



## **Ombudsman Report**

**Investigation into meetings held  
by the Cultural Exchange Committee  
of the City of Belleville**

**Barbara Finlay  
Acting Ombudsman of Ontario**

**June 2026**

## Executive summary

- 1 My Office received a complaint about the meeting practices of the City of Belleville’s Cultural Exchange Committee (the “Committee”). The complaint alleged that the Cultural Exchange Committee – which was officially dissolved in October 2025 – was a committee of council that was subject to the open meeting rules under the *Municipal Act, 2001* (the “Act”).<sup>1</sup> The complaint raised a concern that the committee was not providing public notice of its meetings as required under the rules, and that agendas and minutes for the Committee’s meetings were not available on the City’s website.
- 2 The complaint also alleged that the Committee held an illegal meeting sometime between February and October 2023, when members of the Committee attended a public information session with travel agents in anticipation of a trip to Belleville’s “sister city” of Lahr, Germany.
- 3 For the reasons set out below, I have determined that the Cultural Exchange Committee was a committee of council that was subject to the open meeting rules, and that it violated those rules on February 15, 2022 and February 24, 2023 when it failed to provide public notice of its meetings. Because proper notice was not given, the meetings were effectively closed to the public, in contravention of the Act.
- 4 I have further determined that the public information session that took place sometime between February and October 2023 was not a meeting of the Committee within the definition of the Act.

## Ombudsman jurisdiction

- 5 Under the *Municipal Act, 2001* (the “Act”), all meetings of council, local boards, and committees of council must be open to the public, unless they fall within prescribed exceptions.
- 6 As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 7 The Ombudsman was the closed meeting investigator for the City of Belleville at the time my Office received this complaint.

---

<sup>1</sup> SO 2001, c 25.

- 8 When investigating closed meeting complaints, we consider whether the open meeting requirements of the Act and the municipality's governing procedures have been observed.
- 9 Our Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: [www.ombudsman.on.ca/en/info-public-bodies-and-officials/municipal-government/municipal-meeting-digest](http://www.ombudsman.on.ca/en/info-public-bodies-and-officials/municipal-government/municipal-meeting-digest).
- 10 The Ontario Ombudsman also has the authority to conduct impartial reviews and investigations of hundreds of public sector bodies. This includes municipalities, local boards, and municipally-controlled corporations, as well as provincial government organizations, publicly funded universities, and school boards. In addition, the Ombudsman's mandate includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: [www.ombudsman.on.ca/en/make-complaint/what-we-can-help-you/organizations-you-can-complain-about](http://www.ombudsman.on.ca/en/make-complaint/what-we-can-help-you/organizations-you-can-complain-about).

## Investigative process

- 11 On October 1, 2025, we advised the City of our intent to investigate this complaint.
- 12 My Office obtained and reviewed relevant documentation, including meeting minutes dated February 15, 2022 and February 24, 2023, the City's procedural by-law, the Cultural Exchange Committee's Terms of Reference, and a report to council from the Clerk dated October 27, 2025.
- 13 We also interviewed three council members, as well as the Manager of Mayor and Council Services and Communications, and we spoke with the City's Clerk.
- 14 My Office received full co-operation in this matter.

## Background

- 15 The Cultural Exchange Committee’s mandate was to organize visits and other “twinning” events with its three sister cities: Gunpo, South Korea; Lahr, Germany; and Zhucheng City, China.
- 16 The Terms of Reference that the City provided to my Office set out that the Committee was to have four voting members, three of whom were to be the Mayor and two councillors. The Terms of Reference do not state who the fourth voting member was to be. My Office was told that, at the time of the Committee’s last meeting on February 24, 2023, it had five members: the Mayor, two councillors, and two citizen members, one of whom was appointed as Chair of the Committee at that meeting.
- 17 My Office was told that the Committee stopped operating sometime after the February 24, 2023 meeting. We were told that staff in the Mayor’s office took over the Committee’s responsibilities and, as a result, there had been no meetings of the Committee since February 24, 2023.
- 18 As a result of our inquiries, the Clerk – who joined the City in 2025 – became aware that the Cultural Exchange Committee had never been formally dissolved and was still listed on the City’s webpage of boards and committees. He wrote a report to council dated October 27, 2025 in which he recommended discontinuing the Committee.
- 19 At a council meeting on October 27, 2025, council passed a resolution to discontinue the Cultural Exchange Committee.

## Analysis

The Cultural Exchange Committee was a committee subject to the open meeting rules

- 20 To be subject to the open meeting provisions of the Act, a body must be a council, local board or committee of either.<sup>2</sup> The Act defines a “committee” as any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of one or more councils or local boards.<sup>3</sup>

---

<sup>2</sup> *Ibid*, s 238(1).

<sup>3</sup> *Ibid*.

- 21** Given that three of the Cultural Exchange Committee's five members were members of council, the 50% threshold is met here. As a result, I find that the Cultural Exchange Committee was a committee of council under the *Municipal Act, 2001* and was subject to the open meeting rules.

### The Committee failed to give public notice of its meetings

- 22** Sections 238(2) and (2.1) of the Act require municipalities to pass a procedural by-law that governs the calling, place, and proceedings of meetings, and provides for public notice of meetings.
- 23** In this case, the City's procedural by-law requires that notice of committee meetings be provided by the release of an agenda for the meeting and by posting the time and date of the meeting on the City's website.
- 24** There is no evidence that this was done for the Committee's meetings on February 15, 2022 and February 24, 2023. The Clerk and the Manager of Mayor and Council Services and Communications told my Office that it was their understanding that agendas for the Committee's meetings were not made publicly available.
- 25** Public notice for meetings is critical to their openness, as the public must be aware that a meeting is to occur in order to exercise their right to attend and see municipal decision-making in process.<sup>4</sup> Without notice, meetings are effectively closed to the public, contrary to section 239(1) of the Act.
- 26** I find that the Committee failed to provide public notice of its meetings on February 15, 2022 and February 24, 2023. These meetings were effectively closed to the public.

### The public information session was not a meeting of the Committee

- 27** The complaint to my Office alleged that a public information session that was held sometime between February and October 2023 might have been an illegal meeting of the Cultural Exchange Committee. The complaint was unable to identify the date of this meeting due to a lack of publicly available information about it.
- 28** The minutes of the Committee's February 24, 2023 meeting reflect that the Committee discussed plans to send a delegation of 10 to 25 people, including councillors and members of the public, to Lahr, Germany in October of that year. According to the minutes, the Chair advised that there would be a second portion of the trip somewhere else in Europe. Council members would be canvassed first to

---

<sup>4</sup> *Greater Napanee (Town of) (Re)*, 2021 ONOMBUD 2 at para 51, online: <<https://canlii.ca/t/jctvh>>.

see how many wanted to join the second part of the trip, after which it could be determined how many spots would be open to members of the public. The minutes state that there would be a public meeting in council chambers where local travel agents would present trip ideas.

- 29 The minutes do not identify the date of this public meeting and none of the interviewees were able to recall when it took place.
- 30 The definition of “meeting” under section 238(1) of the *Municipal Act, 2001* is any regular, special or other meeting of a council, local board or committee of either of them, where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the body.
- 31 In this case, only one of the people we interviewed was present at the public information session and had a clear recollection of it. That person told us that, to the best of her recollection, only two council members were present, neither of whom was a member of the Cultural Exchange Committee. They also recalled that the Chair of the Cultural Exchange Committee was present to introduce the travel agents, but that the rest of the meeting consisted of the agents’ presentations. We were told that spectators in the audience, including the two council members, merely listened to the information presented.
- 32 Based on the information available to my Office, I did not find evidence to support that a quorum of the Cultural Exchange Committee was present at the public information session that occurred sometime between February and October 2023 with respect to the trip to Lahr, Germany. In addition, I find that any Committee or council members who were present did not hold discussions or deal with any matter in a way that materially advanced the Committee’s business or decision-making.
- 33 Accordingly, this information session was not a meeting subject to the open meeting rules.

## Minutes

- 34 The complaint to my Office also raised a concern that the meeting minutes of the Cultural Exchange Committee, like the agendas, were not publicly available on the City’s website.

- 35 There is no requirement in the Act to publish meeting minutes, nor is there a requirement in the City's procedural by-law to make minutes of committee meetings publicly available. However, my Office has recommended that minutes be made available to the public to improve accountability and transparency.<sup>5</sup>
- 36 While the Cultural Exchange Committee has been discontinued and is no longer listed on the City's website as a committee of council, I encourage the City to ensure that all committee meeting minutes be made publicly available going forward.

## Opinion

- 37 I have determined that the City of Belleville's Cultural Exchange Committee was a committee of council under the *Municipal Act, 2001* and, as such, was subject to the open meeting rules.
- 38 I find that the Committee contravened the open meeting rules on February 15, 2022 and February 24, 2023 by failing to provide public notice of its meetings in accordance with the City's procedural by-law, resulting in those meetings being effectively closed to the public, contrary to section 239(1) of the Act.
- 39 Finally, I have determined that the public information session that occurred sometime between February and October 2023 was not a meeting of the Committee under the Act.

## Recommendations

- 40 I make the following recommendations to assist the City of Belleville in fulfilling its obligations under the Act and enhancing the transparency of its meetings:

### Recommendation 1

**All members of council and committees for the City of Belleville should be vigilant in adhering to their individual and collective obligation to ensure that the municipality complies with its responsibilities under the *Municipal Act, 2001* and its procedural by-law.**

### Recommendation 2

**The City of Belleville should provide public notice in advance of all committee meetings.**

---

<sup>5</sup> *Temagami (Municipality of) (Re)*, 2024 ONOMBUD 6 at para 44, online: <<https://canlii.ca/t/k4j1b>>.

### Recommendation 3

To foster accountability and transparency, the City of Belleville should ensure that the minutes of all committee meetings are made publicly available.

## Report

- 41 Council for the City of Belleville was given the opportunity to review a preliminary version of this report and provide comments to our Office. All comments received were considered in the preparation of this final report.
- 42 This report will be published on my Office's website, and should be made public by the City of Belleville as well. In accordance with section 239.2(12) of the *Municipal Act, 2001*, council should pass a resolution stating how it intends to address this report.



---

**Barbara Finlay**  
Acting Ombudsman of Ontario

*Ce rapport est aussi disponible en français*