



## Special Council Minutes

September 23, 2024, 5:30 p.m.  
Council Chambers  
Whitby Town Hall

Present: Mayor Roy  
Councillor Bozinovski (Virtual Attendance)  
Councillor Cardwell (Virtual Attendance)  
Councillor Leahy  
Councillor Lee  
Councillor Lundquist  
Councillor Mulcahy  
Councillor Shahid  
Councillor Yamada

Also Present: M. Gaskell, Chief Administrative Officer  
M. Hickey, Fire Chief  
S. Klein, Director of Strategic Initiatives  
J. Long, Head of Organizational Effectiveness  
J. Romano, Commissioner of Community Services  
F. Santaguida, Commissioner of Legal and Enforcement Services/Town Solicitor  
R. Saunders, Commissioner of Planning and Development  
F. Wong, Commissioner of Financial Services/Treasurer  
M. Dodge, Executive Advisor to the Mayor  
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 is closed to the public. [Refer to the Closed Minutes - Town Clerk has control and custody.]

Moved by Councillor Mulcahy  
Seconded by Councillor Shahid

That Council move in-camera in accordance with Procedure By-law # 8081-24, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (3.1) for the purpose of educating or training members, and Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

### **Carried**

#### 4.1 Education and Training

**Note:** This portion of the meeting was held in-camera in accordance with Procedure By-law # 8081-24, Closed Meeting Policy G 040, and the Municipal Act, 2001, Section 239 (3.1) for the purpose of educating or training members.

##### 4.1.1 Michael Hickey, Fire Chief

Re: Emergency Management Training

#### 4.2 Items for Consideration

**Note:** This portion of the meeting was held in-camera in accordance with Procedure By-law # 8081-24, 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, (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

##### 4.2.1 LS 14-24 - Confidential Legal and Enforcement Services Department Report

Re: Authorization to Continue Retainer of External Counsel

4.2.2 LS 15-25, Confidential Legal and Enforcement Services  
Department and Community Services Department Joint Report

Re: Request for Direction regarding settlement of a Potential Claim

5. Rising and Reporting Out

Motion to Rise

Moved by Councillor Lundquist

Seconded by Councillor Leahy

That Council rise from the closed portion of the meeting.

**Carried**

5.1 Reporting Out

Mayor Roy advised that during the closed portion of the meeting, Council received training regarding Emergency Management Preparedness. Council also received advice that is subject to solicitor-client privilege regarding matters of litigation and potential litigation, discussed a position to be applied to negotiations to be carried on by the municipality, and provided direction to Staff.

LS 14-24, Confidential Legal and Enforcement Services Department  
Report

Re: Authorization to Continue Retainer of External Counsel

**Resolution # 169-24**

Moved by Councillor Mulcahy

Seconded by Councillor Shahid

That Report LS 14-24 be received for information.

**Carried**

LS 15-24, Confidential Legal and Enforcement Services Department and  
Community Services Department Joint Report

Re: Request for Direction regarding settlement of a Potential Claim

**Resolution # 170-24**

Moved by Councillor Mulcahy  
Seconded by Councillor Lundquist

1. That Council receive Confidential Staff Report LS 15-24 for information; and,
2. That the Commissioner of Financial Services and Treasurer be authorized to fund the capital budget shortfall as outlined in Confidential Staff Report LS 15-24.

**Carried**

6. Confirmatory By-law

**Resolution # 171-24**

Moved by Councillor Leahy  
Seconded by Councillor Mulcahy

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 September 23, 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 Shahid  
Seconded by Councillor Leahy

That the meeting adjourn.

**Carried**

The meeting adjourned at 6:30 p.m.

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Christopher Harris, Town Clerk

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Elizabeth Roy, Mayor