



Cunningham Swan

LAWYERS

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June 1, 2020

BY E-MAIL: nbray@city.elliottlake.on.ca

Council Members
c/o Natalie Bray, Clerk
City of Elliot Lake
45 Hillside Dr. North
Elliot Lake, ON 5A 1X5

Dear Council Members:

**RE: Code of Conduct Complaint to the Integrity Commissioner
Application for Inquiry, Municipal Conflict of Interest Act
Our File No. 32153-27, 32153-28 and 32153-29**

Normally after a preliminary review our office issues a report to the complainant and the named Members only. In this case, Mayor Marchisella admitted during the preliminary review process to disclosing confidential information at a public meeting on February 10, 2020. We were able to confirm that some information that was known to the Mayor and which was obtained as confidential information was disclosed. Therefore, notwithstanding that the balance of the complaint has been deemed to be without merit and no investigation has been conducted, we are exercising our discretion to issue this report publicly. We made this decision for two reasons:

One, the admission of a breach of the Code of Conduct by the Mayor warrants a finding of breach and a recommendation for a penalty to Council; and

Second, given the history of complaints under the previous Integrity Commissioner, which have carried forward (with reduced volume) under our tenure we feel it is in the public interest to report on this complaint to ensure that the public and Council understand that this cycle of retaliatory complaints is not sustainable. Our hope in bringing this report forward publicly is that Council and supporters of council

member will heed our request to start the Council term fresh, and leave the past in the past.

This public report of our investigation is being provided to Council in accordance with section 223.6(1) of the *Municipal Act*. We note that section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should place the report on the agenda for the next open session Council meeting.

Should Council desire, the Integrity Commissioner is prepared to attend at the open session meeting virtually to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority to debate the findings of the report, only the recommendations.

The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

BACKGROUND

On February 20, 2020 a complaint was submitted alleging that Councillor Ed Pearce breached the *Municipal Conflict of Interest Act* ("MCIA"). Two additional complaints were filed, the first alleging that Mayor Dan Marchisella had breached the MCIA and the second alleging that Mayor Dan Marchisella breached a number of sections of the Code of Conduct. All of the allegations against both Members relate to a February 10, 2020 meeting of Council where a Notice of Motion from Councillor Patrie was dealt with by Council. Given the common factual background, our office conducted a preliminary review of all three complaints at the same time and determined that it was appropriate to submit one report dealing with all complaints. The Notice of Motion at issue read:

Whereas Transcripts have become public regarding the paying of rent at Turner's space by ELNOS on behalf of the City.

And Whereas the transcripts elude to Councillor Pearce and the Mayor having knowledge of these items prior to the election.

Therefore be it resolved that the City have this investigated to confirm or deny any wrong doing by the members having knowledge of these decisions.

The allegations under the MCIA are that both Members had a pecuniary interest in the Notice of Motion, as if it were approved the Members would be subject to an investigation by third party enforcement entities and could face financial repercussions. The additional allegation against Mayor Marchisella is that his conduct breached a number of provisions of the Code of Conduct, including conflict of interest, civility and conduct towards members of Council.

Preliminary Review

The City's Code of Conduct and the *Municipal Act* provide the Integrity Commissioner with powers which include the ability to interview witnesses and review documents deemed relevant to the investigation process. In conducting the preliminary review, our process included:

- Reviewing the City's Code of Conduct;
- Reviewing the relevant provisions of the *Municipal Act* and the *Municipal Conflict of Interest Act*;
- Providing a copy of the request for inquiry and supporting materials to the Members, with a request for any written response to be provided within 10 business days;
- Providing a copy of the members' response to the complainant, with a request for any written response to be provided within 10 business days;
- Reviewing all submissions and analyzing the merit of the request for inquiry.

During the preliminary review we assume that the facts as set out in the complaint are true. We do this not for purposes of finding a breach, but to test the merit of the complaint. In other words, if the alleged behaviour in fact occurred, would that amount to a breach of the MCIA or Code of Conduct? If the behaviour would constitute a breach, we undertake a full investigation to determine whether the allegations are true.

If the behaviour, even if true, would not constitute a breach there is no reason to undertake a full investigation. It is important to understand that we make no finding of fact during the preliminary review and we have not determined that the allegations are in fact true - we simply assume that they are true as a method to assess the merit of the complaint at this stage.

After undertaking the Preliminary Review, the Integrity Commissioner determined that there was no breach of the MCIA by either Member. In order to find a breach of the MCIA there must be a pecuniary interest that crystalizes at the time of the debate and vote before Council. In this case, the request for an investigation could not result in a finding of a breach of either the Criminal Code or the *Municipal Elections Act* and as such there was no potential for a pecuniary interest to arise.

For Mayor Marchisella, there was an additional analysis to determine if his participation in the debate and vote on the motion was a breach of the City's Code of Conduct. After reviewing the Mayor's actions against the standards of the Code of Conduct we found that the Mayor had breached the Code of Conduct only as it related to the disclosure of confidential information. The Mayor candidly admitted this during the investigation and even eluded to it during his statement in open session on February 10, 2020. Given this admission and our independent confirmation that some confidential information was in fact disclosed, there was no need for an investigation on this matter.

ANALYSIS

MUNICIPAL CONFLICT OF INTEREST ACT

The essence of the complaint is that the Members had a pecuniary (or also non-pecuniary in the case of the Mayor) interest in the February 10, 2020 motion moved by Councillor Patrie. The motion sought to have the City instigate an investigation, "to conform or deny any wrong doing" by the Members related to circumstances disclosed to the previous Integrity Commissioners where payments of rent arrears were made on behalf of a sub-tenant of the City to its landlord, but which payments were made through an intermediary. The decision to make the payments was made by the CAO in this manner to avoid public scrutiny prior to the 2018 municipal election. The assertion of wrongdoing is that the Mayor and Councillor Pearce knew of the payment in advance of Council being advised of the payments. Ultimately, Council voted on the payment and confirmed that the payments were appropriate, albeit after the fact.

The complainant alleges that Councillor Patrie's motion created the possibility of negative consequences for the Members (presumably that the investigation might result in fines or imprisonment, which would have financial consequences to the members). The personal and financial interests of the two Members in the outcome of the vote therefore created a conflict of interest because of their failure to declare a pecuniary interest and their participation in the vote.

Mayor Marchisella contends that the subject matter of the motion had been addressed by the previous Integrity Commissioner and there was no breach of any applicable law. His view was that Councillor Patrie was improperly bringing up the matter again to continue what the Mayor perceived as a pattern of abusive behaviour by Councillor Patrie intended to impugn the Mayor's reputation.

Councillor Pearce contends that there was no financial interest and that the subject matter of Councillor Patrie's motion was intended only to embarrass himself, the Mayor and CAO Gagnon.

Possible Consequences

The allegations of conflict of interest are rooted in the potential for an investigation and possible findings of criminal activity or a breach of the *Municipal Election Act*. The Mayor and Councillor Pearce contend that their participation was not improper as there was no illegal activity and therefore there was no possibility of personal or financial interest in the outcome of the vote.

This is a situation in some ways similar to the circumstances before the Ontario Divisional Court in *Magder v. Ford*. In the *Magder* case, the then Mayor of Toronto, Rob Ford, was found by the City's Integrity Commissioner to have breached the Code of Conduct because he used City letterhead to solicit donations for his personal charity. The Integrity Commissioner recommended, and Council approved, that as a sanction for the breach that Mayor Ford repay the donations. Mayor Ford refused to repay the donations and when the matter of his refusal came back to Council a member moved a motion to rescind the previous order. Mayor Ford did not declare a conflict of interest and voted to rescind his own sanction.

The Divisional Court found that a pecuniary interest is not created under the MCIA every time that Council deals with a Code of Conduct matter, even if a financial penalty is a possible outcome. Unless the report recommends a financial penalty there is no prohibition under the MCIA about speaking to the report.

The Court found that Mayor Ford did have a pecuniary interest in the motion to relieve him of the obligation to repay the donation – that was directly related to his financial obligations. The Court nevertheless found that Mayor Ford did not breach the Act when he voted because the imposition of the penalty was not authorized by the *Municipal Act* or the City’s Code of Conduct; the penalty was a nullity. Because the penalty was a nullity, there could not be a pecuniary interest, despite the fact that Mayor Ford did not have a court decision finding the penalty a nullity prior to voting on the matter.

In order to understand the pecuniary interests of Mayor Marchisella and Councillor Pearce we assessed the nature of the motion before Council and the possible outcomes of that motion, were it approved. The question that needs to be answered to determine if either Member had a pecuniary or personal interest in the motion is whether Council had the authority to pass the motion and refer an investigation? A similar and related question is even if an investigation were referred, was there any reasonable basis upon which an investigation could be conducted?

In other words, was the referral reasonably likely to result in an investigation? If there was no legal basis for an investigation, a vote to refer such an investigation could not create a pecuniary interest. For the Mayor an additional question needs to be asked; whether a reasonable person, apprised of the facts, would feel that the Mayor’s participation and vote on the motion was influenced by his personal interest in the motion, contrary to the Code of Conduct? This aspect is discussed below under the Code of Conduct.

Criminal Code

The Criminal Code provides:

122 Every official who, in connection with the duties of their office, commits fraud or a breach of trust, whether or not the fraud or breach of trust would be an offence if it were committed in relation to a private person, is guilty of

(a) an indictable offence and liable to imprisonment for a term of not more than five years; or

(b) an offence punishable on summary conviction.

123 (1) Every person is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or is guilty of an offence punishable on summary conviction who directly or indirectly gives, offers or agrees to give or offer to a municipal official or to anyone for the benefit of a municipal official — or, being a municipal official, directly or

indirectly demands, accepts or offers or agrees to accept from any person for themselves or another person — a loan, reward, advantage or benefit of any kind as consideration for the official

- (a) to abstain from voting at a meeting of the municipal council or a committee of the council;
- (b) to vote in favour of or against a measure, motion or resolution;
- (c) to aid in procuring or preventing the adoption of a measure, motion or resolution; or
- (d) to perform or fail to perform an official act.

(2) Every person is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or is guilty of an offence punishable on summary conviction who influences or attempts to influence a municipal official to do anything mentioned in paragraphs (1)(a) to (d) by

- (a) suppression of the truth, in the case of a person who is under a duty to disclose the truth;
- (b) threats or deceit; or
- (c) any unlawful means.

(3) In this section, *municipal official* means a member of a municipal council or a person who holds an office under a municipal government.

The standard for finding criminal conduct is based on bribery and payments to others for voting or not voting. We reviewed the transcripts in question and understand the events related to the payments and the involvement of the Mayor and Councillor Pearce. There was no payment made in exchange for a vote or for a refusal to vote on any matter and no evidence of any attempt to influence any municipal official. In our opinion, the facts disclose no basis in law to authorize an investigation under the *Criminal Code*.

Municipal Elections Act

The *Municipal Elections Act* provides:

89 A person is guilty of an offence if he or she,

- (a) votes without being entitled to do so;
- (b) votes more times than this Act allows;
- (c) votes in a voting place in which he or she is not entitled to vote;
- (d) induces or procures a person to vote when that person is not entitled to do so;

- (e) having appointed a voting proxy that remains in force, votes otherwise than by the proxy;
- (f) having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote or has died;
- (g) before or during an election, publishes a false statement of a candidate's withdrawal;
- (h) furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- (i) without authority, supplies a ballot to anyone;
- (j) delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gave him or her;
- (k) takes a ballot away from the voting place;
- (l) at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having authority to do so;
- (m) attempts to do something described in clauses (a) to (l).

90 (3) No person shall, directly or indirectly,

- (a) offer, give, lend, or promise or agree to give or lend any valuable consideration, in connection with the exercise or non-exercise of an elector's vote;
- (b) advance, pay or cause to be paid money intending that it be used to commit an offence referred to in clause (a), or knowing that it will be used to repay money used in that way;
- (c) give, procure or promise or agree to procure an office or employment in connection with the exercise or non-exercise of an elector's vote;
- (d) apply for, accept or agree to accept any valuable consideration or office or employment in connection with the exercise or non-exercise of an elector's vote;
- (e) give, procure or promise or agree to procure an office or employment to induce a person to become a candidate, refrain from becoming a candidate or withdraw his or her candidacy;
- (f) offer, give, lend, or promise or agree to give or lend any valuable consideration in order to induce a person to become a candidate, refrain from becoming a candidate or withdraw his or her candidacy.

94 A person who contravenes any provision of this Act or a regulation under this Act or a by-law passed by a municipality under this Act is guilty of an offence.

Again, based on the facts that underpin the notice of motion, there is no possible offence under the *Municipal Elections Act*. There is no allegation that the money that was used to pay rent arrears, or the manner in which it was paid, was in any way associated with voting by any specific person. Clearly the CAO identified that the

payments might raise an issue with the electorate at election time, but that cannot create an offence under the *Municipal Elections Act*.

It is also important to understand that there is no allegation that the payment itself was made by or authorized by either Member. Most importantly, this matter was brought to Council and Council voted to confirm the payment; no individual councillor was responsible for the payment. The allegation is only that Mayor Marchisella and Councillor Pearce had knowledge that the payment had been made prior to Council being made aware. There is no evidence that either Councillor Pearce or Mayor Marchisella directed the payment, attempted to conceal from Council the fact of the payment, or that the payment was connected to influencing any vote.

Conclusion on Alleged Illegality

Based on the above analysis, there is no reasonable prospect that an investigation would be initiated. There are no reasonable and probable grounds to believe that any offence was committed. As a matter of law, there simply is no offence known to law that renders the alleged activity (again assuming for the purpose of this preliminary review that the facts are true) illegal under the *Criminal Code* or contrary to the *Municipal Elections Act*.

Pecuniary Interest

Given our finding that the alleged acts cannot form the basis of a criminal or municipal elections investigation, it is not possible for the Notice of Motion to create a pecuniary interest. The Court in *Magder* found that in order to have a pecuniary interest there must be a crystalized financial interest at the time of the vote. If there is no basis for the investigation, there cannot be a pecuniary interest. Much like the facts in *Magder*, here the Members cannot be found in breach of the MCI A where the facts cannot give rise to the necessary foundation for a pecuniary interest. Because there is no law that makes the actions illegal, there is no basis for an investigation, charge or conviction – all of which are necessary to give rise to the potential for a pecuniary interest.

Therefore, there is no breach of the MCI A by Mayor Marchisella or Councillor Pearce. Given this finding, there will be no referral of this complaint to a judge in accordance with section 223.4.1(15) of the *Municipal Act*.

CODE OF CONDUCT

The complaint also alleges that the actions of Mayor Marchisella breached several sections of the Code of Conduct. At the February 10, 2020 meeting Council voted to adopt a new Code of Conduct. However, at the time of the meeting itself the conduct of each Councillor was governed by the previous and then in force Code of Conduct.

Section 1.2 – Conflict of Interest

Section 1.2(c) provides, “members must be committed to performing their functions with integrity, avoiding the improper use of the influence of their office, and conflicts of interest, both real and perceived.” This language creates a general conflict of interest. Regardless of the potential for a pecuniary interest to arise, would a reasonable person, apprised of all the facts, consider that the Member was unable to make an unbiased decision, or that they would be unduly influenced in making that decision?

This requires an assessment similar to that conducted under the MCIA above. Based on our finding above that the motion could not result in an investigation because of the state of the law, is it reasonable for a member of the public to consider the Mayor’s actions as a breach of the Code of Conduct?

At its most basic level, it is possible for a member of the public to consider the Mayor’s participating in the vote on a motion seeking to investigate him personally as self-serving and one that has an obvious bias. However, a reasonable person must also be assumed to understand all of the facts, which include the fact that (as the Mayor stated publicly) there was no reasonable basis for an investigation and no wrongdoing that warranted any investigation. This same hypothetical “reasonable person” would also understand that the Mayor was of the view that the motion did not need to come before Council – if Councillor Patrie believed an offence had been committed he could have requested an investigation himself. This, coupled with the fact that the previous Integrity Commissioner had all of the same information and chose not to refer the matter to an independent investigation could lead a reasonable person to conclude that the Mayor properly did not consider this a legitimate request, but rather an attempt to publicly embarrass the Mayor.

Section 223.8 of the *Municipal Act* provides:

“If the Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act, other than the Municipal Conflict of Interest Act, or of the Criminal Code (Canada), the Commissioner shall immediately refer the matter to the appropriate authorities ...”

Therefore, the previous Integrity Commissioner had a positive legal obligation to refer any possible *Criminal Code* breach or breach of the *Municipal Elections Act* to the proper authorities for investigation. This did not happen, leading the Members to reasonably conclude that there was no basis for a third party investigation. It is also reasonable to conclude that a member of the public would have knowledge of the previous investigation and the results of that investigation which did not culminate in any *Criminal Code* or other enforcement action.

The Integrity Commissioner finds, on a balance of probabilities, that a reasonable person, apprised of all of the facts, would consider the Mayor’s participation in the debate and vote as not related to a real or perceived conflict of interest. There is therefore no breach of the Code of Conduct.

Notwithstanding our finding, the Integrity Commissioner feels it is necessary to caution all members of the City of Elliot Lake Council that this entire investigation could have easily been avoided had the Members recognized that because they were named personally that the public might consider their participation as a conflict. The prudent course of action was to declare a potential conflict of interest and not participate. Had there been any merit to the substance of the motion, the findings of this preliminary review would have been different. The public demand a higher standard of conduct from their elected officials and we trust that they will receive that in the future.

Section 5.1 – Comply with the Procedural By-law

Section 5.1 provides that Members must, “observe and comply with every provision of this Code of Conduct, as well as all other policies and procedures adopted or established by Council.” The allegation is that the Mayor did not allow discussion on Councillor Patrie’s motion, which breached the Procedural By-law.

The *Municipal Act* tasks an Integrity Commissioner with assessing ethical breaches of members of council and local boards. The intent of the Act is not to create a watchdog for process or improper use of a procedural by-law. The *Municipal Act* establishes the head of Council as the voice of Council meetings and the arbiter of

process during that meeting. An Integrity Commissioner should be loathe to intervene in matters of pure procedure except in the most egregious of cases.

After reviewing the recording of the February 10, 2020 Council meeting, the Integrity Commissioner sees no basis upon which we should exercise our discretion to interfere with the functioning of the Council meeting.

The essence of the complaint is that by calling for a vote of Council to suspend debate on the motion that the Mayor abused his authority. This is not the case. The Procedural By-law permits the Mayor to do exactly what was done on February 10, 2020.

The Mayor put a motion forward to “call the question”. This is permitted under the Procedural By-law and was properly seconded. When questioned about the nature of the procedural motion and the vote the Mayor clarified that if the motion were approved there would be no further debate and only a vote on Councillor Patrie’s motion. With that clarification, all of Council agreed to re-start the vote on the motion to “call the vote”. That vote was carried, with Councillor Patrie opposing.

A roll call vote was then called on Councillor Patrie’s motion, with no debate.

While we find no breach of the Code of Conduct, we note that there is a palpable tension among Council members. This tension is manifested in the series of complaints that the City’s previous Integrity Commissioner dealt with and the complaints that have continued as we assumed this responsibility. This is not conducive to a well-functioning Council and is not in the public interest. Every Member of Council needs to put the past where it belongs and focus on the mandate of Council; to govern the City of Elliot Lake well and in the public interest. Retaliatory complaints are not in the public interest. Supporters of various members of Council need to heed this admonishment as well – let Council get on with the business of Council and stop this distracting cycle of complaints based on past perceived transgressions.

Sections 6 and 7 – Civility

Section 6.1 provides that, “every Member shall conduct himself or herself properly and in a civil and respectful manner at meetings.”

Section 7.1 obligates every Member to, “treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation”.

The complainant alleges that the Mayor slandered Councillor Patrie and bullied him during the meeting of February 10, 2020.

During a preliminary review the Integrity Commissioner assumes the facts are true, but not the allegations that the facts create a breach. In this case, the mere allegation of slander or bullying is not accepted. The Integrity Commissioner reviewed the video recording of the meeting (which is uncontroverted evidence of what the Mayor said). Based on the comments made, we find that the Mayor’s comments did not constitute slander or bullying. The Mayor characterized Councillor Patrie’s motion as slander and an attempt to humiliate the Mayor and the CAO and to achieve some measure of public condemnation. The Mayor referred to the previous Integrity Commissioner investigation and stated that the previous Integrity Commissioner did not find any action that warranted an independent investigation. The Mayor also stated that if Councillor Patrie felt there were acts that warranted an investigation that he could refer an investigation himself, and that it did not require Council endorsement.

The Mayor did not use intemperate language, resort to name-calling or make allegations of wrongdoing against Councillor Patrie. It was the Mayor’s personal opinion that the motivation behind the motion was to embarrass and publicly condemn the Mayor and CAO.

The test for slander of a politician in Ontario is a high bar and must be grounded in the use of false information with the intent to damage the reputation of the member. The attack must be personal and must go beyond what Mayor Marchisella said during the meeting.

Bullying requires the abuse of a position of power and an overt act intended to demean and belittle the victim of the bullying. The speech delivered by the Mayor did not amount to bullying. Mayor Marchisella advised the Integrity Commissioner that he felt the need to defend himself against the substance of the motion which was directed at him personally. It is clear from the materials submitted in response to this complaint that the Mayor was motivated by his view that this matter had been dealt with by the previous Integrity Commissioner and his view that there was no merit to any allegation that his actions amounted to criminal or quasi-criminal behaviour.

There are a number of judicial and Integrity Commissioner cases that stand for the proposition that members of a municipal council are entitled to express their views on topics before council and to express views that are not complementary or harmonious with the majority view – this does not amount to slander or bullying. Politicians are entitled to express their personal views, provided they do it respectfully and do not allow their comments to degenerate into abuse or slander. In this case the Integrity Commissioner found no evidence to support the allegation of slander or bullying.

Section 10 – Confidential Information

Section 10 prohibits the disclosure of confidential information. The Mayor conceded during his presentation at the February 10, 2020 meeting that he might have inadvertently disclosed confidential information because he was not aware of the precise nature of all confidential information on this topic. During the preliminary review the Mayor conceded that he disclosed inadvertently information that was confidential. We corresponded with staff as part of the preliminary review and confirmed that some confidential information was disclosed by the Mayor during his presentation.

In this instance, no further investigation is necessary as the Mayor has candidly conceded that he made a mistake in disclosing certain information during the public Council meeting. Based on this admission, there is a finding that the Mayor breached the Code of Conduct.

Other Allegations

The complaint contained references to other sections of the Code of Conduct that either were not supported by facts or which were not relevant to the subject matter of the complaint and those sections have been deemed not to constitute a valid component of the complaint.

Recommendations

Based on the findings of the preliminary review, the Integrity Commissioner's ruling is that Mayor Dan Marchisella breached section 10 of the Code of Conduct by disclosing information that was known to the Mayor through confidential means associated with his role on Council. The Mayor adverted to the fact that he might have disclosed confidential information during his presentation on February 10, 2020 and again admitted his mistake in his response to the complaint.

The Mayor acknowledged that he did not take sufficient care to preserve the confidentiality of information while he was making a speech that disclosed the information. This is not the standard of behaviour that the public expect of their elected officials and a sanction is warranted in the circumstances.

The Integrity Commissioner recommends that Council issue a public reprimand of the Mayor for this breach.

The Integrity Commissioner further recommends that the Mayor publicly apologize for his breach.

Throughout this Report the Integrity Commissioner has referenced the history of complaints that have been filed in the City. The nature of a number of complaints that have been filed with our office exhibit a pattern of what we characterize as retaliatory complaints – Members, and the public who support them, appear to be issuing complaints in a cycle of back and forth allegations to respond to previous complaints. This is not sustainable and is very damaging to Council's ability to function.

Every Member of Council is urged to put an end to this cycle. Find a way to work together; the people of Elliot Lake deserve better and expect better from their elected officials.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP



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