



Special Council Minutes

May 27, 2024, 6:00 p.m.
Council Chambers
Whitby Town Hall

Present: Mayor Roy
Councillor Bozinovski (Virtual Attendance)
Councillor Leahy (Virtual Attendance)
Councillor Lee (Virtual Attendance)
Councillor Lundquist (Virtual Attendance)
Councillor Mulcahy (Virtual Attendance)
Councillor Shahid (Virtual Attendance, Arrived at 6:01 p.m.)
Councillor Yamada (Virtual Attendance, In-Person Attendance at 6:11 p.m.)

Regrets: Councillor Cardwell

Also Present: M. Hickey, Fire Chief
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor
R. Saunders, Commissioner of Planning and Development
F. Wong, Commissioner of Financial Services/Treasurer
C. Harris, Town Clerk
K. Douglas, Sr. Legislative Specialist (Recording Secretary)

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1. Call To Order: The Mayor
 2. Call of the Roll: The Clerk
 3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

4. Closed Session

This portion of the minutes are closed to the public. [Refer to the Closed Minutes - Town Clerk has control and custody.]

Moved by Councillor Shahid
Seconded by Councillor Bozinovski

That Council move in-camera in accordance with Procedure By-law # 7462-18, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

4.1 LS 08-24, Confidential Legal and Enforcement Services Department Report

Re: Litigation Update – Uninsured Claims and OLT Matters

4.2 LS 09-24, Confidential Legal and Enforcement Services Department Report

Re: Authorization to Continue Retainer of External Counsel

5. Rising and Reporting

Motion to Rise

Moved by Councillor Yamada
Seconded by Councillor Mulcahy

That Council rise from the closed portion of the meeting.

Carried

5.1 Reporting Out

During the closed portion of the meeting, Council discussed matters of litigation, including matters before the Ontario Land Tribunal, and received advice that is subject to solicitor-client privilege.

4.1, LS 08-24, Confidential Legal and Enforcement Services Department Report

Re: Litigation Update – Uninsured Claims and OLT Matters

Resolution # 93-24

Moved by Councillor Mulcahy
Seconded by Councillor Shahid

That Confidential Report LS 08-24 be received for information.

Carried

4.2, LS 09-24, Confidential Legal and Enforcement Services Department Report

Re: Authorization to Continue Retainer of External Counsel

Resolution # 94-24

Moved by Councillor Shahid

Seconded by Councillor Mulcahy

1. That Confidential Report LS 09-24 be received for information; and,
2. That staff be authorized to draw up-to \$40,000 from the General Contingency account to fund any unfavourable variance in the external legal fees account at the end of 2024, if required.

Carried

6. Confirmatory By-law

Resolution # 95-24

Moved by Councillor Mulcahy

Seconded by Councillor Lundquist

That leave be granted to introduce a by-law and to dispense with the reading of the by-law by the Clerk to confirm the proceedings of the Council of the Town of Whitby at its special meeting held on May 27, 2024 and the same be considered read and passed and that the Mayor and the Clerk sign the same and the Seal of the Corporation be thereto affixed.

Carried

7. Adjournment

Moved by Councillor Yamada

Seconded by Councillor Mulcahy

That the meeting adjourn.

Carried

The meeting adjourned at 6:15 p.m.

Christopher Harris, Town Clerk

Elizabeth Roy, Mayor