

From: Jim Thomson

St Patrick's Day 2023

To: City Council

Re: CWC-01-23 Procedure Bylaw Review

The workshop that was held put the cart before the horse.

The workshop should have been on the purple item Section 5 Chair.

That is the proper role of a workshop -Training.

One of the biggest problems I see is that the Chairs do a poor job of conducting the meeting according to the procedures you already have. Basically most of Council don't know the rules and the Clerks don't speak up when items are not done according to the Rules.

At the March 2, EICS meeting Councillor Kearns suggested you all need to get together to discuss keeping the meetings on schedule. I agree with her sentiment, but the answer isn't to have a quarter day workshop as the Chair suggested, it's simply to follow the rules you already have.

This is the place where a Privilege Motion should be used.

The actual wording would be a Motion to Recess.

Example: The time is 12:00, I move we recess for Lunch and reconvene at 1:00.

Over the time since the March 2, meeting I have sent you all copies of other times where the Procedures Bylaw had been broken.

I believe that before you undertake revision of the bylaw you should all take a course on what the proper procedure is under Roberts Rules.

The Engineering Undergraduate Society Council at McGill, to which I was a representative, operated under Roberts Rules and the was much more efficient than the City of Burlington council has been since I have been delegating.

I used to cringe when reports got tabled. That's what happens in the Parliament of Canada, under Roberts Rules to table a report means to put it aside, and not deal with it.

The Clerk should have copy of Roberts Rules available to consult. I personally have found Robert's Rules in Plain English by Doris P. Zimmerman to be an easy to use guide.

I also have concerns about the Workshop format as it restricted public engagement on this item. It should properly have been conducted as a Committee of the Whole. Workshops are not a standing committee despite what item 8.1 says.

I have attached some thoughts I shared with Jacqueline Johnson about what input the Citizens of Burlington should have in the Revision of the Bylaws.

Regards

Jim Thomson

**Subject:** Workshop on Procedures Bylaw  
**From:** "Jim Thomson" <[jim.thomson@burlington.ca](mailto:jim.thomson@burlington.ca)>  
**Sent:** 2023-03-11 10:41:59 PM  
**To:** "Johnson, Jacqueline" <[Jacqueline.Johnson@burlington.ca](mailto:Jacqueline.Johnson@burlington.ca)>;  
**CC:** "Lisa Kearns ([lisa.kearns@burlington.ca](mailto:lisa.kearns@burlington.ca))" <[lisa.kearns@burlington.ca](mailto:lisa.kearns@burlington.ca)>;

You need to develop an engagement plan for the Procedures Bylaw review.

Issuing a report and expecting delegation at committee/council to be the extent of engagement doesn't cut it.

Do the Citizens of Burlington want Deputy Mayors with Portfolio?  
Are the Citizens of Burlington happy with the delegation process?  
Should the Chair of a meeting be in Council Chambers to better control the hybrid meeting?  
Should the chair be responsible for ruling on points of order/privilege?  
How can we hold the politicians and staff accountable?  
What's the point of the Engagement Charter if there are no means to enforce it?

That's just a few questions off the top of my head.

To often we hear nobody spoke against it as justification for Councils action. For example I got this from Shelby of the Mayor's team after I complained about the public engagement on Bateman back in December

We have kept the public informed of this project throughout and we haven't heard from anyone who believes we should have passed up the opportunity to purchase it, which would have let it open to be developed by private interests.

Engagement isn't just providing information. That's an important step, but Engagement requires soliciting feedback after the information is provided. Around 15% of the aborted survey Disagreed with the swap.

The Procedures Bylaw regulates the power in the city. As the Mayor said at the Workshop "also procedure can help to make sure that the rules are applied equally. And not in a way that you know, we'll have a different set of rules for people we'd like and agree with and a different set of rules for people that we don't."

**"Eternal vigilance is the price of liberty; power is ever stealing from the many to the few.**

The manna of popular liberty must be gathered each day or it is rotten. The living sap of today outgrows the dead rind of yesterday. The hand entrusted with power becomes, either from human depravity or esprit de corps, the necessary enemy of the people. Only by continued oversight can the democrat in office be prevented from hardening into a despot; only by

unintermitted agitation can a people be sufficiently awake to principle not to let liberty be smothered in material prosperity.”

Back around 2013 the Ontario Ombudsman André Marin released a scathing report highlighting the lack of accountability in the local governments of cities and towns across the province.

The Procedures Bylaw is too important to be left only to the few on Council and the Clerks.

Regards

Jim Thomson