

# MILITARIZING MUNICIPAL GOVERNMENTS

DURHAM - It started about and or around 2014 in Oshawa. When out of sheer incompetency and lack of customer relations training. The City of Oshawa turned on it's citizens by passing draconian bylaws in order to limit public access to City meetings. The restrictions started mildly by restricting how long delegations could take. To who could delegate and pre-screened topics that could be brought up. This type of approach to taxpayers access to speak on city matters brought hostility towards city councillors and staff. Instead of addressing the hostility. The administration at that time decided to get even tougher and practically shut down access to city hall meetings. Everything from virtual meetings to moving meeting to early in the morning in order to deter people from missing work. Subsequently, the city under went a series of serious incidents. The most famous was that of Robert Lutczyk. An elected official that was pushed to brink on sanity and took the City solicitor by force. To the antics of local activist Bill Steele. Steeles was dragged out of City Council meeting for merely clapping. Both made national headlines as in both cases it resulted in criminal charges. Charges that many speculated not need to have been filed if handled differently. Hostility towards municipal government spread. To Pickering, Ajax, Whitby, Clarington. Municipal offices stocked up on passing by laws and policy that restrict access by the public. It appears that these moves by the municipalities compounded with 'Strong Mayor's Power', weaponizes policy and bylaws to a degree never seen before. The use of 'Tresspass' orders are handed out without merit in some cases. This militarization and the use of bylaw and policy as weapons has been just

recently used against various citizens and council members. The move to use force has become so prevalent that municipalities are: In the turbulent wake of acrimonious charges and counter-charges in at least two of Durham's councils - Town of Whitby and the City of Pickering - a call has been issued to the provincial government to make it easier for councils to remove members from office. Both Whitby and Pickering have at least one councillor who is seen - rightly or wrongly - as a loose canon at council meetings, regularly questioning the strong mayoral powers and most other members and council decisions. To make it easier to remove non-conformist council members, the Town of Whitby Council, in its meeting on April 21, has approved a motion calling for the province to amend Bill 9, the Municipal Accountability Act. It wants the province to adjust the vote threshold for council to remove a member from office to a two-third majority, as opposed to a unanimous vote. Bill 9 would allow the integrity commissioner of Ontario to recommend to a council that a member of council's seat be declared vacant. This recommendation could only be made if a member of council has been found by both the local integrity commissioner and the integrity commissioner of Ontario to have committed a serious contravention of the code of conduct. Bill 9 currently proposes that a council can only declare a member's seat vacant if all members - other than the member subject to the inquiry - vote in favour. Whitby Council also approved a motion requesting that the province strengthen sanctions for coercive or politically motivated misuse of office by municipal council members. The Municipal Act and municipal codes of conduct establish ethical expectations for

members of council, but provide limited sanctions - primarily reprimands, apologies, or temporary suspension of remuneration - through integrity commissioner processes. The motion calls on the province to create enhanced sanctions for serious ethical breaches involving coercion, intimidation, or the misuse of office for political or personal advantage. This includes establishing a provincial investigative and adjudicative mechanism, independent of local integrity commissioners, to address allegations of con-

duct that may constitute abuse of power. The motion notes the authority of this mechanism should include the ability to impose stronger penalties, such as temporary or permanent disqualification from holding municipal office, where findings of serious misconduct are made. In Whitby, Councillor Chris Leahy received a one-month suspension recommended by the integrity commissioner for his treatment of two female town staff, losing about \$4,000 in salary. Council voted 7-1 to approve the sus-

pension. Leahy was found to have violated Whitby council's code of conduct on two separate occasions, a document that all members of council have agreed to and have signed. The investigation was conducted by a town paid integrity commissioner. This raising questions to the integrity of the integrity commissioner as they have proven in other municipalities to always favor the municipality paying them. Yet, another weapon in the municipal cache against anyone the administration does not like.

In Pickering - the battle between Mayor Kevin Ashe and Lisa Robinson and staff appears to have hit critical mass. Councillor Robinson ward one Pickering has worked for the city without pay for over a year. Just recently she was notified of yet another integrity commissioner challenge that could see her pay cut once again. In a desperate attempt to find remedy. Councillor ward 1 wrote a letter to To the Honourable Members of the Legislative Assembly of Ontario: I am writing to you today as Councillor Lisa Robinson, Ward 1, City of Pickering, to urgently request your immediate help and intervention in a situation that has become intolerable. For 21 months I have received zero pay as an elected public servant. This has been achieved through repeated sanctions under the Municipal Act, 2001. While the Act allows council to withhold a councillor's pay for up to 90 days per finding of an "egregious" breach, I have never committed fraud, theft, criminal activity, or anything that could reasonably be considered egregious. These sanctions stem almost entirely from my exercise of Charter-protected freedom of expression - speaking out about corruption, wasteful spending, and loopholes on behalf of the residents who elected me. Ninety-nine percent of these sanctions originate directly from Mayor Kevin Ashe and the CAO. They file the complaints themselves and then vote on the sanctions that strip me of my pay - a clear conflict of interest and a blatant abuse of process. They have weaponized the Integrity Commissioner (the same individual previously removed from other municipalities for bias and overreach) to target me. What's your take? Are municipalities becoming militarized? Send your letters.



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