

Present: Mayor Mitchell
Councillor Drumm
Councillor Emm
Councillor Gleed
Councillor Leahy
Councillor Mulcahy
Councillor Roy
Councillor Yamada

Also Present: D. Barnes, Interim Chief Administrative Officer
P. LeBel, Commissioner of Community & Marketing Services
W. Mar, Commissioner of Legal and By-law Services/Town Solicitor
K. Nix, Commissioner of Corporate Services/Treasurer
C. Harris, Town Clerk
C. Bantock, Legislative Coordinator

Regrets: None noted

1. Declarations of Pecuniary Interest

1.1 There were no declarations of pecuniary interest.

2. Presentations

2.1 Meredith Dodge representing the Mayor's Community Development Fund Grants Review Committee

Re: Community and Marketing Services Department and Corporate Services Department Joint Report, CMS 16-17
Disposition of 2008-2012 Mayor's Gala Funds

Meredith Dodge, representing the Mayor's Community Development Fund Grants Review Committee, appeared before Council to request that Council consider the option of having the existing MCDF Grants Review Committee assume the additional role of distributing funds from the proposed Performing Arts Community Development Fund. Ms. Dodge stated that this should be an extension or a part of the existing MCDF Grants Review Committee's role and scope as they have

processes in place that help to ensure the Policy and Procedure are adhered to. She advised that once the Performing Arts Community Development Fund is depleted, the MCDF Grants Review Committee would continue as per the current status.

Discussion ensued with respect to the two streams of grants being separate and giving consideration to keeping the Mayor's name at arm's length from the proposed Performing Arts fund.

3. Items for Consideration

3.1 Legal and By-law Services Department and Corporate Services Department Joint Report, LS 05-17 Re: Report on Funds – 2008 to 2012 Mayor's Gala and 2013 Mayor's Gala

A discussion amongst Members of Council ensued with respect to:

- not receiving the Staff Report for information and not removing the matter from New and Unfinished Business in order to keep the file open and receive outstanding information;
- the file originating on the New and Unfinished Business List as a result of a request in 2015 surrounding the audit process;
- requesting information from the association regarding the revenue and outstanding legal bill from 2013; and,
- references to similar cases that occurred in Brampton and Mississauga to ensure the Town follows proper process.

A question and answer period ensued between Members of Council and Staff with respect to:

- conducting an investigation that may involve individuals no longer employed by the Town;
- the difference between an accounting audit and a forensic audit;
- an investigation including Mayor's Galas held from 2008 to 2011 and 2013;
- the possibility of requesting a special project investigation that would be outside of the normal mandate of the Integrity Commissioner;
- the cost of a forensic audit being unknown but being more in-depth compared to a traditional audit;
- the requirement for further information prior to requesting a forensic audit; and,
- whether the reserve holding funds from the previous Mayor's Galas could accumulate interest.

Resolution # 56-17

Moved By Councillor Emm
Seconded By Councillor Leahy

1. That Report LS 05-17 be received for information; and,
2. That Item MD-2033 be removed from the Operations Committee's New and Unfinished Business list.

Note: The disposition of the matter, Item 3.1, was determined through the referral motion below.

Resolution # 57-17

Moved By Councillor Leahy
Moved By Councillor Yamada

That the main motion be amended by removing item 2 in its entirety, and that the following items be added and that the main motion be renumbered accordingly:

1. That ASWPAC provide a review of income and expenses related to the 2013 Mayor's Gala;
2. That an accounting be conducted by a third party that is agreeable to both ASWPAC and the Town;
3. That any remaining funds held by ASWPAC be disbursed to the community; and,
4. That the matter be closed only upon the accounting being reviewed by both Council and ASWPAC.

Motion Withdrawn

Resolution # 58-17

Moved By Councillor Emm
Moved By Councillor Leahy

That Report LS 05-17 and Report CMS 16-17 be referred to Staff to identify accounting options, audit terms of reference, and associated cost estimates.

Carried

- 3.2** Community and Marketing Services Department and Corporate Services Department Joint Report, CMS 16-17

Re: Disposition of 2008-2012 Mayor's Gala Funds

Note: Item 3.2 was disposed of through the referral motion above.

4. Confirmatory By-law

4.1 Confirmatory By-law

Resolution # 59-17

Moved By Councillor Leahy
Seconded By Councillor Emm

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 February 13, 2017 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

5. Adjournment

5.1 Motion to Adjourn

Resolution # 60-17

Moved By Councillor Emm
Seconded By Councillor Leahy

That the meeting adjourn.

Carried

The meeting adjourned at 6:56 p.m.

Christopher Harris, Town Clerk

Don Mitchell, Mayor