

## Gaertner questions 'transparency' of Bulk Barn deal, but others question motion

**By Brock Weir**

Details over land transactions done at Town Hall are typically kept behind closed doors, but for one Aurora Councillor, those details do not go far enough.

Earlier this month, Councillor Wendy Gaertner put forward a Notice of Motion calling for more information to be made public over the sale of Aurora's Leslie Street employment lands, particularly those sold to Bulk Barn, a sale which has raised the Councillor's ire over the past two years.

Her motion, however, raised the ire of others around the table who argued Aurora was being as 'open and transparent' as they are legally advised to be.

In her motion, Councillor Gaertner said that although the sale and servicing agreements were hammered out in 2014, 'there has been no public report to date on the details of these agreements.

'This multi-million dollar asset was purchased with tax dollars and it has always been the practice of Town of Aurora Council to report out in public the details of a land sale once the need for confidentiality has been fulfilled [and] there is no risk to the taxpayer,' said Councillor Gaertner in her motion. 'The public has the right, indeed the obligation, to judge if this transaction was in their best interest; and the obligation to be an open, transparent and accessible governing body has not been fulfilled.'

According to Town Solicitor Warren Mar, however, the Municipality has not yet passed that threshold when confidentiality is no longer required as 'servicing obligations are still continuing on that site.'

Aurora, he said, is still working with contractors for the servicing of the subdivision, said Mr. Mar, adding 'for that reason alone' he would not recommend the details being made public.

'With regards to the purchasing agreement, we haven't sold all the lots in that subdivision, nor would I want to prejudice that process,' said Mr. Mar. 'There were terms included in that purchase agreement that if the Town may not wish to have prospective purchasers know to use that as leverage against us in any future purchase negotiations. On that basis, I wouldn't recommend to Council that it prejudice their position in any future land sale agreement by releasing those terms.'

Once those conditions are met in the future, Mr. Mar said he would bring those details forward if Council requested him to do so.

'I am fine to rely on the advice of the solicitor and, at this time, not release those details until directed to do so,' said Councillor Michael Thompson.

Councillor John Abel, on the other hand, took direct aim at the motion and questioned Councillor Gaertner's motives, and said she has been trying to 'discredit' the current Council from the beginning of the term.

'It is something you are asking Council to concede that they are not being open and transparent, and I have fundamental issue with the wording,' said Councillor Abel, asking that the phrase 'open, transparent and accessible has not been fulfilled' be removed from the motion.'

Councillor Gaertner was, nevertheless, firm in her views.

'This is definitely not open, or transparent or accessible on the part of this Council and if anyone wants to agree with me, that's fine, but that is my opinion.'

As the discussions ensued, Mayor Geoffrey Dawe questioned Mr. Mar, saying he found 'the continued allegation that we are not

open, transparent or accessible not only offensive to Council but to our staff?, and asked whether Council was, in his opinion, fulfilling or ?going above and beyond? its obligations in that regard wherever possible.

?We are as transparent and open as we possibly can be with the information and reports that can rightfully and legally be in closed session and as Council has indicated a desire to be in closed session and discuss that in order to protect the Town's rights,? said Mr. Mar. From a legal standpoint, I am certainly satisfied we have met those obligations and we are as open and transparent as possible.?

Council ultimately defeated Councillor Gaertner's motion 7 ? 2 with only her and Councillor Chris Ballard voting in favour of it.