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Why city council goes into closed session

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Local government is considered to be the most accessible and responsive level of government. For many of us, the decisions made at the local level directly impact our lives every day. That is why it is important that decisions are made in an open and transparent manner. There are times however when Council must discuss matters privately.

As CAO/Clerk, I would like to take this opportunity to explain to our residents why it is sometimes necessary to close a meeting to the public so that Council can consider confidential information, and how we as a City always strive to be as open and transparent as possible.

Recently, the City has been questioned for holding closed session meetings to discuss ongoing negotiations with Hydro One. These negotiations are regarding the potential construction of an Advanced Technology Hub on the Horne Business Park in West Orillia and include the sale of the Orillia Power Distribution Corporation (OPDC).

The City is a Corporation and from time to time must negotiate agreements with third parties. Often these negotiations contain commercially sensitive information involving individuals, organizations, or businesses other than the City; these discussions have to be discussed in closed session to protect the City and potentially the third party. How the City conducts its business could affect the Corporation's credibility/reputation when dealing with third parties. The City wants to ensure that it is a good partner to do business with in order to encourage growth and development in Orillia.

Generally, the purpose for going into closed session is to allow Council to receive information or give direction. Voting is not permitted while in closed session; with the exception of voting on procedural matters and giving direction, all votes must be held in open session.

Using the Hydro One scenario as an example, discussing the Corporation's negotiating strategy in public and examining the potential value of OPDC would severely damage

our negotiating position with Hydro One and adversely impact our ability to ensure they bring the best possible deal for Orillia.

While the *Municipal Act* does empower municipalities with the ability to close a meeting for certain matters, it is important to remember that such powers are always balanced with measures to ensure accountability and transparency to the public. The City's procedure by-laws set out important rules governing how the City may use its powers to go into closed session. The City takes a number of steps to ensure the highest degree of openness and transparency.

We post agendas and reports online before meetings and post decisions and minutes as soon as possible after meetings. Notice of all meetings, as well as the intention to go into closed session, must be provided to the public. Notices and agendas must contain the time, location and purpose of a meeting; in addition, also must list the matters for which Council intends to discuss in closed session, as well as the statutory reason for doing so.

The City has also made a number of improvements that go beyond the minimum standards outlined in the *Municipal Act*. In 2013, the City began live-streaming its meetings online for those who cannot watch the live broadcast on Rogers TV or otherwise attend meetings in person. We have also implemented visual motions to help those in attendance and those watching at home follow along with the proceedings.

In keeping with the *Municipal Act*, the City appoints a Closed Meeting Investigator. This person serves as an advisor, providing advice to individual Members of Council, Council as a whole and staff. Having this person in place is one of many ways the City ensures that the decision-making process of Council is open, accountable and transparent.

The idea that government should be open to public scrutiny is fundamental to the democratic process. We as a City take every measure to ensure that transparency exists. Community members are reminded that staff and Council members are always available to answer any questions.

Moving forward, before the City is able to finalize any potential deal with Hydro One for the Advanced Technology Hub, we will have to hold further closed session meetings. We are not keeping the public in the dark; we are simply making sure Council has the ability to negotiate the best possible deal for Orillia that meets our committed principles. For more information on those principles and the benefits of this potential opportunity, visit orillia.ca/techhub.