

To: Mayors and Councillors

From: Pat Pollock

Re: Submission for Council Meeting, October 28, 2020, Item 13.11

I have read the Integrity Commissioner's Report thoroughly and understand the developing nature of the process of Code of Conduct and its implementation. The additional developments gleaned from the IC's report present some interesting issues for discussion.

In the Integrity Commissioner's Report, it is stated:

"The above does not address a situation in which a member of the public alleges that he or she was specifically treated unfairly or in an abusive or harassing way by a Councillor at a Council or Committee meeting."

As a member of the public, this is the area I want to address. This to me is the matter requiring our attention, specifically regarding some members of this Council. How can this be genuinely remedied? I want to feel I am a valuable member of the public, who can give my perspective on issues and not be abused, demeaned, insulted, disrespected. I feel that when I want to put forth my ideas, they are a perspective that should be considered, that they have value, that they add to the considerations in the decisions being made. I do feel that in a democracy, we as public members have a role to play and it is beneficial to have our point of view heard and respected for democracy to work in the decision-making process.

I would like to discuss three main points:

1. If the public has no way to complain through the Code of Conduct (since the Chair is supposed to maintain order and control behaviour) and the Chair does not uphold the rules or for some reason is unable to do so, what recourse does the public have?

Because the Chair did not control the behaviour of a councillor who was disrespectful of the public, I am aware there were numerous complaints made through the Code of Conduct. Since these complaints did not come before Council and there were no repercussions, it is assumed that everything is okay and that the public was wrong. The public was not wrong – the conduct displayed was rude and offensive, individuals were abused and not respected. There must be a consequence for this behaviour otherwise why even have a Code of Conduct? As Regional and Local Councillor Perrelli has stated, there must be a consequence for actions. It seems to me that, given what is before us, this applies to everyone else but himself. The public needs to know that there will be consequences for actions like this in the future. The public does not deserve this kind of behaviour flung at them from the Council bench. It is unbecoming of the public office. According to the Integrity Commissioner, these actions must be controlled by the Chair. What if the Chair, due to many prevailing circumstances, cannot exercise this control?

2. Since Council has had additional training since this Integrity Commissioner took office, how has this changed the way this Council is operating now?

The report states that "civility" training was given.

Civility training is defined as: "a program through which employees learn how to identify uncivil behavior in the workplace, create, model, and enforce a new standard of behavior, and ultimately promote respect and dignity among their employees." Mar 7, 2019

Civility is a good place to start for this Council. Being civil to each other is only beneficial if you hope to help each other in the process of making decisions that are in the best interests of the city. Civility is necessary if you want to act as a group as show respect for one another no matter the personal misgivings. Civility is essential if you hope to engage the trusted participation of the public. The combative behaviour that we, the public, have witnessed since 2018 has a negative impact on everything that Council does. And the public is caught in the middle when trying or wanting to give their valued input to Council. Who wants to stand in front of Council, daunting to begin with, and be insulted?

We want to be treated as if our ideas are worthy and we are contributing to a better Richmond Hill. Without "civility" we feel that we are complaining, rather than offering positive suggestions and sharing our point of view. We feel that by some of the denigrating and rude responses given by some members of Council, that we do not understand the issue. Most of the time we do understand what is going on, and we are giving another perspective that you as a Council may not have thought of. Why insult us? We are usually passionate about our point of view since we have to live with the consequences of the actions or inactions of Councils on a particular item. This is our elected local public body. If we elect you, shouldn't you have the common decency to respect us and our opinions? If you don't respect us, how can we respect you?

The question remains: With this training, are we working towards attempting to control the abusive, disrespectful, demeaning behaviour that has been evident in Council since the 2018 election? If this is not controlled, what are the consequences? And who will impose those consequences? According to this report, it's not the IC's "jurisdiction". Then whose "jurisdiction" is it? Why have a Code of Conduct if the IC has no "jurisdiction" to act as the keeper of that policy?

3. The Chair is the person responsible for controlling Council Meetings. This was made clear in the Integrity Commissioner's report when the following was stated:

"Section 4.6(i) of the Procedure By-law provides that it is the exclusive responsibility of the meeting Chair to enforce – on all occasions – the rules and the observance of order and decorum amongst the Members."

What are the consequences if the Chair does not or cannot control rude, disrespectful, demeaning, uncivil behaviour, for whatever reasons? We have seen evidence of this and what happens. There is obvious discontent in the workplace, abuse, disrespect, criticizing of others, rolling of eyes, attacking other's ideas, etc. We as the public have witnessed it all.

Since we as the public appear to have no recourse through the Integrity Commissioner, we need to know what options are open to the Chair for controlling aberrant behaviour. A monetary fine? Removal from the meeting? Loss of position on Council? None of this is possible so what are we supposed to do? Disengage? Not participate? That is not an option.

With increased lack of civility, there should be increased severity of consequences. It must be determined what is a suitable, acceptable code of dealing with each other and the public that the Chair

can and should enforce. The Procedural Bylaw and Robert's Rules of Order should not be used as a weapon, they are in place to exercise respectful control of a meeting. But they are abused for some members of Council to get their own way or force the Chair's position to be impotent. It is the Chair who rules on behaviour. That was made clear by the Integrity Commissioner. But the Chair must be able to do so, or the legitimate position the Chair holds, for whatever reason, is made moot.

Conclusion:

It is unfortunate that the Integrity Commissioner has had so many Code of Conduct complaints to deal with since 2019. No doubt the number of complaints in Richmond Hill outnumbers those from other surrounding areas, not something to be seen as a badge of honour. This clearly indicates that something is not right. If the IC can't deal with it, and Chair can't, then what are we supposed to do? What are other members of Council supposed to do when the nastiness, bitterness is aimed at them? We all need to work at making this Council function not only for the Councillors who sit on it, who are elected by the people to serve, but also for the public that it serves. Otherwise, who exactly does this Council serve?

We need a better overall environment in which to positively work with this Council as a whole and be able to give input which we believe is valued. I believe many residents would like to see this happen, for the betterment of all. We need to work as a team, not as adversaries. We can have differing opinions, but we should still be respected and not feel constantly at war with some members of this Council.

I am hoping that by answering the difficult questions above and honestly dealing with the cause and effect of how to make things function better and have a better functioning Council, on all fronts, we will come up with a much more functional Council, creating a better workplace for all – Councillors and the public. In so doing we will make Richmond Hill a better place. Should this not be our primary goal, in the best interests of the public good?

If the IC is as lame a duck as he appears to be from his own words in his own report, then how do we correct this? What proactive steps must we, all of us, now take? And how do we do that in the best interests of the future of Richmond hill?