

***So You Want to Run for Council***

***Making an Informed Decision!***

***Presentation by  
Fred Dean  
2022***



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# Introducing Fred Dean

- Municipal Coach
- Former Sudbury City Solicitor
- Works exclusively with local governments
- Former Chair
  - ROMA Question Box Panel
  - OGRA The Last Word Panel
- Amberley Gavel Ltd.
  - Closed Meeting Investigations
  - Integrity Commissioner
  - Academy
- Orientation for new Councils & Heads of Councils
- AMO
  - Honour Role in 2007
  - Facilitator – Councillor & Head of Council training

# THE AGENDA ...

- **Municipal Government 101**
- **Municipal Powers**
- **Accountability & Transparency**
- **Roles & Responsibilities**
- **Personal Considerations**
- **Code of Conduct**
- **Conflict of Interest**



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# The Scope of Local Government

- ✓ What does local government do?
- ✓ Let's test our knowledge!

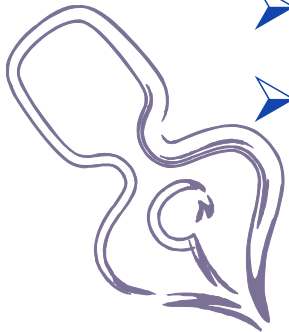


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# Municipal Powers

- **Powers come from the Province**
- **No inherent jurisdiction**
- **Size does not matter**
  - **Types of Municipalities**
- **Section 5 Municipal Act**
  - **Powers shall be exercised by Council**
  - **Exercised by By-law**



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# Basic Principles

- **Complex, Technical & Multi-faceted**
- **Numerous Services – Test your knowledge**
- **Power exercised at duly constituted meeting**
  - ✓ Notice to the public
  - ✓ Open to the public
  - ✓ Quorum
  - ✓ Majority vote
  - ✓ All members vote



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# Accountable and Transparent Government

## ➤ Open meetings

## ➤ Closed meetings

- Limited ability to hold closed meetings
- Subject to review by an Investigator

## ➤ Council Policies

- Notice
- Purchasing
- Disposition of land
- Hiring of employees
- Delegation
- Accountable and Transparent
- Harassment
- Council Member/Staff
- Pregnancy & parental leave



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# Roles & Responsibilities

- **Set by Provincial Statute**
  - **Council**
  - **Head of Council**
  - **Staff**



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# Council

- Exercises corporate powers
- Represents the public
- Consider the well-being & interests of the municipality
- Acts collectively, publicly & with notice
- No management role for Council or Members of Council
- Limited individual powers



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# Head of Council

- Mayor, Reeve, Warden, Chair...or
- Presides over council meetings
- Provides leadership to council
- Speaks on behalf of municipality
- Provides information & recommendations to council
  - administrative & controllership policies
  - accountability & transparency



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# Head of Council as Chief Executive Officer

- ✓ Acts as Chief Executive Officer (CEO)
- ✓ Responsibilities detailed in Municipal Act
- ✓ CEO is not the CAO
- ✓ No day-to-day management duties
- ✓ Role as champion/cheerleader



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# Municipal Staff

- Undertake research & provide advice to council
- Implement council's decisions
- Establish administrative practices & procedures to carry out council's decisions



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# Council should steer the boat rather than row it

- Council should decide what services and programs the municipality will offer and leave to staff the “how to”
- Osborne and Gaebler (*Reinventing Government*)

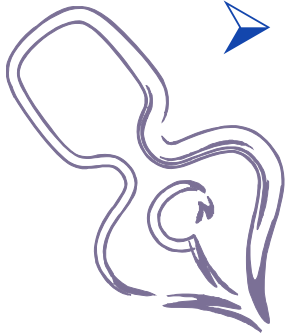


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# Municipal Governance

- **How does Council make decisions?**
- **Staff**
- **Committees**
- **The public**
- **Local Boards**
- **Meetings, meetings, meetings...**
- **Procedure By-law**



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# ***Personal Considerations...***

- ✓ **How will your life change the day you are elected?**
- ✓ **How will people treat you?**
- **24/7**
- **Requires total commitment**
- **It will consume you**
- **Two Tier**



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# Family

- ✓ Talk to your significant other
- ✓ Calls
- ✓ Social media
- ✓ Interacting with public
- ✓ At the grocery store...
- ✓ Prep time... reading
- ✓ Meetings



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# Things to Consider...

- **Micromanaging**
- **Incivility**
- **Confidentiality**
- **Personal Responsibilities**



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# Council Code of Conduct

- **Members of Council, local boards & committees**
- **Codes & Integrity Commissioners are mandatory**
- **Integrity Commissioners will**
  - **Investigate alleged breaches**
  - **Educate council & the public**
  - **Provide written opinions to members**



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# Municipal Conflict of Interest Act

- **Member's personal obligation**
- **Pecuniary Interest**
  - **Direct & Indirect**
- **Declaration**
  - **Verbal and in writing**
  - **May not participate, influence or vote**



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# Municipal Conflict of Interest Act

- **Complaint to IC who advises council**
- **IC may apply to Court**
- **An elector may bring application to Court**
- **Impact**
  - **Number of complaints is up**
  - **Costs are borne by the municipality**



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# Confidentiality

- ✓ **Obligation to maintain confidentiality**
- ✓ **Written and verbal information**
- ✓ **Code of Conduct is required to deal with confidentiality**
- ✓ **Beware the coffee shop & the internet**
- ✓ **You don't speak for the municipality**



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# Safe Drinking Water Act, 2002

- **Response to Walkerton**
- **January 2013**
  - **Personal liability on members of council**
  - **Need for detailed training**
  - **Substantial penalties**
  - **Matter of health and safety**



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# Summing Up

- **Understand the role you are elected to fulfill**
- **Municipal Powers rest with Council**
- **Council members are not managers**
- **Understand your personal obligations**
- **Talk to your family**
- **Congratulations!**



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