

**Present:** Mayor Mitchell (Participating Virtually)  
Councillor Drumm (Participating Virtually)  
Councillor Leahy (Participating Virtually)  
Councillor Lee (Participating Virtually)  
Councillor Mulcahy (Participating Virtually)  
Councillor Newman (Participating Virtually)  
Councillor Roy (Participating Virtually)  
Councillor Yamada (Participating Virtually)

**Also Present:** M. Gaskell, Chief Administrative Officer  
S. Klein, Director of Strategic Initiatives  
J. Long, Head of Organizational Effectiveness  
W. Mar, Commissioner of Legal and Enforcement Services/Town Solicitor  
J. Romano, Commissioner of Community Services  
F. Wong, Commissioner of Financial Services/Treasurer  
H. Ellis, Executive Advisor to the Mayor  
C. Harris, Town Clerk  
K. Douglas, Legislative Specialist (Recording Secretary)

**Regrets:** Councillor Shahid (Leave of Absence)

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1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

Moved By Councillor Leahy  
Seconded By Councillor Newman

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)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, (d) labour relations or employee negotiations, (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**

2. Closed Session

**2.1** Confidential Financial Services Department, Legal and Enforcement Services, and Planning and Development Department Joint Report, FS 47-21

Re: Proposed Purchase of 112 Colborne Street West, Part Lot 30, 1st Double Range, Plan H-50032, PIN 26502-0046 (LT) from Platanos Incorporated

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

**2.2** Confidential Legal and Enforcement Services Department Report, LS 15-21

Re: Litigation Update – Non-Insured Claims and OLT Matters

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

**2.3** Office of the Chief Administrative Officer

Re: Confidential Verbal Update - Bargaining and Labour Relations

This portion of the meeting was closed to the public. [Refer to the In Camera minutes of the meeting - Town Clerk has control and custody.]

3. Rising and Reporting

**3.1** Motion to Rise

Moved By Councillor Newman  
Seconded By Councillor Leahy

That Council rise from the closed portion of the meeting.

**Carried**

**3.2** Reporting Out

Mayor Mitchell advised that during the closed portion of the meeting, Council discussed a proposed or pending acquisition of land by the municipality, labour relations, and litigation or potential litigation,

including matters before administrative tribunals. Council also received advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Confidential Financial Services Department, Legal and Enforcement Services, and Planning and Development Department Joint Report, FS 47-21

Re: Proposed Purchase of 112 Colborne Street West, Part Lot 30, 1st Double Range, Plan H-50032, PIN 26502-0046 (LT) from Platanos Incorporated

**Resolution # 220-21**

Moved By Councillor Drumm

Seconded By Councillor Newman

1. That the requirement to obtain an appraisal in accordance with Town of Whitby Policy F 190 regarding the Acquisition, Sale or Other Disposition of Land Policy, be waived for the purchase of 112 Colborne Street West; and
2. That staff bring forward the necessary by-law for the acquisition of the Property.

**Carried**

Confidential Legal and Enforcement Services Department Report, LS 15-21

Re: Litigation Update – Non-Insured Claims and OLT Matters

**Resolution # 221-21**

Moved By Councillor Newman

Seconded By Councillor Drumm

That Council receive Report LS 15-21 for information.

**Carried**

4. Notice of Motion

4.1 OHIP Covered Eye Care Fees

Discussion ensued between Members of Council regarding:

- concerns with the costs incurred by Ontario Optometrists as a result of limited OHIP payments for eye care;
- the negative impact on vulnerable groups; and,
- clarification regarding why OHIP payments for eye care have only increased by 9 % over the last 30 years.

**Resolution # 222-21**

Moved By Councillor Roy

Seconded By Councillor Mulcahy

Whereas routine eye care is critical to overall health, quality of life, and early detection of eye disease, such as glaucoma, cataracts, and macular degeneration; and,

Whereas OHIP payments for eye care have increased by 9% over the last 30 years, which is severely outpaced by inflationary costs to provide eye exams such as rent, staff, utilities, equipment, taxes, supplies, and investment in modern technology to allow for earlier detection of eye disease; and,

Whereas the Provincial government's refusal to formally negotiate with Optometrists for more than 30 years has forced Optometrists to absorb approximately \$173 million annually in the cost to deliver eye care to Ontarians; and,

Whereas Ontario Optometrists took action after the 2021 Ontario Budget did not address OHIP-insured eye care, and voted to withdraw OHIP services beginning September 1, 2021, unless the government agrees to legally-binding negotiations to provide cost recovery for these services; and,

Whereas this job action will jeopardize the provision of eye care and will have the greatest impact on vulnerable groups, including children and the elderly.

Now therefore, be it resolved:

1. That Council requests that the Provincial government address OHIP-insured eye care immediately and enter into legally-binding negotiations with Ontario Optometrists to fund eye care services by providing cost recovery, prior to any job action taking place; and,
2. That the Clerk forward a copy of this resolution to Premier Doug Ford, the Honourable Christine Elliott - Minister of Health,

Durham Region MPs and MPPs, the Ontario Association of Optometrists, the Region of Durham, and Durham Region municipalities.

**Carried**

**4.2** Motions - Requesting Leave to Introduce

Moved By Councillor Newman  
Seconded By Councillor Leahy

That Council suspend the rules of procedure to allow the introduction of a motion regarding the Town of Whitby's Economic Development Strategy.

**Lost on a Two-Thirds Vote**

Moved By Councillor Leahy  
Seconded By Councillor Yamada

That Council suspend the rules of procedure to allow the introduction of a motion regarding the COVID-19 Vaccination Mandate.

**Lost on a Two-Thirds Recorded Vote as follows:**

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Councillor Drumm	x		
Councillor Leahy	x		
Councillor Lee		x	
Councillor Mulcahy		x	
Councillor Newman	x		
Councillor Roy		x	
Councillor Yamada	x		
Mayor Mitchell	x		
	5	3	0

**5. By-Laws**

That the following by-laws be passed:

- 5.1** By-law # 7778-21, being a by-law to acquire ownership of lands described as 112 Colborne Street West, being Part Lot 30, 1st Double

Range, Plan H-50032, PIN 26502-0046 (LT), Whitby ("the Lands") from Platanos Incorporated.

Refer to FS 47-21, Proposed Purchase of 112 Colborne Street West, Part Lot 30, 1st Double Range, Plan H-50032, PIN 26502-0046 (LT) from Platanos Incorporated

- 5.2** By-law # 7779-21, being a by-law to dedicate Part Lot 16, Plan 477, Part 2 on Plan 40R-7919 as a Public Highway (Kendalwood Road).

**Resolution # 223-21**

Moved By Councillor Newman  
Seconded By Councillor Leahy

That leave be granted to introduce By-laws # 7778-21 and # 7779-21 and to dispense with the reading of the by-laws by the Clerk and that 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**

**6. Confirmatory By-law**

**6.1 Confirmatory By-law**

**Resolution # 224-21**

Moved By Councillor Newman  
Seconded By Councillor Drumm

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 August 23, 2021 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**

**7.1 Motion to Adjourn**

Moved By Councillor Newman  
Seconded By Councillor Drumm

That the meeting adjourn.

**Carried**

The meeting adjourned at 8:46 p.m.

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Christopher Harris, Town Clerk

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Don Mitchell, Mayor