

Municipality of Lakeshore - Report to Council

Legislative and Legal Services

Legislative Services



To: Mayor and Members of Council
From: Brianna Coughlin, Division Leader – Legislative Services
Date: October 1, 2024
Subject: Closed Meeting Quarterly Report – Q3 2024

Recommendation

This report is presented for information only at the October 22, 2024 Council meeting.

Strategic Objectives

This report is not directly related to a Strategic Objective however is part of the ongoing work to provide transparency relating to Council meetings and is directly related to section 40 of the Procedure By-law:

Reporting to the Public - Quarterly

40. (a) On a quarterly basis, the Clerk shall prepare an Information Report for a Meeting open to the public describing the Closed Sessions held during the previous quarter which describes:

- i. the reference to the *Municipal Act, 2001* authorizing the closure of the Meeting;
- ii. the fact of the holding of the Closed Session;
- iii. the general nature of the matter to be considered during the Closed Session; and
- iv. the holding of vote, if any; and
- v. such other information as may be disclosed taking care not to reveal the substance of the deliberations of Council.

Background

The Municipality of Lakeshore (the “Municipality”) is committed to conducting meetings in an open and transparent manner. All meetings of Council are advertised on the municipal website and are video-recorded in order to allow residents to watch the proceedings from their homes or other locations.

Despite this commitment to openness, there are times where Council must deliberate confidentially in order to protect the privacy of an individual or the position of the Municipality.

Section 239(2) of the *Municipal Act, 2001* allows municipalities to go into closed session to consider matters for the following reasons:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- 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;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- 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.

Council may also go into closed session pursuant to Section 239(3.1) of the Act to undertake education or training, as long as no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council.

Comments

Between July 1 and September 30, 2024, Council held 4 closed session meetings in order to consider 8 items. Approximately 2 hours were spent in closed session throughout these meetings.

There were also 4 closed session meetings of the CAO Hiring Committee. This is a special committee of Council, comprised of all Council members, for the purpose of conducting recruitment activities for the Chief Administrative Officer position. The closed sessions of the CAO Hiring Committee have been included in the table below. Approximately 11 hours were spent in closed session throughout these meetings.

The following table outlines the dates of the meetings, the subject matter discussed, the reasons the items were discussed during a closed session meeting and the outcome of the discussion.

2024 Meeting Date	Time Spent in Closed Session	Subject	Reasons to go into Closed session	Vote for Direction
July 9	32 min	Personal matters about an identifiable individual relating to municipal service delivery	b)	Yes
August 13	1hr 19 min	Proposed or pending disposition of land by the municipality relating to the St. Charles Street area	c)	Yes
		Proposed or pending acquisition or disposition of land by the municipality relating to the Duck Creek area	c)	Yes
		Proposed or pending acquisition or disposition of land by the municipality relating to the Denis St. Pierre Water Pollution Control Plant area	c)	Deferred

2024 Meeting Date	Time Spent in Closed Session	Subject	Reasons to go into Closed session	Vote for Direction
		Personal matters about an identifiable individual relating to the 2024 Lakeshore Sports Excellence Hall of Fame inductees	b)	Yes
September 3 CAO Hiring Committee	56 min	Personal matters about an identifiable individual relating to Chief Administrative Officer recruitment activities	b)	Yes
September 9 CAO Hiring Committee	1hr 29 min	Personal matters about an identifiable individual relating to Chief Administrative Officer recruitment activities	b)	Yes
September 10	15 min	Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an insurance claim	e) and f)	Yes
		Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an insurance claim	e) and f)	Yes
September 20 CAO Hiring Committee	2hr 48 min	Personal matters about an identifiable individual relating to Chief Administrative Officer recruitment activities	b)	No

2024 Meeting Date	Time Spent in Closed Session	Subject	Reasons to go into Closed session	Vote for Direction
September 23 CAO Hiring Committee	5 hr 37min	Personal matters about an identifiable individual relating to Chief Administrative Officer recruitment activities	b)	Yes
September 24	23 min	Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an encroachment matter.	e) and f)	Yes

Financial Impacts

Printing and courier costs associated with the meetings were included in the 2024 Budget and actual costs are within budget.

Report Approval Details

Document Title:	Closed Meeting Quarterly Report - Q3 2024.docx
Attachments:	
Final Approval Date:	Oct 7, 2024

This report and all of its attachments were approved and signed as outlined below:

Prepared by Brianna Coughlin

Submitted by Susan Hirota

Approved by the Corporate Leadership Team