
TOWNSHIP OF RYERSON INTEGRITY COMMISSIONER, H.G. ELSTON

Citation : Complaint against Councillor Brandt
Date: October 14, 2020

**REPORT ON THE MATTER OF A COMPLAINT
AGAINST COUNCILLOR BRANDT**

Notice: Municipal Integrity Commissioners conduct inquiries and provide reports on their findings to their respective municipal councils. They may make recommendations for the imposition of a penalty or other remedial action to the municipal council. Reference should be made to the minutes of the municipal council meeting where the Commissioner's report was presented, to obtain information about council's consideration of each report. When possible, a link to the relevant municipal council minutes is provided.

[Link to Council Decision]

BACKGROUND AND EVIDENCE

1. Rosalind Hall is a long-time resident of Ryerson Township and a former member of Council, now retired from a long career in business. Ms. Hall attended the February 18, 2020 meeting of Ryerson Council to address what she saw as the serious safety hazard on Royston Road along the frontage of Councillor Finley's property, created by the snow clearing/snowmobile deterring methods adopted by the Finley household.
2. Ms. Hall's attendance that evening was, however, not well received by two Members of Council, and she was appalled by the reception she received from Councillor Finley and Councillor Brandt. She makes this complaint to me, under Council's Code of Conduct. This report should be read in conjunction with my report on Ms. Hall's complaint against Councillor Finley, of this same date.
3. The complaint alleges that Councillor Brandt breached sections 6.1, 7.1, 7.2 and 13.1 of the Township of Ryerson's Code of Conduct (the "Code") by claiming that Ms. Hall had a personal vendetta against Councillor Finley, by posing derogatory (condescending) questions to Ms. Hall, by misrepresenting prior statements made by Ms. Hall, all of which resulted in a belittling of Ms. Hall in front of staff and members of the public.
4. Specifically, Ms. Hall was offended by Councillor Brandt's allegation that her complaint was nothing more than a personal vendetta against Councillor Finley and that she should never have brought her concerns to Council. Councillor Brandt spoke in a raised voice and used a disrespectful tone and manner. Ms. Hall felt bullied by Councillor Brandt when she was asked by her whether she had researched the law, or whether she thought Councillor Finley should be allowed to remove snow around her mailbox. Ms. Hall alleges that Councillor Brandt incorrectly quoted her as saying that the Finley's should not be allowed to clear snow around their mailbox.
5. Councillor Brandt was yelling at her and directing condescending comments towards her. The message from the two councillors was that her concerns had all been addressed in a report from the Township's roads superintendent.

6. I spoke with Councillor Brandt on July 8, 2020. Councillor Brandt told me that she did not feel that she was aggressive. She is “outspoken” and “can’t help it if Ms. Hall took her words the wrong way”. Councillor Brandt felt that Rosalind Hall was wrong to say that the Township was giving Councillor Finley special treatment and breaking its own laws and by-laws. According to Councillor Brandt, Ms. Hall was extremely agitated when she arrived at the meeting and went “on and on”. Councillor Brandt said she was “gobsmacked” that Ms. Hall felt that she had been abusive.

7. Councillor Brandt feels that Ms. Hall’s complaint to Council was based on a personal dispute with the Finley’s and acknowledges that, wanting to “cut to the chase” she accused Ms. Hall of bringing a personal matter before Council.

8. Councillor Brandt notes that Ms. Hall’s complaint had not been circulated to Council and that staff’s report had not been sent to Ms. Hall. She found the lack of advance notice to be frustrating. As a Councillor, Ms. Brandt assured me that she feels a duty to ensure the Township is not breaking its rules.

9. Councillor Brandt says that she apologized to Ms. Hall, however, Ms. Hall has no recollection of receiving any form of apology from Councillor Brandt.

10. I was also able to speak to several witnesses. To a one, there is a consensus that Councillor Finley and Councillor Brandt are often aligned in their positions and their behaviour at meetings of Council. Specifically, they are often discourteous, loud and disrespectful. This is apparently standard behaviour for both these Councillors and, as a result, fewer people attend Council meetings and a chill has been cast upon Members of Council, the public or staff, with different points of view.

11. One observer remarked that she was shocked at the treatment afforded Ms. Hall. She felt that Ms. Hall was being attacked and that it was personal. She felt that Councillors Finley and Brandt were way out of line. In this person’s view, Councillor Brandt directly attacked Ms. Hall, while Councillor Finley sat back and poked at Ms. Hall.

12. The conduct of Councillor Brandt is to be judged against the provisions of sections 6 and 7 of the Code.

6. *Conduct at Meetings*

6.1 *Every Member shall conduct himself or herself properly and in a civil and respectful manner at meetings, and in accordance with the provisions of the Procedural By-law, this Code of Conduct, and other applicable law.*

6.2 *Members will respect the decision-making process. Members will attempt to accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with a majority decision of Council.*

6.3 *Members shall strive to attend all Council Meetings. Any Member who is unable to attend a Council Meeting shall advise the clerk as soon as is reasonably possible of the reason for their absence.*

7. *Conduct Respecting Others*

7.1 *Every Member has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. The Member shall be familiar with, and comply with, the Municipality's Workplace Anti-Violence, Harassment and Sexual Harassment Policy.*

7.2 *A Member shall not use indecent, abusive or insulting words, tone or expressions toward any other Member, any municipal staff or any member of the public.*

13. As a former member of Council and businesswoman, Rosalind Hall is neither inexperienced nor naïve in her expectations of the treatment one may receive upon the presentation of a contentious matter to a difficult audience. Nevertheless, she was left abjectly shocked and humiliated by the experience. I have no doubt that her attendance before Council that evening was truly distressing and accept her evidence, in that regard.

14. Moreover, everyone I spoke with confirmed not only the inappropriateness of the treatment received by Ms. Hall that night, but that it conforms to a pattern of behaviour by Councillor Brandt.

15. Accordingly, I find that, at the meeting of Council on February 18, 2020, Councillor Brandt breached sections 6 and 7 of the Code and it is my recommendation to Council that Councillor Brandt be reprimanded. The reprimand should remind Councillor Brandt that, despite her personal opinions about the legitimacy of a delegation or the manner in which it is delivered, members of the public are entitled to a safe and attentive forum to present their views to Council. The fear of a hostile and aggressive reception will discourage even the boldest delegation.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 14th day of October 2020.



H.G. Elston
Integrity Commissioner Ryerson Township