

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY HELD ON MONDAY, DECEMBER 14, 2009 AT THE HOUR OF 7:00 P.M. IN COMMITTEE ROOM ONE OF THE WHITBY MUNICIPAL BUILDING AS CALLED BY THE HEAD OF COUNCIL

PRESENT: Mayor Perkins

Councillors Coe, Drumm, Emm, Mitchell (arrived at 7:10 p.m.), Pitchforth, Roy (arrived at 7:05 p.m.) and Scott (arrived at 7:05 p.m.)

Mayor Perkins in the Chair

ALSO PRESENT: R. Petrie, Chief Administrative Officer
R. Short, Director of Planning
S. Pohjola, Acting Manager of Human Resource Services/Town Solicitor
M. McDonnell, Manager, Downtown Development
P. Jones, Town Clerk
D. Wilcox, Town Clerk (January 1, 2010)
A. Biggart, Solicitor, Ritchie, Ketcheson, Hart & Biggart, LLP

The meeting commenced at 7:00 p.m.

1. DISCLOSURES OF INTEREST

Councillor Coe declared a pecuniary interest with respect to Item 2.1 as his wife is employed by Metro Foods (formerly known as A&P Food Stores).

2. ITEMS FOR CONSIDERATION

RESOLUTION NO. 327-09

MOVED by Councillor Emm
Seconded by Councillor Pitchforth

That Council meet in closed session as the subject matters being considered include:

- (i) potential litigation;
- (ii) advice that is subject to Solicitor-Client privilege; and
- (iii) Confidential Planning Report, Item PL 127-09 as well as Confidential Report No. 2009-J-47 by the Commissioners of Finance and Social Services (Regional Municipality of Durham) both reports dealing with a closed matter under the Municipal Freedom of Information and Protection of Privacy Act with respect to Canada-Ontario Affordable Housing Program: 2009 Extension – New Rental Housing Component Preliminary Project Recommendations.

CARRIED

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2. (continued)

Having declared a pecuniary interest, Councillor Coe left Committee Room One and did not participate in the discussion or vote on this item.

2.1 CONFIDENTIAL - Legal Services Report, LS 01-09

RE: Amendment No. 135 to the City of Oshawa Official Plan

S. Pohjola, Acting Manager of Human Resource Services/Town Solicitor, introduced Solicitor Andrew Biggart from the law firm of Ritchie Ketcheson Hart & Biggart LLP. Mr. Biggart spoke to his legal opinion of November 27, 2009. Council had questions of Mr. Biggart.

2.2 CONFIDENTIAL – Planning Report, Item PL 127-09

Confidential Report No. 2009-J-47 by the Commissioners of Finance and Social Services (Regional Municipality of Durham) on Applications Received for the Canada-Ontario Affordable Housing Program

Councillor Coe rejoined the meeting at this point.

R. Short, Director of Planning, introduced the report. Discussion ensued.

RESOLUTION NO. 328-09

MOVED by Councillor Emm
Seconded by Councillor Drumm

That Council reconvene in public.

CARRIED

RESOLUTION NO. 329-09

MOVED by Councillor Emm
Seconded by Councillor Drumm

That Council adopt the staff recommendation in Confidential Legal Services Report, LS 01-09.

CARRIED

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2. (continued)

RESOLUTION NO. 330-09

MOVED by Councillor Drumm
Seconded by Councillor Roy

That Council adopt the staff recommendation in Planning Report, Item PL 127-09.

CARRIED

RESOLUTION NO. 331-09

MOVED by Councillor Roy
Seconded by Councillor Emm

That residents be notified and the public consulted with respect to any site plan application related to the matter of Planning Report, Item PL127-09.

CARRIED

3. ADJOURNMENT

RESOLUTION NO. 332-09

MOVED by Councillor Coe at 7:54 p.m.
Seconded by Councillor Drumm

That this December 14th, 2009 Special Meeting of the Council of the Corporation of the Town of Whitby adjourn.

CARRIED

Paul Jones, Clerk

Patricia Perkins, Mayor