

## Council's reckoning

Article

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Facing a tide of public indignation and two lawsuits, and with an election just nine months away, Toronto city councillors would be rash to continue flouting the law by covering the legal costs of a colleague.

Over a two-day meeting, starting tomorrow, they'll have a chance to reverse an outrageous decision made last month to give \$65,680 to Councillor Adrian Heaps to cover legal expenses stemming from an incident before he was elected – despite clear advice from city solicitor Anna Kinastowski that council had no authority to spend taxpayers' money in this way. The decision was made by council with the mayor and many councillors absent. And some councillors who supported the move later said they were not aware of all the facts in the case.

Going before council this week is a motion to reopen this decision in order to withdraw the funding from Heaps. Such backtracking requires a two-thirds majority of council, a high hurdle. But the error in this case is so egregious that it is hard to imagine it will not be cleared. Councillors need to show voters they aren't above the law and won't keep pushing their legal bills on to taxpayers.

Hammering that point home, two lawsuits have been filed over this matter – one from a citizens' group called the Toronto Party for a Better City and the other by Councillor Doug Holyday, using his personal funds. Of the two, Holyday's appears the most substantive, having been drafted by **George Rust-D'Eye, one of Ontario's foremost experts in municipal law.**

Not only does Holyday aim to force Heaps into paying his own legal bill, he also wants

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taxpayers freed from covering legal costs in other cases for councillors Sandra Bussin and Giorgio Mammoliti. Bussin's case is especially offensive as she was not defending herself but launching a libel action against an outspoken critic in the community.

Such galling decisions are unsustainable in the court of public opinion, and probably in a court of law. A reversal is clearly in order.