

Recording Closed Session meetings ?a long time coming,? says Council

Recording Closed Session meetings of Council has been ?a long time coming,? according to Mayor Tom Mrakas, but one Councillor has expressed misgivings about keeping these recordings in perpetuity citing ?cancel culture.?

Council this week is set to approve the audio recording of closed-door meetings after staff recommendations received the green light at last Tuesday's General Committee meeting.

Should the recommendations be approved this week, audio recordings will kick in for the first Closed Session meeting of 2021 and access to these recordings will be restricted to the Town Clerk, Chief Administrative Officer, Town Solicitor, and, if necessary, the Town's Closed Session meeting investigator.

?Staff will ensure the recordings are kept in a safe place where only the Town Clerk has access,? said Town Clerk Mike de Rond in a report to Council. ?The Town Solicitor and Chief Administrative Officer will be granted access when requested. Access to the audio recordings will not be provided to individual members of Council or through the Freedom of Information (FOI) process. Should a closed session investigation request be received, the relevant audio recording(s) may be accessed by the closed meeting investigator if they determine they would be helpful to the investigation.

?As Aurora is one of the few municipalities to record closed session meetings, there is not a road map when it comes to the retention of the files. The industry standard for the retention of recordings of any type of Council meeting is permanent, and staff is proposing this also be applied to closed session audio recordings. This does not pose either short-term or long-term storage capacity for staff. Further to this, there is no limitation period for closed session meeting investigations. While it is reasonable to assume that the likelihood of a closed session investigation decreases over time, there are plausible scenarios where a request is submitted for a meeting at least 5 ? 10 years ago.?

The possibility of audio recordings being kept on hand in perpetuity, however, raised concerns from Councillor Rachel Gilliland, who cited ?cancel culture? as a reason for her objection.

?I feel there really isn't that much of an example of many municipalities that keep it in perpetuity and I don't see a reason why we can't amend that to something to the effect of six or seven years, the recommendation [on] how long to keep your taxes,? she said. ?I think the risk of keeping things a lot longer than that, you can really set yourself up for a situation of? ?cancel culture.' I wouldn't want to be in a closed session situation where you're speaking freely about something and the context maybe 20 or 30 years from now, maybe that context does not translate in the exact same way. We see that does happen now with things that happened 20 or 30 years ago and we have learned from the way we evolve that maybe that context wasn't the best way [to communicate].?

Going forward, she said, ?I wouldn't want to take away the merit of closed session? where Council members can freely discuss issues.

?I wouldn't want anyone to hold back,? she said. ?I am not suggesting anything for the purposes of hiding anything?it is specifically on the cancel culture. If, in 10 years, nothing has been done, I don't see any reason why we need to be holding onto these.?

Councillor Michael Thompson, who initially brought forward the latest motion to record Closed Session meetings, had a different perspective.

Regular Council and Committee meetings, he said, are recorded, is posted on YouTube for all to see, and is there in perpetuity. This would be no different, he argued.

?I am comfortable in how I govern myself in Closed Session and in Open Session,? said Councillor Thompson. ?I have no concerns that it is in perpetuity. That is the nature of the role that we are [public figures] and what we say will always be out there in

perpetuity. Personally, I have no qualms five years from now? a closed session recording of myself, for whatever reason, came out there, I am comfortable with how I conduct myself. I am fine with it being in perpetuity. It seems to be that most of our staff, the recommendation is for in perpetuity and we're just being consistent that way.?

In response, Councillor Gilliland said she appreciated the comments and that she too was ?very confident?in the way I conduct myself and the things I say,? but maintained keeping the recordings in perpetuity was unnecessary.

?If they really need to dig and dive deep, somewhere after 10 or 15 years, it must be a real problem,? she continued. ?I am going to throw out cancel culture. I don't feel it is totally necessary. You can vote how you wish. Again, I am confident how I conduct [myself], I am not afraid to speak my mind and I certainly know I speak with integrity, but I don't think anybody speaks out of context on purpose. We have seen these things happen, dig up from 30 years ago, and all of a sudden it is a completely different mindset. It is a new modern term, this cancel culture, and I don't know what that is going to bring moving forward. The spirit of this, I absolutely agree with it, but I would just like to vote on [that] separately from this and move on from there.?

In the end, Council tentatively approved the recordings unanimously ? with Councillor Gilliland the lone Councillor voting against the specific proviso of the recordings being ?permanent.?

?This is a long time coming,? said Mayor Tom Mrakas just before the vote. ?I am thankful that this is here in front of us and we're going to be hopefully moving forward with this. I am very supportive of this, I was supportive of this the first time that we saw it, and I am supportive of it again. As was mentioned, what I say behind the doors is exactly what I would say sitting in front of the camera and I think we all need to remember that closed session is not to protect the individual, it is to protect the corporation.?

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