

Cost of Aurora's Integrity Commissioners, lawsuits, will remain under wraps

By Brock Weir

Costs associated with the development and disposal of Aurora's Code of Conduct, along with the hiring and disposal of Integrity Commissioners to oversee it will remain under wraps.

Councillors voted down a motion from Councillor John Abel last week which would have brought these numbers out into the open.

In his motion, Councillor Abel cited a complaint made in the last term under the Code of Conduct against a Councillor, along with the discussions and legal issues stemming from that complaint, it would have directed municipal staff to consolidate all costs that have been borne by the Town since the decision to create a Code of Conduct, including the drafting of the Code of Conduct, legal advice and fees, and fees to the Integrity Commissioners so Council could disclose to the public the full financial impact of the Code of Conduct to the taxpayers of Aurora.

Explaining his motion further at last week's Council meeting, Councillor Abel cited the pending lawsuit by Councillor Buck, the subject of the original complaint, against Councillors Wendy Gaertner and John Gallo, along with former mayor Phyllis Morris, and three other former members of Council, as factoring into this.

?There is a cost borne onto it and it adds up to a lot of money,? said Councillor Abel. ?I think it is only fair that we consolidate all those costs. Let's not speculate on it. Let's just look at the receipts and let the taxpayers know what the cost to the taxpayers was. It is quite simple.?

Although the costs borne in the lawsuit by Councillors Gaertner and Gallo, along with Ms. Morris, Evelina MacEachern, Stephen Granger, and Al Wilson are being met by the Town of Aurora's insurance, when questioned by Councillor Michael Thompson on the implications of this motion on the pending lawsuit, Town Solicitor Warren Mar said the wording of the motion itself did not pose a problem.

?It doesn't speak to any fees that are being incurred?in the lawsuit that is ongoing,? said Mr. Mar. ?I believe it is just speaking to the fees related to the Code of Conduct and the Integrity Commissioners. As long as it stays away from asking how much is being expended and trying to interfere in an ongoing court case, I believe there is no jeopardy as long as it sticks to that narrow cost structure of how much has been expended [on those items].?

For the three at the Council table still involved in this litigation, the tone of the discussion, however, appeared to take them by surprise. Following Mr. Mar's answer, Councillor Buck declared a Conflict of Interest in the matter, and was subsequently followed by Councillors Gallo and then Gaertner.

?I am equally confused between what I read and what I hear Councillor Abel say was his intent,? said Councillor Gallo. ?If his intent was to figure out the costs regarding this lawsuit, but the motion before us doesn't speak to that. It perhaps speaks to part of that and I have no issues with [that as it is] information gathering and making it public.?

Councillor Gaertner went a step further and said the Code of Conduct was ?passed in good faith? by the last Council to ?hold politicians?to a high standard.?

?I just find the timing and the intent of this to be questionable.?

As a way of clarity, Councillor Abel said discussions both at the table and within the community leading up to his motion have brought up many questions. It is important for the public to know the full cost of bringing forward a Code of Conduct and Integrity Commissioner, considering municipalities have both brought on Codes of Conduct and subsequently repealed them.

?I just thought we could let them know what this Code of Conduct [resulted in] and what was borne for this matter,? he said. ?It would be relevant why it was taken away. I thought it was a very expensive endeavour. It is all part of the public record and I would hope that we ask for the financial implications. There is a dollar figure and instead of speculation and innuendos, we should allow a figure from staff to [come out] on what it cost. Since it has been repealed, we can capture that cost.?

With five of eight members of Council ? including Mayor Geoffrey Dawe ? left standing at the table (as Councillor Chris Ballard is currently on a leave of absence for the provincial election), the motion ultimately failed on a vote of 3 ? 2, with Mayor Dawe and Councillor Abel voting in favour.

For Councillor Thompson, his objection was a matter of treading carefully on a fine line.

?While I agree that the information is valid and taxpayers deserve to know the answers, at this point in time I would prefer not to walk down this path and wait until there is no concern and Mr. Mar doesn't have to essentially guide the report so that it doesn't stray over our boundaries,? he said.