administrative Officer is here. Perhaps at the conclusion of my remarks, we can…we can hear from our CAO who can then be available to answer questions from our Council colleagues. Thank you, merci and megwich.

Madam Speaker: Thank you, Mr. Mayor. With that, under the rules of procedure, we require a suspension of the rules to have a question period for the CAO. And that will be a recorded vote. Yes?

Councillor Eadie: Point of order. I have an e-mail here with an amending motion.

Madam Speaker: Yes, there are…

Councillor Eadie: Did they not get to introduce their amending motion before…

Madam Speaker: That is also in order, but the Mayor is asking for a suspension of the rules, I take it.

Councillor Eadie: He can't ask for a suspension of the rules after he spoke to it, Madam Speaker.

Madam Speaker: I believe he can.

Councillor Eadie: No, he can't.

Madam Speaker: It was during his speaking time.

Councillor Eadie: It's the same thing if I wanted to speak and then call the vote.

Madam Speaker: I see the Clerk nodding as well. I'm going to allow it, Councillor Eadie. So, there was a request for suspension of the rules by the Mayor to hear from our CAO to entertain questions. All in favour, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Bowman, Councillors Chambers, Gillingham, Gilroy, Klein, Rollins, Orlikow, Mayes, Allard, Santos, Lukes and Browaty

Nays

Councillors Eadie, Nason and Schreyer

Madam Speaker: I'm sorry. I was in support. If you can note me there.

Clerk: Madam Speaker's in support. Noted.

City Clerk: The vote Madam Speaker, Yeas 13, Nays 3. The suspension passes.

Madam Speaker: I'll call our CAO forward. Welcome, Mr. Jack.

Chief Administrative Officer: Thank you, Madam Speaker.

Madam Speaker: We'll take questions in the same format we do during question period. Councillor Klein.

Councillor Klein: Thank you, Madam Speaker and Mr. Jack for being here. I'm going to remove this because my voice is not the normally is. I have one question that might lead to a couple more. Are you privy to police briefings with police executive office…the executive office on operations?

Chief Administrative Officer: Am I privy to those discussions? I do…through to Councillor Klein, through Madam Speaker, I speak frequently with police service executive. We speak about a range of matters, whether it's Public Service trying to raise issues for their attention or to get a general sense of awareness of how an event like this is taking place. Obviously, operations are discussed. I always freely acknowledge that I have no role in directing those operations, but Chief Smyth and his executive are, I would say, very good at least keeping us abreast of developments that we need to understand in order to properly manage the remainder of the Public Service.

Madam Speaker: Second question, Councillor Klein.

Councillor Klein: Thank you, madam…Thank you, Madam Speaker, and through to the CAO. I understand that you…from what I understand, Madam Speaker, is that CAO has meetings and has conversations with the police chief. Are those conversations and those briefings, do you share those with the Mayor's Office and EPC?

Chief Administrative Officer: I will routinely…through you, Madam Speaker, we will routinely brief, you know, as requested or as necessary, brief the Mayor's Office typically at a high level on matters as they're developing. You know, I don't provide anybody with minutes or notes of those meetings, but certainly, if there's anything that I think the Mayor's Office and/or EPC and/or Council would need to know to discharge its duties, I think it would be my obligation to bring that to the attention of the respective official.

Madam Speaker: Thank you. Third question, Councillor Klein.

Councillor Klein: Thank you, Madam Speaker, and through you to our CAO. We know that...and I appreciate that you share some of this information with the Mayor, but I still haven't heard a response to the actual question, Madam Speaker, and I'm hoping we can get that. Are you...is the CAO telling this council that they do...he does have discussions about what's going on operationally that he's well aware of what they're doing in the operation with the Police Service because that speaks to what we're looking at today? It looks like we're not aware. So, Madam Speaker, I would just ask for that

question to be answered; that do…does the CAO, Madam Speaker, have operational strategy sessions or involved in those sessions with the police executive, which would be interesting to know?

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Through you, Madam Speaker; in terms of operational strategy sessions, I think the answer would be no. It is…when it comes to a police operation and here, very early, we acknowledge the police as the lead agency on this protest, I would characterize it as a somewhat one-way flow of information. The chief is very good about keeping me abreast of things that he thinks the CAO should need to know. Yeah, I can't think of an instance where I tried to or did direct any strategic choice on the part of the police or their operations.

Madam Speaker: Councillor Klein, we need to move on. I can certainly come back to you.

Councillor Nason: Madam Speaker. Madam Speaker, on a point of order, I sought clarification from the Clerk this morning. As I am working remotely, my understanding, it's an eight-minute question period, not a limit of three questions?

Madam Speaker: Yeah. The rules were suspended, Councillor Nason. We did have, I believe, 15 minutes on the clock, and that is in order. Okay. I'd like to go to the next speaker. Mr. Mayor.

Mayor Bowman: Thank you, Madam Speaker. My question will really just be requesting that our Chief Administrative Officer provide us with as fulsome an update on this matter as he can. I will, in advance, just indicate to him that if he does need additional time, I'll call for an additional time so that we can hear and the viewing public can also get as much information from you as possible at this stage.

Madam Speaker: Okay. Mr. Mayor, a specific question?

Mayor Bowman: The question was if the Chief Administrative Officer could provide as fulsome an update from the Public Service's perspective with respect to the unlawful occupation of public streets in and around the Manitoba Legislature?

Chief Administrative Officer: Through you, Madam Speaker, I will definitely endeavor to do so succinctly and also, you know, welcome questions if I'm missing any of the…any of the salient points that you are hoping for in the update. This…large protests or large gatherings, you know, in one respect, are becoming increasingly common. And so, we are frequently, on a weekly basis, you know, apprised of large events that are going to be occurring in Winnipeg, and this was no exception. I think even some of you, you know, on Council are aware, I will occasionally bring events to your attention that are planned on the city hall property. So, we were aware in advance of the mainly social media promotion of the event. Immediately, our Emergency Operations Centre which has representatives from every department within the Public Service including the police began convening meetings and discussions just to ensure that we had a full understanding, full situational awareness of what we thought was going to be occurring. Our...apart from...I know the issue of policing is one of great interest this morning, but there's a great amount of subject matter beyond policing that our EOC was tasked with trying to prepare for to ensure that any of our crucial infrastructure in and around the subject site, that there were no issues that we needed to be prepared for to ensure that emergency services vehicles were going to be able to move as needed freely without impediment. And so, our manager of Emergency Preparedness, Jay Shaw led that effort with a number of meetings with those across the organization just to ensure we were prepared. In terms of specific departmental impacts, we have had transit reroutes on a number of routes. That stretch of Memorial is frequently used for, I think somewhere close to ten routes. Those have been rerouted for the duration of this event. But beyond that, transit is used to contingency planning, so they have minimized impacts. We have had…we have confirmed with Fire Paramedic Service that thankfully they have managed through this. Both fire and EMS, we have good communication and good technology that ensures all available resources are aware where there are road closures. And so, we have had no negative outcomes for Winnipeggers as a result of emergency response. No appreciable spike, at least measurable, in our calls to 311. We do recognize that if it's…if a call is of a police nature, 311 will typically be referring those to either the police 911 or non-emergency line in any event. We…I have…beyond that, we do receive anecdotal feedback. Certainly, businesses have spoken to the impacts to their business. In speaking with a representative of the Downtown Winnipeg BIZ mentioned, you know, some of their members experiencing as much as 40% revenue loss even from the lows of during the pandemic. And of course, anyone who takes even a few moments on social media is seeing, again, anecdotally the impacts of the noise and the other things upon…upon residents. But you don't need me contact…or you know, summarizing social media. So, I think I've kind of hit the high points in terms of the departments that would be involved. As for police, while I don't speak for the police, I do think they've likely communicated, you know, what the nature of their operation...we have agreed that they are the lead agency, and so we are not using other arms of enforcement within the Public Service to carry out other by-law enforcement. We are leaving it to the police to manage the zone and do whatever legal enforcement they determine most advisable.

Madam Speaker: Okay. Thank you. Mr. Mayor, second question.

Mayor Bowman: Thank you very much. Thanks very much for your leadership and your accessibility right now. We do appreciate it. To the point...and I should not preamble second and third questions I believe, so I'll just get right to my question. Can you explain why, typically and during protests, by-law enforcement officers and others would not be the lead on enforcing traffic violations? Typically, that would be the Parking Authority, but also noise by-law infractions. Typically, during a protest, who would enforce those?

Chief Administrative Officer: Yes, thank you. Through you, Madam Speaker, it has always been the case that the Winnipeg Police Service have the lawful ability to enforce any laws of the land. And so, that includes any City by-law. The reality is, in day-to-day operations, police do tend to focus on the types of offences for which they are both properly positioned criminal offences, Highway Traffic Act offences. Leaving the things like neighbourhood liability and other City by-laws to our own By-law Enforcement officers. Given that there is, essentially, a zone that has been established, even the police are acknowledging that the protest activity is taking place within a zone. Through discussion with the police service, we have agreed not to attempt to insert further enforcement personnel in that zone. Not only because we are allowing the police service to take the lead and therefore craft their overall strategy for the site, but truly, in terms of parking enforcement and/or by-law enforcement officers in a protest site where there could be up to 1,000 people, it wouldn't be advisable to be sending our officers in there in a way that might antagonize or inflame. By-law enforcement officers don't carry sidearms, they aren't prepared for conflict of any escalated manner. So, we are…it's consistent with allowing the police service to be the lead agency role.

Madam Speaker: Thank you. Mr. Mayor, any further questions? Next, Councillor Mayes.

Councillor Mayes: Thank you. Can you hear me all right?

Madam Speaker: Yes.

Councillor Mayes: My apologies to Mr. Jack for the mask wearing, but I've had a positive COVID test some days ago, as members of Council know. And so, two questions to Michael. First, could you arrange…frankly, I think it's time for Council to have a debate about what message we want to send to the Province about the jurisdiction of the police and police operation. Can you please clarify that…certainly, when I was chair of Protection and Community Services, I had no role over the police. I never had a briefing. I have no memory of Councillor Pagtakhan who was the long time chair of Protection, having any role over the police services. Is the by-law changed? Is there…what is the role of Protection and Community Services…now Parks, Protection and Community Services, in overseeing the police? We seem to have created two competing jurisdictional models here, with a Police Board and a City of Winnipeg standing policy committee. And I feel mounting sense of confusion, frankly. So, can you please elucidate what is the difference between what role does the standing committee have over police operations if any?

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Yeah, through you, Madam Speaker. Councillor, I am going to provide an answer, but I'm going to preface it by saying that that really is going to require, at least in part, a legal response because you're really talking about jurisdiction. You likely don't need the CAO offering that up off the top of his head at a podium. But I want to try and provide some form of response. Under our City Organization By-law, the Standing Policy Committee on Protection and Community Services and Parks still retains a level of jurisdiction over policing in the city. It has been suggested that that…that there needs to be a better rationalization or cleanup to confirm exactly where that committee's jurisdiction begins and ends and where the jurisdiction of the Police Board begins and ends. I think it would be…I'm not telling tales out of school when I say it's still less than clear or at the very least, we still require some clarification, not only from the Province but another review of how our own by-laws address the issue. So, I'm not giving you a clear answer there, councillor, simply because the situation is less than clear, but I will end by simply reminding that under the City Organization By-law, the committee does retain jurisdiction over matters of policing.

Madam Speaker: Thank you.

Councillor Mayes: I do have a second question.

Madam Speaker: Councillor Mayes.

Councillor Mayes: Could the CAO clarify, we have many people calling us insisting that we direct the police. I would like you to clarify…do I need an extension there, Madam Speaker?

Madam Speaker: We'll have a vote to extend time further. All in…Councillor Chambers moves extension. All in favour? Contrary? That's carried. Fifteen minutes, the same.

Councillor Mayes: Section 28(4) of the Provincial Police Services Act states that the Police Board and elected officials, the Police Board and elected officials must not give orders or directions on specific operational decisions. Can you, to the best of your memory, give us...this is Selinger government legislation that took effect in 2013, that says…Selinger government legislation that says, "Elected officials and police boards do not give orders or directions on specific operational decisions or individual investigations or day-to-day operations." Can you talk to us about that because we certainly have had any number of social media commentary insisting that we do give directions and, in fact, faulting us for not giving directions. I would say that would be in breach of the statute passed by the Selinger government, roughly 2011, that took place…that took effect in 2013.

Chief Administrative Officer: Through you, Madam Chair. Thank you for the follow-up question, councillor because it allows me to at least clarify my previous answer. The Standing Policy Committee on Protection, Community Services and Parks plays no role in directing the operations of the Winnipeg Police Service. Likewise, your question with respect to the Police Board is…I would give a similar answer. And so, just to be...I think the overarching question which you posed is whether or not the councillors in this chamber, whether collectively or individually have the ability to direct the operations of the Winnipeg Police Service, that answer is unequivocally no.

Madam Speaker: Thank you. No further questions? Councillor Chambers, over to you.

Councillor Chambers: Thank you, Madam Chair, and through you to the CAO. I'd like to ask, who is coordinating the information output that is being disseminated to the citizens of Winnipeg with respect to this protest or occupation?

Chief Administrative Officer: Through you, Madam Chair. There are a couple of parallel streams of communication that you've likely seen over the last week. We do defer to the Winnipeg Police Service through their Public Information Office to communicate most things germane to police operations, just like we don't have jurisdiction over those operations. It makes sense that they take the lead in communicating about those operations. So that Public Information Office has, of course, been very active. The parallel stream are our own corporate communications, coordinated with our Emergency Operations Centre. And so, that…and 311, of course, is reporting up to corporate communications. So, those are the two mainstreams. You're either going to see it through, we'll call it corporate communicating, 311, and others or through the Winnipeg Police Service Public Information Office.

Councillor Chambers: Second question, Madam…Madam...

Madam Speaker: Councillor Chambers, yes.

Councillor Chambers: Through you to the CAO, what coordination is there between the Public Information Office and our own corporate communications in terms of consistent messaging that's going out to the citizens of Winnipeg?

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Through you, Madam Speaker. Likely the best way…I'm going to have to give a fairly qualitative answer there, councillor. There is a high degree of coordination. I can assure you that many times a day, our own corporate communications are having discussions with the police service PIO to determine…to confirm what's being communicated and when. Even, for instance, our own 311 scripting relies heavily on input from the police service. So, when people, as they often do, call 311 with a police related matter, we really do need their input to assist our own CSRs on how best to respond to those. So, they don't move in lock step, and we've had a couple of hiccups in the last week, but I would say they are highly coordinated.

Madam Speaker: Thank you. Councillor Gillingham.

Councillor Gillingham: Thank you very much, Madam Speaker. Through you to our CAO, the Winnipeg Police Service has presumably policies and procedures in dealing with protests. Does the City of Winnipeg have its own policy procedure guidelines to guide how the City handles protests?

Chief Administrative Officer: Through you, Madam Speaker. There's not one set protest policy per se, councillor. Our Emergency Operations Centre has a series of procedures how they will approach any large event because they are all unique. And so, one play book on how to deal with a protest here likely wouldn't apply very well on a protest over there of varying size, of varying reasons, of varying elements. So, no, there's nowhere I can point you to that says this is the City's protest policy. There is a cohesive set of principles. The Emergency Management Program in general and the Emergency

Preparedness Program in general under Jay Shaw's leadership, that we have been building for a number of years now. So, I can certainly point you to the tools that we have in the tool box, but there's no one set protest policy. And I think as we've seen, likely…it likely wouldn't make a great deal of sense. It really is dependent on so many unique factors on each event in terms of how the City has to respond.

Madam Speaker: Thank you. Second question.

Councillor Gillingham: Thank you. Does the City review its response to protests after a protest has happened? Are there kind of a post event reviews that take place to look at where the City could make changes, appropriate changes for future protests?

Chief Administrative Officer: Through you, Madam Speaker. Yes, councillor, that does…that occurs regularly. In this case, not only through the EOC, but our Special Events Committee has been meeting regularly. And whether it's after a protest or even just after a large event; after white-out parties, after the Grey Cup, there is always a debrief with all of the relative stakeholders to see what went right, what went wrong, what needs improving. When this is done, and knock on wood, it'll be done soon, there will be much debriefing to be had.

Madam Speaker: Thank you. Councillor Gilroy, followed by Councillor Nason.

Councillor Gilroy: Thank you, Madam Speaker. Just hearing that this have been a seven-day long event and it's going to be growing this weekend, there's anticipation of even more people from all sides of this issue coming, and the concerns regarding that large of a protest, how long it's taking, and the occupation of city streets. So, have you had discussions with your…with your counterparts in other cities that have seen this happen, lessons learned. Is there anything that we as a Council can help support the work of the administration in making sure that people are safe and that protests are happening safely and making sure that people have the right to protest but also have the right to having their streets and not having the noise and the other issues that come along from such long disturbances?

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Yeah, through you, Madam Speaker. So, councillor, really, the overarching question there was, is there something Council can be doing to support the overall effort. We do have those discussions as well. As part of my role of CAO under our City's relatively new Emergency Management By-law, I did recently convene a meeting of the emergency management leadership team. To be clear, we are not characterizing this as an emergency, I need to be abundantly clear, but emergency management is about emergency preparedness as well. And so, just to be prepared for any event, and any pivot or any change in direction this event might take, we simply thought it prudent to convene that group. And one of the agenda items was whether or not there are additional resources that would be useful; additional resources to come to Council to request or additional resources that we needed to be asking other levels of government or other entities for. At the moment, I can't speak to anything additional that we would be asking from you or other levels of government.

Madam Speaker: Thank you. Second question, Councillor Gilroy.

Councillor Gilroy: Thank you, Madam Speaker. Going back to one of the questions that I had, was your counterparts in places like Ottawa and other cities that have seen similar occupations, the length of time and the different noise that we've seen in…this is a different…very different kind of protest. So, have you had any of those discussions with those cities to see if there's something we should be doing to…you know, to help mitigate what we saw in other cities?

Chief Administrative Officer: I haven't been having those discussions. I can tell you, I know many within the City organization, including the police service, have been having those discussions with counterparts in other cities. One thing that I've seen suggested is that one lesson learned from Ottawa that we have implemented well in this city is containing the event. It's contained to a fairly limited footprint, whereas, unfortunately, in Ottawa, we get reports of many neighborhoods being under some form of occupation or having the protest have sprawled that far. So I have, at the very least, seen feedback suggesting that the early containment was a benefit. And our police service will always tip...this is their practice. They will always engage as early as possible with event organizers just to begin to have logistical discussions, and that did occur here. From their perspective or at least the messaging that they've put out in the public, that has been of benefit, and they feel they've got at least lines of communication open to discuss the things of crucial importance to the city, like the ability for emergency vehicles to travel in and around the zone, that kind of thing.

Madam Speaker: Thank you. Final question.

Councillor Gilroy: Through you, Madam Speaker. And with respect to, you know, knowing that it's going to…possibly going to be growing this coming win…this coming weekend, and that we're going to have people from many different sides of this issue maybe in one space; has there been some preparedness, some efforts made to ensure, you know, the safety of everybody?

Chief Administrative Officer: Probably…through you, Madam Speaker. Probably the best response I can give is that I am…I have well confirmed many days ago that the Winnipeg Police Service is aware of those indications and those promotions and those plans that are being communicated publicly. They believe they have the matter well in hand. In terms of their exact operational response, again, I wouldn't even be privy to be able to offer it here, even if…even if that was advisable. And certainly, our EOC has continued to engage and met daily to ensure we are as prepared as we can be.

Madam Speaker: Thank you. Councillor Nason, followed by Councillor Lukes.

Councillor Nason: Thank you, Madam Speaker. And through you, I'll direct questions to the CAO who as I understand is also trained in law. There was a communication that sparked where we're at today, communications from the City of Winnipeg to a member of the public that indicated that the Winnipeg Public Service is committed to preserving the peace and ensuring public safety for all. The Charter of Rights protects every citizen, rights to peacefully gather. This supersedes the Traffic Act and City by-laws. We recognize the inconvenience and delays involved. My question, Madam Speaker, is how is something like this vetted through the CAO Office to create such a flashpoint for our city?

Chief Administrative Officer: Through you, Madam Speaker. The councillor has hit on one of those hiccups to which I referred. That wasn't a good social media response, councillor, by any stretch. That was…as you would expect, and I know many of you are familiar with how 311 operates, and I know certainly you are, Councillor Nason, you know, our CSRs can't be experts on everything. They rely heavily on scripting. That's just how a call centre works. That scripting that you saw and that one response had been developed two years ago in relation to a different event, a completely different event, unrelated, and it was scripting that remained within the 311 system. And so, that's the basis upon which that response was offered. It wasn't a good response. I don't ever want to see 311 offering pseudo legal opinions in the public realm. It's not going to happen again on my watch.

Madam Speaker: Thank you. Councillor Lukes.

Councillor Nason: Madam Speaker, if I…do I not get three questions?

Madam Speaker: Second question, sure, I didn't see your hand.

Councillor Nason: Sorry, I was waiting for you to acknowledge. Sorry. And I apologize for that. Through you, Madam Speaker. I'm wondering, we've heard different labels applied to this and I'm wondering if the CAO can confirm, is this an actual occupation or is it a protest?

Chief Administrative Officer: Through you, Madam Speaker. I'm not sure the significance of either of those definitions, councillor. I've heard a variety of terms used. Protest is likely the simplest one.

Madam Speaker: Thank you. Anything further?

Councillor Nason: Yeah, last question. With regards to public safety, and you know, the CAO did indicate, Madam Speaker, that Ottawa has taken and presented some lessons learned. How is it that separation of pedestrian traffic or pedestrians from traffic hasn't been something that has been undertaken in this area, considering the events of almost a week ago?

Madam Speaker: Councillor Chambers moves extension of 15 minutes. All in favour? Contrary? That's carried. Mr. Jack.

Chief Administrative Officer: Yeah, through you, Madam Speaker. I would likely take issue with the observation of the conclusion you've offered up there, councillor. I think both the police service and other City operations like our Public Works Department have taken steps to ensure or to minimize conflict between pedestrians and vehicles. In fact, we proactively went and tried to do additional ice and snow removal just to ensure that motorists travelling through the area would have maximum control and not contribute to any potential accidents or other incidents involving pedestrians. Police are monitoring the area and regulating and have come to understandings with the organizers. Only anecdotally, I have driven through a number of times down Broadway and I was able to do so safely without hitting pedestrians.

Madam Speaker: Thank you. Councillor Lukes, over to you, your questions to the CAO.

Councillor Lukes: Thank you very much, Mr. Jack for being here. I'm not sure if you're aware, earlier this week, I had called for a council seminar so that we could be updated. And through the media, I found out we were having a special meeting. So, that's great. I really appreciate that. We have Mr. Shaw who comes to COVID briefings when we have council seminars. You know, I'm just wondering, the emergency measure…Emergency Measures Office, with two councillors sitting on it, I'm just wondering who decides or is there a reason why the Emergency Measures Office doesn't provide more regular updates on situations such as, say, the occupation? We never had a briefing or an update on the Black Lives Matter protest. We never had an in-depth update on that. And I'm just, you know, not being a member of the Executive Policy Committee, I do still get calls from residents wondering what's going on. And from the standpoint of having an Emergency Measures Office, I'm just wondering, is there a reason why the Emergency Measures Office doesn't provide periodic updates or do we have to call Council seminars or special meetings? There's not really a process, I'm finding, for councillors to get updates on big issues going down. You know, I send e-mails off to you, Mr. Jack, to Mr. Shaw, but I guess from an information sharing perspective, I'd like to have a little more clarity on how councillors receive updates on what's going on.

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Yeah. Through you, Madam Speaker. Councillor, I would say that's something we can work on, and I'm prepared to engage in further discussion with you about how best to suit your needs. This one, I don't think...I think you would agree, one significant area of interest is policing in this particular event, and that's not one that our Emergency Operations Centre would be providing you much of an update on in any event for the reasons we've already talked about. But listen, I'm absolutely prepared to figure out how we can either give better, more frequent updates. Also, always happy to convene a Council briefing for you as well. So, I will take that away. Again, I've already said it, knock on wood, I'm hoping this particular event ends soon, but in any event, let me figure out how we can be giving you more timely summaries of where we're at or at least share as much as we can.

Councillor Lukes: Sure. I think that, you know, whatever happens with this occupation or protest, I do think there will be more in the future coming online, and I just would like to have a much better flow of information sharing with Council members who receive calls from the public and...

Madam Speaker: Councillor Lukes, your second question, please.

Councillor Lukes: That's it. Thank you.

Madam Speaker: Do you want to restate the question?

Councillor Lukes: No, he answered my question. That's great.

Madam Speaker: Nothing further? Councillor Klein.

Councillor Klein: I just had…I had one question. Do we know how many calls…or, I'm sorry, through you, Madam Speaker; do we know how much it's cost to this point in police overtime?

Chief Administrative Officer: Through you, Madam Speaker. I don't have that figure in front of me, councillor. I do expect that would be capable of being calculated. I don't have that number as of yet.

Councillor Klein: Through you, thank you.

Madam Speaker: Okay. Any further questions? Councillor Rollins.

Councillor Rollins: Yes, thank you. First of all, on behalf of the residents of Fort Rouge-East Fort Garry, and in particular, downtown residents, I just want to thank you personally for standing beside them in the last five days, and of course, beyond that. But in particular, the countless hours you've worked in the past five days and longer, of course. I'm critically concerned. The complaints from residents calling the Winnipeg Police Service non-emergency line aren't really getting through or reported. 311...and this is the question, if they pivoted to our 311 service, my understanding is that we would just say no, this is a police matter with respect to the noise enforcement right now, and they would be pitched back to the police service. Is that your understanding?

Chief Administrative Officer: Through you, Madam Speaker. Yeah, councillor, it's likely...there's likely a little more nuance there, but I think you've probably summarized it well.

Madam Speaker: Thank you. Second question.

Councillor Rollins: The second question, in the past few days, I've asked, you know, mostly longingly with respect to Ottawa's injunction because I want noise...immediate noise relief for my residents.

Madam Speaker: The question, Councillor Rollins.

Councillor Rollins: The question is this, and I've noted that you're quick on the preamble because we're out of time, Madam Speaker. The question is this, with respect to the City doing an injunction, my understanding...and I'm wondering if it's your understanding...is that as an entity, the City of Winnipeg can't experience the kind of harms that my residents are experiencing with loud honking and, for heaven's sakes, a train whistle.

Madam Speaker: Councillor Rollins, the question.

Councillor Rollins: Madam Speaker, I'm asking the question. Is it the CAO's understanding that the City as an entity relative to ward residents, can't experience the harms and that's why the City can't seek an injunction, whereas ward residents can't?

Madam Speaker: Thank you. Mr. Jack.

Chief Administrative Officer: Through you, Madam Speaker. I'm going to heavily qualify my answer in that, I'm not providing legal advice. I'm no longer authorized to provide legal advice. But you are asking about a legal concept. I'll try and do my best. Yeah, what you saw in Ottawa was a group of residents who were…who have alleged that they are suffering damage by virtue of the nuisances they allege to be occurring. So, disruption to their lives, those things are all compensable at law under the common law tort of nuisance and a few others. So, the City doesn't stand in that same situation. The City isn't losing sleep. The City is a municipal corporation. So, it wouldn't have the same nature of damages. If the City could point to measurable damages, if the City were incurring additional costs, if City property were being damaged that is going to require repair, any damages that could be quantified, then that would put the City in a position where it may have a right of action there. But in terms of the kinds of nuisances that you are hearing described in the media or that you are observing firsthand; things like annoyance at the noise and disruption to one's daily life, the City can't typically try and collect from that type of thing.

Madam Speaker: Thank you. Any further questions? Seeing none, that concludes our question period. Thank you, Mr. Jack.

Chief Administrative Officer: Thank you.

Madam Speaker: Motions before us. First motion: moved by Councillor Nason, seconded by Councillor Klein. We have Motion 2 and Motion 3, so we'll proceed in order. We do have three motions, so they'll…we'll need a suspension of the rules to have all three on the floor today. Mr. Mayor moves suspension. All in favour?

Councillor Nason: Madam Speaker, before you have that, we haven't received Motion 3, to my knowledge.

Madam Speaker: Okay. Our Clerk will forward it on to those that are remote.

Councillor Nason: I did check my e-mail. Thank you, Councillor Mayes.

Madam Speaker: It was sent out. Just have a look in your inbox. So, Motion 1; moved by Councillor Nason. Okay. So, Mr. Mayor, you had moved suspension of the rules to have three motions on the floor. All in favour? Contrary? All in favour of three motions that as…as they've been circulated, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Bowman, Councillors Chambers, Gillingham, Gilroy, Klein, Rollins, Councillors Nason, Schreyer, Orlikow, Allard, Santos, Browaty, Mayes, Lukes and Madam Speaker Councillor Sharma

Nays

Councillor Eadie

City Clerk: The vote Madam Speaker, Yeas 15, Nays 1.

Madam Speaker: Suspension carries. Onto Motion 1; moved by Councillor Nason, seconded by Councillor Klein. Councillor Nason, your opportunity to introduce your amending motion and speak to the main item.

Motion No. 1
Moved by Councillor Nason,
Seconded by Councillor Klein,

BE IT RESOLVED that Item 1 under Executive Policy Committee be amended by deleting Recommendations 1 and 2 and replacing with the following:

1. That this matter be received as information.

Councillor Nason: Thank you, Madam Speaker. And I rise to speak to the amending Motion 1 and the main motion as you indicated. I wrote these notes before we started the meeting. My perspective is, we shouldn't be standing here to speak on this today. This matter was requested by some members of Council to have a seminar and discuss concerns like the one I raised to the CAO and Council on Tuesday morning, well before the Mayor held his press conference to inform the city of his decision to call a special meeting of Council, and his motion that is before us today. There was no dialogue with Council. We waited a couple hours to actually get the timing of the meeting. And I understand that things happen, but you know, if we're working as a collaborative Council, you know, we should be able to talk about these things. And that's what we do through Council seminars. You know, until his opening speech, I didn't hear about conversations with the Minister of Justice. I know that, I've seen on social media, contact, direct contact with the Premier, opportunities that they've had for grabbing a quick coffee in Tuxedo. I'm not sure why they couldn't have had a very good meeting to discuss this most pressing matter to determine what course of actions that the Province could do to work, again, in collaboration. What we have, again, is when adversity hits the city of Winnipeg, we have silos. We know the Mayor's been briefed by the CAO and probably EPC and probably involving Emergency Management. We know that the Acting Deputy Mayor left a standing committee meeting to be briefed on this matter. What I don't understand is why Council couldn't have been briefed on this most pressing matter. People, all people have their views, be it right or wrong. People, all people have their wants for the safety of their family and loved ones. As I tried to ask through my questions to the CAO, I've driven through the areas of protests several times since this past weekend. My daughter goes to school just west of this area, so I've had the opportunity to go through there at various times of the day. I would not want to be a pedestrian in that area. There's a City of Winnipeg crosswalk that is fully blocked off and unusable. There are vehicles blocking sight lines, two lanes of traffic, with pedestrians encroaching immediately on the lane of traffic, trying to high five, waving their flags, putting their banners up. There's no separation. There are people handing materials out adjacent to the roadway without separation. I have observed that directly. Until most recently, that train horn. I've got to tell you, I don't know what system they're using, but it is deafening, and I feel for the people that are protesting in that area as well as the residents and those working in the area because the decibel levels are extreme. I do know and want to note that they have changed their process, as I understand, late yesterday, that they're only doing it during certain periods and for certain lengths. That was what had most recently transpired. And I guess that occurred through dialogue with those that are protesting. People are frustrated. They've had it up to their eyeballs with the mandates. We see leaders travelling to other parts of the world, partying without masks, all the while, telling us to stay home, mask up. We've seen that through the leader of our country, when he travelled to Europe. So, you wonder why the seeds of doubt wander in to the debates that we have. Not that there's not enough misinformation or alternative lenses on the matters that are before us. We have a health crisis, yes. The recommendations of the scientists are get vaccinated, yes. My family and I have made that personal choice, yes. We want to get back to normal, yes. We want to heal as a community; our city, our province, and our nation, but we can't do that while we continue to divide our community, our city, our province, and our nation. We are not Ottawa. Our protest is not the same as Ottawa, at least not yet. I am truly shocked that I am not hearing horns and vehicles driving around in protest at city hall. We advertised we were having a meeting today. I am truly shocked. I did wake up this morning to hear that they're protesting in Emerson. I see the protests that are going on at other border points. This is having a devastating effect on an already fragile economy. And I feel as a council, again, not working in collaboration, but writing puff piece motions to try to address very serious matters, matters that could, again, be delivered through collaboration. I'm trying not to judge those that are protesting. They stand for what they stand for. I may not fully agree with them, but I do agree that we have to get stuff to back, to some semblance of normal, that we've tried, through whatever restrictions...I won't call them lockdowns because, you know, I wasn't faced with some of those lockdowns which were extreme in Quebec. I don't think our level of lockdown measured in any way, shape or form to some of the measures that were there. But through the restrictions that we had, yes, they were painful, but they were not extreme. They were put in place to try to get through an objective, to try to push us towards vaccination as the way forward. I think we've reached our peak of that approach. I think we now have to look at those and many of those that are protesting probably have already gone through the suffering of COVID and probably experienced difficult days and questions of will they make it out to the other side? I pray that the suffering of those that are in hospital, I hope that they recover. I hope that the pressures that are on our medical system start to ease. We as a council have to start working together. This is an election year, I understand that, and I've been seeing it now. I was warned that a lot of these divisive and point motions are coming. I want to get on with the business. I

was supposed to be meeting today with representatives from St. Boniface Street Links to talk about crisis' in our bus shelters. I've had to defer that. We're not having emergency meetings to talk about record murder rates and crime rates that are scaring the...see, I almost swore. Scaring our city. All corners or our city. We're not having emergency debates on that. We have motions that come through. We have funding announcements that come through. But here we are today, of the things that should be debated, we're having an emergency debate. We could have had an emergency Council seminar on Tuesday, when several of us raised concerns with regards to the safety and undertakings of this protest or occupation, depending on which councillor is speaking to it. We need to get back to a semblance of normal. I do hope that the Province of Manitoba has dialogue with those that are out front of their steps. I know that there's a lens put on it. If you talk to anybody about their movements, you're viewed in a different light. And we know we have a lot of protests in the city of Winnipeg on different matters, of course. But if we can't discuss differing views with those that may be on the other side, we have a problem. I know many of my colleagues at this table have different views than I, vastly different views politically. And I've worked with…

Madam Speaker: Councillor Chambers moves extension, two minutes. All in favour? Contrary? That's carried.

Councillor Nason: Thank you, Madam Speaker. I'm going to wrap up. I know councillors like Councillor Mayes and I, you know…you know, he's on…he's on a bit of the left side, and I'm more on the right, but there are many things at city hall...that's what I love about city hall. And that's why I came to city hall was the hope that we can build consistency. That we can walk across those party, sort of political ideology lines and find common good in our city. And we've done that on several things. But I find what we're faced with right now is division, and we've got to move forward. The residents in and around the legislature that...the workers in and around the legislature need to be able to have peace of mind that they can get back to work reasonably, be able to go to bed and enjoy life reasonably, and that the people that are down at the legislature can go home and get back to work so that we can rebuild our economy and have a great city, great community, and great province. Thank you, Madam Speaker.

Madam Speaker: Thank you, Councillor Nason. Councillor Klein, I'd like to call on you now. It's amending Motion 2, and that was moved by yourself and seconded by Councillor Nason. Your opportunity to speak.

Motion No. 2
Moved by Councillor Klein,
Seconded by Councillor Nason,

BE IT RESOLVED that Item 1 under Executive Policy Committee be amended by deleting Recommendations 1 and 2 and replacing them with the following:

1. *That the Mayor utilizing the powers of said office reach out to the Premier to undertake collaboration to find a prompt resolution to the protest currently occurring in the proximity of the Legislative Grounds.*

2. *That the CAO be directed to investigate the possibility of undertaking court proceedings for an injunction relative to restoring common order to the community as a result of the excessive noise and vehicle disruptions being experienced.*

Councillor Klein: Thank you, Madam Speaker. First of all, I want to acknowledge and extend my gratitude to the Mayor for taking action. I agree that this needs to be dealt with as soon as possible, and I'd like to see things get done, and I think residents want things done. They want action, and now is our chance to take real action to mitigate the disruption that we see and that we hear on the streets of Winnipeg. The Police Act of Manitoba is clear. We've heard it many times today. Elected officials are prohibited, under provincial legislation, from directing the operations of the police. In fact, I'll acknowledge the Mayor put that in the motion correctly. If the Mayor or my colleagues had agree or would agree to go forward with what is written in front of us today, and I know we're having many discussions, which is...I'm so grateful for that. But if we went ahead with that, I would have to ask, what is being achieved? Because in agreeing with the Mayor and many of my colleagues, something has to happen. I also want to acknowledge that I believe the Mayor said...and I hope I don't misquote him, so I'm not going to quote, but we're not here debating vaccines. We're debating the issues of what's happening in our downtown with residents, the disruption. And I think I've summarized that correctly, and I hope I have, through you, Madam Chair, to the Mayor. The words on the original motion, I don't feel get us any results, any tangible results. I appreciate where they're going, and I think it's a great step forward, and here we are today, because the Mayor called that special meeting, and having this discussion. But I would urge my colleagues to consider alternative measures as we're doing right now, and everyone can see us walking around talking about it. This is what I expected. This is wonderful. But I would urge my colleagues to look at the amending motion to...that the Mayor, utilizing powers of said office, reach out to the Premier. I know he has, I know they talk. But we have to understand that that's the position that we have to…we gave the power to say, represent us, Mr. Mayor. And he's been doing that. I'm also urging my colleagues to direct the CAO to investigate the possibility of undertaking court proceedings for an injunction relative to

restoring calm and order to the community as a result of the excessive noise and vehicle disruptions being experienced. We heard Mr. Jack...not a legal opinion, but we heard Mr. Jack say, that it's difficult ground for a city if you don't have cause. And I would argue that the overtime that we're paying to the Winnipeg Police Service, not to mention how that's going to impact pensions, but the overtime is having an impact on all residents. The loss of businesses will impact this city if businesses lose more revenue and have to shutdown. We have to be very concerned about that, and I would argue that we've already spent more money doing extra snow clearing there to ensure the safety of residents. I think this is negatively impacting us as a city. And that's why I'm asking that we direct the CAO, not just to file the lawsuit or for an injunction, but let him investigate the possibility of undertaking the court proceedings for an injunction. Let him, in his discussions with police, give the police the power that they need. A directive from the court has the power to address this issue formally, swiftly, and effectively, and that's what people want. The people of Winnipeg want action. We don't want more division. And the Mayor is not saying, vaccine against non-vaccine or anything. They're just saying, look, we need order. We need order, and I agree with that. We need order, and an injunction is, again, the most effective action to achieve order. It gives the powers to police to intensify their approach to what's happening downtown, but I'm not a lawyer, especially not a lawyer that has experience or the education in constitutional law or municipal law, so let's let the CAO have those conversations with the people necessary, and let's get something done. I know there's other motions before us, and I would entertain adding all of it to mine, all of it, and say, we still want to get something done. So, the motion that has been put forward by Councillor Rollins that we'll hear about, and Councillor Chambers, nice...great job. But we still need action right now, and we need to give the CAO the ability to look into the court injunction right now and give the powers to our police to get something done. You know, today is a great day, and it's a fork in the road for us. We're going to be, I think, a political group that came together not under the vaccine or non-vaccine because the Mayor called this special meeting to talk about the city. How is it impacting our city? It's costing the WPS, you know and I know, this is going to be hundreds of thousands of dollars. My colleagues Councillor Gillingham, Councillor Chambers, were all former Police Board chairs, with the exception of Councillor Chambers who is there today understand critical status and the cost to the city for policing. And we're enduring more and more today. So, I agree, action needs to be taken. And I believe now is our chance to take real action. Give the direction to the CAO to investigate a court injunction immediately. And if that is best for the city and allows the police to take action to reduce the cost and risk to the city of Winnipeg, because the risk is there, so if this allows that to happen, then I would urge you to support me on that. I…I'll say now, I agree with Councillor Rollins and Chambers on many of their points, and I think together we can form a really strong motion with the help of all members of Council, including the Mayor, who's going around and having discussions. So why...why don't we move the motions together? I can't do that properly under protocol. I understand that. But I think we still, at the very least, need to get something done now, and we do that now by having our CAO direct our Legal Department to work with police and others to file or at least determine whether or not we can file for an immediate court injunction, increasing the powers to police to address these issues because of what it's costing our city. We're going to pay millions more for snow removal. Councillor Gillingham's going to run out of ideas on how to make up for this if he hasn't already. And then yeah, the Winnipeg Police overtime. It's difficult times. So, my colleagues, thank you for the discussions we're having today. Mr. Mayor, I know it's uncommon for me to acknowledge your leadership on this, but I will. I think it's important to acknowledge that. I had first thought the special meeting was unnecessary, but I looked at the motion and thought no, we need to get something done because residents want something done now, and the only thing we can do to get something done now would be to direct the CAO…all the other points that my colleagues have put forward are great, but also to direct and to investigate the potential of filing for a court injunction immediately. I hope you'll consider it, colleagues. It's a big day for us. I think we're changing the narrative, there's enough division in the country. I haven't heard anybody talk about vaccine or anti-vaccine. I've heard about division through the media, through social media. We're not causing more. We're actually here today, and again, I'll say it, thank you, to the Mayor, to address the impact on the city that it's having. So hopefully, you'll consider it. Hopefully, my colleagues will consider adding the two motions together. Thank you.

Madam Speaker: Thank you, Councillor Klein. Councillor Rollins, your opportunity to introduce amending Motion 3.

Motion No. 3
Moved by Councillor Rollins,
Seconded by Councillor Chambers,

WHEREAS that the prolonged use of horns and other sound emitting devices and the extended blocking of streets that is currently occurring in downtown Winnipeg is an unacceptable nuisance that is causing significant disruption to those living, working and visiting downtown and beyond.

AND WHEREAS there are elements of the protest near the Manitoba Legislative Building that continue to be unlawful while disrupting the lives of the general public including restricting access to public streets, noise and harassment;

AND WHEREAS Section 28(4) of the Police Services Act specifically states, the police board and elected officials must not give orders or directions on specific operational decisions, individual investigations or the day-to-day operation of the police service.

AND WHEREAS The general duties of police board must establish policies for the effective management of the police services; and that the specific duties of the police board ensure that police services are delivered in a manner consistent with community needs, values and expectations; and act as a liaison between the community and the police service; provincial legislation from directing the operations of the police;

AND WHEREAS the lead agency for protests is the Winnipeg Police Service; as such, the Winnipeg Police Service has the authority to enforce all laws including the City of Winnipeg's traffic and livability bylaws

AND WHEREAS Council has heard loud and clear from Winnipeggers that they expect laws to apply to all, including those taking part in the protest;

AND WHEREAS Winnipeggers have expressed they expect immediate compliance with all applicable laws; including those related to traffic and noise bylaws;

THEREFORE BE IT RESOLVED that Item 1 under Executive Policy Committee be amended by deleting recommendation 1 and 2 and replace them with the following:

1. *That the Chief Administrative Officer (CAO) review existing noise regulation provisions in City By-laws, including but not limited to the Neighbourhood Liveability By-law, and report back to Council with recommendations for significant fine increases for offences that involve the creation of noise nuisances where the duration exceeds 24 hours;*

2. *That the CAO review existing provisions in City By-laws, including but not limited to the Streets By-law, and report back to Council with recommendations for significant fine increases for offences that involve the obstruction or impediment of emergency vehicles;*

3. *That the CAO review existing legislation from other levels of government, including but not limited to The Highway Traffic Act, and report back to Council with recommendations for a formal request to amend any such legislation that prohibits prolonged noise nuisances from motor vehicles and motorized equipment to provide for significant fine increases, where the duration exceeds 24 hours;*

4. *That the CAO review existing legislation from other levels of government, including but not limited to The Highway Traffic Act, and report back to Council with recommendations for a formal request to amend any such legislation that prohibits the obstruction or impediment of emergency vehicles on any roadway or other public place to provide for significant fine increases;*

5. *That Council formally request that in accordance with the Police Services Act the Winnipeg Police Board review any existing policies relating to WPS protests and policies related to public communication during times of protest and/or other large events (including 911 communication, WPS non-emergency line, email communication, and social media platforms) and make recommendations aimed at ensuring that all such communication is consistent with community needs, values and expectations;*

6. *That the CAO review any existing policies, practices or procedures relating to non-WPS public communication during times of protest and/or other large events (including 311 communication, email communication, and social media platforms) and take reasonable steps to ensure that all such communication is consistent with community needs, values and expectations, with a report back to Council on the steps to be taken;*

Councillor Rollins: Madam Speaker, my constituents live, work, shop, eat and play downtown. They live, they work, they shop, they play downtown. But over the past few weeks Madam Speaker, that has become disrupted and unsafe. I have heard stories from families with young children who are being woken through the night and are being sent to school tired and upset. I've heard stories from health care professionals who work through the night, only to come home and have unacceptable noise pollution all day so that they cannot rest for their next shift, their unrelenting shifts. I've heard stories from students walking to their neighborhood coffee shop, harassed, made to feel unsafe in their own neighborhoods. Why? They're wearing the mask that I'm wearing now. And that is all in addition to many documented assaults on our Free Press. Journalists spit out, yelled at, not allowed to walk through the grounds for fear of their safety, and this is magnified where those journalists are people of colour and women. I have always supported peaceful protests. When Black Lives Matter marched, I marched with them. And while that march was peaceful and undisruptive, I noted a significant police presence. When unions have marched for better health care, better working conditions or improvements to education, I marched with them. When women's rights groups marched for better access to women's health and an end to missing and murdered Indigenous women and girls and gender diverse people, I marched and sang with them. When harm reduction advocates pitched a tent to deliver primary health care on Higgins, I sat and delivered harm reduction supplies

with them. These are peaceful protests. Protests that are designed to get governments attention, not hurt or inconvenience the people of this city. This protest is different. As we speak, my former hometown of Ottawa, our nation's capital city airport is being occupied with calls to do the same at our airport and airports across the country. As we speak, Emerson is blocked; a fundamental trade route to our city. Coutts is blocked. This isn't a context where Winnipeg's construction projects are being slowed down, Madam Speaker, by shocks due to the global '19 pandemic. This is the context where downtown is open for business but due to this prolonged protest turned occupation, businesses are being harassed to the point that they've decided to close in some instances or are losing 30 to 40% of their business, reporting losses day after day. The protests I support do not have victims. Victims like the families stopped from accessing health care due to aggressive driving by this convoy. Members in Manitoba reported this just yesterday. Or potential victims like the cancelling of Winnipeg Clinic appointments that are happening as we speak. People refusing to go to the Women's Health Clinic. This protest is different. An emergency Council debate on this is important, and residents across Winnipeg are listening. We must take the time within this emergency debate to do all we can do today, and then do more, and I want to acknowledge that we will likely have to do more. I anticipate we may need to give our...turn our mind to more emergency debates, given the events in Ottawa and at our border. The City of Winnipeg has the authority to police by-laws, which are being broken on a regular basis over the last few days. In addition, we have the ability to pass new by-laws. We can speak to other governments, and yes, we can convene with each other on an emergency basis and write motions on the fly. We must do all we can to reclaim our city's downtown and ensure this doesn't grow. This protest is different; the noise, blocking traffic, the street level harassment that is racialized and targeted and antisemitic. These impacts of trying to get people downtown, trying to get people to...you know, charge them for parking, businesses' ability to operate and service customers, Madam Speaker, service their customers during a pandemic. And obviously, and most critically, as the protective ward councillor for Fort Rouge-East Fort Garry and the downtown, this is different because it's hurting the health of my ward residents. Residents that marched with me, with torturous noise. Madam Speaker, in the coming days, if the Winnipeg Police Service needs support, I will be with them. If they need support from the Federal Government, I will call on the Public Safety Minister. This protest is different. The motion is a start. It reviews noise pollution by-laws. It looks at the enforcement ability of the City. To be clear, I want a total suspension of parking along Broadway and York, again, to be enforced. The time for lawless protest, Madam Speaker, has really come to an end. And I will support measures to bring this protest into compliance with the law and I'll do all things necessary for that. And I trust this council will start doing the work necessary as well. Thank you, Madam Speaker.

Madam Speaker: Thank you, Councillor Rollins. We'll now move into other speakers. There's been a few questions of myself and the Clerk, asking if all three motions are in order. They certainly are, and they can all be voted on; they can all pass. Councillor Chambers, followed by Councillor Eadie.

Councillor Chambers: Thank you, Madam Speaker. I want to put on the record that, on Tuesday, I called a special meeting of the Winnipeg Police Board to discuss the concerns that Winnipeggers have been raising. That particular morning, I woke up to 153 e-mails of Winnipeggers who are very much concerned with the direction that this protest has taken. The Winnipeg Police Board was briefed by our chief on the current management of the protest which actually has yielded public safety results. The approach of the Winnipeg Police Service is based on experience of experts in the specialization of maintaining public peace and ongoing negotiations towards amicable and effective conclusions. Police do have the discretion, Madam Speaker, with regards to when they exercise the use of force or the powers of arrest to address a protest which they must balance against the interest of overall public safety. Protest organizers have repeatedly continued to seek a resolution to the issues identified in a letter to…to our Premier. Protest organizers are also asking to meet with provincial officials with respect to their ongoing objectives. The very existence, Madam Speaker, of police boards is though political officials cannot apply any political lens to public safety issues. I want to make that clear. The board does not provide direction, either. They provide perspective of the average and reasonable person with regard to strategic objectives, and that's what I shared with the chief, Madam Speaker, is that perspective of reasonable Winnipeggers who have come to demand that the secession of all of the noise in the area and the access…safe access to their businesses. As well, Madam Speaker, the Winnipeg Police Board has asked the Winnipeg Police Service in terms of our strategic objectives to create more partnerships in our community, to aid in the protection of our citizens and crime prevention. Madam Speaker, this is a...as much as we are concerned with the issues that are prevailing in this downtown area right now, this is something that the police service is working on in terms of maintaining public peace by reaching out to the organizers and ensuring that public safety is taken as a top priority. Madam Speaker, this is not what Canadians signed up for. These last two years have had a devastating impact on all communities across Canada, indeed, North America, and the world. I can't, for the life of me, think that there's one Canadian that signed up to wear masks every day, to show additional identification as they're entering a restaurant or sporting event, but we're all in this together, and we all have to find a solution that moves us forward so that we can get back to…and not even get back to, but move on with our lives, recognizing that COVID will be part of our life in some form or fashion going forward. I want to thank my council colleagues who have made comments today on the record, on the public record, with respect to this matter. I want to reach out to Councillor Klein and Councillor Gillingham who are former board chairs, who have supported me with their comments as well as we move forward. This is going to take a united City Council to address these issues, to have a call to action, to

end this protest so that we can move on and...and start to heal as a community, because we are, Madam Speaker, right now, so divided, so divisive and so fractured. Thank you, Madam Speaker.

Madam Speaker: Thank you, Councillor Chambers. Councillor Eadie, you have the floor.

Councillor Eadie: Yes. Thank you, Madam Speaker. I rise today just to first make clear, I've heard elected members of this council chamber provide and voice what they believe is leadership in dealing with...it is a protest. The CAO doesn't want to define anything, but there's many ways to protest in this country and around wherever. This one happens to be...started with a convoy or a march of sorts, which should have had taken out a permit. I don't know if they did, but they should have, and so on. But...so, I personally, Madam Speaker, don't see the reason for having this meeting today. If we were talking about Council voting on recommending whether we had a state of global emergency, which we don't, Madam Speaker, this should have just been dealt with in a seminar if some members of Council don't understand our by-laws, provincial laws, criminal code, and so on, Madam Speaker. The police service is supposed to...and they usually do, Madam Speaker. There are different ways of dealing with different things, and they are to enforce the law. And at this point, you know, prude the CAA, I don't see how we could blame the police for anything in this circumstance at this point because, Madam Speaker, the reason I personally didn't want to have this meeting, is all's you're going to do is crank up the tension down there on Broadway and elsewhere. The tension that...I have personal beliefs, Madam Speaker, and you all read my statement. I would prefer not to proceed in such a manner that...there are laws in this country, and there are duties, responsibilities, freedoms and rights, which is what I want to talk about today in regards to all of these motions. I'm not really…anyway, it's not my place to impugn, but it is an election year, Madam Speaker. So, Madam Speaker, I just want to clarify some things here. Well, let me just first...protests are allowed in this country as long as they follow all the rules and by-laws and laws of this country, Madam Speaker, and even the City's permitting process and so on. You know, Madam Speaker, it was useless to talk to the CAO about sidewalks or whatever because, you know what, the CAO isn't out there, and nobody's reporting it. But you know, Madam Speaker, the answers I heard about…you know, this pedestrian, Madam Speaker, can't do anything unless he hears something. And so, I just want to clarify that first. So, to the people who live and work around the chamber, I am in no place to file charges, but it's not just merely a noise violation, it is an assault, Madam Speaker. That tactic is an assault, especially on people who are blind. I used to work right there, and there's been trucks parking at an angle, blocking two things of traffic. All of these things are happening, Madam Speaker, but unless somebody actually encounters it and calls the police service to do something about it, that's the thing, the Parking Authority should be checking to make sure that if they're so-called park, Madam Speaker, they have a duty and they have empowered enforcers, to go out and ticket. Under the neighbourhood liveability, you find noise. Now, most…the usual noise violations often happen at night time; big parties, loud parties. We have noise permits, actually, Madam Speaker. Noise permits are done by application, and the police service can either approve and recommend to let that permit go through or not. We have...but let's get away from the police service. We have by-law enforcement and almost everything in the Neighborhood Liveability By-law is forceable by By-law Enforcement. I'm not going to say names of our Public Service, but…and if those by-law enforcers...somebody calls in and I ask to have something enforced, they are to attend. Now, if the By-law Enforcement people during the day…because they only work 8:30 to 4:30, after hours, the police service is always the one, Madam Speaker. We all…you know, I think we all know this. Our offices do casework all the time. These are the things that are happening. These can be done. I wouldn't just say it's the police. Why is By-law Enforcement not out there checking out the noise complaints if it's just noise complaints, if that's what they're talking about. I just want to remind everybody that that loud of a thing, especially to people who are blind, but even those who aren't, is an assault. We heard from the Executive Director of the Women's Clinic how that is abuse and assault to some women, Madam Speaker. Now I'm not just going to pick on the so-called freedom convoy. I...like, there's so many things we could be doing. The Parking Authority should be out there. Traffic violations, of course, are police service, and whenever they see one, they're supposed to ticket. That's what they're supposed to do, Madam Speaker. The...but I have to say, what's very important, Madam Speaker, is that it is wrong to say, well, I find their tactics abusive and for opposing people to go and do it. We don't want to...actually, the problem here is aggression begets aggression, violence begets violence, and everybody, everybody needs to understand that. That's my observation as a 61, soon to be a 62-year-old man in this city. And remember that, just remember that, Madam Speaker. So, but overall, I just want to talk about...and this is a provincial and federal matter. I'm not saying those convoy people down there on Broadway are the cause necessarily, but there's affiliated groups. And Madam Speaker…

Madam Speaker: Councillor Klein moves extension. All in favour? Contrary? That's carried.

Councillor Eadie: Madam Speaker, those are military tactics to block the passing of goods to feed the people and to feed the people. So, it's a war tactic what they're doing down there in Emerson right now. It's a war tactic what they're doing down there in Windsor. It is wrong. If we're…these people, actually, they must think they're going to war, barricading food, blocking it, stopping it. We hear about airports; I think Winnipeg Airport better watch out because they're going to start blocking goods from moving around through there. Then, how are the goods getting into this city? That exposes all of us. This is a provincial matter, and the Mayor should have used his intergovernmental position because that's his position. He should have been putting forth…if he believes there's a local...and I heard that he doesn't believe so. He would just like

the antagonism and all that to go away. That's fine. We already have the by-laws and everything in place. There's no need…like, I'm seeing some of these motions, like, the only thing you could review is, actually, did the Public Service do the proper enforcement and investigate it? That's all you could do. And I don't want them to do that, because, you know what, Madam Speaker, it's up to the individuals who get offended on either side to file charges if they believe they were violated because we all have rights and freedoms, and we, having rights and freedoms, we have a duty and a responsibility not to hurt…or not to decay other people's rights and freedoms. So, I think that's the message I wanted to get out. I'm just voting against everything in here because there was no need for this meeting. The Mayor's in a position he could have done...taken action. And, you know...

Madam Speaker: Okay. Thank you. Next speaker is Councillor Orlikow. You're muted, Councillor Orlikow.

Councillor Orlikow: Thank you, Madam Chair. I'll just get my notes here. Okay, I'll try to do a little bit of answering some of the comments I've heard from various councillors. All very valid and kind of…that is why I believe that this meeting was important and in the format that it's being had is important. And I'll get to that in a second. So, first of all, we all do recognize…and I don't have to tell anybody this, we've had to live through this, and our residents have lived through this for years. We've had to live with the negative impacts, such as every…daily, hearing about people dying, not being able to be with your family and friends, continued waves of the pandemic that just never seem to end, health restrictions that are needed to protect each other, and the feeling of overall exhaustion held by all. I think we really need to recognize that, and I've heard that from councillors today and we do recognize that. I think that's, again, a statement may sound very soft, but I think it's very important that people know that we are in this together, and it is incredibly difficult. So...and that's why I am very proud today of the comments I'm hearing from councillors that we need...even though we may not share every idea, that's good, it's called democracy, but we are understanding that we do have a role here to play which is providing leadership. It's also providing a steady hand and allowing people to see us working together to try to address this issue. So, this meeting is providing from...this meeting, which I'm quite happy it did happen. At the beginning, I wasn't. I've now come around to believe this meeting was a good idea. It has provided public information by the CAO so they can be better informed and so could we. There has been some communication problems. Without getting into the police operations, which is, again, I understand, I'll get into that in a minute. So, I also recognize that councillors and the public need more information, and we did have an information gap there. And again, there's lots of social media, it's hard to keep up. But regardless, we do need to have more information flow so the public has a single source of information and also has a single source to be able to inform us as well. We all had our hundreds of e-mails. We've all had different social media, newspapers, conversations with people. But right now, there's no direct conduit so we can get that information either to the Winnipeg Police Service and/or the Public Service, depending on what is needed. But again, this is, unfortunately, the…not the last time...and it is...I'm going to call it a legal protest. It's not the last time this is going to happen, but we have to learn from it and move forward. Protests, I agree, are a right for all, and I support people's right to do so, but I do not support protesters having the right to disrupt neighbourhoods and block traffic, harass people or inflame situations. But again, they have the right. So, that's why when I call this an illegal protest, it's because there are no permits taken out. There are groups that do protests and they take out all the proper permits, and it goes along, and we're…and that's fine. And…but however, in this case, there are no permits that I'm aware of. However, I also recognize that trying to enforce street by-laws, noise by-laws, again, it may escalate the illegal protest into something that no one wants. No one wants it...they probably…(inaudible) I don't think they want it now, but again, by inciting more anger and divisiveness, the concern I would have, again, is that…that actually, those protests may become violent and even worse. So, it is the police job to manage this on-site. I know Councillor Eadie said let's send out the by-law officers and start doing tickets. And other councillors may think that as well, but the Winnipeg Police Service is managing this site. If they want by-law officers coming to ticketing, they'll tell us, but until that time happens, they are managing the site. And that's the way it is, and that's what the legislation says it is and we all understand that. The public, I don't have to be happy about it, and I understand why, because I would just like to move those trucks today, stop the whistles right now, allow them to protest, as other people do on the land, but again, that's me. But again, that's not my call, that's not our call, that's the Winnipeg Police Service's call. I also…and again, back to that point where we can improve, and I think we're seeing it today in a public meeting, where everybody can watch, not behind closed doors, we need to get information out to the people. We need them to know what's going on to the best we can without talking about operational issues. And again, this meeting...and I want to thank Michael Jack, the CAO, for coming forward, and the questions that councillors asked. I think for many of us, we're going to be hearing…you've heard new information that may help you communicate better with your residents. But however, it is my opinion…it is time for this protest to move on. They need this…the vehicles need to be moved and the horns need to stop blaring at a minimum. However, I do…my personal belief is, we've heard you, we've seen you, it really is time to move on. Let Winnipeg heal. The issue with this…the issue right now with the protest is it's having a very negative impact on all of Winnipeggers and many people who I go back to my original comment, who are just frustrated. They're tired, and they're seeing this over and over again. It's actually having a very definite impact on people's mental health, both inside from the downtown and outside of downtown. I've heard from the protesters that they want to be family, they want to respect the neighborhood, they want to make sure that their voices are heard, and I'd say, you have. You have. But again, out of respect to the neighborhood and Winnipeggers, it really is just time to move on. Again, I'm…we can't force you to do that, but my message to the protesters; please, just move on. Let us all begin the healing process. It's

going to take some time, but this protest is really having a negative impact on people's mental health in a time when it's very fragile already. So, I thank the councillors today. I was very concerned that we'd come in today with a very adversarial approach and I have not seen that today at all. I've actually seen exactly what I hoped to see. If a bunch of people that are elected by the people trying to work together in a way that will show a path forward, recognizes peoples concerns, and let people have the information they need. So again, I'll be voting with the motion at this time. I think it's...again, many people will be disappointed because it's not...directly says, move those cars, get the protesters out of town, all that, and that's not our jurisdiction. And again, I don't think it should be. So, I appreciate what people are saying, but again, I am heartened by the fact that we are working together, we understand residents' concerns. We would like to have a change, but we do have the reality. We also don't want this conflict or this protest escalating to something no one wants. So, I thank the Winnipeg Police Service. I thank mostly the residents of Winnipeg for their patience. And I ask, again, the protest could just please move on. Thank you.

Madam Speaker: Thank you. Next speaker is Councillor Mayes.

Councillor Mayes: Thank you, Madam Speaker. One of the things the Mayor said to me when we were both elected in 2014 was we're going to make some mistakes, but we're going to be honest, and we're going to be open about things. So, I think the first comments that need to be made, A) I think the Mayor should be commended for calling this meeting. I don't know what specifically will come out of it, but I think it's an attempt to do something, and I commend that. Number two, I will vote against the received as information motion. I would favour the other two motions, though. I would not have supported the original motion, as I think it ran too close to trying to direct operations, but I can support the second of the Klein/Nason motions being incorporated some way into the main amending motion. I think what I really want to be open and honest about to start, though, is we desperately need some debate on what do we want to do about jurisdiction over policing? I have received dozens of e-mails and calls, perhaps hundreds. We need to be clear that the legislation passed, we've already talked about it today about the Selinger government; and I volunteered for the Selinger government and believed in it. That legislation, might have been the Doer that it came in under fourth during the Selinger government, but I believe it was the Selinger government passed a act that was meant to deal with the recommendation of the Fainman inquiry, and I think that they did the right thing in doing that. It sharply reduced the municipal role of oversight over policing. That is a fact. We are still, nine years on, sitting here with legal jurisdictions. I go to Police Board meetings, the staff say you can't do that. The City by-law's out of date, the Protection and Community Services Committee doesn't have any jurisdiction. How can this still be the state nine years on? I go to these meetings, and Councillor Chambers, I want to commend, has a hard role here. Harder than mine, that's for sure. He's doing his best, he's asking questions at these Police Board meetings. We have a civilian oversight body, we don't seem to care at all what it says or does, quite frankly, seems to be my read of the situation. Okay, then let's call for it to abolition. I sit on it, I…if this is how we operate, I vote in favour of that. We can't abolish it, it's provincial legislation. So, let's have that debate; what do we want the Province to do in terms of amending the Police Services Act, because otherwise, we're going to have people chastising us for not directing the police to storm in, guns blazing or bulldozers fired up. That's not our jurisdiction, so let's not pretend it is. I just am so fed up with the greyness and the fog over jurisdiction over policing. If we want the provincial act to change, say it. And if we do, if that's our view that we want more control back, abolish the Police Board, fine, but let's play this out. I do not agree with the anti-vax sentiments of the protesters. I do think they have the right to say what they want to. I don't agree with everything Councillor Santos says on this issue, but I would defend her right to say whatever she wants. I think Councillor Orlikow summarized it reasonably well in terms of saying that the noise has to stop and the traffic blockages have to stop. If people want to then peacefully encamp for some period of time as others have done on the legislative grounds, so be it, that is the legislature's call. But you cannot block streets and endlessly try to disrupt people's lives with noise. There are a number...as a former...well, as a lawyer, I would say there are certain rights you have under the Charter to demonstrate. You…I've been on many picket lines. I tried to disrupt peoples' lives. I have had a legal case where someone didn't get out of the way of a car and was hit and still got MPI benefits because society put here in that role, she was doing what she was supposed to do, trying to block access to the site. I've also had a case where someone was disciplined for saying the famous aphorism of my right to extend my arm ends at your nose. And it was my right to extend a certain extent, but there are limits to that. I think that's inarguable. We pride ourselves on being a human rights city. Sometimes that's hard. Sometimes you don't like the views being expressed by others. They have the right to freedom of expression. What we don't talk enough about enough, probably, is what are the human responsibilities? And that's harder to define. If you were around in the '70s, like I was, and you had to hear it from people like Ayn Rand and Milton Friedman, they'd say you have no responsibilities at all to your neighbours, who would say it's all self interest. I never bought that. I don't agree with that. Kind of agree with some of what Councillor Gillingham has said over the years about, you have…you are your brothers, biblical term, (inaudible) you are your brother's keeper. To what extent? That's why we have politics. That's why we debate these matters. But there certainly are some responsibilities that lie on these protesters. I want to thank Councillor Chambers for what he's trying to do on the Police Board. It's not easy. I do not support comments made by another member of Council that the police are acting in politically partisan way. Frankly, if that's the permitted standard. I've got a lot of things I'd like to say about some run ins I've had with the Public Service over the year, and may do so next week in that context. But I don't think the police are acting in a politically partisan way. I think the chief met with us yesterday and the Police Board and there was a lot of give and take, but certainly, my larger points here are; A) noise has

got to stop, the traffic blockade has got to stop. I don't support the anti-vax sentiments, but I do believe people have a right to express their sentiments in a peaceful way. If they wish to encamp, others have done so, and I suppose these people would have the right to do the same if it's done in a peaceful way. As Councillor Orlikow had suggested, we do need to try to do some sort of joint action here today. I support that. I think, in conclusion, it's…it's never easy to defend the right of people who aren't taking your side. It is always easy to defend the rights of the expression of people who are taking your side. So, I don't agree with the sentiments here, but I think there is a right to protest and a right to freedom of expression, and it would appear a right to encamp. Now, how we get the…to the situation, I think this motion does try to get some legal analysis to do that. So, again, I'm concerned with comments that the police are…that the police are alleged to have been acting in a politically partisan way. I may not agree with everything they've done, but again, that goes to a larger debate we apparently need to have nine years on about what on earth we want our jurisdiction to be over police matters because I cannot believe that we are in this situation still, and some of the people who voted for or who backed that legislation originally are the people calling on us to order in the police. Well, we don't have those powers because of legislation that's on the book and it's on the books for a good reason, the Fainman inquiry. So, we go forward. I'm glad the Mayor has called this meeting. I'll support Motions 2 and 3 in a conciliatory effort to bring in different view points. And in conclusion, it's…these are difficult times. Councillor Orlikow is right in that. People are…people are upset. I don't think I would go as far as Councillor Orlikow to say, well, now is the time for you to move on. I share that view, but I don't think we can legally mandate that.

Madam Speaker: Councillor Gillingham moves extension. All in favour? Contrary? That's carried.

Councillor Mayes: We need a clock on this virtual thing, Madam Speaker. Just guessing at my time. In any event, some good comments made by all of the councillors before me. I do think though, A) we need to pass a motion here today to show some concern, to show some action, to show some solidarity with people being affected. B) we need to have a debate about…debate over jurisdiction over policing, and be clear with the public what the current state is and what we want it to be because I think we are in quite a state of confusion over the role of stand committee, the role of Police Board and the role of Council. So, again, I will be forwarding the amending Motions 2 and 3. And I will be switching to my phone after noon, I believe, Madam Speaker. So, my picture quality may not be as good, but thank you for (inaudible). Thank you.

Madam Speaker: Thank you. Councillor Nason. Councillor Nason.

Councillor Nason: Thank you, Madam Speaker. I rise on a point of order to suspend the rules for amending Motion 4 to be entertained.

Madam Speaker: Okay. Councillor Nason moves suspension of the rules, Motion 4 to be circulated. All in favour? Contrary? That's carried. Councillor Klein.

Councillor Klein: Madam Speaker, thank you. Would this be an appropriate time, in light of the motion that we have before us from the Mayor, to withdraw Motion No. 2, that I had penned?

Madam Speaker: Okay, so you're…you can rescind Motion 2 that you moved with the concurrence of your seconder. Councillor Nason.

Councillor Nason: I concur.

Madam Speaker: Okay. And the concurrence of Council, rescinding Motion 2. All in favour? Contrary? That's carried.

Councillor Klein: Thank you, Madam Speaker.

Councillor Nason: Madam Speaker, if I may, I would like to withdraw Motion 1.

Madam Speaker: Okay. Councillor Nason would like to rescind Motion 1, with the concurrence of your seconder, Councillor Klein.

Councillor Klein: Yes, ma'am.

Madam Speaker: Okay. With the concurrence Council, all in favour of rescinding Motion 1? Contrary?

Councillor Schreyer: Point of information, Madam Speaker. I just want a clarification as to what items we have now on the floor.

Madam Speaker: Yeah, I will do that shortly. So, rescinding Motion 1. All in favour? Contrary? That's carried. Councillor Rollins, your motion.

Councillor Rollins: Madam Speaker, I wish to withdraw Motion No. 3.

Madam Speaker: With the concurrence of your seconder, Councillor Chambers.

Councillor Chambers: I concur.

Madam Speaker: Okay. All in favour of rescinding Motion 3? Contrary? That's carried. We now have motion…amending Motion 4 on the floor. Moved by Mayor Bowman, seconded by Councillor Rollins. I'd like to ask…we really should be reading some of this into the record because it's just been circulated. Did everyone receive it? Is there a desire to read it into the record or…? Yes.

Councillor Klein: Could the Mayor not just discuss it and share his thoughts?

Madam Speaker: I think it's similar to what we've heard. Mr. Mayor, you have the floor to introduce amending Motion 4. Thank you.

Motion No. 4
Moved by His Worship Mayor Bowman,
Seconded by Councillor Rollins,

WHEREAS that the prolonged use of horns and other sound emitting devices and the extended blocking of streets that is currently occurring in downtown Winnipeg is an unacceptable nuisance that is causing significant disruption to those living, working and visiting downtown and beyond.

AND WHEREAS there are elements of the protest near the Manitoba Legislative Building that continue to be unlawful while disrupting the lives of the general public including restricting access to public streets, noise and harassment;

AND WHEREAS Section 28(4) of the Police Services Act specifically states, the police board and elected officials must not give orders or directions on specific operational decisions, individual investigations or the day-to-day operation of the police service.

AND WHEREAS The general duties of police board must establish policies for the effective management of the police services; and that the specific duties of the police board ensure that police services are delivered in a manner consistent with community needs, values and expectations; and act as a liaison between the community and the police service; provincial legislation from directing the operations of the police;

AND WHEREAS the lead agency for protests is the Winnipeg Police Service; as such, the Winnipeg Police Service has the authority to enforce all laws including the City of Winnipeg's traffic and livability bylaws

AND WHEREAS Council has heard loud and clear from Winnipeggers that they expect laws to apply to all, including those taking part in the protest;

AND WHEREAS Winnipeggers have expressed they expect immediate compliance with all applicable laws; including those related to traffic and noise bylaws;

THEREFORE BE IT RESOLVED that Item 1 under Executive Policy Committee be amended by deleting both resolves and replace with the following recommendations:

1. *That the Chief Administrative Officer (CAO) review existing noise regulation provisions in City By-laws, including but not limited to the Neighbourhood Liveability By-law, and report back to Council with recommendations for significant fine increases for offences that involve the creation of noise nuisances where the duration exceeds 24 hours;*

2. *That the CAO review existing provisions in City By-laws, including but not limited to the Streets By-law, and report back to Council with recommendations for significant fine increases for offences that involve the obstruction or impediment of emergency vehicles;*

3. *That the CAO review existing legislation from other levels of government, including but not limited to The Highway Traffic Act, and report back to Council with recommendations for a formal request to amend any such legislation that prohibits prolonged noise nuisances from motor vehicles and motorized equipment to provide for significant fine increases, where the duration exceeds 24 hours;*

4. *That the CAO review existing legislation from other levels of government, including but not limited to The Highway Traffic Act, and report back to Council with recommendations for a formal request to amend any such legislation that prohibits the obstruction or impediment of emergency vehicles on any roadway or other public place to provide for significant fine increases;*

5. *That Council formally request that in accordance with the Police Services Act the Winnipeg Police Board review any existing policies relating to WPS protests and policies related to public communication during times of protest and/or other large events (including 911 communication, WPS non-emergency line, email communication, and social media platforms) and make recommendations aimed at ensuring that all such communication is consistent with community needs, values and expectations;*

6. *That the CAO review any existing policies, practices or procedures relating to non-WPS public communication during times of protest and/or other large events (including 311 communication, email communication, and social media platforms) and take reasonable steps to ensure that all such communication is consistent with community needs, values and expectations, with a report back to Council on the steps to be taken;*

7. *That the Mayor utilizing the powers of said office reach out to the Premier to undertake collaboration to find a prompt resolution to the protest currently occurring in the proximity of the Legislative Grounds.*

8. *That the CAO be directed to investigate the possibility of undertaking court proceedings for an injunction relative to restoring common order to the community as a result of the excessive noise and vehicle disruptions being experienced.*

Mayor Bowman: Thank you, Madam Speaker. For those that are following the proceedings and I know media are in the press gallery right now, also looking at this. The contents of Motion 4 are a combination of the previous Motion 3 that was moved by Councillor Rollins and Councillor Chambers, as well as the content from Motion 2, from Councillor Klein and Councillor Nason. And so, I think a very positive, collaborative effort by my council colleagues. And I want to thank all of them for working to come together to send a message of unity and a message of collaboration amongst Council colleagues. I'll...obviously, I'm moving this forward. I want to thank Councillor Rollins who also has obviously been working with Councillor Klein and Councillor Chambers, pretty much everybody in the room. We've been trying to come together. I think…I think there's a couple comments I'll make, and I hope we can all support this motion for a number of reasons.

Councillor Schreyer: Sorry, Madam Speaker, point of order. And my apologies to his honour. This is merely…I need to understand, did...to His Worship, excuse me. Did he not introduce the motion? Can he bring in an amendment after already introducing the motion?

Madam Speaker: Councillor Schreyer, do you also have an electronic copy of Motion 4? Just wondering if I could direct you to that as well.

Councillor Schreyer: I do.

Madam Speaker: It is…it was e-mailed just a few minutes ago, about five minutes ago. And the Mayor did make some comments at the beginning of his speaking time that it's an amalgamation of what was before us earlier.

Councillor Schreyer: So, therefore, it's a friendly amendment, therefore, he's speaking again?

Madam Speaker: I'll let the Mayor…well, it's in order. Anyone that hasn't spoken can certainly add themselves to the speaker list. If you've already spoken, you can also speak again…again, but just to the new motion.

Councillor Schreyer: I see. Thank you.

Madam Speaker: Okay, thank you. And I'll let the Mayor continue.

Mayor Bowman: Madam Speaker, this Motion 4 is a combination of the previous Motion 2 and Motion 3. That's what it is. And so, it is combining the efforts of a number of councillors. And I want to acknowledge, and I want to thank them for

their leadership to bring to this table. I think some very reasonable and thoughtful next steps for the City of Winnipeg. I think it's important to manage the expectations Winnipeggers in terms of what the jurisdictional abilities are for their municipal council. I think the conversation today has assisted with providing that clarity of what levers are available to us to address the current occupation of our public streets. And I want to thank my council colleagues for adding their voice. And primarily, I want to thank them for communicating to our residents that we hear them. I do want to take this opportunity, and I'm trying…I'm…with my introduction, I'm hoping that I won't need to have a conclusion, that we can quickly vote on this matter. But I will just say to Winnipeggers, right now, we all want to see calm, and we want to see peaceful coexistence amongst those that have very strong views on matters relating to this particular protest. What I hope Winnipeggers are hearing from Council today is a clear recognition of the right to protest and also a call for the laws related primarily to traffic and noise to be respected by those that are currently occupying public streets. Councillor Orlikow, our Deputy Mayor, I think spoke quite strongly about what could happen and should happen with respect to this current occupation of our streets. The time…the time has come to depart parking on our streets and subjecting local residents and businesses to excessive noise pollution. The right for those that are currently protesting on our streets to continue to protest and to exercise their freedom of expression is something we value and we want to see Winnipeggers have the ability to express their views on a whole host of issues. We're doing that here. We represent Winnipeggers. You know, roughly 750,000 Winnipeggers are represented through the 16 officials that have been democratically elected and are in this forum today to represent our residents and to speak to these matters that are of importance. And so, I want to thank my council colleagues for all of their energies today for the special meeting. I hope, and I'm asking for my council colleagues to support the work of many colleagues that have gone in to Motion 4. With respect to the call to…that is embedded in this motion asking that I reach out to the Premier to undertake collaboration to find a prompt resolution to the protest, I have already reached out to the Premier, and I've had direct dialogue with the Public Safety Minister, Minister Goertzen, and I'll continue to do so. And so, I very much welcome putting that in the motion so that our residents can see the direction that Council wants to take, and I'll be supporting that. So, thank you to my colleagues. hopefully, we can vote on this in short order and communicate, as united a front as possible, to the residents that we serve. Thank you.

Madam Speaker: Thank you, Mr. Mayor. Councillor Klein.

Councillor Klein: Madam Speaker. I would like to call for the vote.

Madam Speaker: Councillor Gillingham, will you move a motion, I believe, to work past noon? Seeing the hour.

Councillor Gillingham: Yes. Yes, will. Yes.

Madam Speaker: All in favour? Contrary? That's carried. Back to you, Councillor Klein. Can you restate?

Councillor Klein: Would it be…sorry, my throat's bugging me. Would it be in order to call for the vote? The Mayor has spoken, the motion is before us, we know what the motions are. And I'm just asking that we call for the vote now.

Madam Speaker: I think you've already spoken.

Councillor Klein: I'm just calling for the vote.

Madam Speaker: Yeah, it's not in order at this time. Mr. Clerk, if you can clarify.

Councillor Nason: Madam Speaker, you did indicate…

Madam Speaker: We have the floor here. Just a moment. Mr. Clerk, if you can clarify that.

City Clerk: Thank you, Madam Speaker. A call to lay the question on the table must be made prior to engaging the debate. So, the next person you identify for participation in debate who has not spoken (inaudible). Councillor Klein cannot.

Madam Speaker: Thank you, Mr. Clerk. So, as I stated, you had already spoken, Councillor Klein. Councillor Gillingham. Yes, you are.

Councillor Gillingham: Thank you, Madam Speaker. Through you, Madam Speaker, to the people of Winnipeg, and especially to those living and working near the protests, I think today's meeting is indication that we have heard you. As a council, I think you can see, hopefully people can see that we're working together for the people of Winnipeg. As many of my colleagues have stated, we agree people have the Charter right to express their opinions, diverse opinions, through peaceful and lawful protests. It's an important right, and I believe every one of us on Council that has expressed it so far believes in that and believes that right should be maintained. But when aspects of an extended demonstration disturb the residents living in the area, then those residents need protection. And I think it's important to remind those protesting now

in proximity to the legislative grounds, and those that would protest in there in the future, that it's a neighbourhood. It's a neighbourhood where people live. From young to elderly, people live within a few blocks, adjacent blocks, to the legislative grounds. There are people there who work shift work, need to sleep in the daytime. There are toddlers who need afternoon naps. There are people coming and going to that neighbourhood who rely upon and depend upon the streets, some of which are currently blocked, for their regular commute to and from work or school. It's an area where business owners are trying in a very challenging COVID days to maintain their business operations. And so, I agree with my council colleagues, Councillor Orlikow and so many others, the Mayor, who have requested that protesters remember they're in a neighborhood. And my colleagues who have called for peace and respect and the quieting of the horns, I agree with that, and support that. Protests and demonstration can happen in a lawful and peaceful way. And if there's a counter protest this weekend, as we understand it's being planned, then I think we would all agree and call for all parties to protest peacefully. What we do today as a council setting precedent for how Council will be expected to respond to future demonstrations and protests. Given the fact that we're holding this special meeting will set a public expectation for future protests and I just put that as a pause for us as Council to giver consideration to, once this meeting is over, is to…what today means for future protests. It's one of the reasons I asked our CAO what the City of Winnipeg has in place around policies and procedures and guidelines to deal with protests; not just what the police would have, but what our Public Service has in place. I think we need to give that some consideration in the future. Councillor Mayes and Councillor Chambers have articulated well that the police service…and others have too, the Police Services Act is clear; the Police Board and Council cannot direct police operations. And though I appreciate the intention of the Mayor's original motion, and though it was carefully worded, I think the original motion that was posted to DMIS, you know, came too close to, perhaps, directing the police. And so, I'm glad that we've moved on from that motion. But the Police Services Act also states, and I quote, "The Police Board must ensure that police services are delivered in a manner that is consistent with community needs, values and expectations." It goes on to say, "That the Police Board must establish policies for the effective management of the Police Service." And so, I support aspects of this motion, Motion 4, that would request the Police Board, in accordance with their responsibilities and obligations laid out in the Police Services Act, review Winnipeg Police policies regarding protests and policies regarding communication to ensure that they are consistent with what the communities needs and values and expectations are. The amending motion does not direct the operations of the Winnipeg Police Service, but supports the Police Board in its legislative role. And I want to take an opportunity to, once again, as others have done; the Mayor has done so, Councillor Klein has done so, Councillor Orlikow has done so. I want to take a moment today to thank Councillor Chambers and Councillor Mayes and the other Police Board members for their work during this time. Their work and responsibilities are laid out in the Police Services Act. And notwithstanding, what some members of the public would really like to see, the Police Board is operating and has to continue to operate within the guidelines and frameworks of provincial law. And so, I will be supporting Motion No. 4. I think, and I hope, what members of the public today will see is the effort that we as a council have done…have made to come together collectively. Not very often do we as a council agree on everything, but anyone watching the live proceedings today has seen us kind of, you know, scurrying, actually, to one another to try to coordinate our efforts. And we've kind of taken pieces of ideas and pieces of, really, a response to the public need and we have tried to pull them together to, I hope, speak with one voice on behalf of the people of Winnipeg. And that's the collective effort that is being made here by Winnipeg City Council and by the Mayor. I want to thank all my councillor colleagues, every one, for our efforts. One day soon, I believe, the pandemic will be over. The health care restrictions will be gone. In that day, we are going to need to understand that we need each other, we're going to need to come together as a city, we're going to need to come together as a province, to restore the strength of our local economy and get life back to what will be a new normal. Families, friends and communities that have been divided are going to need to be restored and band together so that we can pursue a stronger future. Let's start coming together right now. And I trust that the people of Winnipeg see Council doing that today on behalf of the residents we serve. And so, I support this motion and thank again all councillor colleagues. So many of us have had a hand in it one way or another, but thank all the councillor colleagues who've worked on this motion and bringing it together, including the Mayor. Thank you, Mayor Bowman for your leadership on this.

Madam Speaker: Any further speakers? Councillor Browaty, followed by Councillor Gilroy.

Councillor Browaty: Thank you, Madam Speaker. Let me put on the record that I support the rights of people to protest, even on things I disagree with. I may disagree fundamentally with you, but I respect and will even fight for your right to express your views. It's also worth reiterating that I have zero tolerance for racism and hate. I was very pleased to add my support to Council's statement unconditionally condemning it. It wasn't so long ago that members of this council, myself included, looked on with dismay at the protests around Health Sciences Centre and where it was preventing people from getting life saving medical attention. That was absolutely wrong. But what did we tell protestors at that time? Go to city hall, go to the legislature. I say largely, that's what they're doing now. Our police are good at de-escalating situations. They negotiate. The example of their tweet where they persuaded protestors to move for all for the re-opening of York Avenue is an example of that. It's time for them to work on air horns and the noise that is disrupting people living and working in the area of the legislature. Everyone is tired of this pandemic, but it hasn't impacted everyone the same. Everyone sitting around this council chamber hasn't missed a paycheck, but others haven't been nearly as lucky. That said, virtually everyone's mental and physical health has been impacted by the pandemic. We are at the point, I believe,

in this pandemic, where people are fed up with some of the policies that appear random and disconnected. While I completely and fully believe in the safety and efficacy of vaccines, why would the Federal Government wait until January of 2022 to mandate vaccines for cross-border trucks, literally the heroes that have kept our supply chains functioning. There hasn't been a day where I couldn't find bananas at my neighbourhood grocery store. Bananas, not native to Manitoba. The timing of this particular restriction, in my opinion, is quite bizarre. I do believe that laws need to be enforced. In the past, I've called on police to step up and not turn a blind eye to illegal drugs, open alcohol and loitering in bus shacks. Some of the people calling for the supposed freedom convoy to be forcibly removed are the same ones that came out against my comments about bus shacks. Where exactly is the line drawn? There's been complaints registered against the protest at the legislature and comments about their open fires. I'd like to point out that recently, our Public Service, with taxpayer dollars, bought burning barrels for illegal fires at illegal encampments. A number of years ago, I was loudly hearing from constituents about a blockade for idle no more at Portage and Main. There were loud calls for the police to intervene and to re-open the intersection at that time. I had a conversation with Chief Smyth and he explained to me that that would lead to more protests, bigger problems, bigger protests and a larger problem. I trusted him. He was right. Ultimately, this has gone on long enough. It's time to move out to the big race. The police need to continue working with protest organizers and to minimize and reduce impact to area residents and businesses. I support the right to protestors to continue protesting as long as it's done within the law.

Madam Speaker: Thank you, Councillor Browaty. Councillor Gilroy.

Councillor Gilroy: Thank you, Madam Speaker. I rise today in support of Motion 4 and I want to thank my councillor colleagues for coming together on this very important issue. At first, I wasn't sure how I felt about having a meeting, but I have, too, changed my mind. I think this has been very good dialogue. It wasn't too long, Madam Speaker, a few months ago where we had a protest here at city hall and people came into the…into city hall. It was very loud. It was noisy. We had to stop our proceedings and you know what, there were people very afraid that, you know…our staff was afraid at that time. And we are…we are dealing with unprecedented times. People are heightened, people are protesting many social events that are going on throughout our globe. And they are all important issues. And I really want to state the fact I think we all have, that it's important that we make sure people have that right. I think that that's important. I've participated in many different protests, myself, and I want to protect that right just like I think I've heard every other councillor say. I think this is different because it's now occupying a space within our downtown that is needed for economic recovery, just in terms, we…you know, we're dealing with massive economic…massive economic impacts to our downtown, and this is right in the heart of it. We are hearing from many businesses that they've had to close because people are afraid to go and walk to those businesses to go and frequent them, and they're already struggling. We are hearing from many different community members that the noise level and nuisance is beyond…beyond belief. This has been going on for seven days. This isn't one small event, this is seven days. I've had had the experience of going down, myself, to see what it's like and I do want to thank, because I do think there are protestors out there that are following the rules. And that…you know, and I do want to respect the right to protest, but I do think there are things that we're allowing that we should be dealing with. There's a treeer on the middle of our boulevard, right? And you know, there are impacts to one of our streets. So, as we look at the upcoming weekend and maybe even more people coming to our downtown from all sides of this issue, this means more police resources. This means a concern amongst many different citizens. And we have to find a way that we're going to act. And I think…I do want to thank our police force. I think that they're doing a really good job trying to manage this. They have the expertise, I don't. I think what we're trying to do here today, Madam Speaker, is to really send a message saying, okay, we want to give you the powers to do what you need to do if things do get out of hand. If things go longer than seven days and, you know, there's no end in sight of the noise and the disruption, we…you've got…we got your back because you know what, they sometimes get mixed messages when there's protests and stuff around. They need to know that we also have their back and this sends a clear message to our other levels of government that we want them to be on board, too. We need them to act. We need them to make sure they're doing what they can within their legislative…legislative laws as well. This is critical. This is not going to be a one-time protest. This is becoming more and more and more protests as we go. There's been an easy social unrest that we're seeing. And with this new type of protest that really takes over an area and grows and grows and the noise volume, we've got to be concerned as a council and we've got to decide on how…what we're going to do to manage these in the future because this has started, I think, a new…new revolution on different ways to protest. And so, making sure that we have the safety of our citizens in mind, making sure that we're…making sure that businesses have the ability to keep going during this difficult time, and making sure that we can run and operate as a city safely. And making sure the residents of the neighbourhood and are bussing, our active transportation…I want to thank Councillor Eadie, too. Because Councillor Eadie mentioned…I did not think of that until he brought it up, what it would be like to be a disabled or blind person at that intersection and not being able to hear what's going on around. So, I think that that's important for all of our protestors to remember as we…because a lot of us are protestors that are here in the room and who will be continuing to do that work. At times, we know protestors do disrupt. That's the key goal, that's the key job. So, we do anticipate noise. And…but I think there's a point to when we say, when is it an occupation, when have they taken over, and how long do we allow that to happen? And you know, many of our protests do take out permits. They…you know, so we know how long these protests are expected to take. And then our own City staff can make revisions around our transportation and stuff to be able to guide those protests. I also want

to talk a little bit about the importance of making sure that we are listening to our citizens of Winnipeg. They are clearly concerned with the issues that they're seeing in other cities. And they want to know that, as a city, we are prepared and that we have mechanisms to do what we need to do if that…if that is necessary. So, I want to thank my councillor colleagues for bringing this motion forward. I want to thank our Chair of the Police Board, who I know has done a fantastic job trying to manage all this. And I want to thank our police…our police service that is out there. This…if this is going to be as big as what we're expecting to see this weekend, they've got a tough job ahead of them. And I just want everyone to, hopefully, keep a level head, stay safe, protest safe and make sure that we come out of this all okay. And thank you very much for giving me the opportunity to speak.

Madam Speaker: Thank you, Councillor Gilroy. Councillor Schreyer.

Councillor Schreyer: Thank you, Madam Speaker. I really do appreciate a lot of the comments made today, but I also feel…you know, we're not exactly looking at it from the same point of view that there are so desperate perspectives here. That doesn't mean we can't harmonize on coming together on some…on some resolutions. You know, and I will be supporting Motion 4. A few things I guess I need to get off my chest. The big question for us that we need to ask…ask…not just as Winnipeggers, but as Canadians within our constitutional law; is when…what is the difference? When…when does a difference in degree become a difference in kind? And is that a fine line or a grey area? But those are the judgment calls that sooner or later, sometimes we have to make. When does a difference in degree become a difference in kind? And I think that's what we're dealing with here today. Having said that, I'm going to state this emphatically, there is no indication to me that there's any inadequacy in our current laws and by-laws and constitution that stops the police from doing their jobs adequately, okay? So, there's no proof to me at all, including what we've said today, that the police don't have everything they need to do their job. We are not giving them powers today. We are sending a message that…well, we used the word in the original one, expectation for the police to do their job. That's kind of fair. I think that's what we're trying to say on behalf of Winnipeggers that we've been communicating with, that we do expect the police to do their job. They already have those powers. And I do not want to get beyond that. So, we're passing motions, you know, talking about the potential inadequacies by saying, you know, we're going to look at this, we're going to look at that. We're entitled to do that debate at any time and we should be doing that and we can be doing that. But I don't necessarily want to say that is, you know, the point of our motion today because we don't know if there's…I'm not going to assume there's any inadequacies in terms of how our structure is. We might learn from this and we could learn from anything. But quite frankly, I believe we're fully capable. That doesn't mean there can't be improvements. But let's not be reactionary and that's my concern. If we have concerns about how things are, let's hash it out. I like to think, you know, years ahead and usually it's easier to do when it comes to what you see the economic patterns. When it comes to things like this that were unpredicted, fair enough. Now, I need to say a few things, like the rest of us and it's all rather important. And like others, I've been going over 50 years to protests in and around the Manitoba Legislature. My mom thought there was something that she thought…you know, she wanted to go to…she thought that we as children should go to and listen to the speeches because I was already used to listening to speeches. You know, listen. And in fact, I have gone to protests with they're protesting…own father's government, you know, calling it communist, government controlling, authoritarian. They got re-elected with the bigger majority after that, but nonetheless, these are the things that we accept here as Canadians, as Manitobans and as Winnipeggers. It is part of our culture and proudly so. Now, there's different parts to this. You know, I'd like to make this point, people should know that about 90% of Canadians have been vaccinated and almost the exact same number of truckers have been vaccinated, okay? So, that's a statistic that gives us a sense of reality. Almost 90% of truckers have been vaccinated and I think there will be some relevance to that. People can make their own decisions in terms of how that plays with…plays in with their perspective on what's going on. You know, Councillor Mayes talked about Ayn Rand and Milton Friedman and part of the reason why, you know, we have a sense of…his belief, we have a sense of obligation to each other, we're not merely individuals. Humanity is never been merely individuals. We didn't get here by being merely individuals. Yeah, we're really good at competition. And you know what we're really good at? Working together, and that's how we got to this state of civilization in the first place. And let's not forget, when it comes to our formal constructs that we've evolved over centuries and millennia. And I'm going to say something about that, when it comes to Ayn Rand and Milton Friedman because we're living the legacy right now of the neo-right wing…neo-liberal economic agenda, and we're living it now. You think everything we've been going through in terms of future protests are going to be over sense of human rights over government mandates? Society is getting poorer. Not everybody, but most people are getting poorer. Our economy is not necessarily shrinking all the time. And don't blame everything on COVID. People in this chamber know that for years, I've been talking about a pattern that has been going on for decades. And if we say we want to look forward, we want to make sure that we've got the right laws and everything, we better look at our economic program because it's coming and it's not…and don't blame COVID because it was already happening. This might be the…you know, the last straw that breaks the camel's back in some respects, but take a look at what we've done, the decisions we've made, the decisions we've chosen not to make, and the responsibilities we've chosen not to take before we start blaming, oh, it's all cause of COVID. Oh, yet all inflation's due to COVID. No, it's not and everybody in this chamber knows it because I've been talking about it for years before we hit the current inflation rates coming up due to what they say a COVID-induced, you know, trade bottlenecks. Common commercial bottlenecks. Yeah, yeah, these things are going to happen, but if you have a proactive and healthy economy, sometimes they're able to sort of work these things out, but

we didn't get our economy to that state. We're living what Councillor Mayes' talked about; Milton Friedman and all that stuff. You want to talk about that stuff, another date. Don't pretend it doesn't…it's not our…affecting our here and now today, it does. The economic decisions we make do and they're coming up. So, in terms of today, you know, I'm in support of this, but we talk about taking responsible actions, well, the responsible reactions we take just aren't to deal with that certain week or that month, sometimes they're to deal with a year ahead, five years ahead. Don't pretend you don't see the patterns, we see them. People are getting poorer. The middle class is shrinking. The rich are getting richer. And I'll tell you something, we have the…you know, Cindy Gilroy talked about…you know, others have talked about, you know, when…when does a protest become an occupation? Let's get something clear, they're not necessarily even the same thing because a protest can last a long time. It's not necessarily an occupation, okay? You can have a protest, lasts a day, it's not an occupation. You can have occupation that's not a protest and it's called homelessness. Bear that in mind. Thank you.

Madam Speaker: Thank you, Councillor Schreyer. Councillor Eadie. Pardon me? Councillor Eadie, are you speaking...I guess you did speak before, so you can speak to Motion 4.

Councillor Eadie: I am speaking to Motion 4, which was not on the table at the time I spoke, Madam Speaker.

Madam Speaker: Yes, go ahead. Thank you.

Councillor Eadie: And so, I'm rising to speak to it and I note there's some similar stuff and there's a kumbaya and people are working together, Madam Speaker, and I think that's fine. I think some people might have misinterpreted my first speech, but aside from that, I'm looking at this…now, we're calling on our CAO to do all these things, Madam Speaker. And I just want to remind people because it doesn't mention anything in here, and this is for all sides of this issue and what's happening down on our street, Madam Speaker. What…to be clear, there was a reference. So, a noise assault is talking about a lengthy term of extreme noise. Now, under the Criminal Code, Madam Speaker, I or say, a woman who is paralyzed by people screaming at her and the real loud noise, Madam Speaker, and that kind of thing, that is an assault and it immobilizes somebody. If you're not able to carry out what you do as normal as a result of that very loud noise, it is an assault. And we have laws…actually, in the Highway Traffic Act. So, you want a review of the Highway Traffic Act, in the Highway Traffic Act and other…and the Motor Vehicles Act or whatever it's called at the provincial level, there's already noise limitations which the police try to enforce out on the street in terms of how loud vehicles are. And everybody knows that it's a battery on your ears to be exposed to certain level of decibels for a time. So, you're battering one's ear drums. So, what I'd like to say to all the people out there, it's not a noise nuisance. For a number of people, given their life circumstances, they have freedoms and rights and you have a freedom, a right to place and file a charge that you believe is an assault and a battery. It's up to the police to interpret and do a charge. And if they don't do it, and this goes the same for any charge you try to file, if they don't do it, there's a complaints process that doesn't involve the Winnipeg Police Board nor does it involve City Council or city councillor or the Mayor. Your first application is were there proper, professional conduct, professional standards with the Winnipeg Police Service. Then, depending on what the issue is, if it's a…if it's a summary sort of thing where you get fined, an offense that doesn't mean you go to court, I believe it has to go to LERA, Law Enforcement Review Agency. Now, the charges I'm talking about, if it happened to me…it hasn't happened to me, Madam Speaker. But I would expect charges to be filed and that is an indictable offense, which means possibly jail, goes to the Province, and they make decisions. Just so everybody's clear how things work. So, the…and I have confidence in the Winnipeg Police Service. They're…they've dealt with other protests and different things and I know that they do a lot of training and various things, Madam Speaker, related to protests that could potentially go danger. But so, if you've got a problem and they don't file charges and let's say it was me, I could go, I believe it's to…the Manitoba Police Commission has a means and a way for me to file a complaint against the police service for not doing charges or for the Crown not agreeing that there's charges that should be prosecuted. So, Madam Speaker, there's a whole bunch of things there. And we're going to have the CAO and the Public Service review a lot of this stuff. Increasing fines, okay, that's fine. We're working together with this. But you know, Madam Speaker, like, all this could have been done without having this meeting. So, it's nice that we're here, we're going to do this. But one thing I'm going to say that's not in this motion, and I brought it to the table, this group here in Winnipeg and that group, which I hear are not just truckers, there's farmers there with a blockade preventing food and goods to come into this city of Winnipeg. That is, actually, a military tactic. The Geneva Convention is explicitly a crime. Now, I don't know how connected these groups are to each other, but if there's another blockade at the airport, we, the City, we have a Food Council, they will tell you, there are emergency measures to take if we can't have food security in this city. That is an emergency. So, I just wanted to point out to my colleagues that this is a bigger thing and it is a federal, provincial matter in this term again. But I just want my colleagues to understand that. That is…this city, right now, is being prevented from food coming to this city. The airport, some of that stuff's flown in, and if there starts to be blockades around there, we have an emergency situation, Madam Speaker. So, the levity of what we're talking about here goes far beyond what is happening over on Broadway. So, I understand there will be some discussions with the Province. I think we should have…and the Mayor has that dialogue because he's responsible for that. I don't know about the CAO, but you know, at the political level, inter-government affairs, the Mayor has the ability. And I think the Mayor needs to talk to the Premier about this situation of blockading food that comes to the

city of Winnipeg. And the potential for a major emergency around the airport. So, I appreciate Motion 4. It's some work that I don't think necessarily has to be done. We can talk about a lot of things under the Highway Traffic Act. You know, but Madam Speaker, the police service already understands all the rules and regulations and anything to do with the Highway Traffic Act. To block a sidewalk for the CAOs…good news. To block a pedestrian right of way, Madam Speaker…

Madam Speaker: Councillor Rollins moves extension for two minutes. All in favour? Contrary? That's carried.

Councillor Eadie: To block a pedestrian right of way is a violation within the Highway Traffic Act and its regulations, Madam Speaker. I don't know what else you need to know. The police know all these laws and you know, they're managing the site, Madam Speaker, but is the site actually the road? Because a road isn't a site. When you're…that is a right of way. It's not a site. So, those people, those pedestrians and those people being assaulted by extreme noise levels that can batter your ears if exposed even for two minutes, supposedly a compromise. Two minutes…when a fire truck goes by me, Madam Speaker, just to be clear, it lasts maybe 10 seconds. The kind of sirens they have, they try to prevent damaging peoples' hearing and stuff. They're loud, absolutely, but they're not…you know, and they don't last for two minutes, they last for 10 or 15 seconds, Madam Speaker. So, I still would…and I'm just saying to the people who are around in Councillor Rollins' ward, file the assault charges. Do it. And then you have repercussions, again, there's a complaints process that doesn't involve Council, city councillors or the Mayor. And that's the way it should be looked at. And I'll leave it at that. I'm going to…you know what, kumbaya. You know what, I'll vote for this, but I still don't…I still don't see the need for us to have had a public meeting about it, really. Because you know, I don't want to be rude, as I was called by somebody who has opposing ideas than I do.

Madam Speaker: Councillor Eadie, thank you. Councillor Chambers, just to the main…just to the new motion, please.

Councillor Chambers: Yeah, thank you, Madam Chair. And I just want to, again, thank all of my council colleagues for the support that I've been receiving in these last several days with respect to this matter. I know that as Chair of the Police Board, you know, based on the e-mails that I've been receiving, a lot of it is my inaction. But as stated, I think by everybody, is the fact that the Police Services Act prohibits us from directing the operations of the Winnipeg Police Service. It prohibits any direction given by the Province with respect to the RCMP in rural areas of our province or in Brandon, the Brandon Police Board directing their police service. So, it is quite clear with respect to our role as a board being the liaison of the community to the Winnipeg Police Service and then setting the streets…strategic direction of the Winnipeg Police Service and then that being operationalized through their business plan. I'm asking all of us as councillors to support Motion 4 that's presented today. I think it's the product of very collaborative work. We've stretched across this entire chamber today to seek input from all of us as councillors to have that discussion, to have that collaboration that asks us to respond to the concerns that Winnipeggers have raised. Not only those that have experienced this traumatic event in their community and the businesses that have been shut down or impacted as a result. You know, as Councillor Rollins has indicated, as we are sitting here in discussion, we're seeing images of our border being closed at Emerson impacting trade that's going back and forth. Potentially impacting the safety of residents in that area should they need to seek emergency services to come here to the city of Winnipeg. So, again, I'm asking all councillors to support this motion. I believe there's an opportunity to also increase the communication and have consistent, clear communication through 311 back to our residents. I'm a firm believer in communication, Madam Speaker. I believe if we are open and transparent and not only listening, but responding to the needs of Winnipeggers, it's going to lessen the misinformation that is out there and perhaps assuage some of the concerns that residents are bringing to us. If they have an understanding that we are actively involved and actively engaged in trying to find solutions towards this, residents will be much more satisfied in hearing that we are actively involved, actively engaged and working in collaboration with other levels of government to bring this to an end. So, again, we have an opportunity to vote on this. We have our call to action as provided by the citizens of Winnipeg all throughout our city, and I'm asking all of my council members to support this Motion 4 which shows the combined collaboration of those who are elected to move our city forward. Thank you, Madam Speaker.

Madam Speaker: Thank you, Councillor Chambers. Councillor Rollins.

Councillor Rollins: Thank you, Madam Speaker. The residents and business owners need backup. I want to thank all council colleagues, including Councillor Klein, Councillor Nason for their work today. Today is a day we stand together and send a strong message that Council and Winnipeg is united, Madam Speaker. Thank you.

Madam Speaker: Thank you, Councillor Rollins. Next speaker. Next speaker, Councillor Santos.

Councillor Santos: Thank you, Madam Speaker. I want to first make it abundantly clear that I condemn any acts of violence, symbols and images of racism and more importantly, the hate speech on social media is just unacceptable. I believe we have all had our fair share of negativity over the last few weeks. Quite honestly, in the last decade, social media has taken over the way we interact with each other. Our government and mainstream media calls upon inclusion and diversity, yet censors and refuses to listen to different thoughts and perspectives especially from a visible minority, a

woman of colour, who dares to think critically. I am a proud, first generation born Chinese Canadian who doesn't identify with any political struts. It is part of the reason why I became a city councillor because I can represent a very diverse war. I will…again, I will say it again, I always respect the autonomy and sovereignty of an individual body and choices and the right to peaceful protest is essential to meaningful and informed political debate and discussion. A democratic society welcomes debate and disagreement on the key issues of the day. I still wholeheartedly believe in this. I want to take this time to thank all the citizens who have reached out to me during these last few weeks to share their personal story about how the pandemic has affected their daily lives. Also, what the protests here in Winnipeg and Ottawa signify to them. I also want to take the time to thank the Indigenous leaders in the community who took the time to take my call and tell me their views of the protest. I'll admit, it was eye opening to hear their perspective on protesting and what they value. And I want to let them know that I hear them and I understand their position. I also thank the Mayor for calling this special Council meeting so I have an opportunity to speak my truth and perspective of what is happening. The original motion was a symbolic motion and it appeared to have little depth in actionable direction except re-affirm what is already defined in the Winnipeg Charter and all the other provincial legislation and the Police Services Act. I do appreciate the amending motion, you know, and I agree with my council colleagues comments; Councillor Eadie, on many, many of the issues he's brought up. The Mayor is supposed to be involved in inter-governmental relationship, so I do hope he continues to speak with the Premier of Manitoba to find a resolution and a path forward. Through my own personal lived experiences, I like to analyze situation, I like to listen to all sides of the story and I'm always determined to resolve it with compassion, love and honesty. I care so much about the community that it makes me disappointed to see the lack of open dialogue with key stakeholders to discuss what our country is going through. To have honest and candid conversation, or at the very least, a round table discussion face-to-face to better understand each other's opinion and points of view because after listening…after I listened to all these stories, every one is right. Every voice matters. Every story matters. Everyone I spoke to kept saying the same things to me over and over again; their families are falling apart and they don't spend time together over the holidays like they used to. Long time friends are now broken and fractured. Kids are having suicidal thoughts and don't want to go to school for fear of bullying. They cannot go inside to the hospital to visit their grandparents because only one appointed family member is allowed to go. Instead, they have to see them through Zoom calls. Their pandemic fatigue, they're exhausted, we're exhausted. They're anxious and they want to know when this pandemic is going to be over. I'm not too sure if the constant divisive discussion on pro-choice versus being vaccinated is doing society any good. It is…it all feels very negative. And I can see in this council chambers, we all feel the same way. It's very, very negative. But I get it. We're all still remembering how bad COVID was in the beginning. And we've lost way too many lives over the last two years. The constant division with each other and between our families and friends is not helping. It is literally taking a major toll on our mental health and even worse, our kids are being directly impacted by the negativity. I describe myself as someone who has a lot of empathy, probably too much empathy. And I have a heightened sense of what people around me are thinking and feeling. My experiences of empathy are so great that I often take on the pain of others at my own expense. I feel so…our society is reaching a tipping point and I'm actually terrified that something awful is going to happen. What I've seen today, the simple values we learned growing up; treat others how you want to be treated, has been slowly disappearing. Our world, country and even our city of Winnipeg is in a…such a heightened time of our lives where the pandemic issue is prevalent and on the forefront of everyone's mind. Therefore, I'm calling upon all leaders, community members, businesses, non-profits, every one on the ground in the thick of it to be a part of the solution. It always starts with a meaningful dialogue and conversations to build bridges of understanding, not criticism. All I want is peace, forgiveness and most of all, I want families and friends to be together again. This is what will make our society thrive. Thank you, Madam Speaker.

Madam Speaker: Thank you, Councillor Santos. We'll now call the vote. There was a call for a recorded vote. We'll now vote…pardon me? Yes, of course. Mayor Bowman, you get to close before we do that.

Mayor Bowman: I'd just like to thank my council colleagues and want to just reiterate the…this discussion and debate today at this special is as a result of the unlawful occupation on our public streets and noise. There's many other issues that were discussed today, but I think it is important to distinguish between this particular situation and other lawful protests that we see and we obviously value and protect. And of course, I just to, again…once again, thank my council colleagues, thank those that took the time to watch these public proceedings so that we could apprise Winnipeggers of some of our efforts, in addition to the efforts by many other stakeholders. And I would just, once again, call on those that are currently occupying our public streets to please leave. Respect the rules of the community, the laws of the land, including those that relate to excessive noise. And I think that would go a long way to lowering temperatures in our community to ensure that everyone in our community feels safe expressing their views on issues that…that protestors and those that don't support the current protests feel. We want to make sure that we do have a sense of calm. And that would go a long way if they were to remove the heavy equipment and trucks from our public streets and respect the noise rules that we have in place for the benefit of local residents and businesses. And so, I'm hoping that we can support this motion and continue our efforts. Thank you.

Madam Speaker: Thank you, Mr. Mayor. With that, I'll call the question on amending Motion 4. All in favour, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Bowman, Councillors Chambers, Eadie, Gillingham, Gilroy, Klein, Rollins, Schreyer, Nason, Orlikow, Allard, Santos, Lukes, Browaty, Mayes and Madam Speaker Councillor Sharma

City Clerk: The vote Madam Speaker, Yeas 16, Nays 0.

Madam Speaker: Amending Motion 4 passes unanimously. And now, is there a need to call a question on the item, the main motion? The main motion, as amended. All in favour, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Bowman, Councillors Chambers, Eadie, Gillingham, Gilroy, Klein, Rollins, Nason, Schreyer, Orlikow, Allard, Santos, Lukes, Browaty, Mayes and Madam Speaker Councillor Sharma

City Clerk: The vote Madam Speaker, Yeas 16, Nays 0.

Madam Speaker: Item 1, as amended, passes unanimously. Councillor Gillingham, will you move adjournment? All in favour? Contrary? That's carried. Roll call, Mr. Clerk.

ROLL CALL

Clerk: Madam Speaker Councillor Sharma, His Worship Mayor Bowman, Councillors Chambers, Eadie, Gillingham, Gilroy, Klein, Rollins, Nason, Schreyer, Orlikow, Allard, Santos, Lukes, Browaty and Councillor Mayes.

Council adjourned at 12:52 p.m.