

OFFICE OF THE INTEGRITY COMMISSIONER

CITY OF SASKATOON

FINAL REPORT

PERSONAL AND CONFIDENTIAL

September 22, 2021

**RE: Complaint – May 12, 2021 - by Jeff Jorgenson, City Manager
Regarding Councillor Darren Hill and *The Code of Ethics Bylaw, 2017* (“the
“Bylaw”)**

Summary of Investigation – Complaints/Issues Substantiated

This is in relation to the following complaints made against Councillor Darren Hill on May 12, 2021, by Jeff Jorgenson, City Manager, City of Saskatoon.

1. Issue #1 – Property Damage to Councillor meeting area at City Hall

A violation of *Bylaw No. 9537 The Code of Ethical Conduct for Members of City Council Bylaw, 2019* (the “Bylaw”) was substantiated in relation to this complaint.

Facts

The complainant alleged that, in June of 2020, Councillor Hill undertook, without permission, to attempt numerous alterations to the shared meeting and lunchroom adjacent to the City Hall Councillor cubical area. In so doing he caused damage, requiring the City to undertake significant repairs and renovations to the room earlier than was otherwise planned. The total cost was estimated at \$10,000. Damage included carpets, wall coverings, countertops, and damaged furniture. The complainant admitted that some of the renovations performed by the City would have been necessary in any event, though the exact amount is unclear. Councillor Hill does not dispute the substance of this complaint. However, he did cease his activities when he was asked to do so by the City Manager - and he subsequently apologised for his actions.

Discussion

Councillor Hill’s position is that he was having health challenges at the time in question. Those health challenges have previously been reported publicly and do not need to be detailed here. Councillor Hill says he is now receiving proper medical treatment and he is confident that his attempt at making renovations like those described above will never happen again.

I find that Councillor Hill's actions were in violation of City of Saskatoon Policy C01-024 entitled "Alterations to City Hall Building". Specifically, section 2 of this Policy states:

2. Elected officials are not permitted to undertake any action, without the approval of City Council, which alters the appearance of any part of City Hall.

Section 17 of the *Bylaw No. 9537, The Code of Ethical Conduct for Members of City Council Bylaw, 2019* (the "Bylaw"), states:

17. A member must respect and comply with all obligations imposed on the member by statute or other legal enactment, and by the City's bylaws **and policies...**

In view of the above, Councillor Hill's violation of the policy noted above, constitutes a violation of the Bylaw.

Recommendations

Councillor Hill has sought and is receiving treatment for the underlying causes which led him to violate the City's policy with respect to the damages in question. I note that he quickly ceased his activities and apologized when the concerns were brought to his attention. Also, indications are that the parties had more or less resolved this issue at the time. However, after much delay, the complainant decided to raise this issue, for the record, as part of a formal complaint. Under the circumstances, I do not recommend any specific sanctions against Councillor Hill other than to recommend that the City Manager should determine if any financial loss to the City resulting from the damages can be quantified and, if so, whether financial recovery from Councillor Hill is possible or desirable.

2. Issue #2 – Conduct in relation to officials responsible for parking enforcement with the City of Saskatoon

Facts

On September 30, 2020, Councillor Hill was frustrated about four warning tickets that had been issued the night before by a member of the City's parking enforcement unit. The affected citizens were residents of his Ward and some had immediately raised concerns with him when they received the warning tickets. The administration agreed that the enforcement officer had made an error in issuing the warning tickets at the time in question, as the vehicles were, in fact, legally parked in a bike lane on Spadina Crescent. However, the administration believes the error was understandable given the confusing signage at the location in question.

Councillor Hill decided to pursue the issue by leaving 2 voice mails with administrative staff, posting a video on his website, sending emails to staff, and voicing his concerns during a

telephone conversation with a manager responsible for the parking enforcement unit. The fact that he would see fit to pursue the issue on behalf of residents is not the issue. He had every right to do that. The concerns expressed by the complainant are with respect to the manner in which he went about doing it.

The first voice mail was directed to the manager. In the voice mail, Councillor Hill demanded the identity of the enforcement officer, being the individual he believed was responsible for issuing the warning tickets. The second voice mail was left with parking dispatch for the City. In that voice mail, Councillor Hill again demanded the identity of the enforcement officer. He also demanded that if the enforcement officer was going to be working on the evening of September 30th, to make sure he was not issuing tickets in Ward 1, being Councillor Hill's ward.

The manager spoke with Councillor Hill shortly after the voice messages were left. The manager explained the background to him, including the error that was made by the enforcement officer when issuing the warning tickets. The tickets had been cancelled and corrective action had been taken with the enforcement officer. That said, this conversation did not resolve the issue in Councillor Hill's mind. He told the manager the fact that there were new staff in the unit could not be used as an "excuse" for the errors that were made and that the City needed to ensure proper training. He wanted the identity of the enforcement officer.

Councillor Hill then followed-up with an email to a senior manager higher-up in the chain of command. In that correspondence he reiterated his demand to know the identity of the ticket issuer. The reason he felt he was entitled to this information, or what he planned to do with the information if he received it, was not made known to the officials.

The final thing to note in relation to this issue is the fact that at some point Councillor Hill took the situation a step further by posting a video on his website, essentially attacking or disparaging the parking enforcement unit, and emphasizing how "ridiculous" it was for "that officer" to be ticketing at the time in question along Spadina Crescent. This video came to the attention of members of the parking enforcement unit. They were upset by it, as it tarred the whole unit. They forwarded the link to their supervisor. As of August 10, 2021, the video still remained posted on Councillor Hill's website.

Discussion

The facts of this case raise questions as to whether there has been a violation of the following sections of the Bylaw, which state:

10. (1) Members shall treat every person, including other members of Council, City Staff, and the public, with dignity, understanding and respect.
23. (1) A member must treat the public, other members, and City staff appropriately and without abuse, bullying or intimidation and participate in maintaining a work environment free from discrimination and harassment.

28. A member must obtain all necessary information about the operations and administration of the City from the City Manager using processes established by the City Manager.
32. Without limiting the ability of a member to hold a position on an issue and respectfully express their opinions, members will:
- (3) Ensure that all communications issued by, or on behalf of the member, including social media, are respectful and do not discriminate, harass, defame, or demonstrate disrespect toward any person.

In my view, Councillor Hill's conduct ran afoul of all of these sections. In essence, he over-reacted to the situation, largely at the expense of City staff. The evidence of both the manager and the supervisor is that parking enforcement officials are often subjected to verbal abuse and harassment from members of the public who, unhappily, find their vehicles ticketed. They confirm that, on occasion, such abuse has turned physical. I believe that as a veteran member of City Council, Councillor Hill would be aware of this. Posting the video, as he did, serves to reinforce negative attitudes and behaviours toward all officials within the parking enforcement unit, making their job even more difficult. In particular:

- i) By emphasizing, in the video, that issuing the tickets was "ridiculous", he showed disrespect to all enforcement officers within the unit, in violation of sections 10.(1), 23.(1), and 32.(c);
- ii) By telling the manager that she was making "excuses" when she talked about training issues in relation to new staff, he did not treat her appropriately, showed a lack of respect toward her, in violation of sections 10.(1) and 23.(1); and
- iii) By demanding the identity of the enforcement officer on several occasions and, further, demanding that the parking enforcement unit cease ticketing in his Ward, he was acting beyond his authority and was showing disrespect for the process, in violation of section 28.

Recommendations

Looking back on these events, Councillor Hill's position is that, as with Issue #1, above, he was having health challenges at the time in question. He believed that individuals within the parking enforcement unit were purposefully undermining his campaign for re-election in 2020. He says he wanted the identity of the enforcement officer so that he could search the internet to determine if that individual was connected to one of his opponents in the up-coming election. As noted above, Councillor Hill has sought and is receiving medical treatment for his health challenges. He accepts that his thinking at the time in question was erroneous. I regard all of this as a mitigating factor but not as a complete answer to the complaint. I recommend the following:

1. That Councillor Hill make a written apology to the supervisor of the parking enforcement unit, on behalf of the individuals within the unit;
2. That he make a written apology to the manager responsible for the unit;

3. That he remove the offending video from his website and any other social media platform in use by him; and
4. That in the future, any issues Councillor Hill has in relation to the parking enforcement unit be conveyed to the administration through the City Manager or someone designated by him.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Randy Langgard



Integrity Commissioner
City of Saskatoon