

**REASONS FOR DECISION**  
of the  
**TRIBUNAL OF CITY COUNCILLORS**  
*City of Prince Albert Code of Ethics Bylaw*  
**Complaint 01-24**

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**The Complaint:**

This Complaint, initiated by [REDACTED] was made against Mayor Greg Dionne under the City of Prince Albert's *Code of Ethics Bylaw* ("**the Bylaw**"). It arises from debate on a specific decision item at a City Council meeting on February 12, 2024 at which Mayor Dionne was serving as Chair. The Complaint takes issue with his alleged conduct in relation to three of the total of eight Councillors who spoke on the decision item under debate.

[REDACTED]' Complaint was submitted under date of February 15, 2024 in the form prescribed by Schedule "A" to the Bylaw. The Complaint contained a link to the video recording. The Complaint was presented as follows:

*"On Monday February 12, 2024, the City of Prince Albert regular city council meeting starting at 5:00 p.m., Mayor Greg Dionne treated councillors Terra Lennox-Zepp, Sharleen (sic) Miller and Tony Head exceedingly disrespectfully and prevented councillor Head from completing his presentation in a manner that was abusive and unreasonable and he further referred to councillor Lennox-Zepp's and councillor Heads presentations as "barking" which is a gross mischaracterization of two duly elected members of council participation in a political debate. He further continuously interrupted councillors Lennox-Zepp, Head and Miller and allowed all other councillors to speak freely.*

*This was done in a public meeting. Present were all city councillors, Terry (sic) Mercier, Sherry Person, City Manager and various other members of administration. The exact conduct can be viewed on the city's YouTube channel at the QR code below starting at 17:40 and ending at 59:29.*

*I found the mayor's conduct to be harassing, demeaning, and possibly misogynistic and racist.*

*I believe his conduct was in violation of sections 9 and 10 of bylaw no. 3 of 2017.*

In response to the allegations in the Complaint, Mayor Dionne has denied any wrongdoing or conduct contrary to *The Code of Ethics Bylaw*.

## **The Tribunal and its' Procedure:**

The Bylaw is similar to code-of-ethics bylaw procedures across the province, in that it assigns ethics complaints made against elected Councillors to be managed and decided upon by other elected Councillors. On February 26, 2024, at the first incamera meeting of Councillors following receipt of the Complaint, Mayor Dionne, Councillor Head, Councillor Miller and Councillor Lennox-Zepp each recused themselves from that responsibility, citing conflicts of interest. A Tribunal of the remaining elected Councillors was then confirmed to manage, hear and adjudicate this Complaint, consisting of Councillor Edwards (serving as Tribunal Chair), Councillor Cody, Councillor Kilmer, Councillor Solomon, and Councillor Ogrodnick. Councillor Ogrodnick, however, was unable to participate further in the Complaint proceeding. The Tribunal therefore proceeded with the other four members of Council.

The Complainant and Respondent agreed to schedule the Tribunal's hearing of the Complaint to May 17, 2024. Both parties were invited to file submissions a week in advance. Legal counsel for Mayor Dionne filed written argument disputing the Complaint. ██████████ elected not to file written submissions.

Both parties agreed that the video of the debate was appropriate and sufficient evidence for the hearing.

At its preliminary meeting on February 26, 2024, the Tribunal directed the Clerk to contact the three Councillors named in the Complaint, namely Councillor Head, Councillor Miller, and Councillor Lennox-Zepp, in order to investigate for the Tribunal the position of those three Councillors in relation to the Mayor's interaction with them during the debate in question, and as to their position on the concept of a third party complaint in the context of Council debate and discussions. The Clerk did contact the three Councillors by email, and those emails have been attached to a confidential memorandum (dated May 14, 2024) directed to the Tribunal ("**the Memorandum**"). The Memorandum summarizes the responses of the three Councillors and was circulated to the Tribunal and to the parties in advance of the hearing on May 17, 2024.

On May 17, 2024, ██████████ attended before the Tribunal with ██████████, after advising the City Clerk that morning that ██████████ would be attending to assist her in the proceedings. As he had advised in February, Mayor Dionne attended with legal counsel, Ms. Elliott-Erickson. All four participants committed that they would respect the confidentiality of the proceedings.

Objection was taken by Ms. Elliott-Erickson to ██████████'s attendance in this confidential proceeding, especially without prior notice. The Tribunal ruled that ██████████ could remain in the proceedings to assist ██████████ in reliance on her commitment to confidentiality, although it indicated that more notice would have been desirable.

## **The Evidence:**

The evidence before the Tribunal relevant to the Complaint was as follows:

- **The video excerpt** from the February 12, 2024 City Council meeting pertaining to the specific debate on the decision item that is the subject of the Complaint (approximately 42 minutes). This video was played for the Tribunal during the Hearing by consent of the parties.
- **The Memorandum.** In the Hearing, the parties were invited in their submissions, to comment on the Memorandum, its relevance, and/or the weight that should be given it in the Tribunal's deliberations.

## **Submissions of the Complainant and Respondent:**

Both parties were given opportunity to provide oral submissions and argument before the Tribunal. The Complainant was afforded opportunity to give submissions in rebuttal, as well. The Tribunal members were given opportunity to question the parties on their submissions and positions.

## **The Complainant's Submissions:**

The Complainant argued that the Mayor's interaction with Councillors Lennox-Zepp, Head and Miller during the debate on February 12, 2024 contravened sections 9 and 10 of the Bylaw. These sections read:

### *RESPECT*

*9. Members shall treat every person, including other members, municipal, employees and the public, with dignity, understanding and respect.*

*10. Members shall not engage in discrimination, bullying or harassment in their roles as members. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.*

The Complainant, amongst her submissions, characterized the video evidence as demonstrating disrespectful conduct, diminishing of the three Councillors' role as Councillors in open debate at a public Council meeting. The Complainant repeated her perspective that the Mayor's conduct in the debate was "...*harassing, bullying, and possibly misogynistic and racist...*". Amongst her contentions, [REDACTED] characterized the video as demonstrating:

- the Mayor "*continuously interrupting*" Councillors Miller and Head to the effect of cutting off their remarks;

- the Mayor's reference to Councillors Lennox-Zepp and Head being "...*the only two who barked*" in reference to their debate.
- the three Councillors having been "*treated exceedingly disrespectfully*".

■■■■ also emphasized that the Memorandum demonstrated that two of the Councillors questioned had described themselves as having been harassed at Council meetings.

■■■■ emphasized that while she has had recent involvement in complaining about the Mayor's conduct in the course of her employment with ■■■■, this Complaint she distinguished as being brought forward in her "personal" capacity, as a private citizen.

### **The Respondent's Submissions:**

The Respondent's position, presented by Ms. Elliott-Erickson, denied that the conduct in the video reflected conduct offensive to sections 9 or 10 of the Bylaw. Further, she contended that the complaint procedure under *The Code of Ethics Bylaw* was not appropriate to complaints, such as this one, that she suggested arose essentially as fallout from a focus on the Mayor during a ■■■■ City labour dispute. Amongst the submissions made in the written reply filed for Mayor Dionne, and in oral argument, the Respondent argued:

- The Mayor, in chairing the meeting, had a role that included managing the debate, its focus, and the curtailing of inaccurate information in a public forum.
- Political debate in public forum is often robust and reflective of contrary positions, to the benefit of the public served.
- No Councillor raised a complaint about the Mayor's treatment of them, either at the meeting under the governing rules of order, or under the Bylaw.
- The Mayor's exchange with Councillor Miller was once to provide corrected information, which she acknowledged, and once to answer her question, for which she thanked him.
- The Mayor's exchange with Councillor Head was in the nature of his function as Chair, to focus the debate on the Motion, and to provide corrected information.
- The Mayor's exchange with Councillor Lennox-Zepp was within his role as Chair.
- The Mayor's tone and demeanor were not elevated.
- The Complainant's assertions of harassment, bullying, misogyny and racism, reflected an unsupportable characterization of the conduct in the video.

## Decision of the Tribunal:

Upon completion of the parties' submissions and presentations at the May 17, 2024 hearing, the Tribunal met *incamera*, following which it resumed the hearing in the presence of the parties to advise that the Tribunal was dismissing the Complaint, with reasons to follow. This document is prepared to outline the Tribunal's reasons for its unanimous decision.

The Tribunal firstly acknowledges that a mayor has a role in chairing a public meeting of Council, which legitimately extends to managing debate and, at times, speakers presenting inaccurate statements or misinformation into the public domain.

The Tribunal is mindful that there exists in City bylaws and in the applicable Rules of Order avenues of challenge and redress for members of Council if it is felt that a mayor has inappropriately or incorrectly exercised that role. It is significant to the Tribunal that no member of Council has exercised any challenge or complaint in respect of the February 12, 2024 meeting.

While it is noted that one Councillor has, when asked, agreed with [REDACTED]'s characterization that the Mayor's conduct reflected misogyny, this contention in the context of the February 12<sup>th</sup> debate, as recorded on video, is completely unfounded and unsustainable, as is the equally inflammatory contention of racism. Both seem to be exaggeration that is indicative of a personal and broader ill-feeling toward the Mayor than could ever be derived from the February 12<sup>th</sup> video.

The Tribunal acknowledges that the Mayor's use of the word "*barked*" could have given way to a more thoughtful choice, but in the context of debate on an issue of divided opinion, given the nature of some of the rhetoric the Mayor was managing as Chair, the use of this single word is not sufficient to warrant sanction under the Bylaw.

Beyond that remark, the Tribunal does not agree that the video evidence displays the Mayor's behaviour as the Complainant describes or portrays it. The Tribunal does not agree that Mayor Dionne's conduct, tone or approach passed any threshold of bullying or harassment, particularly not in a forum of engaged debate in a full Council of divided opinion on the particular Motion under discussion.

The Tribunal is in fact concerned that this Complaint was unnecessary, frivolous, and was inappropriate and disproportionate in cost and time to the purpose of the Bylaw. It would have been preferable in this case for Councillors themselves, if feeling aggrieved by the conduct of a colleague in the Chamber, to communicate those concerns directly, either within the Council meeting, or outside of the meeting with the colleague involved, constructively and privately. The opportunity in this case was missed for a possible resolution, or for any meaningful consideration of an exchanged apology, because of the formality and potential consequence of a proceeding initiated by a third party whose motivations could quite conceivably have been complicated by her own history or reasons for conflict with the Mayor.

The Tribunal, in these circumstances as are reflected in the video, finds that Mayor Dionne's conduct in chairing the Council meeting on February 12, 2024, and in his engagements with Councillor Lennox-Zepp, Councillor Head and Councillor Miller during the debate, did not contravene *The Code of Ethics Bylaw*.

The Complaint for these reasons has therefore been dismissed.

Dated this 21<sup>st</sup> day of May, 2024 at Prince Albert Saskatchewan, and signed on behalf of the Tribunal.



Councillor Blake Edwards,  
Tribunal Chairperson



City Clerk