



Minutes

Owen Sound City Council

April 28, 2025

3:00 p.m.

City Hall - 808 2nd Avenue East - Council Chambers

MEMBERS PRESENT: Mayor Ian Boddy
Deputy Mayor Scott Greig
Councillor Travis Dodd (via video)
Councillor Jon Farmer
Councillor Brock Hamley
Councillor Marion Koepke
Councillor Suneet Kukreja
Councillor Carol Merton
Councillor Melanie Middlebro'

STAFF PRESENT: Tim Simmonds, City Manager
Kate Allan, Director of Corporate Services
Pam Coulter, Director of Community Services
Lara Widdifield, Director of Public Works and Engineering
Michelle Palmer, Senior Manager of Strategic Initiatives and Operational Effectiveness
Briana Bloomfield, City Clerk
Allison Penner, Deputy Clerk

1. CALL TO ORDER

Mayor Boddy called the meeting to order at 3:00 p.m.

2. DECLARATIONS OF INTEREST

2.a Councillor Hamley – Item 6.a – Report CM-25-014 from the City Manager and the City Clerk Re: Strong Mayor Powers

Councillor Hamley declared a conflict of interest with discussions arising out of Item 6.a of the agenda, due to his personal employment with the Government of Ontario.

3. CONFIRMATION OF THE COUNCIL MINUTES

3.a Minutes of the Special County of Grey Joint All Councils meeting held on April 17, 2025

C-250428-001

Moved by Councillor Farmer

Seconded by Deputy Mayor Greig

"THAT the minutes of the Special County of Grey Joint All Councils meeting held on April 17, 2025 be adopted as printed."

Carried.

4. MOTION TO MOVE COUNCIL INTO COMMITTEE OF THE WHOLE

C-250428-002

Moved by Councillor Farmer

Seconded by Deputy Mayor Greig

"THAT City Council now move into Committee of the Whole to consider deputation and presentation and reports of City staff."

Carried.

5. DEPUTATIONS AND PRESENTATIONS

5.a Presentation from John Mascarin, Aird & Berlis LLP Re: Strong Mayor Powers

The City Manager introduced John Mascarin, Senior Partner, Aird & Berlis LLP. Mr. Mascarin gave a PowerPoint presentation providing education respecting strong mayor powers.

Mr. Mascarin provided information about the statutory and regulatory sources of strong mayor powers, as well as the types of powers given to mayors who have been granted these powers. Strong mayor powers include administrative, provincial priority powers and budget powers as well as other miscellaneous abilities. Mr. Mascarin highlighted processes associated with utilizing these powers.

In response to questions from Council, Mr. Mascarin noted that when strong mayor powers are used to hire a CAO, the legislation does not require that the employment contract be shared with Council.

In response to a question from Council, Mr. Mascarin advised that there is no quick mechanism through which Council can challenge whether a mayor has acted within or beyond their authority, and that such challenges will need to be heard by the courts.

In response to a question from Council, Mr. Mascarin advised that a mayor has authorization under the statutes to make certain hiring and dismissal decisions, and that the absence of requirements for mayors to consult with human resources personnel raises questions of liability for municipalities.

In response to a question from Council, Mr. Mascarin advised that strong mayor powers don't supersede other rights or requirements under the *Planning Act*, including appeal rights.

In response to a question from Council, Mr. Mascarin noted that a mayor could put a budget process in place that is very similar to what existed prior to this legislation, now referring to it as the Mayor's budget.

In response to a question from Council, Mr. Mascarin advised that the only mechanism to challenge whether a mayor acted in good faith in the exercise of strong mayor powers is through the courts. Mr. Mascarin advised that a mayor's exercise of strong mayor powers is a legal question not an ethical question, and therefore outside the jurisdiction of an integrity commissioner.

In response to a question from Council, Mr. Mascarin advised that Council could enact policies, procedures, or by-laws in an effort to enhance transparency with respect to the use of strong mayor powers but that the mayor would not be legislatively required to follow them.

In response to a question from Council, Mr. Mascarin noted that the Province accepted comments on the expansion of strong mayor powers from April 9 to 16, 2025. Mr. Mascarin advised that if Council passed a

resolution opting out of strong mayor powers and the mayor agreed to it, the Minister might consider that request.

In response to a question from Council, Mr. Mascarin advised that the legislation does not currently include 'lame duck' provisions for an outgoing head of council.

Mr. Mascarin provided responses to questions submitted by Council, as attached to Staff Report CM-25-014.

6. REPORTS OF CITY STAFF

6.a Report CM-25-014 from the City Manager and the City Clerk Re: Strong Mayor Powers

S-250428-003

Moved by Councillor Farmer

"THAT in consideration of Staff Report CM-25-014 respecting the provincial proposal to expand strong mayor powers, City Council receives the report for information purposes."

Carried.

Councillor Hamley declared a conflict of interest at this time with discussion arising out of Item 6.a due to his employment with the Government of Ontario and left the Council Chambers.

S-250428-004

Moved by Councillor Farmer

"WHEREAS the Minister of Municipal Affairs and Housing, the Hon. Rob Flack advised the Mayor by letter dated April 9, 2025, that the provincial government intends to expand strong mayor powers to the City of Owen Sound;

AND WHEREAS the Council of the City of Owen Sound has received enough information to make an informed decision;

NOW THEREFORE BE IT RESOLVED THAT a reply be sent from the City of Owen Sound to the Minister of Municipal Affairs and Housing requesting that the Ministry reverse the decision and immediately remove the City of Owen Sound from the list of municipalities designated under strong mayors legislation;

AND FURTHER THAT the letter be copied to the Premier of Ontario, M.P.P. Paul Vickers, and the Association of Municipalities of Ontario (AMO);

AND FURTHER THAT a formal response be requested from the Minister of Municipal Affairs and Housing."

Prior to a vote on the motion, Councillor Farmer requested a recorded vote.

| | In Favour | Opposed |
|-----------------------|-----------|---------|
| Councillor Dodd | X | |
| Councillor Farmer | X | |
| Councillor Koepke | X | |
| Councillor Kukreja | X | |
| Councillor Merton | X | |
| Councillor Middlebro' | X | |
| Deputy Mayor Greig | X | |
| Mayor Boddy | X | |

The resolution was carried with eight (8) votes in favour and zero (0) votes opposed.

Councillor Hamley returned to his seat.

7. MOTION THAT COMMITTEE OF THE WHOLE RISE AND REPORT

S-250428-005

Moved by Councillor Farmer

"THAT the Committee of the Whole rise and report."

Carried.

8. MOTION TO ADOPT PROCEEDINGS IN COMMITTEE OF THE WHOLE

C-250428-006

Moved by Councillor Farmer

Seconded by Deputy Mayor Greig

"THAT the action taken in Committee of the Whole in considering deputations and presentations and reports of City staff be confirmed by this Council."

Carried.

9. BY-LAWS

9.a By-law No. 2025-035

"A By-law to confirm the proceedings of the Special Meeting of the Council of The Corporation of the City of Owen Sound held on the 28th day of April, 2025"

C-250428-007

Moved by Councillor Farmer

Seconded by Deputy Mayor Greig

"THAT By-law Number 2025-035 be passed and enacted."

Carried.

10. ADJOURNMENT

The business contained on the agenda having been completed, Mayor Boddy adjourned the meeting at 4:47 p.m.