

***Response to Notice about
Consultation and Survey:
Strengthening Accountability
for Municipal Council Members***

Special Report

Dr. Barry Wellar, C.M.

Professor Emeritus, University of Ottawa

President, Information Research Board

<http://wellar.ca/informationresearch/>

Ottawa, Canada

April 30, 2021

1. Context Remarks for Feedback on *Consultation and Survey: Strengthening Accountability for Municipal Politicians*

On April 14, 2021 the Ontario Ministry of Municipal Affairs and Housing (MAH) announced *Consultation: Strengthening accountability for municipal council members*. <https://www.ontario.ca/page/consultation-strengthening-accountability-municipal-council-members#section-0>.

Part of the consultation includes a survey, which is available at <https://www.ontario.ca/form/survey-strengthening-accountability-municipal-council-members>.

According to the consultation release,

“We are seeking feedback on:

- what changes or mechanisms are needed to better hold council members accountable for municipal code of conduct violations
- how to more effectively enforce these codes
- whether a broader range of penalties for violations of the codes of conduct are [sic] needed.”

In my experience with situations involving politicians, citizens, and civil servants, it is a prudent research design for citizens to identify problems, for civil servants to propose solutions to problems identified by citizens, and for politicians to prioritize problems to be addressed and the priorities for solutions to be employed.

The request for feedback approach presented by MAH seems to me to be asking citizens to do the work of civil servants, but without even ‘setting the table’ when it comes to identifying the mix of accountability problems encountered by citizens when dealing with individual politicians and councils.

Further, the release does not provide any idea as to what options are available to deal with any of the bullet points when the time comes for deliberations with provincial politicians about how to best strengthen the means available to citizens to hold municipal politicians accountable.

Therefore, because I am uncomfortable (to put it mildly) with the MAH approach, including limitations of the format and questions of the survey, as well as the inappropriate assignment of a challenging prescriptive responsibility to citizens, I am following a different path to set out my concerns about the lack of accountability and

transparency of municipal council members, a topic with which I have been engaged for many years. **(Endnote 1)**

In brief, over the course of the past several years my research investigated a number of accountability and transparency issues involving City of Ottawa politicians, Ontario provincial politicians, and the strained relationships between citizens and politicians at both levels of government on matters involving politicians' accountability and transparency, and citizens' access to public records.

The products of that research which began many months prior to the launch of *Consultation: Strengthening accountability for municipal council members*, include numerous emails to officials in municipal and provincial and governments with regard to accountability and transparency issues, and a number of reports arising from the pilot study, [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#).

Communications in those regards were sent April 17 and April 18 to Municipal Affairs Minister Steve Clark for forwarding to the person directing *Survey: Strengthening accountability for municipal council members*.

Then, an additional body of material from the pilot study, [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#) was transmitted to Minister Clark on April 20, 2021.

It is anticipated that all materials submitted in association with the consultation and survey will be made publicly available in a timely manner by MAH for everyone to review, but I have not seen any information in that regard.

Indeed, as a matter of deep concern, and further grounds for this report, emails to Minister Clark requesting that he confirm the forwarding of emails have not been acknowledged, which adds an ironic twist to a provincial government consultation into the accountability of municipal council officials

As a result, there is further reason for the decision that the materials sent to Minister Clark for forwarding are incorporated in this report in Sections 3, 4, 5, and 6:

- 3.** Emails sent to officials regarding accountability, transparency, Code of Conduct, Integrity Commissioner mandate, public access to public records, and related matters;

4. Reports from the pilot study, [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#): City of Ottawa Council;

5. Reports from the pilot study [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#): Government of Ontario Cabinet; and

6. Reports from the pilot study, [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#).

It is appropriate to repeat and emphasize in the opening section, and this point will be recalled in subsequent sections, that the majority of productions included in **Response to Survey: Strengthening Accountability for Municipal Council Members** were previously made available to Minister Clark, to MAH, and to other parties, and have been readily available to any interested party through keyword searches using Google or other search engines.

However, I have not encountered information about the documentation used by MAH to guide the accountability project, or about how citizens can access that documentation or documentation which is received during the consultation process. As a result of those unknowns, it is deemed prudent to run the risk of some duplication of literature to ensure that citizens and others are provided timely access to productions which I believe should be 'on the table' for consideration early in the consultation process.

2. Design of Response to Survey: Strengthening Accountability for Municipal Council Members

Governments at all levels have held countless 'consultation' projects over the years, and no doubt a number of them have come to at least a partially good end.

However, many public consultation, hearings, and similar projects have not amounted to a "hill of beans" as the saying goes. (**Endnote 2**)

Reasons for the failure of these ventures include;

- Lack of a clear statement of problem;
- Questionable terms of reference;
- Limited study scope;

- Absence of skilled staff to process consultation feedback;
- Political interference in research design;
- Lack of resources;
- Failed communications process;
- Inadequate transparency;
- Lack of sufficient time for public participation;
- Perceived by citizens as a sham;
- Perceived by citizens as biased;
- Public lack of trust in the consultation process;
- Previous consultation failures to implement findings.

In the case of my research, all the pilot study designs are based on the results of extensive literature searches, discussions with members of focus groups, and communications and consultations with municipal and provincial politicians. It appears fair to say that research is in many ways a pre-test of the MAH consultation process.

As a result, it is eminently logical to put those materials ‘on the table’ for all to see, including municipal and provincial politicians, those engaged in broadcast and social media, and researchers in such fields as freedom of information and access to public records.

However, I am particularly interested in engaging with citizens who are in a class of their own when it comes to those most in need of having everything ‘put on the table’, because when politicians of the day are done and gone, current and future generations of citizens are encumbered with whatever the provincial government does with the results of the consultation.

This report is therefore a contribution to the body of materials which, in my experience, must be front-and-center in order for citizens to make informed decisions about what they expect from the provincial government on the matter of municipal politicians being held accountable for their behaviours, decisions, and actions.

Further, in the absence of MAH providing citizens with a substantive context for their survey feedback, the MAH error of omission is met in part by the materials contained in this report.

That is, the problems, issues, potential solutions, etc., identified in communications and investigated by the pilot studies go far beyond the narrow and unrealistic scope of the MAH consultation materials.

What we have in this report, therefore, is a relatively expansive body of questions, comments, suggestions, recommendations, etc., that have already been presented to municipal and provincial politicians.

These forays into the governance domains of accountability, transparency, access to public records, etc., could be considered for use by citizens commenting on the survey design, commenting on the survey questions, and framing their feedback comments.

Further, the provided materials could be reviewed for items to incorporate in a 'check list', which citizens could apply in examining the design of the consultation process.

Moreover, and cutting to the bottom line, the materials in this report could serve as a basis for citizens and others to evaluate whether the proposed provincial legislation is likely to meet tests of effectiveness, efficiency, practicality, and other conditions which may help ensure that the legislation actually strengthens accountability for municipal politicians.

Section 3 contains a selection of emails that were sent to municipal and provincial politicians about accountability-related issues, concerns, problems, etc., prior to the launch of the consultation process. (**Endnote 3**)

As may be seen upon inspection, the exchanges of emails provide much of the rationale underlying the reports listed in section 4, section 5, and section 6.

3. Emails Discussing Accountability-Related Questions, Issues, Problems, Etc.

I was unable to locate the name and/or email address of the person directing *Consultation: Strengthening accountability for municipal council members*, so the emails were transmitted to MAH Minister Steve Clark for forwarding.

During the course of assembling the emails, it was decided that for a number of reasons it is advisable to submit them separately rather than as a batch.

Further, many of the emails are parts of threads that covered many months, and involved multiple politicians and politicians' agents, so there may be duplications.

I hasten to add, however, that while these duplications may initially be perceived an irritant, any temporary 'pain' may well be outweighed by the probative value that is derived from being able to observe attempts at avoiding accountability on the parts of one, several, or a number of municipal politicians and their agents.

Moreover, revealing repetitions of flawed behaviours, flawed decisions, and flawed actions is particularly useful when it enables the identification and analysis of patterns.

That is, and perceiving patterns from the perspectives of enforcement and taking corrective action, confirmation of patterns can seriously undercut potential supplicatory defences along the lines of “Oops”, “I do not know what got into me”, “It was a one-time lapse, my bad,”, “My client was having a difficult day”, and so on.

Or, to briefly re-phrase, and based on real-world, practical experience as shown by the provided emails, if a question to the same person must be repeated many times, or if many people must be contacted in order to obtain an answer because one person is or several persons are attempting to take shelter under a ‘cone of silence’, then we have *prima facie* evidence that one or more politicians is seeking to avoid accountability or transparency obligations. **(Endnote 4)**

The emails which follow are chronologically-ordered for several purposes, one of which is to establish the lengths of time that concerns about the lack of accountability and lack of transparency of municipal politicians have been brought to the attention of municipal politicians, provincial politicians, municipal staff, provincial staff, members of the broadcast media, community association officers, and citizens.

The bottom-line point, of course, is that decisions about how to strengthen ‘accountability’ must have due regard for the timeliness factor in terms of how citizens are affected by a politician’s misconduct, dereliction of duty, and related shortcomings.

Popular idioms such as “Justice delayed is justice denied”, “To delay justice is injustice”, “Too little too late”, “It’s high time”, and “This action is way past due” only begin to illustrate the frustration, anger, etc., that is experienced by citizens when municipal politicians are not held to account at all, or are held to account in a manner which does not even begin to approximate how citizens are held to account on a daily basis for their ‘failures to perform’.

In addition, it is often the case that there is a time-dependency among a number of emails, frequently involving a cause-effect relationship, so it is appropriate to proceed on a first-in basis in order to track arguments, events, etc.

And that design choice prompts introducing a real-world example to illustrate how the passage of time itself underlines the importance of citizens being able to effectively and efficiently hold municipal officials to account in ways that best serve citizens.

As revealed by the emails, among its many other activities within the past year or so the City of Ottawa has been engaged in a major, multi-billion, multi-year light rail transit (LRT) program, an Urban Boundary Expansion Review, and an Official Plan Review.

However, and as revealed by the emails, during this time Councillor Rick Chiarelli who represents College ward has been the subject of format complaints under the terms of the City of Ottawa Code of Conduct for Politicians.

Consequently, for reasons associated with Code of Conduct issues, as well as health matters, Mr. Chiarelli has been 'indisposed' for many months. **(Endnote 5)**

One result of the councillor's indisposition, which is discussed in a number of emails, is that for an extended period more than 50,000 residents of College ward have been without effective representation on land use, budget, policing, traffic, housing, transit, and numerous other matters that affect residents' economic, financial, social, mobility, health, environmental, and other situations, with no sign that anything is going to change in the near future, much less the immediate future.

It therefore appears fair to say that time-ordering the emails from past to present not only demonstrates the numerous inter-dependencies in play, but that approach also demonstrates how these inter-dependencies build over time, and how difficult they are to untangle when they are not effectively and efficiently dealt with in a timely and practical manner.

In addition to using a chronological approach to organize the emails, and to track themes, they are numbered to facilitate identification, referencing, etc. I believe that the numbering system could be very useful for anyone, including MAH staff, who wishes to associate or relate emails, but without having to import or export bodies of text when numbers are so much more efficient.

And, by way of a further shortcut without loss of generality, the text which was used to front end all the emails sent to MAH Minister Steve Clark is presented here. This approach saves space, eliminates non-productive repetition, and also enables the reader to proceed directly to the texts of the respective emails.

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Saturday, April 17, 2021 3:29 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members: Email 1

Please forward to person directing *Survey: Strengthening accountability for municipal council members*

In my response to questions 4, 5, 6, and 7 in Section 2 of *Survey: Strengthening accountability for municipal council members*, I noted that I would be responding in detail by way of emails. These productions are already a matter of record.

It is my belief that the reasons for sending this email in response to the survey are self-evident, and no explanation is required.

However, elaborations may be submitted when all the emails are on file, and as a result of matters arising upon being informed or not being informed of my submitted emails, or of survey developments.

As may be observed upon inspection, this email pre-dates the launch of the survey.

I add that events have confirmed the position taken, and that the email is repeated *verbatim*.

This email has the subject heading Access to Public Records- Fleury, City of Ottawa

The email follows.

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

For illustrative purposes, the front-end text of the 28 primary and numerous associated email transmissions to MAH Minister Steve Clark is included for Email 1.

EMAIL 1

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Saturday, April 17, 2021 3:29 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members: Email 1

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Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, March 26, 2019 4:59 PM
To: Mathieu.Fleury@ottawa.ca
Subject: Access to Public Records- Fleury, City of Ottawa

Councillor Mathieu Fleury
City of Ottawa

Re: Op-ed column, *Ottawa Citizen*, 'Wellar: We need free, easy access to public records', Dec.3, 2018. <https://ottawacitizen.com/opinion/columnists/wellar-we-need-free-easy-access-to-public-records>.

Dear Councillor Fleury,

I look forward to learning at the earliest moment if you agree with the central thesis of the column, namely that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa. In the event that you agree, I look forward to learning at the earliest moment what you are doing to bring about the changes required to provide citizens free, easy, timely, and direct online access to the public records held by the City of Ottawa.

Similarly, I look forward to learning at the earliest moment if you disagree with the central thesis that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa. In the interests of effective and efficient dialogue, please specifically address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access.

In addition, I look forward to learning at the earliest moment if you agree with the proposition expressed in the column that "The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms." In the event that you agree, I look forward to learning what you are doing and will do to encourage the Government of Canada to incorporate that clause or a variation in the Charter of Rights and Freedoms.

And, in the event that you do not agree with the statement, "The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms.", then I look forward to learning at the earliest moment the reasons for your disagreement. In the interests of effective and efficient dialogue, please specifically

address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access, and explain why satisfying any condition is inconsistent with the intent of the Charter.

I regard this communication to be in the public interest, and you are welcome to circulate it as necessary in order to obtain advice, information, or materials to support your response.

Consistent with the thesis of the op-ed column, please respond via email.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA

EMAIL 2

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Saturday, May 4, 2019 1:55 PM
To: Riley.Brockington@ottawa.ca; Rawlson.King@ottawa.ca;
Catherine.McKenney@ottawa.ca; shawn.menard; Theresa Kavanagh
Cc: le hibou; george neville; doug arnold
Subject: Citizen Access to Public Records Interim Report 9

All,

Your support for citizens having free, easy, timely, and direct online access to City of Ottawa records is recognized in

[***Interim Report 9. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Second Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%***](#)

Regards,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 3

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, July 7, 2019 1:58 PM
To: 'Chair, Ottawa Police Services Board / Président, Commission de services policiers d'Ottawa'
Cc: 'Wellar, Barry'; le hibou; george neville; doug arnold; jwilling@postmedia.com; tspears@postmedia.com
Subject: RE: "Access Denied" Responses to Three Communications Sent Via the Ottawa Police Service (OPS) Website to OPS

Good afternoon Ms. Deans,

Your assistance in achieving communications with OPS regarding traffic concerns is appreciated.

However, that does not change my finding that the design of the OPS website renders it far more a barrier than a conduit for citizen access to public records.

Moreover, upon further inspection, I find it difficult to believe that citizens were asked to provide instructions to OPS regarding any aspect of the website, or the procedures for accessing OPS records

Regards,

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4

CANADA

<http://wellar.ca/informationresearch/>

EMAIL 4

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Monday, July 29, 2019 3:08 PM

To: Jim.Watson@ottawa.ca

Cc: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; Stephen.Blais@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; shawn.menard; Rawlson.King@ottawa.ca; george neville; doug arnold; le hibou; jwilling@postmedia.com; 'Wellar, Barry'; tspears@postmedia.com; Chris Maziarski 58; Mathieu.Fleury@ottawa.ca

Subject: Citizen Access to Information, LRT Program

Mayor Watson,

It is my impression based on many dozens of media reports and conversations with citizens interested in the LRT program, that Stage 1 was a complete disaster in terms of properly informing citizens about LRT progress, and in terms of providing citizens easy, timely, and direct online access to project reports.

Moreover, and as you may be aware, the phrase “cone of secrecy” has achieved considerable traction as a descriptor of the failure of you, council, committees, and staff to ensure that citizens have easy, timely, and direct online access to all productions describing the LRT program which, to re-emphasize a point that seems to need regular re-emphasizing, is being paid for by taxpayer dollars.

However, the consultants’ report by Deloitte and Boxfish Group, “Ottawa Light Rail Transit System Lessons Learned from Confederation Line & Stage 2 Implementation Implications”, makes no mention whatsoever, none, nothing, not a word, about what I suggest to you was a public communications disaster that screams out for attention since taxpayers in Ottawa, Ontario, and Canada are the primary source of funds for the LRT program, and are the ones who will be stuck to cover financial shortfalls.

I therefore look forward to being apprised of the link to the documentation which reveals the thinking behind the RFP for that consultant assignment, as well as links to any commentaries about lessons learned concerning the abject failure of you, council, committees, and staff to ensure that citizens are properly apprised of Stage 2 implications.

Further, the report prepared by staff about the consultants' report also makes no mention of what I suggest to you was a communications disaster with respect to properly informing citizens about LRT-related decisions made by you, council, committees, and staff, which perhaps goes a long way towards explaining why many citizens assert that they are still not being properly informed about Stage 2.

Since I have been unable to locate same, I invite you to direct me to the links to productions -- completed, impending or forthcoming -- , which explain in operational detail how you, council, committees, and staff intend to fix this information shortfall problem, bearing in mind that the LRT program is very much happening on the taxpayers' dime and, since they are paying for the LRT program, satisfying their right to know should be your pre-eminent concern over any private sector interests or your personal inclinations.

I look forward to receiving the requested links at the earliest, as they are potential materials for inclusion in the pilot study of which you have been previously apprised on at least two occasions, [*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice*](#).

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 5

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, October 13, 2019 8:02 PM
To: Stephen.Blaiss@ottawa.ca
Cc: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca;

Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca;
Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca;
Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca;
Stephen.Blais@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca;
Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard';
Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca;
Jim.Watson@ottawa.ca; wellar.barry@gmail.com; george neville; doug arnold; le hibou;
Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com; Kanellakos,
Steve; McGuire, Shawn; steve.clark@pc.ola.org; Chris Maziarski 58

Subject: Transparency and Accountability: Blais v. Transportation Services, City of Ottawa

Councillor Blais,

In your capacity as Chairman, Transportation Committee, please explain the difference between the two following statements, one of which is yours, regarding access to City of Ottawa records, and informing me about what you can do to reconcile the difference in order to actually provide citizens free and easy access to City of Ottawa records.

On the one hand, there is your statement of January 30, 2019, in which you respond to my concerns about what I term 'an outrageous level of information control at Ottawa city hall'. The details of that communication which are pertinent to this communication are as follows.

From: Blais, Stephen [mailto:ward19co@ottawa.ca]
Sent: Wednesday, January 30, 2019 10:10 AM
To: wellar.barry@gmail.com
Cc: Faris, Jordan; Brown, Stephanie
Subject: An outrageous level of information control at Ottawa city hall

Dear Mr. Wellar:

Thank you for bringing your concerns about information control to my attention.

I must disagree with your comments about a lack of transparency and a presence of information control at City Hall. I share your opinion that citizens should have free and easy access to information, and I think the City is doing a good job ensuring that this happens.

And, on the other hand, there is a statement by a City of Ottawa employee regarding my request for the links to a report on the City's traffic count methodology, and to traffic count data for one day in September, 2019 and another day in 2010 for Arnold Drive in Bell's Corners, which is in College Ward.

The details pertinent your declaration that "I share your opinion that citizens should have free and easy access to information, and I think the City is doing a good job ensuring that this happens." are as follows.

First, my request, which provides context for the Transportation Services response.

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, October 6, 2019 8:03 PM

To: 'McGuire, Shawn'

Cc: 'le hibou'; 'george neville'; 'doug arnold'; 'Chris Maziarski 58'

Subject: RE: Speeding on Arnold Drive; TRANSPARENCY AND ACCOUNTABILITY

Mr. McGuire,

Your communication fails a number of methodology tests and, hence, is of no use to me.

Long story short, please provide the links to the following productions which, I believe it is fair to presume, are available in digital format and whose generation should require no more than several minutes to retrieve and a couple of clicks to transmit:

1. The methodology used to justify the a one-day count being done on September 17, 2019, given that the most recent similar count brought to my attention was performed sometime in 2010;
2. The tables used to produce the numbers for the variables used in your communication. At minimum the needed tables and associated graphics, should there be numeric and/or graphic representation series from raw data up through increasing levels of aggregation, are those which reveal numbers of vehicles per 5-, 10- or 15-minute interval over 24 hours, and the kph speeds by number of vehicles for each 15-minute interval. I can do further aggregative and other calculations on my own.

The same criteria apply to the 2010 data set, which I presume is in digital format.

The requested materials have been part-and-parcel of transportation research during my experience of more than 50 years, and I fully expected them to arrive post haste since it seemed to me to be a job requiring several minutes at most to retrieve the records and a several keystrokes to transmit them.

APPARENTLY, NOT SO.

From: McGuire, Shawn [<mailto:Shawn.McGuire@ottawa.ca>]
Sent: Tuesday, October 8, 2019 11:19 AM
To: Barry Wellar
Cc: 'le hibou'; 'george neville'; 'doug arnold'; 'Chris Maziarski 58'
Subject: RE: Speeding on Arnold Drive; TRANSPARENCY AND ACCOUNTABILITY

Hi Dr. Wellar,

The raw data and related analysis are not released directly by our team. Please send your request to purchase this information/data from the Transportation Data Records group through 3-1-1. They manage all of the collision, volume and speed data and can advise what can be released.

Regards,

Shawn

Councillor, there is an undeniable contradiction between your opinion regarding free and easy access to information (actually my request is for data, I can do my own analysis/synthesis research to generate pertinent information), and the reality which I encountered: access is not free, it is not easy, and, to compound the barrier problem, access is not direct, and it is not timely.

Headshaking, to put it politely, seems like the 1970s all over again with mainframe-based, centralized systems in a distributed world. That was the IT state some 40-50 years ago, and to encounter a similar mindset today prompts the term “bizarre” to come to mind.

And, equally clearly, while you may “think the City is doing a good job ensuring that this happens.”, I believe it is fair to say that if the response accurately represents the relationship between the City of Ottawa and citizens seeking access to City of Ottawa

documents on traffic count methodology and traffic count data files, then the provided evidence refutes your thinking. Moreover, based on my experience in the information systems field, mine is a routine ask and provision of the requested records should have occurred in near-time for next to minimal effort.

Councillor Blais, I look forward to receiving your explanation for the difference between the two statements about access to City of Ottawa records, and learning what you can do to reconcile the difference in the interests of providing citizens free and easy access to City of Ottawa records.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 6

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, February 23, 2020 4:56 PM
To: 'Steve'
Cc: george neville; doug arnold; le hibou; Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com; rick.gibbons@outlook.com; integrity@ottawa.ca
Subject: Still unclear who will investigate councillor's expenses after 4-hour closed-door meeting | CBC News

Dear Minister Clark,

On previous occasions I raised with you my concern about the inadequacy of current provincial and municipal legislation to deal with dereliction of duty and other performance failures on the parts of individual members of municipal councils, and municipal councils as a body.

The forwarded link identifies an associated matter that I cannot pursue in detail at this time.

However, I welcome receiving your opinion as to whether you believe that provincial and municipal legislation in Ontario are sufficient to deal with a situation similar to the one in Calgary which is reported in the CBC story.

Since I cannot locate any legislation which is up to the task, I would be ever so grateful if you would kindly provide the links to the pertinent legislation.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: accounts@cbc.ca [mailto:accounts@cbc.ca]
Sent: Thursday, February 20, 2020 10:45 AM
To: wellar.barry@gmail.com
Subject: Still unclear who will investigate councillor's expenses after 4-hour closed-door meeting | CBC News

wellar.barry@gmail.com is sharing this article from CBC with you:

[Still unclear who will investigate councillor's expenses after 4-hour closed-door meeting | CBC News](#)

A special meeting of Calgary city council was held Wednesday to address concerns with Coun. Joe Magliocca's expenses but after a four-hour closed-door session, the public still has no clear answer on who will investigate the complaint.

[Go to article](#)

EMAIL 7

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, February 24, 2020 7:50 PM
To: 'Steve'
Cc: george neville; doug arnold; le hibou; Joanne Chianello; jwilling@postmedia.com;

tspears@postmedia.com; rick.gibbons@outlook.com

Subject: Coun. Magliocca apologizes as council votes to audit his expenses since 2017
| CBC News

Steve Clark, Minister
Municipal Affairs and Housing
Province of Ontario

Dear Minister Clark,

I previously brought a related news story on this matter to your attention in a communication of February 23, 2020 I plan to pursue this matter with you at my earliest opportunity.

In the meantime I welcome learning if you would kindly direct me to legislation which ensures that if a similar matter arises in Ontario, provincial and/or municipal legislation is already in place to effectively and efficiently address such an issue.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: accounts@cbc.ca [mailto:accounts@cbc.ca]

Sent: Monday, February 24, 2020 4:55 PM

To: wellar.barry@gmail.com

Subject: Coun. Magliocca apologizes as council votes to audit his expenses since 2017 | CBC News

wellar.barry@gmail.com is sharing this article from CBC with you:

[Coun. Magliocca apologizes as council votes to audit his expenses since 2017 | CBC News](#)

Calgary city council will vote today on whether to audit the expenses of Ward 2 Coun. Joe Magliocca going back to late 2017.

[Go to article](#)

EMAIL 8

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, March 30, 2020 10:00 PM
To: 'Steve'
Cc: doug arnold; george neville; le hibou
Subject: Response to Code of Silence Awards to Ontario Municipal Governments

Mr. Steve Clark,
Minister
Municipal Affairs and
Housing
Government of Ontario

Dear Minister Clark,

As you are no doubt aware, for their achievements in putting extra effort into denying public access to government information to which the public has a right under access to information legislation, municipal governments in Ontario have been named to receive the Code of Silence Award, and others have been accorded Honourable Mention.

In recognition of its exceptional achievements in this regard, I have nominated the City of Ottawa for the 2020 Code of Silence Award, municipal government category, and am posting the nomination statements on my website as part of the pilot study project, *Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice*.

The two posted reports are titled,

- *Interim Report 19. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Reports from the Pilot Study Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice.*
- *Interim Report 20. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Communications to Mayor and Councillors that Received ‘The Silent Treatment’.*

Interim Report 21. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Media Stories That Identify a Code of Silence Which Has Been Adopted by Members of Council, the third code of silence publication, will be posted in

the immediate future..

.

As can be seen by clicking on any link and visiting the website, the three reports follow directly upon Interim Report 18. Invoking the Code of Conduct to Publicly Oblige City of Ottawa Politicians to Demonstrate Due Regard for Transparency and Accountability. Minister, several questions related to your Ministry arise regarding the Code of Silence Award, and I look forward to receiving an explanation about the questions at the earliest moment, as more reports currently in the design phase are affected by your disposition of this communication.

I hasten to emphasize that I am looking for MMAH documentation which to date has eluded my searches or, perhaps, the documentation does not exist. Either way, assistance is requested as follows.

1. Please direct me to the links for any Ministry productions which describe how the Ministry deals with complaints by citizens about municipal governments in Ontario which do not provide citizens free, easy, timely, and direct access to public records, and online access in larger municipalities.
2. In the event that no productions exist, please explain in detail why that is the case.
3. Please direct me to the links for any Ministry productions which describe how the Ministry deals with a municipal government in Ontario which is named recipient of the Code of Silence Award.
4. In the event that no productions exist, please explain in detail why that is the case.
5. Please direct me to the links for any Ministry productions which describe how the Ministry deals with municipal governments in Ontario that have been accorded Honourable Mention in an annual Code of Silence competition.
6. In the event that no productions exist, please explain in detail why that is the case.

I look forward to hearing from you at the earliest.

Sincerely,

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent

Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 9

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Thursday, May 14, 2020 2:44 PM
To: Rick.Chiarelli@ottawa.ca
Cc: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca; 'O'Connor, M. Rick'; 'Steve'; Joanne Chianello; Craig MacCaulay; granda k; George A. Neville ; Doug Arnold; jwilling@postmedia.com; rick.gibbons@outlook.co
Subject: Urban Boundary Debate, City of Ottawa, 2020

Councillor Chiarelli,

You were sent an email on May 12, 2020. The full email follows as Exhibit A, this is the text:

Please send me your position paper(s) regarding the urban boundary debate.

In addition, please inform me of your communications with urban boundary staff.

In the interests of time, I look forward to receiving the position paper(s) and communications with urban boundary staff at the earliest moment.

I received a response to my email on May 12, 2020. The full email follows as Exhibit B.

Regrettably, there are deficiencies in the response email as follows.

1.The email is not from you, it is from your wife Lida, and the email address is lida@rickchiarelli.com, not the City of Ottawa, which to my mind raises legal questions about whether your wife is duly qualified to act on your behalf on matters of public business which are directed to you as the Councillor for College Ward, and whether use

of lida@rickchiarelli.com as the email address for sending or receiving emails means that the subject emails are not part of City of Ottawa electronic records. I do not recall receiving any communications in those regards from you or the City of Ottawa or the Minister of Municipal Affairs. Have they been sent? If so, when?

2. What is your explanation for the person you chose to respond on your behalf? Why is your municipal government email address not used?

3. The explanation for the absence of the position paper(s) is wrapped in red flags. You and other councillors have known for months about the urban boundary topic and associated meetings, so if you have been assembling materials and soliciting opinions, where are they? Why are they not posted on a website, and also circulated electronically, and in hard copy newsletters, for example, to College Ward residents?

4. The boundary meetings have already started, and to the best of my knowledge there have been no general communications from you to College Ward residents. If that is the case, why were you not in contact with College Ward residents weeks ago?

5. Did you in fact solicit opinions from College Ward residents, or anyone else? If no, why not? And if yes, will you send me the communications exchanged, and the email addresses of recipients invited to assist in your deliberations.

6. What are your plans for engaging with College Ward residents to derive the position to put before Council? As you are aware, the clock is ticking, and there is a lot at stake here for residents of what is currently one of the most populous wards in the City of Ottawa. So, the question is repeated: What are your plans for engaging with College Ward residents to derive a consensus position to put before Council?

7. I asked you about consultations with urban boundary staff, but received no response. Why was that question not answered?

8. If you met with staff, where is the documentation? And, if you did not meet with the involved staff, why not?

9. I note in this regard that you have a budget of approx. \$265,000 to retain needed expertise, so I ask: What is the reason that you did not consult with staff responsible for the urban boundary file, and provide the results to constituents of College Ward?

10. Three people were cc'd in the initial communication. Why were they not included in the response email?

11. There are parts of the response communication that have nothing whatsoever to do with my inquiry; Did you confirm the contents of the email before it was sent to me?

As noted above the clock is ticking, so I look forward to receiving a response at the earliest to all the questions asked.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Exhibit A

-----Original Message-----

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, May 12, 2020 3:59 PM
To: 'Rick Chiarelli'
Cc: 'teamlittlehoof@hotmail.com'; 'Joanne Chianello'; 'le hibou'
Subject: RE: Your Position Paper, Urban Boundary Issue, City of Ottawa, 2020

Councillor Chiarelli,

Please send me your position paper(s) regarding the urban boundary debate.

In addition, please inform me of your communications with urban boundary staff.

In the interests of time, I look forward to receiving the position paper(s) and communications with urban boundary staff at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa

President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Exhibit B

From: Lida Chiarelli [mailto:lida@rickchiarelli.com]

Sent: Tuesday, May 12, 2020 8:42 PM

To: wellar.barry@gmail.com

Subject: Urban Boundary Issue

Hi Mr. Wellar,

My husband, Rick Chiarelli, asked me to send you a note.

When it comes to issues like the urban boundary, one that is so important and contentious for the residents of Ottawa (some don't want urban sprawl, but, on the other hand, others don't want apartments in their neighbourhoods), Rick likes to hear the voices and concerns of everyone before landing on a position - which will, hopefully, serve the needs of the residents of Ottawa in the best possible way. He is listening to the opinions of residents, business people and other members of Council. With the projected increase in the urban population in the coming years, we have to accommodate people's need for housing by either going lengthwise, or heightwise. It is not a simple decision of "bending to developers" or "siding with residents" since there are many opinions held by both developers and residents and those who land on one, often do not agree with the alternative. That is the challenge of being a representative of the people. If there was only one correct opinion, there would be no decisions to be made.

Rick may or may not be participating in the council meeting making this decision - that will all depend on his medical condition on that day.

As you are undoubtedly aware, my husband had open-heart surgery and, now, two subsequent chest infections and other complications. I am sure you are also aware that council did not grant him medical leave. **However, that decision doesn't mean he doesn't actually need it.** (Our surgeon is amazed. Rick is the first person he has done surgery on who did not get medical leave so he could recuperate in peace after such serious surgery. I think back to my own, far less serious, surgery just over a year ago and all the support and love I got from all my colleagues and I can't believe the way people at the City of Ottawa treat each other.)

Thank you,

Lida Chiarelli

EMAIL 10

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, May 15, 2020 10:41 AM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca
Cc: 'Steve'; granda k; Craig MacCaulay; George A. Neville ; Doug Arnold; Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com

Subject: Immediately Suspend City of Ottawa 2020 Urban Boundary Debate

Mayor and Councillors,

For good reason you are copied on the attached email that was sent to Councillor Rick Chiarelli on May 12, 2020.

That is, the ignorance enveloping College Ward on general matters of local governance, and the urban boundary issue in particular, are in part your fault because you have not properly dealt with the Chiarelli situation.

As some of you are aware and all of you could be by communications sent to you in this regard, concerns have been raised that he has not been fulfilling his duties for the last six (6) months at least.

And, as you also could well know if you read communications from Municipal Affairs Minister Steve Clark which I generated in the absence of action on your part, he stated that you have the means to ensure that residents of College Ward have effective representation on council, on committees, and in the conduct of ward operational matters, so the question arises: Whatever have you been waiting to occur these last six months?

I look forward to learning what you have done to resolve a situation that could have and should have been addressed to a significant degree months ago. In particular, where are the communications between the City of Ottawa and the Ministry of Municipal Affairs and Housing?

Further, and following directly from the matters mentioned in the email, each of you could have known that the more than 50,000 residents of College Ward are without effective representation on an Official Plan issue that affects many of the development, infrastructure, budget, tax, and other policy, plan, program, and operations parameters for this city for the next 30 years, and for decades beyond.

It is ridiculous in the extreme that you are ramming through a discussion that leaves aside more than 50, 000 residents, and more questions arise: What is the rush? Who or what outside city hall is behind the rush? Who are members of council supporting or feeding the rush? Has anyone asked the Province of Ontario for relief if a legislative condition is in play?

And, most notably, where is the methodologically designed, evidence-based City of Ottawa document which spells out the scenarios for urban development as a consequence of COVID-19?

It was ridiculous to schedule the urban boundary debate for this time, but it is beyond bizarre to continue it in the face of the obvious fact that this venture is even more suspect than the origins of the LRT mess, which seems to worsen at every news story.

I believe it is appropriate to suspend the urban boundary debate and votes immediately, with the condition that area residents will receive an eight-week advance notice of the resumption date.

In the event that anyone disagrees I look forward to receiving her or his explanation.

For all questions raised, I look forward to receiving your responses at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 11

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, May 15, 2020 8:55 PM

To: 'Steve'

Cc: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; Craig MacCaulay; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca; George A. Neville ; Doug Arnold; granda k; jwilling@postmedia.com; Joanne Chianello; tspears@postmedia.com; 'O'Connor, M. Rick'; Craig MacCaulay

Subject: Immediately Suspend City of Ottawa 2020 Urban Boundary Review

Minister Clark,

For good reason you are copied on the correspondence to Mayor and Councillors, City of Ottawa, regarding the subject emails, *Immediately Suspend City of Ottawa 2020 Urban Boundary Debate*, and *Urban Boundary Debate, City of Ottawa, 2020*. In the interests of completeness, the emails are included in this communication, and I request that the thread continue in this self-contained manner.

While the City of Ottawa bears a large amount of the responsibility for the ignorance enveloping College Ward on general matters of local governance, and the urban boundary issue in particular, I believe that the mess is in part the fault of Municipal Affairs because of a failure to properly deal with the Chiarelli situation.

You were previously apprised that concerns have been raised under the umbrella of dereliction of duties, and we are now up to the last six (6) months of non-performance at least.

In previous correspondence you asserted, seemingly with full knowledge and confidence, that the City of Ottawa has the means to ensure that residents of College Ward have effective representation on council, on committees, and in the conduct of ward operational matters, so the question was posed to City of Ottawa politicians: Whatever have you been waiting to occur these last six months?

However, the questions do not stop there, but continue on to you and MMAH, and I look forward to receiving your response at the earliest because, as per previous communications in the thread, the clock is ticking.

1. Did your Ministry actually do anything to attempt to motivate the City of Ottawa to take the necessary steps for ensuring that the problem of effective representation was properly addressed, and that we did not end up with the current local governance fiasco whereby more than 50,000 residents of College Ward are without effective representation on an Official Plan issue that affects many of the development, infrastructure, budget, tax, and other policy, plan, program, and operations parameters for this city for the next 30 years, and for decades beyond?

2. Are there communications between the City of Ottawa and the Ministry of Municipal Affairs and Housing regarding the Chiarelli affair? If so, please send me the pertinent documentation.

3. Did you ever check to see if the City of Ottawa was actually dealing with the issues raised involving Councillor Chiarelli, and not just shuffling them off to one side in the hope this mess would somehow self-correct? If so, please send me the pertinent documentation.

4. Did you send or offer to send expertise here to assist Mayor Jim Watson and councillors to solve the problem of the Chiarelli situation? If so, please send me the pertinent documentation.

5. The apparent rush to slam through the urban boundary issue strikes me as one of the more repugnant local government offences that I have witnessed in my almost 50 years of living in the City of Ottawa. As you know from copied correspondence, City of Ottawa politicians have been asked -- no replies yet -- What is the rush? Who or what outside city hall is behind the rush? Who are members of council supporting or feeding the rush? Has anyone asked the Province of Ontario for relief if a legislative condition is in play? Building directly upon those questions, do you have any answers? If you do not regard this process as bizarre, are you telling me that this is regarded as standard operating procedure by you, the Ministry, and the Ford government during the challenge of dealing with the COVID-19 situation?

6. With regard to the planning and development challenge of dealing with the COVID-19 situation, I looked for a statement by MMAH, but could not find one. If there is one, please direct me to the link. To be specific, what I seek is a methodologically-designed, evidence-based document which spells out the scenarios for urban planning and

development as a consequence of COVID-19. I see such policy statements and documents being produced in other jurisdictions, so I know that they are out there, but the one for Ontario has escaped my search algorithm. I look forward to receiving the link.

7. Is there any legislative or other overriding reason whereby the City of Ottawa cannot suspend the urban boundary debate and votes immediately, with the condition that area residents will receive an eight-week advance notice of the resumption date?

Again since the clock is ticking, I look forward to receiving your response at the earliest moment.

And, in the spirit of free, easy, timely, and direct online access to matters of public record, especially for citizens and the media, please copy response communications to all those listed.

Finally, please ensure that whoever prepares the reply includes this communication in full as part of the thread. On previous occasions, for reasons that could baffle, some replies fail to include the preceding email(s). As you may appreciate, that kind of failed documentation approach not only makes it more difficult for citizens to effectively communicate, but it is cause for concern that it breeds an inefficient use of staff time and taxpayer dollars when correspondence has to be re-visited by Ministry staff and citizens to correct for communications shortcomings.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, May 15, 2020 10:41 AM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca;
Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca;
Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca;

Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca;
Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca;
George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca;
Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca;
Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca
Cc: 'Steve'; granda k; Craig MacCaulay; George A. Neville ; Doug Arnold; Joanne
Chianello; jwilling@postmedia.com; tspears@postmedia.com
Subject: Immediately Suspend City of Ottawa 2020 Urban Boundary Debate

Mayor and Councillors,

For good reason you are copied on the attached email that was sent to Councillor Rick Chiarelli on May 12, 2020.

That is, the ignorance enveloping College Ward on general matters of local governance, and the urban boundary issue in particular, are in part your fault because you have not properly dealt with the Chiarelli situation.

As some of you are aware and all of you could be by communications sent to you in this regard, concerns have been raised that he has not been fulfilling his duties for the last six (6) months at least.

And, as you also could well know if you read communications from Municipal Affairs Minister Steve Clark which I generated in the absence of action on your part, he stated that you have the means to ensure that residents of College Ward have effective representation on council, on committees, and in the conduct of ward operational matters, so the question arises: Whatever have you been waiting to occur these last six months?

I look forward to learning what you have done to resolve a situation that could have and should have been addressed to a significant degree months ago. In particular, where are the communications between the City of Ottawa and the Ministry of Municipal Affairs and Housing?

Further, and following directly from the matters mentioned in the email, each of you could have known that the more than 50,000 residents of College Ward are without effective representation on an Official Plan issue that affects many of the development, infrastructure, budget, tax, and other policy, plan, program, and operations parameters for this city for the next 30 years, and for decades beyond.

It is ridiculous in the extreme that you are ramming through a discussion that leaves aside more than 50, 000 residents, and more questions arise: What is the rush? Who or what outside city hall is behind the rush? Who are members of council supporting or feeding the rush? Has anyone asked the Province of Ontario for relief if a legislative condition is in play?

And, most notably, where is the methodologically designed, evidence-based City of Ottawa document which spells out the scenarios for urban development as a consequence of COVID-19?

It was ridiculous to schedule the urban boundary debate for this time, but it is beyond bizarre to continue it in the face of the obvious fact that this venture is even more suspect than the origins of the LRT mess, which seems to worsen at every news story.

I believe it is appropriate to suspend the urban boundary debate and votes immediately, with the condition that area residents will receive an eight-week advance notice of the resumption date.

In the event that anyone disagrees I look forward to receiving her or his explanation.

For all questions raised, I look forward to receiving your responses at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 12

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Wednesday, May 20, 2020 1:46 PM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca;
Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca;
Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca;

Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.McKenney@ottawa.ca;
Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca;
George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca;
Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca;
Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca
Cc: 'Steve'; Joanne Chianello; jwilling@postmedia.com; Doug Arnold; George A.
Neville ; Craig MacCaulay; granda k; 'O'Connor, M. Rick'; integrity@ottawa.ca
Subject: RE: Immediately Suspend City of Ottawa 2020 Urban Boundary Review;
Response to Chiarelli Email of May 19, 2020

Mayor and Councillors,

The subject communication from Mr. Chiarelli combines materials from several emails. As a result, it is necessary to deconstruct his communication because I believe that issues involving lack of transparency, lack of accountability, and failure to meet other conditions of the Code of Conduct are imbedded in his statements.

The deconstruction process followed here is straightforward. The entire text of his communication is included, but parts are separated by comments involving such concerns as factual errors, errors of omission and commission, contradictions, discrepancies, claims lacking evidence, etc., on the part of Mr. Chiarelli.

It can be readily confirmed that all of his text is included by 'removing' my comments. This way of deconstruction achieves full context, and inclusion of the complete subject text.

Chiarelli email deconstructed

From: Chiarelli, Rick [mailto:Rick.Chiarelli@ottawa.ca]

Sent: Tuesday, May 19, 2020 3:46 PM

To: Barry Wellar

Cc: Luloff, Matt; Dudas, Laura; Harder, Jan; Sudds, Jenna; El-Chantiry, Eli; Gower, Glen; Kavanagh, Theresa; Egli, Keith; Deans, Diane; Tierney, Timothy; McKenney, Catherine; Brockington, Riley; Capital Ward; Cloutier, Jean; Darouze, George; Moffatt, Scott; Meehan, Carol Anne; Hubley, Allan; Menard, Shawn; King, Rawlson; Fleury, Mathieu; King, Rawlson; Watson, Jim (Mayor/Maire); George A. Neville ; Doug Arnold; 'Steve'; O'Connor, M. Rick

Subject: Re: Immediately Suspend City of Ottawa 2020 Urban Boundary Review

Dear Mr. Wellar,

Thank you for writing.

While, in the past, you have made it clear that you don't want to deal with my very capable staff, I must emphasize that it is perfectly legitimate for Councillors to delegate to staff the answering of some of their communication - that is part of a good staffer's job.

[Point 1. My communications are with Mr. Chiarelli, who is the councillor for College ward, they are not with staff, none of whom are known to me, and none of whom are held by citizens to standards of transparency and accountability in service to citizens. However, Mr. Chiarelli can be held to standards of transparency and accountability, he is paid to serve constituents, and he has a substantial budget to serve constituents, which is precisely why communications are directed to him. The matters at issue are with Mr. Chiarelli. Period. Staff skill sets are not in play]

Point 2. Given that Mr. Chiarelli has the capable staff which he claims, why did he not delegate this assignment to one of them? We return to this question below.]

Having said that, when you recently wrote about the urban boundary issue, my wife offered to volunteer to write a note to respond to you on my behalf

[Offered to volunteer? What does that mean? And critically important, why would you go that route if you have capable staff who are paid for such work, are presumably educated and trained for such work, and would be likely candidates to have been tracking all your many purported consultations regarding the Urban Boundary Review, and would be able to circulate your position paper if you have one at a moment's notice?]

Her note to you accurately reflected her understanding of my position.

[Point 1. Her understanding of your position? Whatever does that mean? I have no interest in her understanding; she is not the councillor for College ward. Moreover, your comment on her note takes us into the domain of hearsay. What is a constituent to make of that departure from accountability?]

Point 2. As discussed below, there is a massive discrepancy between her note and your account of your position.]

and what that position was as well as explaining my medical situation.

[Ironically, she wrote that note for you about your position, but here you are now attempting to explain her note, and your own positions and opinions. Would any of that been necessary had you written your own explanation in the first place? Would you not agree that transparency and accountability are best served by taking responsibility at the time for materials written on your behalf? More on this below.]

In addition to the content of her response to you, you objected to the fact that it came from an email address that is attached to a domain that we control personally and not through my city hall email account.

[Where is the evidence for the claim that I ‘objected’? Not to put too fine an edge on things, but questions are questions. That said, the matter has been referred to the City Clerk and the Integrity Commissioner by Mayor Watson, and I will pursue my own line of inquiry.]

You seem to suggest that that was done to avoid record-keeping/MFIPPA requirements.

[Your perception of what you think that I might be thinking prompts me to ask: What is your evidence to justify such a statement?]

However, nobody can avoid record retention or MFIPPA requirements or exposure by using personal communication. If I take a constituent’s call on my home phone, which happens, that call and any record of it is just as exposed to the legislation as one taken on a city cell phone. Even though almost all politicians have their own domain and associated email accounts like this, they do not escape scrutiny of the law by using them.

[I await learning what the City Clerk and the Integrity Commissioner have to say about your argument. That said, did you get an informed legal opinion before putting your opening sentence on record?]

My position on urban boundary remains as described to you. It is a question of a balance of property rights

[Point 1. I have no idea what you mean by ‘a balance of property rights’. Please explain this concept in full detail, and provide links to the pertinent legislation at the earliest, the clock is ticking.

Point 2. The phrase ‘a balance of property rights’ is not in the letter sent by your wife, and has NOT been described to me. PLEASE EXPLAIN THE DISCREPANCY.

Point 3. Have you at any time ever made your position in this regard known to constituents? If yes, when and how? If not, why not? And, if not, how do you explain your failure to meet Code of Conduct obligations associated with transparency and accountability?]

Point 4. Who else is aware of your position that, “It is a question of a balance of property rights.”]

and it should be sensitively resolved.

[I have no idea what you mean by ‘a balance of property rights’, but whatever that means, what do you mean by ‘sensitively resolved’? Do you have literature that you can share on the matter? And, what is your expertise in that regard?]

My hope is that I will be well enough to virtually attend and vote on the matter whenever it rises to Council.

[I have proposed to Council that the Urban Boundary Review be suspended. What are your thoughts in that regard, and your reasons for them relative to the reasons which I have presented?]

Rick Chiarelli
City Councillor
College Ward
City of Ottawa

This email concludes with the related email previously sent to Mayor and Councillors on May 15, 2020.

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, May 15, 2020 10:41 AM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca

Cc: 'Steve'; granda k; Craig MacCaulay; George A. Neville ; Doug Arnold; Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com

Subject: Immediately Suspend City of Ottawa 2020 Urban Boundary Debate

Mayor and Councillors,

For good reason you are copied on the attached email that was sent to Councillor Rick Chiarelli on May 12, 2020.

That is, the ignorance enveloping College Ward on general matters of local governance, and the urban boundary issue in particular, are in part your fault because you have not properly dealt with the Chiarelli situation.

As some of you are aware and all of you could be by communications sent to you in this regard, concerns have been raised that he has not been fulfilling his duties for the last six (6) months at least.

And, as you also could well know if you read communications from Municipal Affairs Minister Steve Clark which I generated in the absence of action on your part, he stated that you have the means to ensure that residents of College Ward have effective representation on council, on committees, and in the conduct of ward operational matters, so the question arises: Whatever have you been waiting to occur these last six months?

I look forward to learning what you have done to resolve a situation that could have and should have been addressed to a significant degree months ago. In particular, where are the communications between the City of Ottawa and the Ministry of Municipal Affairs and Housing?

Further, and following directly from the matters mentioned in the email, each of you could have known that the more than 50,000 residents of College Ward are without effective representation on an Official Plan issue that affects many of the development, infrastructure, budget, tax, and other policy, plan, program, and operations parameters for this city for the next 30 years, and for decades beyond.

It is ridiculous in the extreme that you are ramming through a discussion that leaves aside more than 50, 000 residents, and more questions arise: What is the rush? Who or what outside city hall is behind the rush? Who are members of council supporting or feeding the rush? Has anyone asked the Province of Ontario for relief if a legislative condition is in play?

And, most notably, where is the methodologically designed, evidence-based City of Ottawa document which spells out the scenarios for urban development as a consequence of COVID-19?

It was ridiculous to schedule the urban boundary debate for this time, but it is beyond bizarre to continue it in the face of the obvious fact that this venture is even more suspect than the origins of the LRT mess, which seems to worsen at every news story.

I believe it is appropriate to suspend the urban boundary debate and votes immediately, with the condition that area residents will receive an eight-week advance notice of the resumption date.

In the event that anyone disagrees I look forward to receiving her or his explanation.

For all questions raised, I look forward to receiving your responses at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 13

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Wednesday, May 20, 2020 8:08 PM
To: 'Steve'
Cc: George A. Neville ; Doug Arnold; Craig MacCaulay
Subject: FW: Immediately Suspend City of Ottawa 2020 Urban Boundary Review;
Response to Chiarelli Email of May 19, 2020

Dear Minister Clark,

You were copied on the subject email to City of Ottawa Mayor Jim Watson and Councillors, which was transmitted today at 1:46.

It would be most appreciated if your staff could provide insights into the materials highlighted in **RED** at the end of Chiarelli email deconstruction.

In particular, is there legislation of any kind in the Province of Ontario which could be used to support the position that 'a balance of property rights' represents good planning in the Province of Ontario?

I am aware of property rights being a factor in planning and takings in the U.S., because I trained in the U.S. and practiced planning in the U.S.

However, to my knowledge the notion of 'a balance of property rights' has no standing in Ontario as a rationale to be employed in urban boundary expansion deliberations.

If I am correct in the above regard, please so confirm.

And, if I am in error, please provide the link(s) to the pertinent legislation.

As per previous communications, time is of the essence regarding the City of Ottawa Urban Boundary Review, so I look forward to receiving your response at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of
Ottawa

President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Wednesday, May 20, 2020 1:46 PM
To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca
Cc: 'Steve'; Joanne Chianello; jwilling@postmedia.com; Doug Arnold; George A. Neville ; Craig MacCaulay; granda k; 'O'Connor, M. Rick'; integrity@ottawa.ca
Subject: RE: Immediately Suspend City of Ottawa 2020 Urban Boundary Review; Response to Chiarelli Email of May 19, 2020

Mayor and Councillors,

The subject communication from Mr. Chiarelli combines materials from several emails. As a result, it is necessary to deconstruct his communication because I believe that issues involving lack of transparency, lack of accountability, and failure to meet other conditions of the Code of Conduct are imbedded in his statements.

The deconstruction process followed here is straightforward. The entire text of his communication is included, but parts are separated by comments involving such concerns as factual errors, errors of omission and commission, contradictions, discrepancies, claims lacking evidence, etc., on the part of Mr. Chiarelli.

It can be readily confirmed that all of his text is included by 'removing' my comments. This way of deconstruction achieves full context, and inclusion of the complete subject text.

Chiarelli email deconstructed

From: Chiarelli, Rick [mailto:Rick.Chiarelli@ottawa.ca]
Sent: Tuesday, May 19, 2020 3:46 PM

To: Barry Wellar

Cc: Luloff, Matt; Dudas, Laura; Harder, Jan; Sudds, Jenna; El-Chantiry, Eli; Gower, Glen; Kavanagh, Theresa; Egli, Keith; Deans, Diane; Tierney, Timothy; McKenney, Catherine; Brockington, Riley; Capital Ward; Cloutier, Jean; Darouze, George; Moffatt, Scott; Meehan, Carol Anne; Hubley, Allan; Menard, Shawn; King, Rawlson; Fleury, Mathieu; King, Rawlson; Watson, Jim (Mayor/Maire); George A. Neville ; Doug Arnold; 'Steve'; O'Connor, M. Rick

Subject: Re: Immediately Suspend City of Ottawa 2020 Urban Boundary Review

Dear Mr. Wellar,

Thank you for writing.

While, in the past, you have made it clear that you don't want to deal with my very capable staff, I must emphasize that it is perfectly legitimate for Councillors to delegate to staff the answering of some of their communication - that is part of a good staffer's job.

[Point 1. My communications are with Mr. Chiarelli, who is the councillor for College ward, they are not with staff, none of whom are known to me, and none of whom are held by citizens to standards of transparency and accountability in service to citizens. However, Mr. Chiarelli can be held to standards of transparency and accountability, he is paid to serve constituents, and he has a substantial budget to serve constituents, which is precisely why communications are directed to him. The matters at issue are with Mr. Chiarelli. Period. Staff skill sets are not in play]

Point 2. Given that Mr. Chiarelli has the capable staff which he claims, why did he not delegate this assignment to one of them? We return to this question below.]

Having said that, when you recently wrote about the urban boundary issue, my wife offered to volunteer to write a note to respond to you on my behalf

[Offered to volunteer? What does that mean? And critically important, why would you go that route if you have capable staff who are paid for such work, are presumably educated and trained for such work, and would be likely candidates to have been tracking all your many purported consultations regarding the Urban Boundary Review, and would be able to circulate your position paper if you have one at a moment's notice?]

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In addition to the content of her response to you, you objected to the fact that it came from an email address that is attached to a domain that we control personally and not through my city hall email account.

[Where is the evidence for the claim that I ‘objected’? Not to put too fine an edge on things, but questions are questions. That said, the matter has been referred to the City Clerk and the Integrity Commissioner by Mayor Watson, and I will pursue my own line of inquiry.]

You seem to suggest that that was done to avoid record-keeping/MFIPPA requirements.

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My hope is that I will be well enough to virtually attend and vote on the matter whenever it rises to Council.

[I have proposed to Council that the Urban Boundary Review be suspended. What are your thoughts in that regard, and your reasons for them relative to the reasons which I have presented?]

Rick Chiarelli
City Councillor
College Ward
City of Ottawa

This email concludes with the related email previously sent to Mayor and Councillors on May 15, 2020.

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, May 15, 2020 10:41 AM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca;
Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca;
Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca;
Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca;
Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca;
George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca;
Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca;
Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca

Cc: 'Steve'; granda k; Craig MacCaulay; George A. Neville ; Doug Arnold; Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com

Subject: Immediately Suspend City of Ottawa 2020 Urban Boundary Debate

Mayor and Councillors,

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As some of you are aware and all of you could be by communications sent to you in this regard, concerns have been raised that he has not been fulfilling his duties for the last six (6) months at least.

And, as you also could well know if you read communications from Municipal Affairs Minister Steve Clark which I generated in the absence of action on your part, he stated that you have the means to ensure that residents of College Ward have effective representation on council, on committees, and in the conduct of ward operational

matters, so the question arises: Whatever have you been waiting to occur these last six months?

I look forward to learning what you have done to resolve a situation that could have and should have been addressed to a significant degree months ago. In particular, where are the communications between the City of Ottawa and the Ministry of Municipal Affairs and Housing?

Further, and following directly from the matters mentioned in the email, each of you could have known that the more than 50,000 residents of College Ward are without effective representation on an Official Plan issue that affects many of the development, infrastructure, budget, tax, and other policy, plan, program, and operations parameters for this city for the next 30 years, and for decades beyond.

It is ridiculous in the extreme that you are ramming through a discussion that leaves aside more than 50, 000 residents, and more questions arise: What is the rush? Who or what outside city hall is behind the rush? Who are members of council supporting or feeding the rush? Has anyone asked the Province of Ontario for relief if a legislative condition is in play?

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I believe it is appropriate to suspend the urban boundary debate and votes immediately, with the condition that area residents will receive an eight-week advance notice of the resumption date.

In the event that anyone disagrees I look forward to receiving her or his explanation.

For all questions raised, I look forward to receiving your responses at the earliest moment.

Thank you.

Dr. Barry Wellar, C.M., GISP

Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 14

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, June 2, 2020 2:59 PM
To: Duffenais, Melody
Cc: 'O'Connor, M. Rick'; George A. Neville ; Doug Arnold; Craig MacCaulay; granda k; robb.barnes@ecologyottawa.ca; Joanne Chianello; jwilling@postmedia.com
Subject: Communications Regarding the City of Ottawa 2020 Urban Boundary Expansion Review

Dear Melody Duffenais,

The attached emails are a record of communications with the subject heading “Urban Boundary Expansion Review” or variations thereof for which I am the sender or the recipient.

The list of email communications initially circulated by the City of Ottawa includes my email of May 15, 2020 to Mayor and Councillors, but that email alone does not accurately represent my concerns regarding the urban boundary expansion issue. Moreover, leaving the other emails off the list (for reasons that escape me) causes a major loss of context to the email that is included.

Therefore, please include the attached body of material in the record of public submissions, so that my concerns are accurately represented.

I note in this regard that *Planning Act* compliance is met in all cases, because all the emails were transmitted prior to the matter of the “Urban Boundary Expansion” being considered by Council on May 27, 2020.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.

133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 15

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Wednesday, June 24, 2020 9:32 PM
To: 'Chiarelli, Rick'
Cc: Craig MacCaulay; granda k; joanmclark; 'O'Connor, M. Rick'; Kanellakos, Steve
Subject: FW: Practical and Feasible Budgetary Reductions in Ottawa Police Expenditures

Councillor Chiarelli

You are named in the subject communication, and I look forward to receiving your responses in the following regards.

- 1 You are member of council who did not agree in the surveys that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa records. What is your reason for not responding to any of the surveys?
- 2 Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa records If you do, why did you not agree in response to any of the surveys? If you do not agree, how does the City of Ottawa achieve the 'open' government referred to by Mr. O'Connor?

As you will have seen if you have read the communication, this section of the communication to Mr. O'Connor refers specifically to you:

"If it is the latter, then by including Councillor Chiarelli in the To box I am bringing this matter to his attention for consideration and response when he returns to work.

In view of his lengthy tenure on council he must surely know about and have an explanation to justify what I believe to be at best a strange practice by what many City of Ottawa officials present as a "world class city". I expect that other citizens will be interested in Councillor Chiarelli's explanation".

This item is part of the transparency and accountability component of the Code of Conduct for City of Ottawa politicians, so if your position on this issue is similar to that of

Mr. O'Connor please explain why that is so, and if it differs from that of Mr. O'Connor please explain how and why.

I look forward to receiving at the earliest your response to this communication, and your comments on any related communication by Mr. O'Connor.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, June 22, 2020 1:44 PM
To: 'O'Connor, M. Rick'; krista.ferraro@ottawa.ca; 'Chiarelli, Rick'
Cc: Doug Arnold; George A. Neville ; Craig MacCaulay; granda k; joanmclark; Joanne Chianello; jwilling@postmedia.com; Rawlson.King@ottawa.ca; Kanellakos, Steve
Subject: RE: Practical and Feasible Budgetary Reductions in Ottawa Police Expenditures

Mr. O'Connor,

Several issues and concerns arise from your communication to Mr. Arnold and, in particular, your comments on his use of the phrase “cone of silence” which he tendered as a comment on my concern that a communication which I sent to the City of Ottawa with cc entries was not treated in kind in the reply to me from the City of Ottawa. You were informed in this regard via copy in my communication of June 6 to Mr. Arnold.

With regard to the pursuit of clarity (your word) in elaborating the characteristics of the relationship between citizens and city hall on matters involving information, the results of the Information Research Board investigations include empirical findings which stand in stark disagreement with general claims that Ottawa city hall is coming anywhere close to meeting expectations of informed citizens and journalists about access to City of Ottawa public records.

As a case in point, you use the term “open” as in open government with the seeming intent of creating an impression of significance, even though it has been widely known for years that so-called “open government” is a vague, buzzword governance concept with minimal operational utility.

By way of brief comment on empirical research involving City of Ottawa politicians and access to City of Ottawa public records, including records of Ottawa Police Service, City of Ottawa politicians have been surveyed three times about their regard for the elements which give meaning to the concept of open government, including free, easy, timely, and direct online access to City of Ottawa records.

[\(http://wellar.ca/informationresearch/\)](http://wellar.ca/informationresearch/)

It is documented in the Chronicling reports via three surveys that the mayor and a majority of councillors do not agree that citizens are entitled to free, easy, timely, and direct online access. The directly pertinent reports are numbered 2, 3, 8, 9, 16, and 17, and related reports are 1, 14, 15, 18, 19, and 20. [\(http://wellar.ca/informationresearch/\)](http://wellar.ca/informationresearch/)

Consequently, any reference to “open” and City of Ottawa communications practices could reasonably be interpreted as institutional bafflegab, which in turn can be related to cone of silence notions and tactics.

In the case of not using the Reply All function, it is quite reasonable for Mr. Arnold to take this as a sign that since this is not standard operating procedure in his experience, nor mine for that matter, which amount to about 90 years of combined experience in government, academia, and business, then something is afoot, such as an explicit or implicit cone of silence which constrains appointed officials, and elected officials, from informing citizens in a timely and direct manner about message transmissions, including those involving Ottawa Police Service and Ottawa Police Services Board.(NOTE: Ms. Ferraro, please forward this communication to Members, OPSB.)

Or, to re-phrase, on its face it seems to make no administrative sense whatsoever, none, no way, no how, to choose the Reply function rather than the Reply All function for an outgoing response transmission in reply to an incoming transmission which contains entries in the Cc box.

Hence, it seems to me, it is not unreasonable to perceive that the decision to eschew the Reply All function was a deliberate choice driven by a political or some other non-good administration force.

As for your suggestion which obliges me to forward the City of Ottawa transmission which in my view was not properly administered, I trust that this is your opinion and not a City of Ottawa procedure. Please advise.

If it is the latter, then by including Councillor Chiarelli in the To box I am bringing this matter to his attention for consideration and response when he returns to work.

In view of his lengthy tenure on council he must surely know about and have an explanation to justify what I believe to be at best a strange practice by what many City of Ottawa officials present as a “world class city”. I expect that other citizens will be interested in Councillor Chiarelli’s explanation

Finally, one lesson learned by me is that in future I will be very explicit in my instructions to City of Ottawa politicians and staff about using the Reply All button in responses to communications from me, beginning with this communication.

NOTE: Please use the Reply All function to ensure that all persons and entities named here are copied in your reply.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
<http://wellar.ca/informationresearch/>

From: O'Connor, M. Rick [mailto:Rick.OConnor@ottawa.ca]
Sent: Thursday, June 18, 2020 4:38 PM
To: doug arnold
Cc: wellar.barry@gmail.com; George A. Neville; Kanellakos, Steve
Subject: RE: Practical and Feasible Budgetary Reductions in Ottawa Police Expenditures

Mr. Arnold,

In my capacity as the City of Ottawa’s statutory Clerk, I am also its delegated “Head” for the purposes of both the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ombudsman Act*, I am responding to your most recent e-mail, in particular

as it relates to the notion of a “*cone of silence*” policy and a perceived rule restricting the inclusion of cc’s.

I can advise that the *Municipal Act, 2001* (the Act) prescribes the policies that every council must approve. More specifically, Section 270 of the Act provides as follows:

A municipality shall adopt and maintain policies with respect to the following matters:

1. Its sale and other disposition of land.
2. Its hiring of employees.
- 2.1 The relationship between members of council and the officers and employees of the municipality.
3. Its procurement of goods and services.
4. The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.
5. The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.
6. The delegation of its powers and duties.
7. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.
8. Pregnancy leaves and parental leaves of members of council.

While Council, from time to time, may approve additional policies, I can readily assure that a “cone of silence” is not one of those policies.

Similarly, in accordance with the City’s [Delegation of Authority By-law](#), the authority to establish administrative policies rests with the General Manager of the relevant department. As the “General Manager” for the Office of the City Clerk, and as my Office oversees the Access to Information and Privacy Office, the Information Management Branch and the Accountability Framework, I can advise that I have *not* established such a policy, as this would be counter to the spirit of openness and transparency. Moreover, I can advise that there is no such “informal practice” of same at the City of Ottawa.

To this end, I can advise that Ottawa City Council, and the administration as a whole, has demonstrated a commitment to open government through the adoption of many policies and practices over the course of several years. At a high level, I note that the [Accountability and Transparency Policy](#), which was approved by Council in November 2007, affirms the City’s commitment to promoting accountable and transparent municipal governance.

The City of Ottawa has established various policies, practices and initiatives to increase openness and the public's access to government records and decision-making, in keeping with the provisions established by provincial legislation, including a [Routine Disclosure and Active Dissemination Policy](#) and the associated [Routine Disclosure and Active Dissemination Plans](#), an [Open Data Catalogue](#), a listing of all [requests for general records received under MFIPPA](#) that could be of public interest, and access to contracts awarded that have a value of 100,000 or more and are of significant public interest via [ottawa.ca](#).

With regards to the notion that staff are under some direction to restrict the inclusion of "cc's", I can share with you that there has been no such direction. Staff may choose to maintain the distribution or modify it, provided it is keeping with the provisions set out under the *Municipal Freedom of Information and Protection of Privacy Act*. That being said, it is entirely appropriate for staff to provide information in response to the individual who submitted the inquiry. How that recipient ultimately chooses to share staff's response is entirely their choosing.

I trust this provides some clarity on this matter.

Regards,

Rick O'Connor, CMO
City Clerk

EMAIL 16

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Monday, June 29, 2020 9:01 PM

To: 'Chiarelli, Rick'

Cc: mary.dickinson@ottawa.ca; George A. Neville ; Doug Arnold; Craig MacCaulay; granda k

Subject: Balancing of property rights in relation to Ontario's land-use planning system.

Councillor Chiarelli,

As you may be aware, land-use planning decision-makers in Ontario are required to make sure their decisions are consistent with the Provincial Policy Statement (PPS), 2020 which came into effect on May 1, 2020. (For the convenience of all readers, the PPS may be viewed at the following link: <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>.)

You stated in an email regarding the Urban Boundary Expansion Review that your decision would be based on “a balance of property rights”.

Although I was a Registered Professional Planner in Ontario and a Full Member, Canadian Institute of Planners for about 35 years, I had not heard that term used in association with Ontario’s land-use planning system, and I asked you to account for your use of “a balance of property rights” as a criterion to guide comments, positions, or votes regarding the boundary expansion issue.

You have not yet replied to the Urban Boundary Expansion Review communications, so more questions follow, I look forward to receiving your answers at the earliest moment, and before you vote or speak on any land-use development proposals or applications:

1. Did you derive “a balance of property rights” from the Provincial Policy Statement (PPS), 2020? If yes, please specify the section(s) containing the phrase, “a balance of property rights”.
2. If that statement is not contained in the Provincial Policy Statement (PPS), 2020, then what is the source?
3. Have you confirmed that “a balance of property rights” is consistent with the Provincial Policy Statement (PPS), 2020? If yes, who or what is the authority used? If not, why did you not confirm consistency by, for example, contacting the Ministry of Municipal Affairs and Housing?
4. If that statement is not contained in the Provincial Policy Statement (PPS), 2020, and is not consistent with the terms of the Provincial Policy Statement (PPS), 2020, do you agree that by using that criterion you fail to satisfy the provincial condition that land-use planning decision-makers in Ontario are required to make sure their decisions are consistent with the Provincial Policy Statement (PPS), 2020?
5. Have you used “a balance of property rights” in any decisions you have made or positions you have taken as a Member of Council with regard to land-use planning matters, City of Ottawa?

Again, I look forward to receiving your answers at the earliest moment:

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.

133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 17

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, July 7, 2020 8:57 PM
To: krista.ferraro@ottawa.ca
Cc: George A. Neville ; Doug Arnold; Craig MacCaulay; granda k; joanmclark; Joanne Chianello; jwilling@postmedia.com; wellar.barry@gmail.com; syogaretnam@postmedia.com
Subject: Practical and Feasible Budgetary Reductions in Ottawa Police Service Expenditures. R. Chiarelli Emails

Dear Chair and Members, OPSB

As you may recall or otherwise be aware, emails have been circulating on the subject, Practical and Feasible Budgetary Reductions in Ottawa Police Service Expenditures.

I have an interest in this topic for various reasons, one of which is that in the realm of traffic enforcement there seems to be a major gap between what is expected by citizens (this was a top campaign issue in the last municipal election) and what is achieved by OPS in neighbourhoods across the City of Ottawa.

The question therefore arises as to whether traffic enforcement is a part of OPS operations which needs to be modified for the purpose of attaining a better match between what citizens expect and what OPS or some other agent delivers, and the costs of that service.

As a contribution to the conversation, I provide for your consideration a series of emails which again raise concerns about speeding vehicles, noisy vehicles, unsecured loads, and trucks on non-truck routes in Bell's Corners, College ward.

It is my impression that if OPS cannot effectively and efficiently deal with these problems in a timely manner, then perhaps there are these and other traffic enforcement shortfalls elsewhere in College ward and in other wards across the City of Ottawa that need to be documented as part of the conversation about Practical and Feasible Budgetary Reductions in Ottawa Police Service Expenditures.

I am therefore suggesting that in order to advance the conversation in a productive manner, OPSB take the lead in arranging for the design and execution of surveys to document traffic enforcement performance in City of Ottawa neighbourhoods, and in ensuring that citizens have free, easy, timely, and direct online access to the survey methodology, the survey activity, and the survey results in their entirety.

By way of evidence in this regard, I provide for your consideration a series of emails sent to Councillor Rick Chiarelli (College ward) in the above regards.

It is my expectation that Councillor Chiarelli would have been in contact with OPS, about the emails, since all of the communications deal with matters that are within the purview of the Highway Traffic Act and/or involve traffic enforcement matters.

To date I have not received communications in those regards from Councillor Chiarelli nor from OPS, so I have no information about the disposition of the emails, which could put me in the position of speculating about the absence of any action on the parts of Mr. Chiarelli or OPS.

However, and as you may appreciate, information is based on data and not on speculation, conjecture, or other musing, and hence this request for your assistance or guidance regarding OPS.

That is, since I do not know whether OPS was asked to do anything, I would be most grateful to learn if it is within the purview of OPSB to move this file forward by asking OPS:

1. Whether it has been made aware of the emails and, if so, the reasons for its decisions to do nothing about the noted traffic problems?
2. Whether it has not been made aware of the emails and, if that is the case, now that OPS has them what does it intend to do about traffic problems that were brought to the attention of Councillor Chiarelli months ago?
3. Whether consideration has been given to significantly changing the Traffic Complaint section of the Online Reporting system which in my experience with numerous applications in many institutions is relatively tedious, awkward, bulky, bloated, time-wasting, and appears designed to discourage rather than encourage reporting by citizens? After one personal experience filing an online report in April, 2020, I decided against submitting as online reports any of the emails which are included here for the reasons given above. Simply put there are better ways to ask for and obtain reports from the public, and I ask you to ask

OPS about thoughts in that regard. Better yet, please ask for a link, as my search of the OPS website failed to produce any pertinent production.

The emails to Mr. Chiarelli are attached. They should be sufficient to obtain at least a preliminary body of evidence to incorporate in the conversation about Practical and Feasible Budgetary Reductions in Ottawa Police Service Expenditures.

And, if that is not the case and it is not within the purview of OPSB to move this file forward to OPS, then I welcome receiving your suggestion as to how to proceed. I note in this regard that I have no email addresses for anyone at OPS, and I do not wish to use any OPS online applications for reasons presented above.

Thank you.

Barry Wellar
Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 18

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, July 12, 2020 4:28 PM
To: 'Clark, Steve'
Cc: George A. Neville ; Doug Arnold; Craig MacCaulay; joanmclark; granda k; integrity@ottawa.ca; Joanne Chianello; jwilling@postmedia.com
Subject: Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty 2

Dear Minister Clark,

Several links to media stories are provided for your information and convenience. You may have already reviewed the materials for which links are provided, but this way I know for sure that you are apprised of the links.

https://www.ottawamatters.com/local-news/chiarelli-to-seek-judicial-review-against-city-of-ottawa-integrity-commissioner-2547916?utm_source=Email_Share&utm_medium=Email_Share&utm_campaign=Email_Share

https://www.ottawamatters.com/local-news/chiarelli-should-lose-270-days-of-pay-for-sexualizing-job-interviewees-integrity-commissioner-2555208?utm_source=Email_Share&utm_medium=Email_Share&utm_campaign=Email_Share

I believe it is fair to say that the tactic of applying for a judicial review on the part of Councillor Rick Chiarelli, City of Ottawa, was fully foreseeable, which calls into question the legislation created by your Ministry to deal with this kind of matter.

As you have been made aware, as have Ministry staff from my emails to you in this regard, and numerous broadcast media and social media reports have informed, Mr. Chiarelli has failed his constituents for many months, as has the council, City of Ottawa for not fixing the situation in a timely manner.

I again request that you and your Ministry provide a solution to this kind of problem, and the sooner the better.

Residents of College ward and the City of Ottawa are already cynical about municipal politicians actually being obliged to satisfy the conditions of a Code of Conduct, and that cynicism is compounded when neither council nor the Ministry of Municipal Affairs appears to understand the need to provide timely, effective remedies which serve the public interest and not the interests of politicians, singularly and collectively.

By way of brief reminder, more than 50,000 residents of College ward have been without effective representation for more than nine months. This is a very dynamic part of Ottawa with significant forces at work, and changes occurring on a daily basis that require attention now, not six months or more from now by which time too many things will have “Gone to hell in a hand cart” as the saying goes.

Many of those bells cannot be unrung, and then the situation gets extremely serious when actions such as those involving the recently-concluded Urban Boundary Expansion Review may be in violation of the Official Plan process.

Minister, I look forward to learning that your Ministry is favorably inclined and fully up to the task of achieving a speedy and effective resolution to an issue that could have been resolved many, many months ago with the proper mechanisms in place to effectively apply the recommendations of Ottawa’s Integrity Commissioner.

I believe that there are many residents of College ward and the City of Ottawa, and likely other communities in Ontario, who look forward to a solution to a problem that has gone on and on and on, with no end in sight given the current legislative arrangement for acting on the findings from Integrity Commissioner investigations.

And, not to be forgotten, there are the plaintiffs in this action who have been waiting many, many, months to see justice done.

I look forward to learning how you plan to proceed, and to disseminating your response to interested persons beyond those cc'd.

Finally, please have your reply copied to everyone listed in the cc box.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

CONTEXT EMAIL OF OCTOBER 25, 2019

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, October 25, 2019 2:47 PM

To: steve.clark@pc.ola.org

Cc: lisa.macleodco@pc.ola.org; Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; Stephen.Blais@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Jim.Watson@ottawa.ca; wellar.barry@gmail.com; doug arnold; george neville; le hibou; Chris Maziarski 58; Joanne Chianello; jwilling@postmedia.com; tspears@postmedia.com; Janice Brown

Subject: Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty
Steve Clark, Minister, Municipal Affairs

Re: Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty

Dear Minister Clark,

You may be aware of the perplexing situation in which City of Ottawa politicians and residents in College ward find themselves as a result of numerous allegations of sexual misconduct involving Councillor Rick Chiarelli.

If you are not aware of the situation and its serious implications for governance in the city of Ottawa, I am sure that your staff can bring you up to speed in short order by reviewing area broadcast and social media reports.

The purpose of this note is not to discuss the sexual misconduct allegations, nor to elaborate concerns arising due to lack of responses to emails sent to Mr. Chiarelli since the beginning of this term of office on duty of care and standard of care matters.

What I do want to call to your attention is the absence of remedies available to councils and citizens to effectively and efficiently deal with elected municipal officials who cease doing the job for which they were elected by such failings as:

- Showing up for council meetings once every three months;
- Playing the medical leave card one day and going on vacation the next;
- Hiring staff without confirming whether they have the credentials to properly serve constituents;
- Failing to hold public meetings;
- Failing to meet with constituents;
- Failing to communicate with constituents via responses to emails;
- Failing to communicate with constituents via newsletters;
- Using her or his office budget for personal purposes;

- And, in general, becoming enmeshed in self-inflicted or self-authored situations of sexual, financial, criminal, social, drug addiction, gambling addiction, or of other natures which materially affect the proper carrying out of one's duties as an elected official.

Mr. Clark, there have been municipal governments in the Province of Ontario for more than 100 years, and it seems to me to be bizarre that in all that time no provincial government appears to have anticipated the need for legislation to deal with these kinds of local governance situations.

In the event that there is legislation which addresses how to deal the dereliction of duty problem on the part of municipal politicians, I will be most grateful to have it called to my attention via the pertinent link or links.

Conversely, if the dereliction of duty issue is as unattended and as messy to address as I believe it to be in the absence of provincial legislation, then I look forward to learning at the earliest moment about your intentions to take or to not take corrective action via appropriate legislative measures and/or other means.

I recall for your consideration that as a consequence of the current situation involving Mr. Chiarelli, some 50,000 residents of College ward, City of Ottawa, are without proper municipal representation.

In my experience this perplexing situation warrants immediate corrective action by you, your Ministry, and your government. Further, communications with citizens in Ottawa and elsewhere in Ontario confirm that other citizens join me in seeking prompt action to achieve a remedy which addresses dereliction of duty on the part of municipal politicians.

I note in closing that this communication and your response may be of interest to those copied, including the mayor and councillors, City of Ottawa, so I am requesting that the *Reply All* button be used to transmit your response.

Sincerely

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA

<http://wellar.ca/informationresearch/>

EMAIL 19

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Saturday, July 18, 2020 7:58 PM

To: Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca

Cc: wellar.barry@gmail.com; joanmclark; Craig MacCaulay; granda k; George A. Neville ; Doug Arnold; Joanne Chianello; jwilling@postmedia.com

Subject: Rick Chiarelli Code of Conduct Judgement: Decision to Withhold Future Salary Payments

Mayor Watson and Councillors,

It is my understanding that Council decided to withhold future salary payments to Councillor Rick Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

That being the case, I would appreciate receiving an explanation for the decision to withhold future salary payments to Councillor Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary cheque which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

The basis of my concern should it be consistent with the facts of the matter are outlined as follows.

Given that

1. The actions for which Councillor Rick Chiarelli has been found in breach of the City of Ottawa Code of Conduct for Politicians occurred before the judgement was rendered; and, given that
2. You have been apprised on numerous occasions prior to the judgement date of failures over many months on the part of Councillor Chiarelli to respond to email inquiries much less act on them, including the failure to ask City of Ottawa staff to act on the inquiries; and, given that
3. There is no reason to believe after repeated failures to respond to email inquiries involving such matters as traffic count practices, figures and analysis; the presence of truck traffic on streets signed No Trucks; improper signage practices on residential streets; speeding vehicles on residential streets; noisy vehicles on residential streets; failures to stop at STOP signs on neighbourhood streets; zoning matters; the 2020 Urban Boundary Expansion Review; and his reference to being guided in land use planning and development decisions by the notion of 'balance of property rights' which is not an accepted planning principle in Ontario, that Councillor Chiarelli will suddenly and significantly change that established pattern of non-responsiveness and non-action and perform at the levels of other councillors who serve their constituents in accordance with the conditions of City of Ottawa Code of Conduct for Politicians; and, given that
4. I do not understand how the City of Ottawa will hold Councillor Chiarelli to account for the judgement amount of nine month's salary should he resign before the end date in May 2021 for completing his 'installments'. Further, on a related matter, it is not apparent to me how the City of Ottawa will respond should the resignation statement cite reasons which are deemed by him or his agent(s) to hold safe any emolument attached to the office of councillor, City of Ottawa,

I therefore write to request an explanation for the decision to withhold future salary payments to Councillor Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

I recall for your attention that each member of council has been copied on a number of the emails to Councillor Chiarelli that are mentioned above but, should the need arise the subject emails can be re-transmitted upon request.

As you may appreciate time is of the essence since 'wheels are turning', so I welcome receipt of your explanations at the earliest.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 20

From: O'Connor, M. Rick [mailto:Rick.OConnor@ottawa.ca]
Sent: Tuesday, July 21, 2020 2:58 PM
To: Barry Wellar
Cc: Luloff, Matt; Dudas, Laura; Harder, Jan; Sudds, Jenna; El-Chantiry, Eli; Gower, Glen; Kavanagh, Theresa; Chiarelli, Rick; Egli, Keith; Deans, Diane; Tierney, Timothy; McKenney, Catherine; Brockington, Riley; Capital Ward; Cloutier, Jean; Darouze, George; Moffatt, Scott; Meehan, Carol Anne; Hubley, Allan; Menard, Shawn; King, Rawlson; Fleury, Mathieu; King, Rawlson; wellar.barry@gmail.com; joanmclark; Craig MacCaulay; granda k; George A. Neville; Doug Arnold; Chianello, Joanne (CBC); Willing, Jon; Anderson, Kiel; Paulin, Susan
Subject: RE: Rick Chiarelli Code of Conduct Judgement: Decision to Withhold Future Salary Payments

Mr. Wellar,

In response to your correspondence below, I can confirm that on July 15, 2020, City Council considered [a report](#) from the Integrity Commissioner on an inquiry respecting the conduct of Councillor Chiarelli and imposed the sanctions recommended by the Integrity Commissioner (i.e. a suspension of pay for 90 days in respect of three formal complaints for a total of 270 days).

In response to your question, it is important to note that City Council has limited discretion with regard to imposing a penalty upon a Member of Council. First, a penalty of this nature must be directly linked to a finding by the Integrity Commissioner that a Member of Council has contravened the Code of Conduct for Members of Council. Second, City Council has the option of imposing only two specific penalties as established by the *Municipal Act, 2001*: a reprimand and/or a suspension of pay up to 90 days.

Specifically, City Council's authority is set out in Subsection 223.4 (5) of the *Municipal Act, 2001* (the "*Act*"), as follows (emphasis added):

Penalties

(5) The municipality may impose either of the following penalties on a member of council or of a local board **if the Commissioner reports to the municipality that, in his or her opinion, the member has contravened the code of conduct:**

1. A reprimand.
2. **Suspension of the remuneration paid to the member in respect of his or her services as a member of council or of the local board, as the case may be, for a period of up to 90 days.**

The *Act* does not permit a financial penalty other than the suspension of pay. Decisions of the Court in both [Magder v. Ford](#) and [Altmann v. The Corporation of the Town of Whitchurch-Stouffville](#) have held that any additional measures taken by City Council in response to a contravention of a code of conduct must be remedial in nature and must not constitute a penalty beyond that which is authorized by the *Act*. Accordingly, Council does not have the authority to impose a requirement for payment in the amount of the suspension of pay for 270 days. Furthermore, if Councillor Chiarelli were to resign from his position as a Member of Council before the suspension of pay is complete, City Council has no authority to require payment of the outstanding amount.

As noted above, City Council may only impose a penalty on a Member of Council in response to a finding by the Integrity Commissioner that the Member has contravened the Code of Conduct. I acknowledge the performance issues you have raised on numerous occasions regarding the Councillor's failure to respond to and/or act upon inquiries on a variety of matters. However, City Council has limited authority to address these matters. Generally speaking, and with respect, a Member's performance is traditionally addressed at election time by his or her constituents.

Regards,

M. Rick O'Connor, CMO, LLB|OMA, LL.B.
City Clerk | Greffier municipal
Certified Specialist (Municipal Law: Local Government) |
Spécialiste agréé (Loi sur les municipalités : administration locale)
City of Ottawa | Ville d'Ottawa

Tel./Tél. 613.580.2424, ext./poste 21215
rick.oconnor@ottawa.ca

From: Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>
Sent: July 20, 2020 3:51 PM
To: Barry Wellar <wellar.barry@gmail.com>
Cc: O'Connor, M. Rick <Rick.OConnor@ottawa.ca>; Paulin, Susan <Susan.Paulin@ottawa.ca>; Luloff, Matt <Matt.Luloff@ottawa.ca>; Dudas, Laura <Laura.Dudas@ottawa.ca>; Harder, Jan <Jan.Harder@ottawa.ca>; Sudds, Jenna <Jenna.Sudds@ottawa.ca>; El-Chantiry, Eli <Eli.El-Chantiry@ottawa.ca>; Gower, Glen <Glen.Gower@ottawa.ca>; Kavanagh, Theresa <Theresa.Kavanagh@ottawa.ca>; Chiarelli, Rick <Rick.Chiarelli@ottawa.ca>; Egli, Keith <Keith.Egli@ottawa.ca>; Deans, Diane <Diane.Deans@ottawa.ca>; Tierney, Timothy <Tim.Tierney@ottawa.ca>; McKenney, Catherine <Catherine.Mckenney@ottawa.ca>; Brockington, Riley <Riley.Brockington@ottawa.ca>; Capital Ward <CapitalWard@ottawa.ca>; Cloutier, Jean <Jean.Cloutier@ottawa.ca>; Darouze, George <George.Darouze@ottawa.ca>; Moffatt, Scott <Scott.Moffatt@ottawa.ca>; Meehan, Carol Anne <CarolAnne.Meehan@ottawa.ca>; Hubley, Allan <Allan.Hubley@ottawa.ca>; Menard, Shawn <Shawn.Menard@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>; Fleury, Mathieu <Mathieu.Fleury@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>
Subject: RE: Rick Chiarelli Code of Conduct Judgement: Decision to Withhold Future Salary Payments

Hello Dr. Wellar,

Thank you for your e-mail and for reaching out to Mayor Watson's Office. By copy on my response, I would like to refer your correspondence to City Clerk Rick O'Connor.

Thank you,

Paul Szabo
Communications Officer / Agent des communications
Office of Mayor Jim Watson / Bureau du maire Jim Watson
City of Ottawa / Ville d'Ottawa

613-580-2424 x. 15898

From: Barry Wellar <wellar.barry@gmail.com>
Sent: July 18, 2020 7:58 PM

To: Luloff, Matt <Matt.Luloff@ottawa.ca>; Dudas, Laura <Laura.Dudas@ottawa.ca>; Harder, Jan <Jan.Harder@ottawa.ca>; Sudds, Jenna <Jenna.Sudds@ottawa.ca>; El-Chantiry, Eli <Eli.El-Chantiry@ottawa.ca>; Gower, Glen <Glen.Gower@ottawa.ca>; Kavanagh, Theresa <Theresa.Kavanagh@ottawa.ca>; Chiarelli, Rick <Rick.Chiarelli@ottawa.ca>; Egli, Keith <Keith.Egli@ottawa.ca>; Deans, Diane <Diane.Deans@ottawa.ca>; Tierney, Timothy <Tim.Tierney@ottawa.ca>; McKenney, Catherine <Catherine.Mckenney@ottawa.ca>; Brockington, Riley <Riley.Brockington@ottawa.ca>; Capital Ward <CapitalWard@ottawa.ca>; Cloutier, Jean <Jean.Cloutier@ottawa.ca>; Darouze, George <George.Darouze@ottawa.ca>; Moffatt, Scott <Scott.Moffatt@ottawa.ca>; Meehan, Carol Anne <CarolAnne.Meehan@ottawa.ca>; Hubley, Allan <Allan.Hubley@ottawa.ca>; Menard, Shawn <Shawn.Menard@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>; Fleury, Mathieu <Mathieu.Fleury@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>; Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>
Cc: wellar.barry@gmail.com; joanmclark <joanmclark@sympatico.ca>; Craig MacCaulay <ottawaowl2@yahoo.ca>; granda k <teamlittlehoof@hotmail.com>; George A. Neville <george.neville@ncf.ca>; Doug Arnold <douglasarnold@sympatico.ca>; Chianello, Joanne (CBC) <joanne.chianello@cbc.ca>; Willing, Jon <jwilling@postmedia.com>

Subject: Rick Chiarelli Code of Conduct Judgement: Decision to Withhold Future Salary Payments

It is my understanding that Council decided to withhold future salary payments to Councillor Rick Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

That being the case, I would appreciate receiving an explanation for the decision to withhold future salary payments to Councillor Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary cheque which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

The basis of my concern should it be consistent with the facts of the matter are outlined as follows.

Given that

1. The actions for which Councillor Rick Chiarelli has been found in breach of the City of Ottawa Code of Conduct for Politicians occurred before the judgement was rendered; and, given that
2. You have been apprised on numerous occasions prior to the judgement date of failures over many months on the part of Councillor Chiarelli to respond to email inquiries much less act on them, including the failure to ask City of Ottawa staff to act on the inquiries; and, given that
3. There is no reason to believe after repeated failures to respond to email inquiries involving such matters as traffic count practices, figures and analysis; the presence of truck traffic on streets signed No Trucks; improper signage practices on residential streets; speeding vehicles on residential streets; noisy vehicles on residential streets; failures to stop at STOP signs on neighbourhood streets; zoning matters; the 2020 Urban Boundary Expansion Review; and his reference to being guided in land use planning and development decisions by the notion of 'balance of property rights' which is not an accepted planning principle in Ontario, that Councillor Chiarelli will suddenly and significantly change that established pattern of non-responsiveness and non-action and perform at the levels of other councillors who serve their constituents in accordance with the conditions of City of Ottawa Code of Conduct for Politicians; and, given that
4. I do not understand how the City of Ottawa will hold Councillor Chiarelli to account for the judgement amount of nine month's salary should he resign before the end date in May 2021 for completing his 'installments'. Further, on a related matter, it is not apparent to me how the City of Ottawa will respond should the resignation statement cite reasons which are deemed by him or his agent(s) to hold safe any emolument attached to the office of councillor, City of Ottawa,

I therefore write to request an explanation for the decision to withhold future salary payments to Councillor Chiarelli as part of the recent Code of Conduct judgement rather than requiring payment of the amount of the judgement in a manner which is not contingent upon him continuing to receive a monthly salary which is drawn on the City of Ottawa and funded by Ottawa taxpayers.

I recall for your attention that each member of council has been copied on a number of the emails to Councillor Chiarelli that are mentioned above but, should the need arise the subject emails can be re-transmitted upon request.

As you may appreciate time is of the essence since 'wheels are turning', so I welcome receipt of your explanations at the earliest.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 21

-----Original Message-----

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Monday, November 23, 2020 4:22 PM

To: steve.clark@pc.ola.org

Cc: George A. Neville; Doug Arnold; joanmclark; Nancy Wilson; premier@ontario.ca; 'Lisa MacLeod-co'

Subject: FW: CALL TO ACTION: Integrity Commissioner Report
Importance: High

Minister Clark,

I expect that your 'clipping service' has already provided you with materials concerning the ignominious circumstance in which City of Ottawa councillor Rick Chiarelli again finds himself, a matter which I have called to your attention on a number of occasions.

Regrettably, however, Mr. Chiarelli has more than just disgraced himself, and grievously affected his victims, he is widely seen to have been a councillor in name only for virtually the entirety of this term of office.

Many residents of College ward want nothing to do with him for reasons of mistrust, lack of confidence, lack of competence, and a general sense that he is not properly representing the interests of College ward residents.

It has been my opinion, previously expressed to you, to Premier Ford, and to my MPP Lisa MacLeod, that Mr. Chiarelli needed to be investigated months ago by provincial authorities. Had that been done, I believe sufficient evidence would have emerged to spawn any needed legislation, and to set wheels in motion to replace our in-name only

councillor who has done little to properly serve the more than 50,000 residents of College ward.

I note in this regard that I have a file of thirty-six (36) emails on traffic and related matters which did not evoke any response from Mr. Chiarelli.

The communication which follows, forwarded with permission, may assist in persuading you to take action on a matter which has been allowed to fester for many months, and discredited the Government of Ontario and the City of Ottawa in the process

Thank you.

Barry Wellar

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Professor Emeritus, University of Ottawa
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Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

-----Original Message-----

From: George A. Neville [mailto:george.neville@ncf.ca]

Sent: Monday, November 23, 2020 11:15 AM

To: jeremy roberts

Cc: Theresa Kavanagh; joanmclark joanmclark; Nancy O'Brien; Barry Wellar; doug arnold

Subject: Fwd: CALL TO ACTION: Integrity Commissioner Report

Importance: High

Mr. Jeremy Roberts, MPP Ontario
Ottawa West - Nepean

Dear Mr. Roberts,

As my constituency representative in the Ontario Legislature, I urge you to press for IMMEDIATE reform of the Municipal Act to permit dismissal of municipal councillors from their elected office when they have conducted themselves in matters of civil or

criminal action that have resulted in condemnation and penalties by the Integrity Commissioner.

In particular, I refer you to the situation of Councillor Rick Chiarelli of College Ward of the City of Ottawa who has badly failed his Ward constituents since the last election (2018) and for 2-3 years predating his present term to the extent that College Ward has essentially been devoid of operative representation and its well-being by virtue of the elected representative's seriously impaired functional conduct, disposition, and trust. If perchance you are not already familiar with this distressing situation, the two attached reports of investigation by the Ontario Integrity Commissioner, his assessments and recommendations, together with the e-mail letter below from Nancy O'Brien, a former College Ward office employee of Rick Chiarelli, and witness to complainant #2, are attached to this appeal to you.

I urge you to press this matter for urgent reform of the Municipal Act together with Steve Clark, Minister of Municipal Affairs and Housing as well as with all members of your caucus. IN ADDITION to the present need for remedy for immediate removal of Councillor Chiarelli from Office (to facilitate a Ward by-election for new College Ward representation until the next election in 2022), there is pressing need to find means (either Chiarelli's self admission, or imposed) for mental assessment and treatment of the present College Ward incumbent for the benefit of himself, his family, and the community. This aspect of the Chiarelli situation appears to have been overlooked, but it is relevant to the totality of societal concern.

George A. Neville
908 Iroquois Road
Ottawa, ON, K2A 3N5

----- Forwarded Message -----

From: "Joan Clark" <cityviewassociation@gmail.com>
To: "George Neville" <george.neville@ncf.ca>
Sent: Sunday, November 22, 2020 4:25:58 PM
Subject: Fwd: CALL TO ACTION: Integrity Commissioner Report

Sent from Gmail Email App for Android ----- Forwarded Message -----

From: Nancy O'Brien nancyobrienbooks@gmail.com To:
"undisclosed-recipients": Date: Friday, 20 November 2020, 05:28PM -05:00
Subject: CALL TO ACTION: Integrity Commissioner Report

>Good Evening - Most of you know me, some of you may not, my name is
>Nancy O'Brien (nee Cairns) and I was employed by Rick Chiarelli for
>over five years. Working with you was an absolute privilege and it is
>the reason why I loved some aspects of the job I got to do in his
>office. I grew up in a small town with teacher parents. My dad was the
>editor of the high school newspaper and coach for the rugby team, my
>mom was the chair of the PTA and a part of the Lions Club. I grew up
>understanding the importance of contributing to your community. When I
>worked with you, I felt like I was with my people. Those people that do
>what they can to make their little corner of the world just a little brighter.

>

>A dark mark has been placed on College Ward. One that many of you may
>have already suspected when you witnessed the revolving door of
>employees go through Rick's office. I need your help please to ensure
>that what happened here never happens again.

>

>I understand some of the Community Associations are already mobilizing
>and for that I am incredibly grateful. Thank you. Thank you. Thank you.
>I know it may feel uncomfortable to speak out publicly (trust me, I
>KNOW) and I respect that completely. But if you would be willing to
>please help get the information out to your communities (impartial just
>providing information) I would be very grateful.

>

>I have attached both reports from the City of Ottawa Integrity
>Commissioner. Including the recently released second report I
>participated in (regarding allegations by former staff.) I am witness
>#5 for complainant
>#2 in the second report.

>

>It's my opinion that the Municipal Act does not properly empower the
>people to rid themselves of an employee. Because that's what a city
>councillor is, an employee of the people. Most of us would have been fired for a lot
less.

>I encourage everyone to please contact your MPP's to demand changes to
>the Municipal Act. You are welcome to use this email template.

>

>From working in politics, I believe most politicians must be
>inconvenienced or made uncomfortable in order to act. Seeing multiple
>emails in their inbox is one way to do it. If you'd like to start a

>petition, I'd advise you to set it up so that the Minister of Municipal
>Affairs and Housing receives an email every time someone signs the petition.
>
>We need help across Ontario, if you are inclined, please send this
>information and template to any friends or family in the province as
>well please.
>
>Thank you kindly for your time. Be well. Stay safe.
>
>Warm Regards,
>
>Nancy O'Brien
>
>nancyobrien.ca

EMAIL 22

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, November 24, 2020 11:22 AM
To: 'Lisa MacLeod@pc.ola.org'
Cc: premier@ontario.ca; steve.clark@pc.ola.org; George A. Neville ; Doug Arnold;
joanmclark; Craig MacCaulay; granda k; Nancy Wilson; 'Nancy O'Brien'; Joanne
Chianello; jwilling@postmedia.com; Jim.Watson@ottawa.ca; jeremy roberts
Subject: CALL TO ACTION: Ottawa Integrity Commissioner Report
Importance: High

Minister MacLeod,

Regarding the latest Chiarelli communication to Minister Clark, cc'd to you and Premier Ford, the associated thread of which follows below.

A heads up was provided months ago to provincial politicians, including you, about the miserable situation which has befallen more than 50,000 residents of College ward as a result of having an in name only councillor since the start of this municipal term, and about the need to take steps to ensure his replacement in a timely manner.

I find it bizarre that the provincial government still seems to have no apparent plan in place to remedy a situation that seems to be 'off the charts' when it comes to something that needs to be fixed, indeed, needed to be fixed months ago, and warranted and

continues to warrant far more attention and action than to be shuffled back and forth between governments and politicians.

If I have that wrong, what is the plan?

And, if there is no plan, why not, and, what does it take to fix the lack of representation problem afflicting more than 50,000 residents in College ward?

A prompt, pertinent response will be appreciated.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
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<http://wellar.ca/informationresearch/>

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Subject: FW: CALL TO ACTION: Integrity Commissioner Report

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Regrettably, however, Mr. Chiarelli has more than just disgraced himself, and grievously affected his victims, he is widely seen to have been a councillor in name only for virtually the entirety of this term of office. Many residents of College ward want nothing

to do with him for reasons of mistrust, lack of confidence, lack of competence, and a general sense that he is not properly representing the interests of College ward residents

It has been my opinion, previously expressed to you, to Premier Ford, and to my MPP Lisa MacLeod, that Mr. Chiarelli needed to be investigated months ago by provincial authorities. Had that been done, I believe sufficient evidence would have emerged to spawn any needed legislation, and to set wheels in motion to replace our in-name only councillor who has done little to properly serve the more than 50,000 residents of College ward.

I note in this latter regard that I have a file of thirty-six (36) emails on traffic and related matters which did not evoke any response from Mr. Chiarelli.

The communication which follows, forwarded with permission, may assist in persuading you to take action on a matter which has been allowed to fester for many months, and discredited the Government of Ontario and the City of Ottawa in the process

Thank you.

Barry Wellar

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Sent: Monday, November 23, 2020 11:15 AM

To: jeremy roberts

Cc: Theresa Kavanagh; joanmclark joanmclark; Nancy O'Brien; Barry Wellar; doug arnold

Subject: Fwd: CALL TO ACTION: Integrity Commissioner Report
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Mr. Jeremy Roberts, MPP Ontario

Ottawa West - Nepean

Dear Mr. Roberts,

As my constituency representative in the Ontario Legislature, I urge you to press for IMMEDIATE reform of the Municipal Act to permit dismissal of municipal councillors from their elected office when they have conducted themselves in matters of civil or criminal action that have resulted in condemnation and penalties by the Integrity Commissioner.

In particular, I refer you to the situation of Councillor Rick Chiarelli of College Ward of the City of Ottawa who has badly failed his Ward constituents since the last election (2018) and for 2-3 years predating his present term to the extent that College Ward has essentially been devoid of operative representation and its well-being by virtue of the elected representative's seriously impaired functional conduct, disposition, and trust. If perchance you are not already familiar with this distressing situation, the two attached reports of investigation by the Ontario Integrity Commissioner, his assessments and recommendations, together with the e-mail letter below from Nancy O'Brien, a former College Ward office employee of Rick Chiarelli, and witness to complainant #2, are attached to this appeal to you.

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George A. Neville
908 Iroquois Road
Ottawa, ON, K2A 3N5

----- Forwarded Message -----

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To: "George Neville" <george.neville@ncf.ca>

Sent: Sunday, November 22, 2020 4:25:58 PM

Subject: Fwd: CALL TO ACTION: Integrity Commissioner Report

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>Good Evening - Most of you know me, some of you may not, my name is Nancy O'Brien (nee Cairns) and I was employed by Rick Chiarelli for over five years. Working with you was an absolute privilege and it is the reason why I loved some aspects of the job I got to do in his office. I grew up in a small town with teacher parents. My dad was the editor of the high school newspaper and coach for the rugby team, my mom was the chair of the PTA and a part of the Lions Club. I grew up understanding the importance of contributing to your community. When I worked with you, I felt like I was with my people. Those people that do what they can to make their little corner of the world just a little brighter.

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>A dark mark has been placed on College Ward. One that many of you may have already suspected when you witnessed the revolving door of employees go through Rick's office. I need your help please to ensure that what happened here never happens again.

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>I understand some of the Community Associations are already mobilizing and for that I am incredibly grateful. Thank you. Thank you. Thank you. I know it may feel uncomfortable to speak out publicly (trust me, I KNOW) and I respect that completely. But if you would be willing to please help get the information out to your communities (impartial just providing information) I would be very grateful.

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>From working in politics, I believe most politicians must be inconvenienced or made uncomfortable in order to act. Seeing multiple emails in their inbox is one way to do it. If

you'd like to start a petition, I'd advise you to set it up so that the Minister of Municipal Affairs and Housing receives an email every time someone signs the petition.

>

>We need help across Ontario, if you are inclined, please send this information and template to any friends or family in the province as well please.

>

>Thank you kindly for your time. Be well. Stay safe.

>

>Warm Regards,

>

>Nancy O'Brien

>

>nancyobrien.ca

EMAIL 23

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, November 29, 2020 2:43 PM

To: minister.mah@ontario.ca

Cc: premier@ontario.ca; jeremy.roberts@pc.ola.org; 'Lisa MacLeod-co'; jwilling@postmedia.com; randalldenley1@gmail.com; George A. Neville ; Doug Arnold; joanmclark; Nancy O'Brien; Craig MacCaulay; granda k; Joanne Chianello; Matt.Luloff@ottawa.ca; Laura.Dudas@ottawa.ca; jan.harder@ottawa.ca; Jenna.Sudds@ottawa.ca; Eli.El-Chantiry@ottawa.ca; Glen.Gower@ottawa.ca; Theresa.Kavanagh@ottawa.ca; Rick.Chiarelli@ottawa.ca; Keith.Egli@ottawa.ca; Diane.Deans@ottawa.ca; Tim.Tierney@ottawa.ca; Catherine.Mckenney@ottawa.ca; Riley.Brockington@ottawa.ca; capitalward@ottawa.ca; Jean.Cloutier@ottawa.ca; George.Darouze@ottawa.ca; Scott.Moffatt@ottawa.ca; Carolanne.Meehan@ottawa.ca; Allan.Hubley@ottawa.ca; 'shawn.menard'; Rawlson.King@ottawa.ca; Mathieu.Fleury@ottawa.ca; Rawlson.King@ottawa.ca; Jim.Watson@ottawa.ca

Subject: Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty. November 29, 2020

Minister Clark,

I call to your attention the Ottawa Citizen column of July 22, 2020 by Randall Denley, 'How do you solve a problem like Chiarelli?', and the article of November 26, 2020 by Jon Willing, "Council says with unified voice: Quit, Rick Chiarelli" and "Municipal affairs minister joins calls for resignation".

The stories provide context for this communication, which identifies statements attributed to you in the latter production that are cause for concern about the administration of Municipal Affairs and, in particular, the provincial government's failure to address a prolonged municipal representation issue involving the disenfranchisement of more than 50,000 residents of College ward, City of Ottawa.

More than a year ago you were sent emails dated October 25, 2019 and November 05, 2019 on the topic, **Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty**.

The catalyst for the emails about needed legislation was College ward councillor Rick Chiarelli, and a number of Code of Conduct issues were identified.

Those communications and subsequent communications specifically referred to legislation.

To the best of my recollection, and as a result of checking emails sent to you or your office, I am unable to identify any communication from me requesting that you personally take action to remove councillor Chiarelli from office.

Rather, my reference was to legislation, not once, not twice, but multiple times.

The question therefore arises as to why in the article by Jon Willing you are quoted as referring to yourself in any way, shape, or form, and how you got such an idea, since on its face the notion seems to be illogical, impractical, and unworkable.

Moreover, my communications to you about enacting legislation were copied to area residents as well as to members of Ottawa council.

Consequently, more questions arise as to why you did not explain in the interview with Mr. Willing why your government is refusing to enact legislation which could constructively achieve bringing appropriate representation to the 50,000 residents of College ward who have been in limbo in that regard for many months.

And, as also mentioned in communications, appropriate legislation provides a remedy that would be available if needed to all residents and municipal councils in Ontario.

As for what is appropriate, surely after all these years the Government of Ontario can do better in the interests of democratic representation than what is currently in place.

It is self-evident, for example, that the current condition of being criminally indicted is reasonable under the circumstances, but the condition of missing three council meetings makes no sense whatsoever in a digital world when members of council are “dialing in” and attendance can be readily faked, limited to five seconds without leaving the couch, etc..

And to my knowledge that is it, that is all, when it comes to grounds for a council being able to expel a member of council for dereliction of duty. Surely the provincial government can do better.

Finally, it seems likely that something along the lines of “Municipal governments are creatures of the province” might well be written on your office wall.

And, someone might also have written, “Municipal government is the level of government closest to the people”.

The principle of the matter, Mr. Clark, is that if the province is going to off-load to municipal governments the task of resolving dereliction of duty and related issues involving municipal politicians, then surely the province is duty-bound to give municipal councils, and the residents who are directly affected by their actions, the tools to do a proper job.

If your government disagrees with that principle, and intends to continue to refuse to bring forward the requested legislation, then please provide an explanation for this decision, bearing in mind that for many months more than 50,000 residents of College ward have been without effective representation on Ottawa council, and could be affronted by another two years of this gross and continuing failure in governance.

I look forward to receiving your reply in the above regards at the earliest.

In the interests of convenience and communications efficacy, as well as citizens’ access to matters of public interest, please include all those copied in your email reply.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.

133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 24

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, November 30, 2020 7:26 PM
To: sblais.mpp.co@liberal.ola.org
Subject: FW: Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty. November 29, 2020

Hello Mr. Blais,

You may already have received my latest communication to Steve Clark, Minister, MMAH. It follows just in case it has not been brought to your attention.

In any event, the clock is ticking for 50,000 residents of College ward in Ottawa who have been without effective municipal representation for almost two years, with perhaps another two years of the same if change is not made to a miserable situation.

My hope is that perhaps you can persuade Steve Clark to get his act together.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
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To the best of my recollection, and as a result of checking emails sent to you or your office, I am unable to identify any communication from me requesting that you personally take action to remove councillor Chiarelli from office.

Rather, my reference was to legislation, not once, not twice, but multiple times.

The question therefore arises as to why in the article by Jon Willing you are quoted as referring to yourself in any way, shape, or form, and how you got such an idea, since on its face the notion seems to be illogical, impractical, and unworkable.

Moreover, my communications to you about enacting legislation were copied to area residents as well as to members of Ottawa council.

Consequently, more questions arise as to why you did not explain in the interview with Mr. Willing why your government is refusing to enact legislation which could constructively achieve bringing appropriate representation to the 50,000 residents of College ward who have been in limbo in that regard for many months.

And, as also mentioned in communications, appropriate legislation provides a remedy that would be available if needed to all residents and municipal councils in Ontario.

As for what is appropriate, surely after all these years the Government of Ontario can do better in the interests of democratic representation than what is currently in place.

It is self-evident, for example, that the current condition of being criminally indicted is reasonable under the circumstances, but the condition of missing three council meetings makes no sense whatsoever in a digital world when members of council are “dialing in” and attendance can be readily faked, limited to five seconds without leaving the couch, etc..

And to my knowledge that is it, that is all, when it comes to grounds for a council being able to expel a member of council for dereliction of duty. Surely the provincial government can do better.

Finally, it seems likely that something along the lines of “Municipal governments are creatures of the province” might well be written on your office wall.

And, someone might also have written, “Municipal government is the level of government closest to the people”.

The principle of the matter, Mr. Clark, is that if the province is going to off-load to municipal governments the task of resolving dereliction of duty and related issues involving municipal politicians, then surely the province is duty-bound to give municipal councils, and the residents who are directly affected by their actions, the tools to do a proper job.

If your government disagrees with that principle, and intends to continue to refuse to bring forward the requested legislation, then please provide an explanation for this decision, bearing in mind that for many months more than 50,000 residents of College ward have been without effective representation on Ottawa council, and could be affronted by another two years of this gross and continuing failure in governance.

I look forward to receiving your reply in the above regards at the earliest.

In the interests of convenience and communications efficacy, as well as citizens' access to matters of public interest, please include all those copied in your email reply.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 25

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Thursday, December 10, 2020 3:41 PM
To: integrity@ottawa.ca
Subject: Rick Chiarelli Complaint

Mr. Marleau,

I was alerted by several area residents that the following quote appears in today's Ottawa Citizen in a column by Jon Willing in which mention is made of Rick Chiarelli:

"According to the report, Chiarelli will still have control over temporary traffic-calming spending and a parkland reserve account since they didn't come up in the integrity investigation."

That statement lacks clarity and is also puzzling from my point of view, and leaves me at a loss. Perhaps you can assist.

Numerous people including City of Ottawa politicians and staff are aware of my emails to Chiarelli with regard to such traffic calming issues as speeding on numerous roads in College ward, trucks using non-truck routes including one roadway that runs through a school zone, and street signage problems (one of which I solved by going directly to Ottawa Safety Council and the City of Ottawa because Chiarelli had not responded to much less acted on previous communications), and they are included in the Code of Conduct complaint that I submitted December 20, 2019.

Please advise as to the standing of my Code of Conduct complaint, which may give me some idea what to make of the statement in the Willing column.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 26

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, January 10, 2021 4:27 PM

To: 'O'Connor, M. Rick'; Jim.Watson@ottawa.ca; steve.clark@pc.ola.org; premier@ontario.ca; 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; horwatha-q@ndp.on.ca; JHarden-QP@ndp.on.ca; sblais.mpp.co@liberal.ola.org; Steve.Kanellakos@ottawa.ca; wellar.barry@gmail.com

Cc: 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; 'teamlittlehoof'; 'integrity / intégrité'; 'Marleau, Robert'; 'Chianello, Joanne (CBC)'; 'Willing, Jon'; 'ottawa owl'; 'joanmclark joanmclark'; 'doug arnold'; 'george neville'; 'Horizon Ottawa'; 'Rob Campbell'; briarvine@gmail.com; 'Bel-Air Community Association Ottawa'; cityviewassociation@gmail.com; elliot15oak@rogers.com; 'Rachel Tweedy'; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com;

info@francouest.org; 'jogrady'; 'Sean Devine'; 'Malcolm J Coyne'; 'Box, Steve'; 'Manconi, John'; 'Salter-MacDonald, Caitlin'; 'Anderson, Kiel'; krista.ferraro@ottawa.ca; Burns, Kathy A (Police); Catherine.McKenney@ottawa.ca; shawn.menard; tristanmaack@hotmail.com

Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. O'Connor,

Thank you for your communication.

Mayor Jim Watson, Municipal Affairs Minister Steve Clark, Premier Doug Ford, MPP Lisa MacLeod, MPP Jeremy Roberts, Opposition Leader Andrea Horwath, MPP Joel Harden, MPP Stephen Blais, Councillor Diane Deans, City Manager Steve Kanellakos, and OPS Chief Peter Sloly via K. Burns are among those who will receive a follow-on email. Consequently, for convenience of communications and efficiency of tracking digital trails, they are included as co-primary recipients.

Mr. O'Connor, all those party to this email should know that based on previous communications, you are not a stranger to the matters raised in this communication.

In brief, you are named in 4 of the 36 emails, and city politicians and staff other than Mr. Chiarelli are named in 24 of the 36 emails that are contained in the Code of Conduct complaint submitted November 29, 2019 to City of Ottawa Integrity Commissioner Robert Marleau requesting a formal investigation of Councillor Rick Chiarelli. Those emails are included in Attachment 1.

For the purpose of emphasis since time is an important consideration in this matter, it is repeated that the Code of Conduct request for a formal investigation was submitted November 29, 2019, and it is noted that the request was approved with the Notice of Inquiry to proceed dated December 20, 2019. It is now more than a year later, and as of this date I have not been apprised of actions taken by a municipal or provincial body to move the file forward.

The emails which comprise the Code of Conduct complaint are contained in Attachment 1. As even a cursory examination reveals, a number of the emails in the complaint are directly associated with those for which Councillor Chiarelli continues to have delegated authority.

Or, to re-phrase because some readers not familiar with the Chiarelli Code of Conduct story may find this part of the situation beyond belief, although matters raised in the

Code of Conduct complaint have histories with Mr. Chiarelli dating back to 2019 and 2018, and were circulated to numerous municipal and provincial politicians, Councillor Chiarelli continues to have delegated authority for those matters in College ward. The word 'head-shaker' is one of the less rude terms used to describe this kind of denial of reality.

Which brings me to your comment,

"With respect to your question about the Councillor's delegated authority for expenditures under the Temporary Traffic Calming Measures Program, I note that each Ward Councillor is allocated an annual budget for Temporary Traffic Calming Measures, including speed display devices, pavement markings and cycling delineators. This City-wide program was implemented in 2015 as a means to deter speeding in local communities."

And the suggested remedy,

"In sum, the Councillor retains his delegated authority to install a traffic calming device. As such, in response to your second question about information on a specific device, I recommend you direct your inquiry directly to Councillor Chiarelli's Office."

Given the prolonged, abject failure of Councillor Chiarelli to respond to numerous emails sent over the previous two years on matters covered by the delegated authority, as well as widespread complaints on social media and list serves by area residents in different parts of College ward about his failure before 2018 to deal with issues within the delegated authority envelope, it came as a surprise to me and others that on behalf of City Council you would support perpetuating Mr. Chiarelli's delegated authority in any way, shape, or form.

However, you did so, which brings me to Attachment 2.

There are some 100 emails in Attachment 2 which post-date my Code of Conduct complaint submitted November 29, 2019. You are named as a recipient of 30, yes 30 of the emails in Attachment 2.

Further, in addition to yourself being listed as a recipient of emails, so are members of Ottawa City Council, as well members of staff, including City Manager Steve Kanellakos and OPS Chief Peter Sloly via K. Burns

However, it appears fair to say that few if any of the persons listed have their names on reply communications sent by Councillor Chiarelli to me as evidence that he is actually doing anything about any of the questions, concerns, problems, issues, etc., that were brought to his attention as matters of city business via the emails presented in Attachment 2.

Long story short is that for matters contained within Chiarelli's delegated authority envelope, there are no responses to 36 related emails in 2019, no responses to more than 90 related emails in 2020, and the ten or so other responses are inadequate, irrelevant, erroneous, evasive, token, boilerplate, etc., and do nothing to resolve the questions asked, issues raised, assistance sought, etc.

Feedback from other residents on this matter confirms my position that your suggestion is totally without merit, and is actually cause for concern about competence since it flies in the face of evidence-based logic.

That is, he has done nothing for the past two years despite repeated requests, so why would anyone think that anything has changed, and especially since his salary has been put on extended 'pause'?

The failure over the past two years of Councillor Chiarelli to properly discharge the assigned delegated authority duties is thoroughly documented, and there is no sign of any kind, none whatsoever, that there will be any change in his behaviour, or that if he could he would work to resolve the issues, problems, etc., that have been ignored for the past two years that I know about, and for years before that according to feedback from residents who have been here for many years.

As a result, it appears to be painfully self-evident that it is a totally baseless notion to anticipate a massive, voluntary correction rather than just more of the same old same old involving Mr. Chiarelli, and that the time is long passed for city and provincial officials to implement a much-needed, results-oriented action plan.

With regard to urgency, it has been noted on a number of occasions that more than 50,000 residents of College ward were not represented by an effective, responsible, and citizen-responsive municipal councillor in 2019 and 2020.

At the risk of belabouring the obvious, Mr. O'Connor, I suggest that two years is a grossly unacceptable length of time for a ward with a population of more than 50,000 to be without effective municipal representation, and that the continued failure to fix this problem shows utmost disrespect for College ward citizens' intelligence and tax dollars.

I therefore look forward to learning at the earliest moment what alternative approach you have in mind, because on the evidence the one before us now is an insulting non-starter in so many ways.

In closing, everyone listed in the opening paragraph has been previously apprised on multiple occasions of this governance mess, and each of them bears responsibility for a situation that should have been corrected many months ago, instead of being allowed to drag on and on and fester at the expense of College ward residents.

As someone who pays taxes to both municipal and provincial governments, I encourage a prompt, effective, efficient joint effort to solve a problem that should have been 'nipped in the bud' more than a year ago.

Finally, please remember to use **Reply All** in your response communication. Thank you.

Regards,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: O'Connor, M. Rick [mailto:Rick.OConnor@ottawa.ca]

Sent: Tuesday, January 5, 2021 2:15 PM

To: Barry Wellar

Cc: Watson, Jim (Mayor/Maire); Kanellakos, Steve; 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; teamlittlehoof; integrity / intégrité; Marleau, Robert; Steve Clark, Hon. (steve.clark@pc.ola.org); 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; Chianello, Joanne (CBC); Willing, Jon; ottawa owl; joanmclark joanmclark; doug arnold; george neville; Premier Doug Ford (premier@ontario.ca); Horizon Ottawa; Rob Campbell; briarvine@gmail.com; Bel-Air Community Association Ottawa; cityviewassociation@gmail.com; elliott15oak@rogers.com; Rachel Tweedy; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; jogrady; Sean Devine; Malcolm J Coyne; Kavanagh, Theresa; Capital Ward; King, Rawlson; Leiper, Jeff; McKenney, Catherine; Box, Steve; Manconi, John; Salter-MacDonald, Caitlin;

Anderson, Kiel

Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. Wellar,

I have now had the opportunity to review the matters set out in your e-mail of December 29, 2020 and can offer the following information in response to same.

With respect to your question about the Councillor's delegated authority for expenditures under the [Temporary Traffic Calming Measures Program](#), I note that each Ward Councillor is allocated an annual budget for Temporary Traffic Calming Measures, including speed display devices, pavement markings and cycling delineators. This City-wide program was implemented in 2015 as a means to deter speeding in local communities.

As you are aware, on November 25, 2020, Council carried the recommendations of the Integrity Commissioner's "[Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli](#)", including the following recommendation:

- 6. Suspend all delegated authorities of Councillor Chiarelli to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office and that the said delegated authorities shall be vested as recommended by the City Clerk in a separate report to Council.**

The Integrity Commissioner's recommendations were carried as amended by [several motions](#). In response to Council's directions of November 25, 2020, I provided the report "[College – Ward 8 – Delegation of Budgetary Approval Authorities and Related Matters](#)" to Council on December 9, 2020.

Council carried that supplementary report's recommendations, including that the City Clerk and the Manager, Council and Committee Services, be delegated the authority to address all employment matters relating to the Ward 8 Office, including the hiring, discipline, and termination of staff. This recommendation is directly related to the findings of the Integrity Commissioner's report.

My report also offered the following comment on the statutory roles and responsibilities of the Councillor, and on remedial versus punitive actions following misconduct:

“...Council may approve remedial actions aimed at correcting the harm caused by the Ward 8 Councillor’s conduct as determined by the Integrity Commissioner or preventing its recurrence, as described below in more detail. That said, consideration must also be given to the fact that the Member remains in elected office representing the constituents of Ward 8 – College with continued statutory roles and responsibilities.”

Referring to past court decisions on remedial measures in response to Integrity Commissioner findings, and noting that it is important to distinguish between sanctions that are intended to punish misconduct, and remedial measures directed at preventing a recurrence of the misconduct or providing corrective actions, the report stated:

“...based on the outcomes in other municipalities, any action taken by Council in response to the Integrity Commissioner’s findings of Code of Conduct breaches by the Ward 8 Councillor should be rationally connected to the remediation of the harm caused by the breaches or preventing its recurrence.”

For those reasons, my December 9, 2020 report to Council contained no recommendation regarding the Councillor’s delegated authority with respect to budget expenditures under the Temporary Traffic Calming Measures Program, as that authority, and expenses resulting from that authority, have no relation to the Integrity Commissioner’s findings. Specifically, my report expressly states the following on this point:

“It is also noted that the Ward 8 Councillor may have certain delegated authorities with respect to other City budget expenditures such as those under the [Temporary Traffic Calming Measures Program](#) and the [Cash-in-lieu of Parkland Funds Policy](#). The Ward 8 Councillor’s delegated authorities will continue with respect to any budget expenditures relating to such matters, as they were not subject to the Integrity Commissioner’s recommendation with respect to suspension and delegation of authorities.”

In sum, the Councillor retains his delegated authority to install a traffic calming device. As such, in response to your second question about information on a specific device, I recommend you direct your inquiry directly to Councillor Chiarelli’s Office.

Regards,

M. Rick O'Connor, CMO, LLB|OMA, LL.B.
City Clerk | Greffier municipal

Certified Specialist (Municipal Law: Local Government) |
Spécialiste agréé (Loi sur les municipalités : administration locale)
City of Ottawa | Ville d'Ottawa
Tel./Tél. 613.580.2424, ext./poste 21215
rick.oconnor@ottawa.ca

From: Barry Wellar <wellar.barry@gmail.com>
Sent: Tuesday, December 29, 2020 7:52 PM
To: Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>; Kanellakos, Steve <Steve.Kanellakos@ottawa.ca>; O'Connor, M. Rick <Rick.OConnor@ottawa.ca>; wellar.barry@gmail.com <wellar.barry@gmail.com>
Cc: 'Lynwood Village Community Association' <contact@lynwoodvillageottawa.ca>; westcliffecommunity@gmail.com <westcliffecommunity@gmail.com>; 'granda k' <teamlittlehoof@hotmail.com>; integrity / intégrité <integrity@ottawa.ca>; Kanellakos, Steve <Steve.Kanellakos@ottawa.ca>; O'Connor, M. Rick <Rick.OConnor@ottawa.ca>; steve.clark@pc.ola.org <steve.clark@pc.ola.org>; 'Lisa MacLeod-co' <lisa.macleodco@pc.ola.org>; jeremy.roberts@pc.ola.org <jeremy.roberts@pc.ola.org>; Chianello, Joanne (CBC) <joanne.chianello@cbc.ca>; Willing, Jon <jwilling@postmedia.com>; Craig MacCaulay <ottawaowl2@yahoo.ca>; 'joanmclark' <joanmclark@sympatico.ca>; 'Doug Arnold' <douglasarnold@sympatico.ca>; 'George A. Neville' <george.neville@ncf.ca>; premier@ontario.ca <premier@ontario.ca>; Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>; 'Horizon Ottawa' <info.horizonottawa@gmail.com>; 'Rob Campbell' <rob.campbell@ocdsb.ca>; briarvine@gmail.com <briarvine@gmail.com>; belaircommunityassociation@gmail.com <belaircommunityassociation@gmail.com>; cityviewassociation@gmail.com <cityviewassociation@gmail.com>; elliott15oak@rogers.com <elliott15oak@rogers.com>; racheltweedy@hotmail.com <racheltweedy@hotmail.com>; president@qualicum.org <president@qualicum.org>; gtsrcommunity@gmail.com <gtsrcommunity@gmail.com>; info@copelandpark.ca <info@copelandpark.ca>; markandjane@rogers.com <markandjane@rogers.com>; valleystreamcommunityassoc@gmail.com <valleystreamcommunityassoc@gmail.com>; info@francoest.org <info@francoest.org>; jogrady <jogrady66@gmail.com>; 'Sean Devine' <sean@seandevine.ca>; 'Malcolm J Coyne' <mcoyne@teksavvy.com>; Kavanagh, Theresa <Theresa.Kavanagh@ottawa.ca>; Capital Ward <CapitalWard@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>; Leiper, Jeff <Jeff.Leiper@ottawa.ca>; McKenney, Catherine <Catherine.Mckenney@ottawa.ca>
Subject: RE: Rick Chiarelli Complaint (playing politics with traffic calming)

Mr. Watson, Mr. Kanellakos, Mr. O'Connor,

Gentlemen,

I look forward to receiving your responses to the following requests which are derived from the email sent to you at 2:39 this date.

1. What are the reasons for City Council giving delegated authority to Councillor Chiarelli regarding the first matter noted below, that is, traffic calming?
2. Regarding the second matter noted in the email sent at 2:39 this date, please arrange to send me the complete file associated with the installation of the speed display board, which means every production of any kind from initiation of the process to completion of the installation.

As you will appreciate, this matter involves the expenditure of public money, and one of the standards in this regard is the accountability aspect of the City of Ottawa Code of Conduct as it applies to politicians and to bureaucrats.

Therefore, I want to receive the files which document every accountability aspect of the installation of the speed display board on Tanglewood, including the rationale for expending funds on a speed board versus other measures on that roadway, as well as the rationale for expending funds on that roadway versus other roadways in College ward.

It is my experience that this request deals with materials that are already on file and should not require more than ten minutes to assemble. And, further good news, once the file is assembled it can likely be sent in part or whole in response to additional inquiries about this installation and perhaps even other installations.

I therefore look forward to receiving the requested documentation at the earliest.

Regards,

Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: Barry Wellar [<mailto:wellar.barry@gmail.com>]

Sent: Tuesday, December 29, 2020 2:39 PM

To: 'le hibou'; Jim.Watson@ottawa.ca; Steve.Kanellakos@ottawa.ca; wellar.barry@gmail.com
Cc: 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; 'granda k'; 'integrity / intégrité'; 'Kanellakos, Steve'; 'O'Connor, M. Rick'; steve.clark@pc.ola.org; 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; 'Joanne Chianello'; 'Willing, Jon'; 'joanmclark'; 'Doug Arnold'; 'George A. Neville'; premier@ontario.ca; 'Jim Watson'; 'Horizon Ottawa'; 'Rob Campbell'; briarvine@gmail.com; belaircommunityassociation@gmail.com; cityviewassociation@gmail.com; elliott15oak@rogers.com; racheltweedy@hotmail.com; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; 'James O'Grady'; 'Sean Devine'; 'Malcolm J Coyne'; Theresa.Kavanagh@ottawa.ca; capitalward@ottawa.ca; 'King, Rawlson'; Jeff.Leiper@ottawa.ca; Catherine.Mckenney@ottawa.ca
Subject: RE: Rick Chiarelli Complaint (playing politics with traffic calming)

Thank you for the kind words, Mr. MacAulay, and thank you for the note about the speed display board on Tanglewood. That one is “news” to me.

Three matters arise at this moment.

First, I commented in a preceding email to the City of Ottawa Integrity Commissioner, copied to municipal and provincial officials on the cc list, that based on my findings as expressed via 36 emails over the past two years, (as well as numerous others transmitted to Mr. Chiarelli in the interim), in my opinion Mr. Chiarelli should not have been designated any money whatsoever for any purpose, and allowing him to expend funds on traffic calming is bizarre, indeed, upon reflection, beyond bizarre and into the realm of enabling reckless expending of taxpayer dollars.

Second, for this expenditure on a speed display board on Tanglewood, at minimum there must be a signed-off work order supported by traffic survey data to justify an installation at this location versus numerous other locations in College ward about which complaints involving traffic have circulated for many months to my knowledge, and apparently for greatly extended periods according to more long-term residents.

Based on my experience, it should take no more than ten minutes for city staff to assemble the entirety of this file, and then it is simply a matter of seconds here and there to make it available to every community association and every individual listed above, as well as to every interested party in College ward and any other ward for that matter.

I hasten to add that city staff should also be able to assemble all the complaints sent directly to the city and to Councillor Chiarelli regarding traffic on Tanglewood and other streets in College ward.

As we are all are aware, city interventions have been complaints-driven for years, so these materials are doubtless already “primed to go”, and would have been part of the work order, it is simply a click-send operation.

Third, I suggest that community associations give consideration to requesting funds from the Chiarelli account to hire a consultant should the materials received from city staff require that level of expertise and time to process the documentation.

I can provide a talking-point consultant figure offline once the entire file is circulated if that is deemed useful, and I can also provide the emails which comprise the Code of Conduct complaint, and are themselves complaints.

Mayor Jim Watson, City Manager Steve Kanellakos, and City Clerk Rick O'Connor are named as recipients, and I suggest that College ward association officers and individuals might wish to contact them directly by email and request their responses to the matters raised in this communication, as well as those raised in the linked material.

And, of course, the text of the preceding email to the Integrity Commissioner can also be brought into inquiries about Mr. Chiarelli being allowed to expend any funds of any kind for any purpose.

Regards,

Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 27

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Saturday, January 23, 2021 2:50 PM
To: integrity@ottawa.ca; 'O'Connor, M. Rick'; 'Watson, Jim (Mayor/Maire)';
steve.clark@pc.ola.org; premier@ontario.ca; 'Lisa MacLeod-co';

jeremy.roberts@pc.ola.org; horwatha-qp@ndp.on.ca; JHarden-QP@ndp.on.ca; sbblais.mpp.co@liberal.ola.org; 'Kanellakos, Steve'

Cc: 'Lynwood Village Community Association'; westcliffcommunity@gmail.com; 'teamlittlehoof'; 'integrity / intégrité'; 'Marleau, Robert'; 'Chianello, Joanne (CBC)'; 'Willing, Jon'; 'ottawa owl'; 'joanmclark joanmclark'; 'doug arnold'; 'george neville'; 'Horizon Ottawa'; 'Rob Campbell'; briarvine@gmail.com; 'Bel-Air Community Association Ottawa'; cityviewassociation@gmail.com; elliot15oak@rogers.com; 'Rachel Tweedy'; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; 'jogrady'; 'Sean Devine'; 'Malcolm J Coyne'; 'Box, Steve'; 'Manconi, John'; 'Salter-MacDonald, Caitlin'; 'Anderson, Kiel'; 'Ferraro, Krista'; 'Burns, Kathy A (Police)'; 'McKenney, Catherine'; 'Menard, Shawn'; tristanmaack@hotmail.com; 'Anderson, Kiel'

Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. Robert Marleau,
Integrity Commissioner
City of Ottawa

Mr. Marleau,

In his communication, Mr. O'Connor includes the observation,

“ As described above, City Council has taken action within its authority to address breaches of the Code of Conduct reported by the Integrity Commissioner, and I have acted upon Council's direction with respect to same. Accordingly, I will not be bringing forward any further recommendations to City Council at this time.”

I attached a broader interpretation and broader implications to the breaches of the Code of Conduct which you reported and, hence, my negative reaction to Councillor Chiarelli still having anything to do with anything that is mentioned in the initial 36 emails contained in my complaint, and in the next 100 or so emails which, for want of a better phrase, I refer to as examples of dereliction of duty that fall (in my opinion) within the purview of the City of Ottawa Code of Conduct for Politicians.

However, that not being the case regarding my perceived interpretation and implications of your report, I am obliged to identify a different path leading to the desired outcome of Councillor Chiarelli not having anything to do with anything he has chosen to ignore by not responding to concerns, questions, issues, etc., in the initial 36 emails, and a

second batch another 100, many of which involve transportation- and traffic-related community matters.

The purpose of this communication is to inform you and others that a different path has been identified, and that I will be communicating with you in that regard since there are confidentiality aspects to be respected..

Thank you.

Dr. Barry Wellar, C.M., GISP
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: O'Connor, M. Rick [mailto:Rick.OConnor@ottawa.ca]

Sent: Monday, January 18, 2021 9:10 AM

To: Barry Wellar; Watson, Jim (Mayor/Maire); steve.clark@pc.ola.org; premier@ontario.ca; 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; horwatha-q@ndp.on.ca; JHarden-QP@ndp.on.ca; sblais.mpp.co@liberal.ola.org; Kanellakos, Steve

Cc: 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; 'teamlittlehoof'; integrity / intégrité; Marleau, Robert; Chianello, Joanne (CBC); Willing, Jon; 'ottawa owl'; 'joanmclark joanmclark'; 'doug arnold'; 'george neville'; 'Horizon Ottawa'; 'Rob Campbell'; briarvine@gmail.com; 'Bel-Air Community Association Ottawa'; cityviewassociation@gmail.com; elliot15oak@rogers.com; 'Rachel Tweedy'; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; jogrady; 'Sean Devine'; 'Malcolm J Coyne'; Box, Steve; Manconi, John; Salter-MacDonald, Caitlin; Anderson, Kiel; Ferraro, Krista; Burns, Kathy A (Police); McKenney, Catherine; Menard, Shawn; tristanmaack@hotmail.com; Anderson, Kiel

Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. Wellar,

In response to your most recent communication, I can provide the following information.

With regard to the code of conduct complaint you have filed respecting Councillor Chiarelli's conduct, please note that formal requests for investigation under the Code of Conduct for Members of Council are strictly under the sole, statutory authority and jurisdiction of the Integrity Commissioner. I have no information concerning the status of code of conduct complaints, nor do I have any power or authority to move a file forward. Any questions or concerns respecting the status of a code of conduct complaint should be directed to the City's Integrity Commissioner, Mr. Robert Marleau.

That said, I acknowledge that you are unsatisfied with Councillor Chiarelli's response, or lack thereof, to the matters you have raised with him. As you are aware, Members of Council are responsible for managing their individual offices and dealing with constituency matters, including answering – or not answering – emails or related inquiries from residents (which may include relying upon the City's [Public Conduct Policy](#) in certain situations). Once again, the appropriate way to address concerns regarding the behaviour of a Member of Council is through the Integrity Commissioner and the Code of Conduct complaint process.

On the matter of the Ward Councillor's delegated authorities, as City Clerk, I do not have the authority to independently remove any such authorities, including those under the Temporary Traffic Calming Measures Program. My recommendations to City Council on December 9, 2020, were directly in response to Council's direction arising from the Integrity Commissioner's [report](#) considered by Council on November 25, 2020. As noted in my [report](#), any action taken by Council in response to the Integrity Commissioner's report should be rationally connected to the remediation of the harm caused by the breaches identified by the Integrity Commissioner or preventing its recurrence. This rationale is firmly based on the judicial precedents set in other municipal jurisdictions where municipal councils have taken action in response to an integrity commissioner's report. As set out in my previous email to you of January 5, 2021, the removal of Councillor Chiarelli's delegated authority under the Temporary Traffic Calming Measures Program and the Cash-in-lien of Parkland Funds Policy was not considered "rationally connected" to the breaches of the Code of Conduct identified by the Integrity Commissioner in his November report to Council.

To summarize, City Council's actions in response to the Integrity Commissioner's reports concerning the conduct of Councillor Chiarelli include as follows:

July 15, 2020 report

- Suspension of pay for 270 days.

November 25, 2020 report

- Suspension of pay for 180 days;
- Removal from membership of all committees of Council and any other local boards, agencies or commissions for the remainder of the 2018-2022 term of office;
- Removal of delegated authorities for human resources-related matters and budgetary expenditures for the Ward 8 office (assigned to myself and the Manager, Council and Committee Services);
- Issuing a formal apology on behalf of City Council to the women who were subjected to discrimination and harassment by Councillor Chiarelli;
- Calling on Councillor Chiarelli to tender his resignation as a member of City Council; and
- Requesting changes to the *Municipal Act, 2001* to provide for the vacating of the seat of a member of council who has been found of serious misconduct (by way of a letter from the Mayor to the Minister of Municipal Affairs and Housing).

It is important to note that Councillor Chiarelli remains the elected representative for College Ward, representing the constituents of Ward 8, unless his seat becomes vacant under one of several scenarios set out in [Subsection 259\(1\)](#) of the *Municipal Act, 2001* (e.g. absent from meetings of council for three successive months, has his seat declared vacant in a judicial proceeding, etc.). As described above, City Council has taken action within its authority to address breaches of the Code of Conduct reported by the Integrity Commissioner, and I have acted upon Council's direction with respect to same. Accordingly, I will not be bringing forward any further recommendations to City Council at this time.

To conclude, I have provided you with all the information available to me on this matter. I also am keenly aware that you are not satisfied with the end result in this instance. Nevertheless, please direct all further questions or concerns related to your existing code of conduct complaint, or with respect to other conduct-related matters, to the Integrity Commissioner as he has the statutory jurisdiction in this regard.

Regards,

M. Rick O'Connor, CMO, LLB|OMA, LL.B.
City Clerk | Greffier municipal
Certified Specialist (Municipal Law: Local Government) |
Spécialiste agréé (Loi sur les municipalités: administration locale)
City of Ottawa | Ville d'Ottawa
Tel./Tél. 613.580.2424, ext./poste 21215
rick.oconnor@ottawa.ca

From: Barry Wellar <wellar.barry@gmail.com>

Sent: January 10, 2021 4:27 PM

To: O'Connor, M. Rick <Rick.OConnor@ottawa.ca>; Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>; steve.clark@pc.ola.org; premier@ontario.ca; 'Lisa MacLeod-co' <lisa.macleodco@pc.ola.org>; jeremy.roberts@pc.ola.org; horwatha-q@ndp.on.ca; JHarden-QP@ndp.on.ca; sbblais.mpp.co@liberal.ola.org; Kanellakos, Steve <Steve.Kanellakos@ottawa.ca>; wellar.barry@gmail.com

Cc: 'Lynwood Village Community Association' <contact@lynwoodvillageottawa.ca>; westcliffecommunity@gmail.com; 'teamlittlehoof' <teamlittlehoof@hotmail.com>; integrity / intégrité <integrity@ottawa.ca>; Marleau, Robert <Robert.Marleau@ottawa.ca>; Chianello, Joanne (CBC) <joanne.chianello@cbc.ca>; Willing, Jon <jwilling@postmedia.com>; 'ottawa owl' <ottawaowl2@rogers.com>; 'joanmclark joanmclark' <joanmclark@sympatico.ca>; 'doug arnold' <douglasarnold@sympatico.ca>; 'george neville' <george.neville@ncf.ca>; 'Horizon Ottawa' <info.horizonottawa@gmail.com>; 'Rob Campbell' <rob.campbell@ocdsb.ca>; briarvine@gmail.com; 'Bel-Air Community Association Ottawa' <belaircommunityassociation@gmail.com>; cityviewassociation@gmail.com; elliot15oak@rogers.com; 'Rachel Tweedy' <racheltweedy@hotmail.com>; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; jogrady <jogrady66@gmail.com>; 'Sean Devine' <sean@seandevine.ca>; 'Malcolm J Coyne' <mcoyne@teksavvy.com>; Box, Steve <Steve.Box@ottawa.ca>; Manconi, John <John.Manconi@ottawa.ca>; Salter-MacDonald, Caitlin <Caitlin.Salter-MacDonald@ottawa.ca>; Anderson, Kiel <Kiel.Anderson@ottawa.ca>; Ferraro, Krista <krista.ferraro@ottawa.ca>; Burns, Kathy A (Police) <BurnsK@ottawapolice.ca>; McKenney, Catherine <Catherine.Mckenney@ottawa.ca>; Menard, Shawn <Shawn.Menard@ottawa.ca>; tristanmaack@hotmail.com

Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. O'Connor,

Thank you for your communication.

Mayor Jim Watson, Municipal Affairs Minister Steve Clark, Premier Doug Ford, MPP Lisa MacLeod, MPP Jeremy Roberts, Opposition Leader Andrea Horwath, MPP Joel Harden, MPP Stephen Blais, Councillor Diane Deans, City Manager Steve Kanellakos, and OPS Chief Peter Sloly via K. Burns are among those who will receive a follow-on

email. Consequently, for convenience of communications and efficiency of tracking digital trails, they are included as co-primary recipients.

Mr. O'Connor, all those party to this email should know that based on previous communications, you are not a stranger to the matters raised in this communication.

In brief, you are named in 4 of the 36 emails, and city politicians and staff other than Mr. Chiarelli are named in 24 of the 36 emails that are contained in the Code of Conduct complaint submitted November 29, 2019 to City of Ottawa Integrity Commissioner Robert Marleau requesting a formal investigation of Councillor Rick Chiarelli. Those emails are included in Attachment 1.

For the purpose of emphasis since time is an important consideration in this matter, it is repeated that the Code of Conduct request for a formal investigation was submitted November 29, 2019, and it is noted that the request was approved with the Notice of Inquiry to proceed dated December 20, 2019. It is now more than a year later, and as of this date I have not been apprised of actions taken by a municipal or provincial body to move the file forward.

The emails which comprise the Code of Conduct complaint are contained in Attachment 1. As even a cursory examination reveals, a number of the emails in the complaint are directly associated with those for which Councillor Chiarelli continues to have delegated authority.

Or, to re-phrase because some readers not familiar with the Chiarelli Code of Conduct story may find this part of the situation beyond belief, although matters raised in the Code of Conduct complaint have histories with Mr. Chiarelli dating back to 2019 and 2018, and were circulated to numerous municipal and provincial politicians, Councillor Chiarelli continues to have delegated authority for those matters in College ward. The word 'head-shaker' is one of the less rude terms used to describe this kind of denial of reality.

Which brings me to your comment,

"With respect to your question about the Councillor's delegated authority for expenditures under the Temporary Traffic Calming Measures Program, I note that each Ward Councillor is allocated an annual budget for Temporary Traffic Calming Measures, including speed display devices, pavement markings and cycling delineators. This City-wide program was implemented in 2015 as a means to deter speeding in local communities."

and the suggested remedy,

“In sum, the Councillor retains his delegated authority to install a traffic calming device. As such, in response to your second question about information on a specific device, I recommend you direct your inquiry directly to Councillor Chiarelli’s Office.”

Given the prolonged, abject failure of Councillor Chiarelli to respond to numerous emails sent over the previous two years on matters covered by the delegated authority, as well as widespread complaints on social media and list serves by area residents in different parts of College ward about his failure before 2018 to deal with issues within the delegated authority envelope, it came as a surprise to me and others that on behalf of City Council you would support perpetuating Mr. Chiarelli’s delegated authority in any way, shape, or form.

However, you did so, which brings me to Attachment 2.

There are some 100 emails in Attachment 2 which post-date my Code of Conduct complaint submitted November 29, 2019. You are named as a recipient of 30, yes 30 of the emails in Attachment 2.

Further, in addition to yourself being listed as a recipient of emails, so are members of Ottawa City Council, as well members of staff, including City Manager Steve Kanellakos and OPS Chief Peter Sloly via K. Burns.

However, it appears fair to say that few if any of the persons listed have their names on reply communications sent by Councillor Chiarelli to me as evidence that he is actually doing anything about any of the questions, concerns, problems, issues, etc., that were brought to his attention as matters of city business via the emails presented in Attachment 2.

Long story short is that for matters contained within Chiarelli’s delegated authority envelope, there are no responses to 36 related emails in 2019, no responses to more than 90 related emails in 2020, and the ten or so other responses are inadequate, irrelevant, erroneous, evasive, token, boilerplate, etc., and do nothing to resolve the questions asked, issues raised, assistance sought, etc.

Feedback from other residents on this matter confirms my position that your suggestion is totally without merit, and is actually cause for concern about competence since it flies in the face of evidence-based logic.

That is, he has done nothing for the past two years despite repeated requests, so why would anyone think that anything has changed, and especially since his salary has been put on extended 'pause'

The failure over the past two years of Councillor Chiarelli to properly discharge the assigned delegated authority duties is thoroughly documented, and there is no sign of any kind, none whatsoever, that there will be any change in his behaviour, or that if he could he would work to resolve the issues, problems, etc., that have been ignored for the past two years that I know about, and for years before that according to feedback from residents who have been here for many years.

As a result, it appears to be painfully self-evident that it is a totally baseless notion to anticipate a massive, voluntary correction rather than just more of the same old same old involving Mr. Chiarelli, and that the time is long passed for city and provincial officials to implement a much-needed, results-oriented action plan.

With regard to urgency, it has been noted on a number of occasions that more than 50,000 residents of College ward were not represented by an effective, responsible, and citizen-responsive municipal councillor in 2019 and 2020.

At the risk of belabouring the obvious, Mr. O'Connor, I suggest that two years is a grossly unacceptable length of time for a ward with a population of more than 50,000 to be without effective municipal representation, and that the continued failure to fix this problem shows utmost disrespect for College ward citizens' intelligence and tax dollars.

I therefore look forward to learning at the earliest moment what alternative approach you have in mind, because on the evidence the one before us now is an insulting non-starter in so many ways.

In closing, everyone listed in the opening paragraph has been previously apprised on multiple occasions of this governance mess, and each of them bears responsibility for a situation that should have been corrected many months ago, instead of being allowed to drag on and on and fester at the expense of College ward residents.

As someone who pays taxes to both municipal and provincial governments, I encourage a prompt, effective, efficient joint effort to solve a problem that should have been 'nipped in the bud' more than a year ago.

Finally, please remember to use **Reply All** in your response communication. Thank you.

Regards,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: O'Connor, M. Rick [<mailto:Rick.OConnor@ottawa.ca>]
Sent: Tuesday, January 5, 2021 2:15 PM
To: Barry Wellar
Cc: Watson, Jim (Mayor/Maire); Kanellakos, Steve; 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; teamlittlehoof; integrity / intégrité; Marleau, Robert; Steve Clark, Hon. (steve.clark@pc.ola.org); 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; Chianello, Joanne (CBC); Willing, Jon; ottawa owl; joanmclark joanmclark; doug arnold; george neville; Premier Doug Ford (premier@ontario.ca); Horizon Ottawa; Rob Campbell; briarvine@gmail.com; Bel-Air Community Association Ottawa; cityviewassociation@gmail.com; elliott15oak@rogers.com; Rachel Tweedy; president@qualicum.org; qtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com; info@francouest.org; jogrady; Sean Devine; Malcolm J Coyne; Kavanagh, Theresa; Capital Ward; King, Rawlson; Leiper, Jeff; McKenney, Catherine; Box, Steve; Manconi, John; Salter-MacDonald, Caitlin; Anderson, Kiel
Subject: RE: Rick Chiarelli Complaint (Playing Politics with Traffic Calming)

Mr. Wellar,

I have now had the opportunity to review the matters set out in your e-mail of December 29, 2020 and can offer the following information in response to same.

With respect to your question about the Councillor's delegated authority for expenditures under the [Temporary Traffic Calming Measures Program](#), I note that each Ward Councillor is allocated an annual budget for Temporary Traffic Calming Measures, including speed display devices, pavement markings and cycling delineators. This City-wide program was implemented in 2015 as a means to deter speeding in local communities.

As you are aware, on November 25, 2020, Council carried the recommendations of the Integrity Commissioner's "[Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli](#)", including the following recommendation:

- 6. Suspend all delegated authorities of Councillor Chiarelli to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office and that the said delegated authorities shall be vested as recommended by the City Clerk in a separate report to Council.**

The Integrity Commissioner's recommendations were carried as amended by [several motions](#). In response to Council's directions of November 25, 2020, I provided the report "[College – Ward 8 – Delegation of Budgetary Approval Authorities and Related Matters](#)" to Council on December 9, 2020.

Council carried that supplementary report's recommendations, including that the City Clerk and the Manager, Council and Committee Services, be delegated the authority to address all employment matters relating to the Ward 8 Office, including the hiring, discipline, and termination of staff. This recommendation is directly related to the findings of the Integrity Commissioner's report.

My report also offered the following comment on the statutory roles and responsibilities of the Councillor, and on remedial versus punitive actions following misconduct:

"...Council may approve remedial actions aimed at correcting the harm caused by the Ward 8 Councillor's conduct as determined by the Integrity Commissioner or preventing its recurrence, as described below in more detail. That said, consideration must also be given to the fact that the Member remains in elected office representing the constituents of Ward 8 – College with continued statutory roles and responsibilities."

Referring to past court decisions on remedial measures in response to Integrity Commissioner findings, and noting that it is important to distinguish between sanctions that are intended to punish misconduct, and remedial measures directed at preventing a recurrence of the misconduct or providing corrective actions, the report stated:

"...based on the outcomes in other municipalities, any action taken by Council in response to the Integrity Commissioner's findings of Code of Conduct breaches by the Ward 8 Councillor should be rationally connected

to the remediation of the harm caused by the breaches or preventing its recurrence.”

For those reasons, my December 9, 2020 report to Council contained no recommendation regarding the Councillor’s delegated authority with respect to budget expenditures under the Temporary Traffic Calming Measures Program, as that authority, and expenses resulting from that authority, have no relation to the Integrity Commissioner’s findings. Specifically, my report expressly states the following on this point:

“It is also noted that the Ward 8 Councillor may have certain delegated authorities with respect to other City budget expenditures such as those under the [Temporary Traffic Calming Measures Program](#) and the [Cash-in-lieu of Parkland Funds Policy](#). The Ward 8 Councillor’s delegated authorities will continue with respect to any budget expenditures relating to such matters, as they were not subject to the Integrity Commissioner’s recommendation with respect to suspension and delegation of authorities.”

In sum, the Councillor retains his delegated authority to install a traffic calming device. As such, in response to your second question about information on a specific device, I recommend you direct your inquiry directly to Councillor Chiarelli’s Office.

Regards,

M. Rick O’Connor, CMO, LLB|OMA, LL.B.
City Clerk | Greffier municipal
Certified Specialist (Municipal Law: Local Government) |
Spécialiste agréé (Loi sur les municipalités: administration locale)
City of Ottawa | Ville d'Ottawa
Tel.|Tél. 613.580.2424, ext.|poste 21215
rick.oconnor@ottawa.ca

From: Barry Wellar <wellar.barry@gmail.com>
Sent: Tuesday, December 29, 2020 7:52 PM
To: Watson, Jim (Mayor/Maire) <Jim.Watson@ottawa.ca>; Kanellakos, Steve <Steve.Kanellakos@ottawa.ca>; O'Connor, M. Rick <Rick.OConnor@ottawa.ca>; wellar.barry@gmail.com <wellar.barry@gmail.com>
Cc: 'Lynwood Village Community Association' <contact@lynwoodvillageottawa.ca>; westcliffecommunity@gmail.com <westcliffecommunity@gmail.com>; 'granda k' <teamlittlehoof@hotmail.com>; integrity / intégrité <integrity@ottawa.ca>; Kanellakos,

Steve <Steve.Kanellakos@ottawa.ca>; O'Connor, M. Rick
<Rick.OConnor@ottawa.ca>; steve.clark@pc.ola.org <steve.clark@pc.ola.org>; 'Lisa
MacLeod-co' <lisa.macleodco@pc.ola.org>; jeremy.roberts@pc.ola.org
<jeremy.roberts@pc.ola.org>; Chianello, Joanne (CBC) <joanne.chianello@cbc.ca>;
Willing, Jon <jwilling@postmedia.com>; Craig MacCaulay <ottawaowl2@yahoo.ca>;
'joanmclark' <joanmclark@sympatico.ca>; 'Doug Arnold'
<douglasarnold@sympatico.ca>; 'George A. Neville' <george.neville@ncf.ca>;
premier@ontario.ca <premier@ontario.ca>; Watson, Jim (Mayor/Maire)
<Jim.Watson@ottawa.ca>; 'Horizon Ottawa' <info.horizonottawa@gmail.com>; 'Rob
Campbell' <rob.campbell@ocdsb.ca>; briarvine@gmail.com <briarvine@gmail.com>;
belaircommunityassociation@gmail.com <belaircommunityassociation@gmail.com>;
cityviewassociation@gmail.com <cityviewassociation@gmail.com>;
elliott15oak@rogers.com <elliott15oak@rogers.com>; racheltweedy@hotmail.com
<racheltweedy@hotmail.com>; president@qualicum.org <president@qualicum.org>;
qtsrcommunity@gmail.com <qtsrcommunity@gmail.com>; info@copelandpark.ca
<info@copelandpark.ca>; markandjane@rogers.com <markandjane@rogers.com>;
valleystreamcommunityassoc@gmail.com <valleystreamcommunityassoc@gmail.com>;
info@francoest.org <info@francoest.org>; jogrady <jogrady66@gmail.com>; 'Sean
Devine' <sean@seandevine.ca>; 'Malcolm J Coyne' <mcoyne@teksavvy.com>;
Kavanagh, Theresa <Theresa.Kavanagh@ottawa.ca>; Capital Ward
<CapitalWard@ottawa.ca>; King, Rawlson <Rawlson.King@ottawa.ca>; Leiper, Jeff
<Jeff.Leiper@ottawa.ca>; McKenney, Catherine <Catherine.Mckenney@ottawa.ca>
Subject: RE: Rick Chiarelli Complaint (playing politics with traffic calming)

Mr. Watson, Mr. Kanellakos, Mr. O'Connor,

Gentlemen,

I look forward to receiving your responses to the following requests which are derived from the email sent to you at 2:39 this date.

1. What are the reasons for City Council giving delegated authority to Councillor Chiarelli regarding the first matter noted below, that is, traffic calming?
2. Regarding the second matter noted in the email sent at 2:39 this date, please arrange to send me the complete file associated with the installation of the speed display board, which means every production of any kind from initiation of the process to completion of the installation.

As you will appreciate, this matter involves the expenditure of public money, and one of the standards in this regard is the accountability aspect of the City of Ottawa Code of Conduct as it applies to politicians and to bureaucrats.

Therefore, I want to receive the files which document every accountability aspect of the installation of the speed display board on Tanglewood, including the rationale for expending funds on a speed board versus other measures on that roadway, as well as the rationale for expending funds on that roadway versus other roadways in College ward.

It is my experience that this request deals with materials that are already on file and should not require more than ten minutes to assemble. And, further good news, once the file is assembled it can likely be sent in part or whole in response to additional inquiries about this installation and perhaps even other installations.

I therefore look forward to receiving the requested documentation at the earliest.

Regards,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA

<http://wellar.ca/informationresearch/>

From: Barry Wellar [<mailto:wellar.barry@gmail.com>]

Sent: Tuesday, December 29, 2020 2:39 PM

To: 'le hibou'; Jim.Watson@ottawa.ca; Steve.Kanellakos@ottawa.ca; wellar.barry@gmail.com

Cc: 'Lynwood Village Community Association'; westcliffecommunity@gmail.com; 'granda k'; 'integrity / intégrité'; 'Kanellakos, Steve'; 'O'Connor, M. Rick'; steve.clark@pc.ola.org; 'Lisa MacLeod-co'; jeremy.roberts@pc.ola.org; 'Joanne Chianello'; 'Willing, Jon'; 'joanmclark'; 'Doug Arnold'; 'George A. Neville'; premier@ontario.ca; 'Jim Watson'; 'Horizon Ottawa'; 'Rob Campbell'; briarvine@gmail.com; belaircommunityassociation@gmail.com; cityviewassociation@gmail.com; elliott15oak@rogers.com; racheltweedy@hotmail.com; president@qualicum.org; gtsrcommunity@gmail.com; info@copelandpark.ca; markandjane@rogers.com; valleystreamcommunityassoc@gmail.com;

info@francouest.org; 'James O'Grady'; 'Sean Devine'; 'Malcolm J Coyne';
Theresa.Kavanagh@ottawa.ca; capitalward@ottawa.ca; 'King, Rawlson';
Jeff.Leiper@ottawa.ca; Catherine.Mckenney@ottawa.ca

Subject: RE: Rick Chiarelli Complaint (playing politics with traffic calming)

Thank you for the kind words, Mr. MacAulay, and thank you for the note about the speed display board on Tanglewood. That one is “news” to me.

Three matters arise at this moment.

First, I commented in a preceding email to the City of Ottawa Integrity Commissioner, copied to municipal and provincial officials on the cc list, that based on my findings as expressed via 36 emails over the past two years, (as well as numerous others transmitted to Mr. Chiarelli in the interim), in my opinion Mr. Chiarelli should not have been designated any money whatsoever for any purpose, and allowing him to expend funds on traffic calming is bizarre, indeed, upon reflection, beyond bizarre and into the realm of enabling reckless expending of taxpayer dollars.

Second, for this expenditure on a speed display board on Tanglewood, at minimum there must be a signed-off work order supported by traffic survey data to justify an installation at this location versus numerous other locations in College ward about which complaints involving traffic have circulated for many months to my knowledge, and apparently for greatly extended periods according to more long-term residents.

Based on my experience, it should take no more than ten minutes for city staff to assemble the entirety of this file, and then it is simply a matter of seconds here and there to make it available to every community association and every individual listed above, as well as to every interested party in College ward and any other ward for that matter.

I hasten to add that city staff should also be able to assemble all the complaints sent directly to the city and to Councillor Chiarelli regarding traffic on Tanglewood and other streets in College ward.

As we are all are aware, city interventions have been complaints-driven for years, so these materials are doubtless already “primed to go”, and would have been part of the work order, it is simply a click-send operation.

Third, I suggest that community associations give consideration to requesting funds from the Chiarelli account to hire a consultant should the materials received from city staff require that level of expertise and time to process the documentation.

I can provide a talking-point consultant figure offline once the entire file is circulated if that is deemed useful, and I can also provide the emails which comprise the Code of Conduct complaint, and are themselves complaints.

Mayor Jim Watson, City Manager Steve Kanellakos, and City Clerk Rick O'Connor are named as recipients, and I suggest that College ward association officers and individuals might wish to contact them directly by email and request their responses to the matters raised in this communication, as well as those raised in the linked material.

And, of course, the text of the preceding email to the Integrity Commissioner can also be brought into inquiries about Mr. Chiarelli being allowed to expend any funds of any kind for any purpose.

Regards,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

EMAIL 28

-----Original Message-----

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, April 18, 2021 1:18 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members Email 28

-----Original Message-----

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Friday, March 5, 2021 1:34 PM

To: 'George A. Neville'; 'Steve Clark'; 'doug ford'; 'jeremy roberts'

Cc: 'doug arnold'; 'Joan Clark'; 'Theresa Kavanagh'; 'Alex Cullen'; 'Nancy O'Brien'; tristanmaack@hotmail.com; Craig MacCaulay; Lynwood Village Community Association (contact@lynwoodvillageottawa.ca); Jim.Watson@ottawa.ca; 'O'Connor, M. Rick'; JHarden-QP@ndp.on.ca; 'sblais.mpp.co@liberal.ola.org'; ahorwath-co@ndp.on.ca
Subject: RE: Apparent Loss of Mayoral Accountability by the City of Ottawa

Mr. Neville, Minister Clark, Premier Ford, MPP Roberts, MPP MacLeod

I previously sent an email (copy attached) on October 25, 2019 regarding Mr. Chiarelli under the title, Need for Legislation Enabling the Timely Removal of Municipal Officials from Office for Dereliction of Duty, and that email was followed by others in the same regard.

To date, and to the best of my knowledge, nothing has been done to address the issues raised.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

-----Original Message-----

From: George A. Neville [mailto:george.neville@ncf.ca]
Sent: Friday, March 5, 2021 11:57 AM
To: Steve Clark; doug ford; jeremy roberts
Cc: Barry Wellar; doug arnold; Joan Clark; Theresa Kavanagh; Alex Cullen; Nancy O'Brien
Subject: Apparent Loss of Mayoral Accountability by the City of Ottawa
Importance: High

Minister of Municipal Affairs, Steve Clark, Premier Ford, Constituent Rep., Jeremy Roberts

Early yesterday morning the following news release appeared from Nancy O'Brien, one of the female employees formerly engaged by Ottawa Councillor Rick Chiarelli noting

that "there is no mechanism to unseat a politician for abusing their position by exploiting people for personal gain or for protection women from being sexually harassed or assaulted."

----- Original message -----From: Nancy O'Brien <nancyobrienbooks@gmail.com>
Date: 2021-03-04 7:49 AM (GMT-05:00) To: Subject: Fwd: PETITION LAUNCH &
ROUNDTABLE: Chiarelli survivors #ChoosetoChallenge ----- Forwarded message --
-----From: Nancy O'Brien <nancyobrienbooks@gmail.com>Date: Thu, Mar 4, 2021 at
5:56 AM Subject: PETITION LAUNCH & ROUNDTABLE: Chiarelli survivors
#ChoosetoChallengeTo: <steve.clark@pc.ola.org>, <jill.dunlop@pc.ola.org>For
Immediate Release March 4, 2021Ottawa - A written petition launched by Rick Chiarelli
survivors is demanding changes to the Municipal Act. Many women bravely came
forward to share their stories of being abused and sexually objectified or worse while
working for City of Ottawa Councillor Rick Chiarelli and although the Integrity
Commissioner recommended the harshest penalties available, Rick Chiarelli is still the
elected representative for College Ward in the City of Ottawa. Today is World Day of the
Fight Against Sexual Exploitation. Although there are protections in place for abuse
related to finances and employment through the Municipal Elections Act, there is no
mechanism to unseat a politician for abusing their position by exploiting people for
personal gain or for protecting women from being sexually harassed or assaulted. For
the full statement click here -- Warm Regards, Nancy O'Briennancyobrien.ca613-853-
0371*Please note I work from 8:30 AM - 4:30 PM and will be unavailable to respond to
media inquiries during that time.

As a matter of interest and fact, I bring to your attention that, at least up until the mid-1940s and for some time later, "the Chairman of the Board of Control, the Mayor (of the City of Ottawa), as the administrator, has the power to suspend any city official for neglect of duty or insubordination. He must look after all civic interests through permanent officials."

This declaration, as part of his chapter on Municipal Administration, was published by Honorary Historian of the City of Ottawa, Lucien Brault, M.A. Ph.D., on p.79 of his 1946 published book, "Ottawa Old & New", in Ottawa by the Ottawa Historical Informatio9n Institute.

Ottawans can only wonder today whether this Mayoral responsibility has simply slid into oblivion through lack of execution or remains dormant like the 'phoenix' to arise anew and efficacious with appropriate Provincial provocation. It behooves you to dig deeply and earnestly.

George A. Neville
908 Iroquois Road
Ottawa, ON, K2A 3N5

There are more emails along similar lines on file. However, for the purposes of feedback on the terms of reference provided by MAH, it appears fair to say that the ones presented exceed the conditions of necessary and sufficient.

The next section provides a small selection of related media stories. It is most likely that the MAH 'clipping service' assembled a comprehensive body of media stories before launching the consultation.

I hasten to add that the intention is for the stories presented to perhaps be instructive for persons not familiar with a Code of Conduct situation in the City of Ottawa. Indeed, the prolonged exercise in dealing with a particular Code of Conduct situation may put Ottawa in a highlighted position as a core contributor to the long-called-for decision by MAH to launch this consultation and, in a timely manner, bring in effective legislation.

4. Links to Media Stories about Municipal Politicians and Accountability-Related Questions, Concerns, Issues, Problems, Etc.

In addition to media stories that are incorporated in the emails in section 3, there are other media stories which are pertinent to *Consultation: Strengthening accountability for municipal council members*.

Perhaps these materials were assembled and examined prior to the launch of the consultation and survey. However, in the absence of information in that regard, links to several media stories were transmitted via email to MAH Minister Steve Clark, with the request that they be forwarded to the person directing the consultation project.

The covering email to Minister Clark and the media links follow.

MEDIA ITEM 1

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, April 18, 2021 2:31 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members Media 1

Please forward to the person directing *Survey: Strengthening accountability for municipal council members*

In my response to questions 4,5, 6, and 7 in Section 2 of *Survey: Strengthening accountability for municipal council members*, I noted that I would be responding in detail by way of emails. These productions are already a matter of record.

In addition to emails containing communications pertinent to *Survey: Strengthening accountability for municipal council members*, I include the link to a media story that I bring forward for your consideration.

It is my expectation that this story is already a matter of record. However, I wish to ensure that it has been identified and is incorporated in the compilation of materials which will no doubt be provided to the public at the earliest moment in the consultation process.

I believe that the reasons for sending this link in response to the survey are self-evident, and no explanation is required.

However, elaborations may be submitted when all the emails are on file, and as a result of matters arising upon being informed or not being informed of my submitted emails, or of survey developments.

As may be observed upon inspection, this story pre-dates the launch of the survey.

The link heading is Shared from CityNews Ottawa: Orléans MPP introduces bill to allow removal of municipal councillors in cases of harassment, violence.

The email containing this link follows

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

From: accounts@cbc.ca [mailto:accounts@cbc.ca]
Sent: Wednesday, February 26, 2020 9:54 PM
To: wellar.barry@gmail.com
Subject: Chiarelli makes 1st council appearance since surgery | CBC News

wellar.barry@gmail.com is sharing this article from CBC with you:

[Chiarelli makes 1st council appearance since surgery | CBC News](#)

College ward Coun. Rick Chiarelli appeared frail as he arrived in a wheelchair to briefly attend Wednesday's Ottawa city council meeting, his first since undergoing heart bypass surgery in mid-December.

MEDIA ITEM 2

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, April 18, 2021 2:33 PM
To: 'Steve Clark'
Subject: Survey: Strengthening accountability for municipal council members Media 2
From: accounts@cbc.ca [mailto:accounts@cbc.ca]
Sent: Wednesday, October 23, 2019 7:15 PM
To: wellar.barry@gmail.com
Subject: Chiarelli's leave request denied | CBC News

[Chiarelli's leave request denied | CBC News](#)

The College ward councillor, who's facing numerous allegations of inappropriate behaviour, must attend council by the end of November or his seat will be declared vacant.

MEDIA ITEM 3

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, April 18, 2021 2:38 PM
To: 'Steve Clark'
Subject: Survey: Strengthening accountability for municipal council members Media 3

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Monday, May 25, 2020 7:45 PM
To: wellar.barry@gmail.com
Subject: Shared from OttawaMatters.com: Chiarelli investigation will go on without councillor's participation: integrity commissioner

https://www.ottawamatters.com/local-news/chiarelli-investigation-will-go-on-without-councillors-participation-integrity-commissioner-2373904?utm_source=Email_Share&utm_medium=Email_Share&utm_campaign=Email_Share

MEDIA ITEM 4

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Sunday, April 18, 2021 2:41 PM
To: 'Steve Clark'
Subject: Survey: Strengthening accountability for municipal council members Media 4

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Friday, December 13, 2019 10:13 AM
To: wellar.barry@gmail.com
Subject: Shared from OttawaMatters.com: Council ends help for Chiarelli during absence

https://www.ottawamatters.com/local-news/council-ends-help-for-chiarelli-during-absence-1958087?utm_source=Email_Share&utm_medium=Email_Share&utm_campaign=Email_Share

Again, there are more links to media stories along similar lines on file. However, for the purposes of feedback on the terms of reference provided by MAH, it appears fair to say that the ones presented exceed the conditions of necessary and sufficient.

The next section may be duplicating productions that MAH includes in the body of literature which it has reviewed, and which is or will be posted for consideration by citizens when they are preparing their responses.

However, it is prudent to not assume such an undertaking, and to include the materials here for direct access by readers.

5. Links to Reports on Surveys of Municipal and Provincial Politicians about Citizens having Free, Easy, Timely, and Direct Online Access to Municipal Records

As noted in Section 1, this report contains two sets of reports from the pilot study, [*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as*](#)

[Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice.](#)

The included reports are from three surveys of Mayor and Councillors, City of Ottawa, and from two surveys of Members of Cabinet, Government of Ontario. The federal government reports from the Chronicling project are set aside.

The texts of emails to Minister Clark about these municipal and provincial productions differ, so both emails are included in this section.

CHRONICLING PROJECT PILOT STUDY REPORTS:
CITY OF OTTAWA COUNCIL

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, April 18, 2021 7:12 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members: Chronicling pilot study, City of Ottawa

Minister Steve Clark,
Municipal Affairs and Housing

Please forward to the person directing *Survey: Strengthening accountability for municipal council members*

In my response to questions 4, 5, 6, and 7 in Section 2 of *Survey: Strengthening accountability for municipal council members*, I noted that I would be responding in detail by way of emails.

For this component of my response to *Survey: Strengthening accountability for municipal council members*, I include the links to reports of a pilot study investigation which surveys members of council, City of Ottawa, on their positions about citizens having free, easy, timely, and direct online access to City of Ottawa municipal records.

As the Minister and others at MAH may recall since he was copied numerous times in this regard, I refer to the pilot study investigation, [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice.](#)

The central research hypothesis of the pilot study is that in order for citizens to effectively and efficiently hold municipal politicians to account, citizens must have free, easy, timely, and direct online access to municipal records.

And the corollary research hypothesis is that in order for citizens to effectively and efficiently hold municipal politicians to citizen-based standards of transparency on matters of public interest, citizens must have free, easy, timely, and direct online access to municipal records.

Three surveys were administered to City Ottawa Council to ascertain whether mayor and councillors agree that citizens are entitled to free, easy, timely, and direct online access to municipal records.

Obviously, the more that members of a council agree that citizens are entitled to free, easy, timely, and direct online access to public records, then the higher the likelihood that citizens can ensure that the principles of transparency and accountability prevail among the community's politicians.

And, conversely, the more that members of a council do not agree that citizens are entitled to free, easy, timely, and direct online access to public records, then the lower the likelihood that citizens can ensure that the principles of transparency and accountability prevail among the community's politicians.

The pilot study led to a number of insights which should be instructive as the government seeks to ascertain how to ensure that changes to legislation actually succeed in *strengthening accountability for municipal council members*.

The titles of reports and the links which follow are for surveys of City of Ottawa politicians:

[Interim Report 1. Using Interim Reports as Part of the Pilot Study Research Design](#)

[Interim Report 2. Responses of City of Ottawa Mayor and Councillors to the Question: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa?](#)

[Interim Report 3. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada Is Best Practice, Ottawa Council Score: Political Buzzwords, 87.5%; Drivers, 12.5%](#)

[Interim Report 8. Second Survey Asking City of Ottawa Mayor and Councillors, *Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?*](#)

[Interim Report 9. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Second Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)

[Interim Report 16. Third Survey Asking City of Ottawa Mayor and Councillors, *Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?*](#)

[Interim Report 17. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Third Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)

[Interim Report 18. Invoking the Code of Conduct to Publicly Oblige City of Ottawa Politicians to Demonstrate Due Regard for Transparency and Accountability](#)

[Interim Report 19. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Reports from the Pilot Study Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#)

[Interim Report 20. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Communications to Mayor and Councillors that Received ‘The Silent Treatment’](#)

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

CHRONICLING PROJECT PILOT STUDY REPORTS:
GOVERNMENT OF ONTARIO CABINET

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Sunday, April 18, 2021 7:37 PM

To: 'Steve Clark'

Subject: Survey: Strengthening accountability for municipal council members:
Chronicling pilot study, Government of Ontario

Minister Steve Clark,
Municipal Affairs and Housing

Please forward to the person directing *Survey: Strengthening accountability for municipal council members*

In my response to questions 4, 5, 6, and 7 in Section 2 of *Survey: Strengthening accountability for municipal council members*, I noted that I would be responding in detail by way of emails.

For this component of my response to *Survey: Strengthening accountability for municipal council members*, I include the links to reports of a pilot study investigation which surveys a number of Members of Cabinet, Government of Ontario, on their positions about citizens having free, easy, timely, and direct online access to municipal records.

As the Minister and others at MAH may recall, I refer to the pilot study investigation, [*Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice.*](#)

The central research hypothesis of the pilot study is that in order for citizens to effectively and efficiently hold municipal politicians to account, citizens must have free, easy, timely, and direct online access to municipal records.

And the corollary research hypothesis is that in order for citizens to effectively and efficiently hold municipal politicians to citizen-based standards of transparency on matters of public interest, citizens must have free, easy, timely, and direct online access to municipal records.

Two surveys were administered to Members of Cabinet, Government of Ontario to ascertain whether they agree that citizens are entitled to free, easy, timely, and direct online access to municipal records.

Obviously, the more that Members of Cabinet, Government of Ontario agree that citizens are entitled to free, easy, timely, and direct online access to public records, then the higher the likelihood that citizens can ensure that the principles of transparency and accountability prevail among the community's municipal politicians.

And, conversely, the more that Members of Cabinet, Government of Ontario do not agree that citizens are entitled to free, easy, timely, and direct online access to public records, then the lower the likelihood that citizens can ensure that the principles of transparency and accountability prevail among the community's municipal politicians.

The pilot study led to a number of insights which should be instructive to politicians and to citizens, as the Ontario government seeks to ascertain how to ensure that changes to legislation actually succeed in *strengthening accountability for municipal council members*.

The titles of reports and the links which follow are for surveys of Members of Cabinet, Government of Ontario

[Interim Report 1. Using Interim Reports as Part of the Pilot Study Research Design](#)

[Interim Report 6. Responses of Ontario Premier Doug Ford and Selected Cabinet Ministers to the Question: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by Municipal Governments in Ontario?](#)

[Interim Report 7. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice, Ontario Cabinet Score: Political Buzzwords, 100%; Drivers, 0%](#)

[Interim Report 12. Second Survey of Ontario Premier Doug Ford and Selected Cabinet Ministers: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by Municipal Governments in Ontario?](#)

[Interim Report 13. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice, Ontario Cabinet Score, Second Survey: Political Buzzwords, 100%; Drivers, 0%](#)

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

In addition to the reports noted above, there are two more reports from the Chronicling pilot study which are pertinent to questions, concerns, issues, etc., about strengthening accountability for municipal council members.

[Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#)

[Interim Report 15. Identifying Tactics Used By Politicians to Restrict Citizens' Access to Public Records](#)

The reports are out there, and have been out there for many months, and while they are not discussed here, one comment may be instructive.

That is, at the date of this writing, April 30, 2021, no substantive communications have been received from MAH Minister Steve Clark, or any Cabinet Minister, or any Government of Ontario civil servant regarding any of the documents in this section of the report, ***Response to Notice about Consultation and Survey: Strengthening Accountability for Municipal Council Members***.

Moreover, on the flip side, I do not recall encountering any productions by MAH or any Government of Ontario agency which discuss much less investigate the accountability-related questions, issues, concerns, problems considered in the Chronicling pilot study,

Indeed, several literature searches failed to reveal any methodologically designed provincial government productions which could serve as a foundation for the consultation project, and none have been brought to my attention.

5. Links to Reports on the Police Reform Pilot Study

As noted in Section 1, this report contains productions from the pilot study, [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#).

The premise of this police reform pilot study is that citizens need free, easy, timely, and direct online access to police records in order to hold accountable municipal politicians, municipal politicians serving on police service boards, and police service agencies.

The cover email to Minister Clark including the links to police reform pilot study reports was transmitted April 20, 2021.

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Tuesday, April 20, 2021 2:54 PM

To: 'Steve Clark'

Cc: wellar.barry@gmail.com

Subject: Survey: Strengthening accountability for municipal council members: Police reform reports

Minister Steve Clark,
Municipal Affairs and Housing

Please forward to the person directing *Survey: Strengthening accountability for municipal council members*

In my response to questions 4, 5, 6, and 7 in Section 2 of *Survey: Strengthening accountability for municipal council members*, I noted that I would be responding in detail by way of emails.

For this component of my response to *Survey: Strengthening accountability for municipal council members*, I include the links to reports of the Police Reform Project. Publications from this investigation into the need for police reform include interim reports, as well as a final report. Consistent with the purpose of the Information Research Board, the focus of this investigation is on citizens having free, easy, timely, and direct online access to police service records, and those of Ottawa Police Service in particular.

[Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#)

[How Does Ottawa Council Ensure that a Police Reform Initiative Primarily Serves the Interests of Citizens?](#)

[How Does Ottawa Council Ensure that Citizens Have Free, Easy, Timely, and Direct Online Access to Ottawa Police Service Records?](#)

[How Will Council Ensure that Citizens Have Access to Records Which Define the Need to Reform the Ottawa Police Service?](#)

[Does Access to Police Records Affect the Ability of Citizens to Decide on the Need to Reform Ottawa Police Service?](#)

[Results from Asking City of Ottawa Politicians, "How Do You Suggest Improving Citizens' Access to Ottawa Police Service Records?"](#)

[Summary of Survey Results Asking City of Ottawa Politicians about Improving Citizens' Access to Ottawa Police Service Records](#)

[Analysis of Survey Results Asking City of Ottawa Politicians about Improving Citizens' Access to Ottawa Police Service Records](#)

The Police Reform Pilot Study led to a number of insights which should be instructive to politicians and to citizens as the Ontario government seeks to ascertain how to ensure that changes to legislation actually succeed in *strengthening accountability for municipal council members*.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

7. Closing Comment

I believe that the complexity and consequences of this consultation by MAH are far greater than might be construed based on examination of the materials which have been provided by MAH to date.

It was therefore decided to make publicly available the materials which are included in my comments on questions 4, 5, 6, and 7 of the consultation survey.

I note in this regard that it is my expectation that MAH will make digitally available all the submissions in a timely manner.

Or, more specifically in terms of timing, due to the brief consultation period I do not see any reasonable alternative to MAH making submission materials publicly available directly upon receipt.

However, I have not seen any indications in that regard, which to my mind is not a good sign for citizens. That is, the matter before us is a consultation about accountability of politicians which, as shown by numerous preceding email and reports, is only going to be as informative, instructive, and directive as the level of access which citizens have to materials on the topic of accountability of municipal politicians in Ontario as well as in other provinces.

Under those uncertain circumstances the alternative available to me, and hereby taken, is to post this report, and thereby make it available to citizens while we are waiting to access whatever additional productions MAH makes publicly available.

8. Endnotes

Endnote 1. The phrase “This is not my first rodeo” comes to mind when recollecting that in my capacities as senior researcher and policy advisor at the federal Ministry of State for Urban Affairs, professor of geography and planning, consultant, expert witness, advisor to community associations, community association officer, media commentator, and community activist, I have engaged with municipal council members on accountability and accountability-related matters for more than 50 years. Further, I have been involved in designing and evaluating research studies and surveys involving citizens’ participation in consultations, open houses, focus groups, and hearings about municipal and provincial policies, plans, programs, projects, and governance functions. Based on my experience, and what I have seen to date of the consultation process, I am highly dubious about the effectiveness, efficiency, or practicality of the MAH instrument to significantly strengthen the accountability of municipal council members.

Endnote 2. A number of other comments about failed consultations, hearings, inquiries, open houses, and related ventures are presented in [Results from Asking City of Ottawa Politicians, "How Do You Suggest Improving Citizens' Access to Ottawa Police Service](#)

[Records?"](#) The findings of that report are particularly relevant to the MAH consultation because they establish a very compelling point of concern. That is, if a municipal council does not support improving citizen access to police service records, or municipal records for that matter, and puts barriers in the way of that access, then the notion of strengthening accountability for municipal politicians is far from a 'slam dunk'. It remains to be seen how well the consultation process addresses that possible reality of municipal governance in some communities.

Endnote 3. To be as explicit as words allow, and as demonstrated by the emails to MAH Minister Steve Clark, Premier Doug Ford, other members of cabinet, and other MPPs, they were repeatedly asked over many months to deal with the situation in which more than 50,000 residents of College ward in Ottawa were, and continue to be, without adequate representation. Lest any politician missed the references in section 3 to the importance of time to citizens when it involves a politician not doing her or his job in a proper manner, a relevant paragraph (Page 7) is repeated:

Popular idioms such as "Justice delayed is justice denied", "To delay justice is injustice", "Too little too late", "It's high time", and "This action is way past due" only begin to illustrate the frustration, anger, etc., that is experienced by citizens when municipal politicians are not held to account at all, or are held to account in a manner which does not even begin to approximate how citizens are held to account on a daily basis for their 'failures to perform'

Endnote 4. As cases in point, a number of the emails included in this selection establish the validity of that statement. Specifically, the same subject matter must sometimes be sent repeatedly to the same or different municipal, provincial, or federal politicians and/or civil servants before, as William Shakespeare might say, "Truth will out".

Endnote 5. For transparency and accountability reasons I am compelled to disclose that on December 20, 2019, I filed a formal complaint naming Councillor Rick Chiarelli under the terms of the City of Ottawa Code of Conduct for Politicians. Due to confidentiality protocols, I am constrained as to what I may say at this writing about the disposition of the complaint which remains in the office of the City of Ottawa Integrity Commissioner.