



**Cunningham Swan**

LAWYERS

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**CONFIDENTIAL**

January 30, 2026

**SENT BY EMAIL TO: [tgorgerat@khrtownship.ca](mailto:tgorgerat@khrtownship.ca)**

Mayor and Council  
c/o Tammy Gorgerat, CAO/Clerk  
1 John Street  
P.O. Box 39  
Killaloe, ON  
K0J 2A0

Dear: Mayor and Council

**RE: Code of Conduct Complaint – Report – Mayor David Mayville  
Our File No. 33209-11**

This public report of our investigation is being provided to Council in accordance with Section 223.6(1) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should otherwise be made public.

Should Council desire, the Integrity Commissioner is prepared to attend virtually at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority to alter the findings of the report, only consider the recommendations.

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The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

### **Timeline of Investigation**

- December 10, 2025, complaint received
- January 2026, preliminary review completed
- January 7, 2025, complaint package sent to Member
- January 16, 2026, response from Member received.

### **Summary of Complaint**

A complaint was received alleging that Mayor David Mayville (the "Member") breached the Township's Code of Conduct. The complaint alleges the following:

A significant portion of the Mayor's conduct arises from an ongoing, and fundamental, misinterpretation of his statutory role under the *Municipal Act*, 2001, particularly Section 225, 226.1 and Part VI.1. These provisions outline the Mayor's responsibility to lead Council, provide information to Council, uphold and promote the municipality's purpose, and exercise strong mayor powers only within the limits expressly granted by legislation. Instead, the Mayor has repeatedly relied on an overly broad and inaccurate interpretation of these sections to justify directing staff, interfering with administrative operations, attempting to override Council-approved processes, issuing instructions that exceed the defined scope of his authority and delegating himself as the Chief Executive Officer with administrative control of the municipality. His continued reliance on this misinterpretation has resulted in improper staff direction, attempts to limit lawful/transparent information sharing with Council, directing staff to disregard the municipality's established Procedural By-law and general actions inconsistent with both municipal legislation and the Code of Conduct.

The Code of Conduct contains a provision that no complaint may be brought after 90 days from the date that incident occurred, and in no event later than 6 months from the date of the incident, regardless of when the incident came to the attention of the complainant. Directives 1-6 were issued on September 18, 2025. The complaint was received by our office on December 10, 2025. Only incidents occurring before September 10, 2025 can be investigated in this investigation.

While Directives 1-6 were issued within the period of time that can be investigated, our office previously investigated the issuance of these Directives and reported to Council on the

outcome of that investigation in a report dated November 5, 2025. The November 5 report dealt with Directives 1-6, and found that the Member was deliberately or willfully blind to the correct interpretation of the *Municipal Act* and strong mayor powers and that these Directives breached the Code of Conduct and represented an improper direction to staff.

As our November report dealt with Directives 1-6 and found improper direction of staff, the Integrity Commissioner did not consider new information provided as part of this complaint where it related to direction of staff that occurred prior to the receipt of the previous complaint. The Integrity Commissioner considered Directives 7-10, Mayoral Decisions 1 and 2, and incidents that occurred subsequent to October 7, 2025, when the previous complaint was submitted. Some of the behaviour complained of involved Directives 2-6 in that the Member ordered staff to implement those Directives in subsequent Directives and communications – that formed a new complaint independent of the previous investigation and was considered in this investigation.

The specific examples of the conduct alleged to breach the Code of Conduct set out in the complaint were as follows:

1. Mayoral Directive 7

Council passed Resolution 01 on October 2, 2025, authorizing the Township to retain Aird & Berlis to provide an opinion on strong mayor powers and delegated to the Clerk/CAO the authority to execute a retainer agreement.

On October 14, 2025, the Member issued Mayoral Directive 7. The essential elements of the Directive read as follows:

#### Purpose

To confirm and clarify the proper administrative process for engaging external legal services following Council's resolution of October 2, 2025 directing the Chief Administrative Officer/Clerk-Treasurer to retain Aird & Berlis LLP for advice on the implementation and exercise of strong mayor powers under the Municipal Act, 2001 and O. Reg. 530/22.

This Directive ensures that future administrative actions of this nature are carried out in compliance with the Township's statutory framework and consistent with the Mayor's accountability for administrative oversight.

#### Background

...

It is noted that the October 2, 2025 Council resolution directed the CAO to engage external legal counsel without corresponding Mayoral Directive. While that action

has been completed, it underscored the need to clarify that such administrative matters fall within the Mayor's direction under O. Reg. 530/22.

...

Directive

...

For clarity and consistency going forward, all administrative actions involving the execution of professional service contracts, legal retainers or other external arrangements shall proceed through written Mayoral Direction to the CAO, consistent with O. Reg. 530/22 and the Mayor's statutory authority as Head of the Administration.

2. Mayoral Decision #1, issued October 23, 2025

The Member issued a Decision that included an organizational flow chart illustrating the reporting relationships between staff, the Mayor and Council. In this structure, Council reported to the Mayor, who was titled "Legislative Chief Executive Officer – Administrative". The CAO also reported to the Mayor as well as Council. The Decision explained that, "The CAO works in coordination with the Mayor to ensure the effective management of municipal operations in accordance with legislation, Council-approved policies and Mayoral Decisions.

3. On December 2, 2025, the Member issued Mayoral Directive 8. The essential elements of the Directive read as follows:

Authority

...

The preparation and publication of meeting agendas is an administrative function carried out by staff. Under the Strong Mayor framework, administrative functions fall under the Mayor's leadership and direction.

...

Directive

1. The Clerk shall include a Public Input Session as an item on the agenda for the Committee of the Whole meeting on December 9, 2025, as previously scheduled and announced.
2. The public Input session shall allow members of the public to speak to matters involving:
  - a. The composition of council under section 217 of the Municipal Act;
  - b. The potential elimination of the ward system under s. .222.
3. Notice of the Public Input Session shall be posted prominently ...
4. Any Council resolution attempting to restrict, eliminate, delay or otherwise interfere with the Public Input Session has no legal effect and shall not be

implemented. Such resolutions do not override mayoral authority under the strong mayor framework.

5. Staff shall proceed with the December 9 agenda as directed herein.

#### Rationale

A Public Input Session is necessary to:

...

Advance the provincial priority of streamlined and accountable local governance

...

4. On December 2, 2025, the Member issued Mayoral Directive 9. The essential elements of the Directive read as follows:

#### Authority

...

s. 284.6 – Mayor may direct staff to prepare and present by-laws supporting provincial priorities.

...

#### Directive

1. The CAO/Clerk shall:

- (a) Prepare a Council composition By-law under s. 217 of the Municipal Act to reduce the number of councillors from six(6) to four(4).
  - (b) Prepare a Ward System Elimination By-law under s. 222 of the Municipal Act to dissolve the existing ward structure and move to an at-large system.
2. Both By-laws shall be included in the agenda for the Regular Meeting of Council on December 16, 2025, accompanied by the required staff reports and supporting documentation.
  3. The CAO/Clerk shall publish both draft by-laws in the December 16 agenda package

...

4. Any Council resolution, motion, direction or request attempting to:
  - Delay the preparation of these by-laws
  - Prevent their inclusion on the December 16 agenda
  - Require a referendum before Council may consider them
  - Restrict administrative functions regarding these by-laws

Has no legal effect under Part VI.1 and shall not be implemented by staff.

5. All municipal staff, including the CAO/Clerk, are required to comply with this Directive pursuant to the Municipal Act and O. Reg. 530/22.

Failure to implement a lawful Directive constitutes administrative non-compliance.

...

5. On December 5, 2025, the Member issued Mayoral Directive 10. The essential elements of the Directive read as follows:

**Purpose**

This Directive is issued to address and rectify the CAO's refusal to implement Mayoral Directives ...

The Directive set out findings of non-compliance, confirming that the CAO had refused to implement the Directives as she was not legally permitted to do so.

The Directive directed the CAO to immediately:

- (a) Implement Directives 2-9 in full, without delay;
- (b) Implement Decision 2 in full;
- (c) Post Directives 2-9 and Decision 2 on the website; and
- (d) Remove from the website all Council resolutions and legal opinions that purport to override or contradict Mayoral Directives.

6. The Member provided direction to staff as follows:
  - a. October 22, 2025, directed the CAO to provide by November 15 a clear implementation plan and timeline to update the Procedural By-law and related governance documents.

The Member acknowledged that Council had already provided certain direction and that put the CAO in a "difficult position". The Member then stated that where Council direction conflicts with statute, the obligation is to follow the legislation.
  - b. October 22, 2025, provided various directions to the CAO about amendments to the agenda, creating a closed meeting procedure to be followed and directing that the agenda be amended to include motions to implement the process and update the Procedural By-law. The email ended with, "please confirm today that these items will appear on the next open Council agenda and provide me with draft wording for review prior to posting."
  - c. October 22, 2025, directed the CAO to confirm that minutes of a closed session were prepared and that Council members had been "reminded of their confidentiality obligations". The Member stated that Council's direction to removal the Mayoral Directives 1-6 from the website was contrary to the Municipal Act. The Member acknowledged that the CAO "may be receiving conflicting direction from Council. My intent is not to place you in a conflict, but to ensure that the Township's records, website and communications

remain in compliance with the Municipal Act, 2001 and O. Reg. 530/22, which prevail over any resolution to the contrary.

- d. October 24, 2025, directed the CAO to restore Mayoral Directives 1-6 to the Township website (they were removed by resolution of Council) or provide an accessible public repository for public review, and confirm compliance no later than October 24 at 4:30.
- e. October 27, 2025, the Member directed the CAO to either restore the Mayoral Directives to the website or remove the materials currently published. The Member also directed the CAO to “preserve and retain all records relating to the creation, editing, approval, and publication of the page, including drafts, emails, metadata, and approvals.”. The CAO was given until the following day to advise which option had been implemented.
- f. November 9, 2025, the Member directed the CAO to provide information to Aird & Berlis to ensure they had the Procedural By-law and understood that the Member’s opinion was that it did not reflect the changes created by strong mayor powers. The Member further directed that he be copied on all legal correspondence because the *Municipal Act* and O. Reg. 530/22 required that he be kept informed of such matters.
- g. November 17, 2025, the Member sent an email to the CAO and Council setting out his position about an upcoming AMO delegation. The Member disagreed with how the delegation request was framed and disagreed that he was misusing the strong mayor powers (the request did not accuse the Member of misuse and was framed neutrally).
- h. November 20, 2025, the Member directed the CAO to provide him with all materials related to the legal opinion received from the Township’s solicitor related to strong mayor powers, including direction to the solicitor and confirmation of who authorized the opinion be obtained. The basis for the request was that the Member was the Head of Council and the Chief Executive Officer and he needed to “properly assess how the opinion aligns with the current legislative framework, including Part IV.1 of the Municipal Act and O. Reg. 530/22.”
- i. November 24, 2025, several emails were exchanged between the Member and the CAO about a statement made by the Member at the November 18, 2025 Council meeting about a public meeting that the Member intended to hold to canvass public opinion about reducing the size of Council and dissolving the ward system for municipal elections. The Member advanced the opinion that the strong mayor powers allowed him to introduce matters to the agenda that “cannot be removed or altered by council through resolution”. The Member directed the CAO to add to the agenda for December 9, 2025 an item that read, “discussion and public input component – reducing Council from six

members to four and eliminating the ward system”. This request included a request that staff assist with logistics for the public meeting.

- j. November 28, 2025, the Member wrote to the CAO to explain that in his opinion certain emails from the CAO were contrary to direction provided by the Township’s Closed Meeting Investigator. The Member then directed the CAO to stop emailing council “to seek or implement “collective” Council direction on Township business”. The Member also disagreed with the CAO’s decision not to amend the agenda and assign staff to work on the Mayor’s public meeting and requested again the background information related to the Township’s solicitors opinion on strong mayor powers. The Member stated that this information was, “essential for me, as Head of Council and CAO, to understand how the opinion was sought and interpreted, and to ensure that the Township’s use of legal services is consistent with both the Municipal Act and the Closed Meeting Investigation Report.” The email ended with the following statement: “This email will be retained as part of the administrative record and may be relied upon in future discussions with oversight bodies regarding the Township’s compliance with the Municipal Act and the Investigator’s report. This correspondence is not to be shared or forwarded without my authorization, and I remind you that provincial legislation governs and prevails over the Township’s outdated Procedural by-law.”
- k. November 28, 2025, the Member sent an email to the CAO directing the CAO to assign staff to logistics for the public meeting on December 9. The Member set out 6 bases on which the CAO was incorrect to refuse his request, including the facts that under section 226.1 of the Municipal Act the Head of Council is assigned responsibility for the ongoing administration of the municipality; the strong mayor powers override the Procedural By-law; refusing to follow the Member’s direction unless Council approved that direction was contrary to the Municipal Act; and not following the Member’s direction placed the Township at risk of breaching Part VI.1 of the Municipal Act.
- l. November 28, 2025, the Member emailed the CAO to set out in detail his position as to why decisions made by the CAO related to the December 9 agenda were incorrect based on his interpretation of the Municipal Act. The Member then directed the CAO to add the public meeting to the agenda.
- m. November 28, 2025, the Member emailed the CAO to set out in detail his position as to why the decision by the CAO not to provide the Mayor with the background information related to retaining the Township’s solicitor to provide advice about strong mayor powers (unless Council directed her to do so) was incorrect based on his interpretation of the Municipal Act and strong mayor powers. The Member then stated that he was not requesting the

information, he was issuing a directive under his authority as a strong mayor. The Member also took issue with the fact that the CAO shared his email with all of Council. The previous email had been marked “privileged and confidential” and therefore the Member took the position that the CAO was not permitted to share it with Council.

- n. December 2, 2025, the Member hand delivered a letter to the CAO setting out 6 areas where he believed the CAO had not complied with provincial legislation, particularly his direction as a strong mayor. The letter stated that, “allowing Council to pass a resolution directing the removal of Mayoral Directives from the Township website was not appropriate and does not align with the Municipal Act or the strong mayor framework... leaving a lawyer’s opinion and Council resolutions posted – creates an inaccurate public record and undermines the Mayor’s legislated role under s. 225, s. 226.1, O. Reg. 530/22, and s. 284.6 of the Municipal Act.” The Member then repeated his earlier direction to restore the Mayoral Directives and stated, “any further effort to politicize administrative matters or to involve Council in areas that fall under my statutory responsibilities will be viewed as a continued breach of your duties as CAO.” The Member then stated that his letter would be retained in the CAO’s employment file and that he had sent copies of earlier correspondence with the CAO to the Ministry of Municipal Affairs and the Ontario Ombudsman.
- o. December 3, 2025 the Member directed the CAO to copy him on all correspondence with legal counsel because as CEO and Head of Council he must be fully informed.
- p. December 5, 2025, the Member sent the CAO an email setting out in detail his view as to why the Mayoral Directives/Decisions were valid and why Council could not refuse to comply with them. The Member directed the CAO to post directives 1-9 and fully implement them and remove the legal opinions.
- q. December 5, 2025, the Member issued Mayoral Directive 10 and sent an email to the CAO and required compliance with the Directive. The email was expressly not to be shared with Council.
- r. December 6, 2025, the Member emailed the CAO to direct her to implement Directive 8 related to the public meeting on December 9.
- s. December 6, 2025, the Member sent an email to all of Council setting out his position on the statutory authority he relied on for his direction to staff and Mayoral Directions. The Member requested that Council set out the specific statutory authority they relied upon to challenge and refuse to implement his Directives.
- t. December 10, 2025, the Member sent an email to the CAO as a “final follow up” directing that by-laws be placed on the December 16 agenda to reduce the composition of Council to 4 members and to eliminate the ward boundary

system. The Member again set out his position as to his legal authority and ended the email with the statement, “If you decline to comply or do not confirm, this will be documented for the Ministry of Municipal Affairs and Housing, and the Ontario Ombudsman as a failure to carry out mandatory administrative duties under the Municipal Act.”

## **Code of Conduct**

The following sections of the Code of Conduct are engaged in this complaint:

6.4 Being aware of and conversant with the statutory obligations imposed on Council as a whole, as well as each individual Member of Council.

7.1 Every Member has the duty and responsibility to treat members of the public, Staff and each other in a respectful manner, without abuse, bullying, Harassment or intimidation.

7.3 Every Member shall abide by the following principles:

...

(c) Members shall comply with all applicable legislation, by-laws and Municipal policies, including this Code of Conduct;

...

8.2 Members will respect the decision-making process. Members will attempt to accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with a majority decision of Council.

8.3 Members of Council shall not actively undermine the implementation of Council’s decisions. The role of elected officials, once a Council decision is made, is to support the implementation of that decision, not to work against its implementation, publicly or behind the scenes. Council decisions are arrived at following discussion and debate, reflecting the democratic process. Members are expected to engage in debate with their fellow Council Members through the democratic process of government. However, once Council has made its decision, Members must recognize that decision as the duly considered decision of the body of Council. As members of that body of Council, individual members – those who did not agree with the decision - are not to engage in activities that seek to challenge or undermine that decision. Members can express disagreement with Council’s decisions, but it is contrary to the ethical behaviour of members of Council to actively seek to undermine, challenge or work against Council’s decisions.

13.2 Members of Council will:

- (a) Acknowledge that only Council as a whole has the capacity to direct staff members to carry out specific tasks and functions;
- (b) Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others; and
- (c) Refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility.

13.3 Members of Council shall not:

- (a) maliciously or falsely injure the professional or ethical reputation of Staff;
- (b) compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; or
- (c) use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Staff member with the intent of interfering with Staff duties.

13.6 Municipal Council, acting as a body, can dictate that Staff perform such duties as are necessary for the efficient management of the affairs of the community, and/or research such matters as the Council deems necessary. Individual Council members do not have authority to micromanage and/or direct Staff or the Chief Administrative Officer/Clerk. Full Council shall direct Staff collectively through the Chief Administrative Officer/Clerk or other department heads.

14.1 Harassment of another member, staff or any member of the public is misconduct. It is the policy of the Township of Killaloe, Hagarty and Richards that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. [emphasis in original]

## **Findings and Analysis**

Aird & Berlis LLP provided Council with its opinion that Directives 1-6 were beyond the authority of the Mayor on October 14, 2025. From this point forward, the Member cannot claim that he believed his interpretation of Strong Mayor powers was correct for any matter addressed by Aird & Berlis. For any matter not specifically dealt with in the October opinion letter, it is reasonable to expect that the Member would seek guidance from someone with expertise before assuming that his interpretation was correct.

Rather than obtaining guidance on this complex area of municipal governance, the Member interpreted the strong mayor powers on his own and forcefully directed staff to follow his interpretation.

In the Member's response to the complaint, he characterized the complaint as, "a disagreement over governance roles and statutory interpretation, not evidence of ethical misconduct". The Integrity Commissioner agrees that there is a fundamental disagreement over the scope of the powers available to the Member as a strong mayor. The results of this investigation however, confirm that this is not simply a disagreement about interpretation and his behaviour does engage the ethical obligations contained in the Code of Conduct.

The Member has deliberately engaged in a process of interpreting the strong mayor powers to his advantage, despite legal opinions to the contrary, and has used his authority (real or perceived) to bully and intimidate staff into following his direction.

Below, the Integrity Commissioner sets out his findings with respect to each element of the complaint and provides an analysis as to how the Code of Conduct is assessed based on the facts.

### *Statutory Interpretation*

As much of the complaint rests on the interpretation of strong mayor powers, and because the Member takes the position that an Integrity Commissioner cannot interpret these powers in the context of an investigation, it is important to establish the basis of the Integrity Commissioner's jurisdiction at the outset.

Integrity Commissioners cannot rule on the validity of municipal policies or by-laws; an Integrity Commissioner takes those documents as they are approved by Council. It is not true however that an Integrity Commissioner cannot interpret legislation and apply legal principles during an investigation. A number of Divisional Court decisions have confirmed that Integrity Commissioners must apply principles of Charter interpretation as part of their assessment. In addition, every Integrity Commissioner must interpret the Code of Conduct and the *Municipal Act* as part of the investigative process and as part of their analysis. To suggest, as the Member has in his response, that an Integrity Commissioner cannot interpret the strong mayor powers as they interrelate with a complaint is simply incorrect. If the Member's view of the jurisdiction of an Integrity Commissioner were correct, a strong mayor would effectively be immune from complaints that they had abused their powers, forcing municipalities to go to court rather than using the existing Code of Conduct process – this would be an absurd result.

Rather than repeating the same analysis throughout this report, the Integrity Commissioner will establish the basis for his interpretation of strong mayor powers in this section and then simply refer to this interpretation in the analysis section below.

#### 1. The Role of the Head of Council

Through the various Directives, Decisions and emails that form the basis of this complaint the Member took the position that strong mayor powers include the ability to make administrative decisions generally. The Member often references Part VI.1 of the *Municipal Act* and O. Reg. 530/22 as authority for many of his decisions. In this written response to the complaint the Member affirmed that administrative and operational control of municipal operations rests with the CAO. He characterized his actions as “governance-level in nature and focused on compliance, procedure, transparency, and statutory responsibilities”.

The Member was correct that the Mayor and Council are not empowered to make operational decisions. The Member was incorrect that his behaviour was focused on governance.

The *Municipal Act* and O. Reg. 530/22 do not empower the head of council to make administrative decisions or to direct staff generally. In its October 14, 2025 letter, Aird &

Berlis advised the Township that section 284.3 of the *Municipal Act* (the section allowing a strong mayor to direct staff to undertake research and carry out certain duties) is:

“expressly qualified for a specific purpose: ‘exercising powers or performing duties under this Part’. Section 284.3 does not provide a strong mayor the authority to provide municipal employees unilateral or general direction about any matter whatsoever in the same manner that either a council would, at a policy level, or a chief administrative officer may, at an operational level. Nor does section 284.3 vest in a strong mayor the power to exercise general control over municipal operations.

...

The legislative debates did not, however, indicate that such direction would circumvent the ordinary municipal decision-making process, where such proposals would need to be brought before council for a final decision.

...

Had the Legislature intended that a strong mayor have the power to unilaterally direct municipal staff to do any thing they considered expedient, we surmise these powers would not have included the final step of council ratification of a proposal, given council’s general role in exercising the powers of the municipality.”

Based on this clear statement from the Township’s legal counsel, the Member’s subsequent actions can only be viewed as proceeding in defiance of this interpretation.

A strong mayor does not have any legislative authority to administer the affairs of the municipality generally. Part VI.1 of the *Municipal Act* and O. Reg. 530/22 grant strong mayors limited powers to advance provincial priorities, submit an annual budget and deal with limited organizational issues only.

The head of council is not the Chief Executive Officer of the municipality; section 225 of the *Municipal Act* states that one of the roles of the head of council is to, “act as chief executive officer”. Section 226.1 then sets out the limited roles that the head of council will fulfill when “acting” as the Chief Executive Officer. The court has ruled that the mayor is not the Chief Executive Officer; no such position exists in law.

A simple consideration of the strong mayor regime is all it takes to see that section 225 does not confer CEO powers on a head of council; if the head of council were already the CEO, many strong mayor powers would be unnecessary.

## 2. The power to direct the CAO

As excerpted above, Aird & Berlis reviewed section 284.3 and confirmed that a strong mayor does not have any authority generally to direct the CAO. The limited powers to direct staff must be related to and in furtherance of strong mayor powers given in Part VI.1. For

example, a strong mayor can direct staff to conduct research and provide advice necessary to prepare and submit a budget. Similarly, a strong mayor can direct staff to prepare a by-law and report for council if the by-law is necessary to further a Provincial Priority (which is to build housing or the infrastructure needed to support new housing).

If the subject matter is not a Provincial Priority or an established strong mayor power, the head of council has no authority to direct the CAO or other staff. Nothing in Part VI.1 eliminates the general direction given in section 5 of the *Municipal Act* that all decisions of Council must be made by-law; individual members of council have no authority to bind the municipality by themselves.

In his written response, the Member included a written response to a series of question about strong mayor powers that was provided by the Ministry of Municipal Affairs and Housing. The Member quoted the Ministry as advising:

“Neither the strong mayor powers framework nor the concept of the head of council as ‘chief executive officer’ ... grants the head of council unilateral control over meeting agendas or the power to broadly override the procedure by-law...”

However, the Member then quoted the Ministry as follows as justification for his actions, claiming they were, “consistent with this statutory balance between executive authority and Council’s legislative role”:

“Sections 284.10 and 284.11.1 give the head of council the power to require council to consider a particular matter or vote on a specific proposed by-law despite restrictions that may exist in the procedure by-law...”

The Member misquoted the Ministry and ignored the statutory context. Sections 284.10 and 284.11 only apply where the strong mayor is advancing a matter that will further a Provincial Priority. If the subject matter is not advancing a Provincial Priority these sections do not apply – the Member ignored this critical limit on strong mayor powers.

### 3. The power to amend agendas/introduce by-laws

The Procedural By-law for the Township is a validly passed by-law of Council; Council has delegated its authority to the CAO/Clerk to prepare agendas and unless Council passes an amendment, the Member has no legal authority to amend an agenda unilaterally. The Member can propose an amendment at a properly constituted meeting, and if Council agrees, the agenda can be amended. Strong mayor powers do not confer on the Member the legal authority to amend agendas or to direct staff to do so except in very limited circumstances.

Examples of the exceptions to Council’s ability to control the agenda include section 284.10, which states that, despite any procedural by-law, a strong mayor can require council to consider a matter – but only where the strong mayor is of the opinion that the matter could

potentially advance a Provincial Priority. Unless the matter involves a Provincial Priority, the head of council has no authority to deviate from the procedural by-law.

A strong mayor may also propose a by-law to council and require a vote on that by-law, despite any procedural by-law. However, the by-law must be one that could potentially advance a Provincial Priority; in any other circumstance the head of council cannot unilaterally propose a by-law unless it is done through the proper process set out in the procedural by-law.

#### 4. Provincial priorities

Provincial Priorities are prescribed by Regulation. O. Reg 580/22 lists only the following as the prescribed priorities:

1. Building 1.5 million new residential units by December 31, 2031.
2. Constructing and maintaining infrastructure to support housing, including,
  - i. transit,
  - ii. roads,
  - iii. utilities, and
  - iv. servicing.

#### *Specific Findings/Analysis*

##### **1. *Mayoral Directive 7***

The Member set out the Purpose for Directive 7 as:

To confirm and clarify the proper administrative process for engaging external legal services following Council's resolution of October 2, 2025 directing the Chief Administrative Officer/Clerk-Treasurer to retain Aird & Berlis LLP for advice on the implementation and exercise of strong mayor posers under the Municipal Act, 2001 and O. Reg. 530/22.

The Directive stated that the power to engage legal counsel was an administrative matter falling within strong mayor powers and that in future legal counsel could only be retained through written Mayoral Direction, "consistent with O. Reg. 530/22 and the Mayor's statutory authority as Head of the Administration".

Engaging legal counsel generally does not engage a Provincial Priority and is not a power vested in a strong mayor. The legislation does not vest in the Member a general power to administer the municipality (as described above).

Directive 7 was a breach of the following sections of the Code of Conduct:

- It was outside the legal authority of the Member to issue and as such was not in compliance with applicable legislation – a breach of section 7.3(c) of the Code of Conduct.
- It directed staff and limited their ability to seek legal advice as needed to support administrative decisions of the Township – a breach of sections 13.2 and 13.6

## **2. *Mayoral Decision #1, issued October 23, 2025***

The Member issued a Decision that included an organizational flow chart illustrating the reporting relationships between staff, the Mayor and Council. In this structure, Council reported to the Mayor, who was titled “Legislative Chief Executive Officer – Administrative”. The CAO also reported to the Mayor as well as Council. The Decision explained, “The CAO works in coordination with the Mayor to ensure the effective management of municipal operations in accordance with legislation, Council-approved policies and Mayoral Decisions.

The Member has the legal authority to reorganize municipal departments under the strong mayor powers. The Member does not have the authority to direct Council to report to him. Re-organizing the municipality also does not confer upon a strong mayor the ability to create a new title for the Mayor or expand the Mayor’s roles and responsibilities outside what is provided in the legislation.

Decision 1 was a breach of the following sections of the Code of Conduct:

- It was outside the legal authority of the Member and as such was not in compliance with applicable legislation – a breach of section 7.3(c) of the Code of Conduct.

## **3. *Mayoral Directive 8.***

This Directive stated that, “administrative functions fall under the Mayor’s leadership and direction.” The Directive then went on to direct the Clerk to:

“include a Public Input Session as an item on the agenda for the Committee of the Whole meeting on December 9, 2025, as previously scheduled and announced”, among other directions associated with this public meeting.

The Directive then stated:

“Any Council resolution attempting to restrict, eliminate, delay or otherwise interfere with the Public Input Session has no legal effect and shall not be implemented. Such resolutions do not override mayoral authority under the strong mayor framework.”

The Member does not have the legal authority to direct staff or include items on an agenda that do not promote a Provincial Priority. The composition of Council and the electoral system are not prescribed Provincial Priorities. The Member also does not have any legal authority to limit Council resolutions or other decision-making or to render such decisions of no force and effect.

Directive 8 was a breach of the following sections of the Code of Conduct:

- It was outside the legal authority of the Member to issue and as such was not in compliance with applicable legislation – a breach of section 7.3(c) of the Code of Conduct.
- Attempting to limit Council’s ability to make decisions on a public meeting was not respectful of the decision-making process of Council, contrary to section 8.2.

#### **4. *Mayoral Directive 9.***

Despite this Directive citing s. 284.6, which allows a strong mayor to direct staff to prepare and present by-laws supporting Provincial Priorities, the Directive was concerned with Council composition and dissolving the ward system. Neither Council composition nor ward boundaries are matters of Provincial Priorities – they have nothing to do with building housing or supportive infrastructure.

This Directive was outside the legal authority of the Member.

The Directive then went on to order staff to prepare necessary by-laws to reduce the composition of Council and to eliminate the ward system. This is direction to staff that is not supported by strong mayor powers.

The Directive also included the following:

“Any Council resolution, motion, direction or request attempting to:

- Delay the preparation of these by-laws
- Prevent their inclusion on the December 16 agenda
- Require a referendum before Council may consider them
- Restrict administrative functions regarding these by-laws

Has no legal effect under Part VI.1 and shall not be implemented by staff.”

The strong mayor powers do not include the ability to prevent Council from exercising its legislative role. The series of veto and override powers established in the *Municipal Act* under the strong mayor powers are limited to budgets and matters that advance Provincial Priorities. However, even if this Directive related to a Provincial Priority (which it did not) the Member could not declare that Council had no authority to override the Directive; the override and veto powers are set out in the legislation and cannot be modified by the Member.

Directive 9 was a breach of the following sections of the Code of Conduct:

- It was outside the legal authority of the Member to issue and as such was not in compliance with applicable legislation – a breach of section 7.3(c) of the Code of Conduct.
- Attempting to limit Council’s ability to make decisions about by-laws dealing with its composition and the ward system was not respectful of the decision-making process of Council, contrary to section 8.2.
- It directed staff – a breach of sections 13.2 and 13.6.

##### **5. *Mayoral Directive 10.***

This Directive was issued to, “address and rectify the CAO’s refusal to implement Mayoral Directives”.

The Directive set out findings of “non-compliance” and stated the CAO had refused to implement the Directives illegally.

The Directive stated that the CAO had not provided “citation of legislation prohibiting compliance” and characterized the CAO’s actions as “administrative non-compliance with provincial legislation and a failure to perform statutory duties under s. 229.” The Member then went on to state that Council resolutions could not supersede provincial legislation and could not override a Directive issued by a strong mayor. The Directive ended with the statement, “Failure to comply with this Directive will constitute a further breach of statutory duties and will be addressed accordingly.”

The Integrity Commissioner finds that the Member did not have the legal authority to direct the CAO in this manner. None of Directives 2-9 were valid exercises of strong mayor powers and as such the power under section 284.3 of the *Municipal Act* to direct staff did not apply.

It is relevant that at this time the Township had the opinion of Aird & Berlis that confirmed the Member did not have the legal authority to issue Directives 2-6. Despite this legal opinion, the Member continued to rely on his own (now discredited) personal opinion in an attempt to force his will on staff and Council.

The Directive is aggressively worded to portray the CAO as being in breach of her employment duties (as defined by the Member) and threatened the CAO with consequences should they refuse to follow the direction of the Member. The Member should have known that this conduct would be unwelcome by the CAO and

as such is a form of harassment. The Directive constitutes a threat and is intended to intimidate the CAO into following the Member's orders.

Council had already passed a resolution to have Directives 2-6 removed from the municipal website and directed that they not be implemented. This Directive is a challenge to the authority of Council's decision and seeks to bully Council into accepting Directives that were determined to be invalid by legal counsel retained by the Township.

Directive 10 was a breach of the following sections of the Code of Conduct:

- It was an attempt to bully and intimidate the CAO into implementing the Directives, most of which had been determined to be invalid and which Council had ordered removed from the website - a breach of section 7.1.
- It was outside the legal authority of the Member to issue and as such was not in compliance with applicable legislation – a breach of section 7.3(c) of the Code of Conduct.
- Attempting to limit Council's ability to make decisions was not respectful of the decision-making process of Council, contrary to section 8.2.
- It directed staff – a breach of sections 13.2 and 13.6.
- The manner in which the CAO was characterized and the aggressive tone of the Directive ought to have been known to be unwelcome. Especially when the Member knew that the Directive was ordering staff to act against a Council resolution, the Directive placed staff in an untenable position and was harassment – a breach of section 14.1.

***6. The Member provided direction to staff as follows:***

- a. On October 22, 2025, directed the CAO to provide by November 15 a clear implementation plan and timeline to update the Procedural By-law and related governance documents.

This email direction to update the Procedural By-law was not within the authority of the Member. The Procedural By-law is not associated with, nor would it advance, a Provincial Priority and it has nothing to do with strong mayor powers generally.

The Member acknowledged that Council had already provided certain direction and that put the CAO in a "difficult position". The Member then stated that where Council direction conflicts with statute, the obligation is to follow the legislation.

On October 21, 2025, Council passed Resolution No. 10, which directed staff to remove Directives 1-6 from the Township website and confirmed that based on legal advice received, those Directives were invalid. Directive 1 included direction to staff to present to Council an update to the Procedural By-law. Resolution No. 10 rendered that direction invalid.

In acknowledging that ordering the CAO to update the Procedural By-law was contrary to a Council direction (putting the CAO in a “difficult position”) the Member confirmed that his direction was unwelcome and therefore was a form of harassment.

This is a breach of Sections 7.1, 7.3, 8.2, 13.2, 13.3 and 14.1 of the Code of Conduct.

- b. October 22, 2025, provided various directions to the CAO about amendments to the agenda, creating a closed meeting procedure to be followed and directing that the agenda be amended to include motions to implement the process and update the Procedural By-law.

This direction was not within the authority of the Member. As discussed above, the Member has no authority to amend the agenda as a strong mayor and no authority to direct staff in these circumstances (where no strong mayor powers are engaged and no Provincial Priorities are being advanced).

This is a breach of Sections 7.3, 13.2 and 13.6 of the Code of Conduct.

- c. October 22, 2025, directed the CAO to confirm that minutes of a closed session were prepared and that Council members had been “reminded of their confidentiality obligations”.

This is direction to staff.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- d. October 24, 2025, directed the CAO to restore Mayoral Directives 1-6 to the Township website (they were removed by resolution of Council).

The analysis for this email is the same as for Directive 10. The Member did not have the authority to contradict a Council decision and direct staff to act in opposition to that Council decision. This type of direction places staff in a very difficult position and is a form of harassment.

This is a breach of Sections 7.1, 8.2, 8.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- e. October 27, 2025, directed the CAO to either restore the Mayoral Directives to the website or remove the materials currently published. The Member also directed the CAO to, “preserve and retain all records relating to the creation, editing, approval, and publication of the page, including drafts, emails, metadata, and approvals.”.

The analysis for this email is similar to the October 24 email and Directive 10.

This is a breach of Sections 7.1, 8.2, 8.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- f. November 9, 2025, directed the CAO to provide information to Aird & Berlis and further directed that he be copied on all legal correspondence because the *Municipal Act* and O. Reg. 530/22 required that he be kept informed of such matters.

The purported basis for this direction is incorrect in law; the Member is not the CEO, has no general administrative authority over the day to day affairs of the municipality and he is not entitled to direct staff unilaterally.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- g. November 17, 2025, the Member sent an email to the CAO and Council setting out his position about an upcoming AMO delegation. The Member disagreed with how the delegation request was framed and disagreed that he was misusing the strong mayor powers (the request did not accuse the Member of misuse and was framed neutrally).

This is not a breach of the Code of Conduct. While the Member’s analysis of strong mayor powers was incorrect, there is no direction to staff and no inappropriate language used.

- h. November 20, 2025, directed the CAO to provide the Member with all materials related to the legal opinion received from the Township’s solicitor related to strong mayor powers, including direction to the solicitor and confirmation of who authorized the opinion be obtained.

The Member has no authority to demand this type of information from staff. Council, acting by resolution, can request this type of detail if it feels that information would be of assistance in its decision-making.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- i. November 24, 2025, several emails were exchanged between the Member and the CAO about a public meeting that the Member intended to hold to canvass public opinion about reducing the size of Council and dissolving the ward system for municipal elections. The Member directed the CAO to add to the agenda for December 9, 2025 an item that read, “discussion and public input component – reducing Council from six members to four and eliminating the ward system”. This request included a request that staff assist with logistics for the public meeting.

This is direction to staff that is not authorized by strong mayor powers. As stated above, Council composition and the ward system are not Provincial Priorities.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- j. November 28, 2025, the Member wrote to the CAO to explain that in his opinion certain emails from the CAO were contrary to direction provided by the Township’s Closed Meeting Investigator. The Member also disagreed with the CAO’s decision not to amend the agenda and assign staff to work on the Mayor’s public meeting and requested again the background information related to the Township’s solicitors opinion on strong mayor powers.

The email ended with the following statement: “This email will be retained as part of the administrative record and may be relied upon in future discussions with oversight bodies regarding the Township’s compliance with the Municipal Act and the Investigator’s report. This correspondence is not to be shared or forwarded without my authorization, and I remind you that provincial legislation governs and prevails over the Township’s outdated Procedural by-law.”

This is a continuation of the overall pattern of using a misinterpretation of strong mayor powers to direct staff to further a personal agenda. In addition, threatening the CAO that the email would be retained as part of the “administrative record” and intimating that “oversight bodies” may be involved in the future is a form of intimidation and harassment of the CAO.

It is important to note that as a strong mayor, the Member does have the legal authority to terminate the CAO; this gives this type of communication more gravity for the CAO and increases the intimidation and pressure placed on the CAO to comply with direction that was outside the Member's authority.

This is a breach of Sections 7.1, 7.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- k. November 28, 2025, Email directing the CAO to assign staff to logistics for the public meeting on December 9. The Member set out 6 bases on which the CAO was incorrect to refuse his request, including that not following the Member's direction placed the Township at risk of breaching Part VI.1 of the *Municipal Act*.

This part of a pattern of harassing, intimidating and threatening the CAO to advance the Member's personal agenda, based on an incorrect interpretation of strong mayor powers.

This is a breach of Sections 7.1, 7.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- l. November 28, 2025, the Member directed the CAO to add the December 9 public meeting to the agenda.

This is part of the continuing pattern of improper direction of the CAO.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- m. November 28, 2025, the Member emailed the CAO stating that he was not requesting the information about the previous legal opinion on strong mayor powers, he was issuing a directive under his authority as a strong mayor. The Member also took issue with the fact that the CAO shared his email with all of Council. The previous email had been marked "privileged and confidential" and therefore the Member took the position that the CAO was not permitted to share it with Council.

This is a continuation of the pattern of behaviour where the Member uses an incorrect interpretation of strong mayor powers to pressure staff to further his personal agenda.

The Member has no basis to mark any communication “privileged and confidential”. The Member is not a lawyer and was not communicating with legal counsel or about a legal matter. This is another attempt to intimidate and harass the CAO so that Council would not have knowledge of what the Member was directing staff to do.

This is a breach of Sections 7.1, 7.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- n. December 2, 2025, the Member hand delivered a letter to the CAO setting out 6 areas where he believed the CAO had not complied with provincial legislation, particularly his direction as a strong mayor. The Member then repeated his earlier direction to restore the Mayoral Directives to the website and stated, “any further effort to politicize administrative matters or to involve Council in areas that fall under my statutory responsibilities will be viewed as a continued breach of your duties as CAO.” The Member then stated that his letter would be retained in the CAO’s employment file and that he had sent copies of earlier correspondence with the CAO to the Ministry of Municipal Affairs and the Ontario Ombudsman.

This is an example of a continual escalation of the pressure on the CAO to follow the Member’s direction – which is based on his misinterpretation of strong mayor powers. The Member knew that Council had passed a resolution contrary to this direction and yet he persisted in his attempts to force the CAO to follow his orders. This is intimidation and bullying.

The threat that failing to comply would be a breach of her employment duties, that the letter would be placed in her employment file, and that the matter had been made known to the Ombudsman and Ministry further escalated the pressure the Member was bringing to bear on the CAO to agree to the Member’s demands.

Legitimate workplace discipline is not harassment. The Integrity Commissioner finds that this was not proper workplace discipline. The Member based his demands on an incorrect interpretation of strong mayor powers and knew that what he was demanding was contrary to Council direction. The protection for workplace discipline is not available in this instance and the Member’s behaviour was harassment.

This is a breach of Sections 7.1, 7.3, 8.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

- o. December 3, 2025, the Member directed the CAO to copy him on all correspondence with legal counsel because as CEO and Head of Council he must be fully informed.

The Member is not the CEO, as explained above. This amounts to improper direction to staff.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- p. December 5, 2025, the Member sent the CAO an email setting out in detail his view as to why the Mayoral Directives/Decisions were valid and why Council could not refuse to comply with them. The Member directed the CAO to post directives 1-9 and fully implement them and remove the legal opinions.

The Member's rationale was simply a furtherance of his incorrect view of the strong mayor powers. This was improper direction of staff.

This is a breach of Sections 7.3, 13.2 and 13.6 of the Code of Conduct.

- q. December 5, 2025, the Member issued Mayoral Directive 10 and sent an email to the CAO and required compliance with the Directive. The email was expressly not to be shared with Council.

Directive 10 is dealt with above. The direction to staff is improper.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- r. December 6, 2025, the Member emailed the CAO to direct her to implement Directive 8 related to the public meeting on December 9.

Directive 8 is dealt with above. The direction to staff is improper.

This is a breach of Sections 13.2 and 13.6 of the Code of Conduct.

- s. December 6, 2025, the Member sent an email to all of Council setting out his position on the statutory authority he relied on for his direction to staff and Mayoral Directions. The Member requested that Council set out the specific statutory authority they relied upon to challenge and refuse to implement his Directives.

This is not a breach of the Code of Conduct. The Member's analysis is incorrect, but the substance of the email is not a breach of the Code of Conduct otherwise.

- t. December 10, 2025, the Member sent an email to the CAO as a "final follow up" directing that by-laws be placed on the December 16 agenda to reduce the composition of Council to 4 members and to eliminate the ward boundary system. The Member again set out his position as to his legal authority and ended the email with the statement, "If you decline to comply or do not confirm, this will be documented for the Ministry of Municipal Affairs and Housing, and the Ontario Ombudsman as a failure to carry out mandatory administrative duties under the Municipal Act."

This is a further continuation of the attempts to intimidate, harass and bully the CAO into advancing the Member's personal agenda.

This is a breach of Sections 7.1, 7.3, 13.2, 13.3, 13.6 and 14.1 of the Code of Conduct.

## **Conclusion**

In our previous report in November 2025, we found that the Member had improperly issued Directives 2-6 and stated the following:

"The Integrity Commissioner used the phrase "willful blindness" above deliberately when describing the Mayor's mis-interpretation of the legislation. We do not find that the Mayor deliberately set out to pass Directives that he knew were illegal. However, we do find that he selectively interpreted the legislation and did not seek direction that he himself asked Council to obtain as to how to properly interpret the new Strong Mayor powers."

At that time, the Integrity Commissioner did not have evidence that the misinterpretation of strong mayor powers was deliberate.

Based on the findings in this investigation, it is now beyond dispute that the Mayor has not merely misinterpreted the legislation innocently. The Member has deliberately ignored legal opinions that his interpretation is incorrect and persists in advancing an interpretation of strong mayor powers that he knows is wrong. The reason for this behaviour is to advance a personal agenda to change certain administrative areas in the Township and circumvent Council.

In the face of contrary legal opinions, Council decisions that limited his ability to advance his agenda and a CAO who did not allow herself to be misled by the Member, the Member increasingly resorted to aggressive, intimidating and bullying tactics to force the CAO to

bend to his will. Fortunately for the Township, the CAO did not give in to this campaign of harassment and the threats of employment jeopardy made by the Member.

Rather than accepting legal advice or seeking out legal advice in advance, the Member actively ignored legal advice received and tried to intimidate the CAO into not seeking further legal opinions that might undermine his attempts to misuse and re-imagine strong mayor powers. This pattern of behaviour created tremendous pressure and uncertainty for the CAO and distracted her from other tasks necessary to run the Township.

## **Recommendations**

The Integrity Commissioner finds that the issuance of Directives 7-10 and Decisions 1 and 2 were invalid exercises of the Member's authority and that they breached the Code of Conduct as detailed above. The Integrity Commissioner recommends that Council punish the Member by imposing the maximum penalty allowed in the *Municipal Act* of a 90 day suspension of pay. The severity of this recommendation reflects the fact that the Directives and Decisions were deliberate misinterpretations of legislation and were intended to force staff to advance the Member's personal agenda, often against the express direction of Council.

The Integrity Commissioner finds that the series of correspondence discussed above in section 6 (a-t) were, with one exception, breaches of various sections of the Code of Conduct as detailed above. The Integrity Commissioner recommends that the Member's behaviour be punished by imposing an additional penalty of a 90 day suspension of pay (for a total of 180 days). This recommendation encompasses all of the communications to the CAO discussed in section 6 (a – t) above and reflects the serious pattern of harassment and intimidation.

Section 17.4(e) of the Code of Conduct allows the Integrity Commissioner to recommend "other sanctions that are reasonably connected to the breach of this Code of Conduct and which the Integrity Commissioner believes in his or her sole discretion are necessary to modify the behaviour of the Member".

Given the level of harassment and intimidation found in this investigation, it is the Integrity Commissioner's recommendation that Council impose the following sanction on the Member to attempt to protect staff from this behaviour:

1. The Member shall, for the remainder of Council's term, be prohibited from communicating with staff except verbally at Council or Committee meetings;
2. For the remainder of Council's term, the Member may only communicate with staff through Council. Should the Member need to communicate with staff, he shall send his communication to all of Council only. Council shall determine whether the request is appropriate and then provide staff with direction;

3. Council must acknowledge that it cannot limit a valid exercise of strong mayor powers (other than as provided for in the *Municipal Act*) and as such the Member may issue Directives and Decisions in writing. However, given the history of mis-use of strong mayor powers, staff shall delay implementing any Directive or Decision until a legal opinion as to the validity of the Direction or Decision is obtained. Staff will act on the Directive or Decision based on the legal advice received.

Sincerely,

**Cunningham, Swan, Carty, Little & Bonham LLP**



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