



Special Council Meeting

Minutes

C#30-22

Tuesday, July 26, 2022, 1:30 p.m.

Council Chambers

225 East Beaver Creek Road

Richmond Hill, Ontario

An electronic hybrid Special Council meeting, pursuant to Section 238(3.3) of the *Municipal Act, 2001*, of the Council of the City of Richmond Hill was held on Tuesday, July 26, 2022 at 1:32 p.m. in Council Chambers via videoconference.

Council Member present in Council Chambers:

Mayor West (Chair)
Regional and Local Councillor DiPaola
Regional and Local Councillor Perrelli
Councillor Beros
Councillor Muench

Council Members present via videoconference:

Councillor Liu
Councillor Cilevitz
Councillor Chan

The following members of Staff were present in Council Chambers:

D. Joslin, Interim City Manager
S. Adams, Commissioner of Corporate and Financial Services
T. Steele, Acting Commissioner of Community Services
G. Li, Director Financial Services and Treasurer
M. Makrigiorgos, Local and Regional Councillor - Chief of Staff
G. Ekhtiari, Executive Assistant
F. Kwan, Community Outreach Coordinator
S. Huycke, City Clerk
R. Ban, Deputy City Clerk
L. Sampogna, Council Committee Coordinator
C. Connolly, Legislative Services Assistant

1. Adoption of Agenda

That the agenda be adopted as distributed by the Clerk.

Moved by: Councillor Sheppard

Seconded by: Councillor Cilevitz

That the agenda be adopted as distributed by the Clerk with the following additions:

a) Delegations regarding Closed Session Item A with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000– (Item 3.2.1);

b) Correspondence received regarding Closed Session Item A with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000 – (Item 3.2.2).

Carried

2. Disclosures of Pecuniary Interest and General Nature Thereof

Regional and Local Councillor Perrelli declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Agenda Item 3.3 regarding Closed Session matter with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000, The Corporation of the City of Richmond Hill ats. Regional and Local Councillor Carmine Perrelli, as he received legal advice. Regional and Local Councillor Perrelli left his seat and did not participate in the closed session discussion or voting on that item.

3. Scheduled Business

3.1 By-law 111-22 - Establish Lands as Public Highway

Moved by: Councillor Liu

Seconded by: Councillor Beros

a) That By-law 111-22, A By-law to establish lands as public highway, be approved.

Carried Unanimously

3.2 Delegations and Correspondence

3.2.1 Delegations received regarding Closed Session Item A with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000

The following individuals registered as delegations to address Council regarding Closed Session Item A:

Scott Thompson, 104 Baker Avenue, addressed Council regarding the Closed Session Item A with respect to the Ontario Superior Court of Justice, Court File No. CV-00002095-0000. He advised that residents could only speculate on the matters that may be addressed in Closed Session and provided suggestions of what may be discussed. S. Thompson outlined Regional and Local Councillor Perrelli's lawsuits against the City, including associated legal fees, and indicated that Council needed to move in a direction that would demonstrate their commitment to hold violators accountable for their actions when established policies and procedures were not followed. He noted that all the evidence in this case indicated that Regional and Local Councillor Perrelli should be held accountable for his actions. S Thompson requested Council convince the legal team to proceed with the litigation and accept the potential legal costs, as it could lay the groundwork for reducing the potential for costly litigation in the future.

Howard Doughty, 10 Cheval Court, addressed Council regarding the Closed Session Item A with respect to the Ontario Superior Court of Justice, Court File No. CV-00002095-0000. He advised that this was Regional and Local Councillor Perrelli's fourth lawsuit against the City and ultimately against its citizens, residents and taxpayers. He advised that in his opinion, it was time to assess the overall situation and take a stand on behalf of the City that Regional and Local Councillor Perrelli's lawsuit should be rejected in all of its parts. He stated that the pattern of his behavior resulted in Richmond Hill being judged as the worst municipality in the province in terms of the health of its local democracy, and noted that voter turnout reached record lows at the last election. He requested Council recognize the wrongdoings, and that wrongdoers be held accountable as a step towards civic redemption. H. Doughty advised that in his opinion, Regional and Local Councillor Perrelli should be held accountable for the expenses of the Enviro Day event and requested Council to oppose the lawsuit and to keep working to redeem local democracy and make a difference in the community.

Graham Churchill, on behalf of A Better Richmond Hill, 12A Mackay Drive, addressed Council regarding the Closed Session Item A with

respect to the Ontario Superior Court of Justice, Court File No. CV-00002095-0000. He expressed their opposition to Regional and Local Councillor Perrelli's Application against the City, which in their opinion included irrelevant allegations to support his claim. He advised that the residents group desired to bring evidence of Regional and Local Councillor Perrelli's improper actions forward by intervening as a party in the case. G. Churchill advised that in their opinion, Regional and Local Councillor Perrelli's lawsuit abused the legal system in support of his own interests to avoid paying \$139,623.30 for an event which he publicly committed that no taxpayer dollars would be spent. He remarked on the costs to taxpayers, requested that legal counsel representing Richmond Hill evaluate all direct costs, loss of staff productivity and emotional suffering as a result of the actions of Regional and Local Councillor Perrelli, and advised of their support for Council and the City to defend the proceedings.

Pat Pollock, 67 Drumern Crescent, addressed Council regarding the Closed Session Item A with respect to the Ontario Superior Court of Justice, Court File No. CV-00002095-0000. She advised that Regional and Local Councillor Perrelli's promotional material for the blue and green bin events assured taxpayers that no tax dollars would be spent, noted that she expected he would abide by his promise, and shared her disappointment of him not doing so. P. Pollock further shared her opinion and support of Council's decision respecting Regional and Local Councillor Perrelli's 90-day remuneration suspension.

Roxiane Engineer, 90 Berwick Crescent, addressed Council regarding the Closed Session Item A with respect to the Ontario Superior Court of Justice, Court File No. CV-00002095-0000. She reviewed the decision of Council to reprimand Councillor Cilevitz in 2018 and provided her opinion on the 90-day remuneration suspension of Regional and Local Councillor Perrelli's for his behavior toward multiple members of City staff as confirmed in the Integrity Commissioner's Report. She provided her opinion on the reimbursement of approximately \$140,000 to the City, noting that in the spirit of honesty, transparency and good faith, Regional and Local Councillor Perrelli should reimburse the taxpayers, but rather had misled the residents. R. Engineer advised that she supported Council's decision to impose a 90-day remuneration suspension to

Regional and Local Councillor Perrelli and to have him reimburse the City.

3.2.2 Correspondence received regarding Closed Session Item A with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000

Moved by: Regional and Local Councillor Perrelli
Seconded by: Councillor Sheppard

That the following correspondence regarding Closed Session Item A with respect to the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000, be received:

1. Linda Herriott, 3 Sanderson Crescent, dated July 21, 2022;
2. Sigmund Lee, 20 Hamills Crescent, dated July 21, 2022;
3. Ruth Kay, 15 King's Cross Avenue, dated July 22, 2022;
4. Mike Gurski, 159 Avenue Road, dated July 24, 2022;
5. Brian Chapnik, Vice-Chair, A Better Richmond Hill, dated July 25, 2022;
6. Jack Ponte, 16 Painted Rock Avenue, dated July 25, 2022.

Carried

3.3 Closed Session

3.3.1 Resolution to Move into Closed Session

Moved by: Councillor Cilevitz
Seconded by: Councillor Sheppard

That Council move into Closed Session:

- a) To consider matters related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to litigation affecting the municipality before the Ontario Superior Court of Justice - Court File No. CV-22-00002095-0000, The Corporation of the City of Richmond Hill ats. Regional and Local Councillor Carmine Perrelli (Section 239(2)(e) and (f) of the *Municipal Act, 2001*, S.O. 2001, c. 25)

Carried Unanimously

3.3.2 Resolution to Reconvene in Open Session

Council moved into closed and then returned to open session (2:06 p.m. to 4:30 p.m.).

3.3.3 Adoption of Recommendations Arising from the Closed Session Meeting

The City Clerk advised that there were no recommendations to be made in open session for Closed Session Item A.

4. By-law to Confirm the Proceedings of Council at this Meeting

4.1 By-law 112-22

Moved by: Regional and Local Councillor DiPaola
Seconded by: Councillor Cilevitz

That By-law 112-22, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

5. Adjournment

Moved by: Councillor Sheppard
Seconded by: Regional and Local Councillor DiPaola

That the meeting be adjourned.

Carried

The meeting was adjourned at 4:32 p.m.

David West, Mayor

July 26, 2022

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Stephen M.A. Huycke, City Clerk