



A Message From  
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Dear Frances,

As of Thursday, May 1, "strong mayor" powers are to be imposed on Niagara-on-the-Lake by the Ontario government. [These powers](#) will enable NOTL's Lord Mayor, in specific circumstances, to over-ride Council decisions or policy, or make decisions independent of council. If you follow the local news, you'll know I'm strongly opposed to this development, and I introduced a [motion](#) at the April 29 Council meeting, seconded by Councillor Mavridis, to petition the Government of Ontario to rescind these changes.

Following notice of my intention to raise the motion, the Lord Mayor asked the Chief Administrative Officer to provide a report for the Council meeting. It helpfully summarizes the nature of strong mayor powers, and you can [read it here](#).

To my great regret, the motion was defeated, by five votes to four. Councillors Balasiuk, Cheropita and Niven voted against my motion, as did Lord Mayor Zalepa and Deputy Lord Mayor Wiens ([April Council Meeting](#) Item 16.5: Hour 3:58:00). The Lord Mayor declined to give his views during the debate on the motion.

Repeatedly, we are told that, the new powers are to enable the head of council (in our case, the Lord Mayor) to support provincial priorities, but municipal councillors and mayors are elected specifically to represent the views of their constituents at council: under the Municipal Act 2001, neither they nor the mayor are elected to advance the province's priorities.

Until now, the Municipal Act 2001 stated the mayor is the leader among equals, with a single vote at council, the same as councillors.

Ontario is the only province that's making changes to the head of council's powers. The minister's letter clearly describes what the new powers will be:

**Heads of council in strong mayor municipalities can:**

- Choose to appoint the municipality's chief administrative officer.
- Hire certain municipal department heads, and establish and re-organize departments.
- Create committees of council, assign their functions and appoint the Chairs and Vice-Chairs of committees of council.
- Propose the municipal budget, which would be subject to council amendments and a separate mayoral veto and council override process.
- Veto certain by-laws if they are of the opinion that all or part of the by-law could potentially interfere with a provincial priority, such as housing, transit and infrastructure.
- Bring forward matters for council consideration if they are of the opinion that considering the matter could potentially advance a provincial priority.
- Propose certain municipal by-laws if they are of the opinion that the proposed by-law could potentially advance a provincial priority. Council can pass these by-laws if more than one-third of council members vote in favour.

Until now, the Chief Administrative Officer had to be appointed by the whole Council. The CAO was responsible for appointing all staff and, to a large extent, determining staff structures. Now, by power of hiring and firing, the Lord Mayor may take control of the appointment of some division heads (excluding statutory positions), as well as appointing the CAO. (Note: Lord Mayor Zalepa did state during the motion debate that the ongoing CAO appointment process will remain in place ([Hour 4:05:00](#)).

The Association of Municipal Managers, Clerks and Treasurers of Ontario ([AMTCO](#)), has drawn attention to one of the risks in such a case: "Say a CAO is hired directly by a mayor. that staff is wondering where potentially that individual's loyalties lie. Is it to the municipality as a whole? Is it to council? Is it to just the mayor?"

In certain matters relating to provincial priorities such as planning and housing, the Lord Mayor can bring issues to Council, including By-laws. In these cases, only one-third of the councillors' votes are needed for the item to be passed. Similarly, with one-third of Council votes in support, the Lord Mayor is now able to over-ride decisions made by the full council. The Lord Mayor will also be able to control those committees on which all councillors sit because a mayor may now determine a committee's function and appoint the chair and vice-chair.

Significantly, the Lord Mayor's budgetary control powers are increased. Formerly, the whole council deliberated what to include in the budget. The Lord Mayor now has the power to present the budget to Council, and the councillors will have only thirty days to consider it, during which time they can propose amendments. Councillors won't be included in the most important discussions at the outset of the process when staff present all the areas it's identified for consideration. By being brought into the discussion once a draft has been completed, Councillors won't know the full range of identified funding needs, and the transparency of the process, I believe, will be drastically reduced.

To reiterate:

- ~ Municipal councillors and mayors are elected specifically to represent the views of their constituents at council. They aren't elected to advance the province's priorities.
- ~ To date, every member of council, including the mayor, had an equal voice in the governance of the municipality.
- ~ A "strong mayor" system, in some critical cases, gives the Lord Mayor authority to take actions and make decisions on a unilateral basis, without the support of a majority of the members of Council.
- ~ By drastically reducing Council's control in such cases, an entirely new balance of power is created within the Town Council.

There are ways in which councillors can push back if these new powers, in their view, are invoked inappropriately, and I intend to be vigilant. If needed, I'll do what I can to fulfil my responsibilities to the residents of our town, as I was elected to do. But while these powers are available, their very presence weakens local democracy and, regrettably, this is the new reality for Niagara-on-the-Lake Town Council.

Thank you for your attention,

Sandra O'Connor  
Niagara-on-the-Lake Town Councillor

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