

**INTEGRITY COMMISSIONER INVESTIGATION REPORT ON
CODE OF CONDUCT COMPLAINT 2026-02 RE: COUNCILLOR TONY DIMARCO**

The Corporation of the City of Welland

Date: August 5, 2026

Prepared For:

The Council of The Corporation of the City of Welland

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OVERVIEW

I received a formal Code of Conduct Complaint on February 24, 2026 (the “**Complaint**”).

The Complaint alleges that Councillor Tony DiMarco (the “**Respondent**”) contravened sections 9.1, 9.2, 9.3, 14.1, 14.2, and 14.3 of the City of Welland’s Code of Conduct for Members of Council¹ on account of comments that he allegedly made during the Regular Council Meeting that took place on January 13, 2026 (the “**Meeting**”).

The Complaint was filed by Councillor David McLeod (the “**Complainant**”).

AUTHORITY & JURISDICTION

Hines Law was appointed as the City of Welland’s Integrity Commissioner pursuant to subsection 223.3(1) of the *Municipal Act, 2001*.² In that capacity, I am responsible for independently performing the functions of the Integrity Commissioner assigned by the City in relation to the administration and enforcement of the Code, including receiving, assessing, investigating, and, where appropriate, reporting on complaints made under the City’s Integrity Commissioner Procedures (the “**Complaint Protocol**”).

Following a preliminary review, I determined that the Complaint fell within my jurisdiction, as it alleged contraventions of specific provisions of the Code and disclosed reasonable and probable grounds to believe that a contravention(s) of the Code may have occurred. Accordingly, I investigated the Complaint in accordance with subsection 223.4 of the *Municipal Act, 2001*, the Complaint Protocol, and the principles of procedural fairness.

This Report sets out my findings, opinions, and recommendations arising from that investigation for Council's consideration.

SUMMARY OF OPINION

For the reasons set out in this Report, it is my opinion that the Respondent contravened sections 9.2, 9.3, 14.1, 14.2, and 14.3 of the Code, but did not contravene section 9.1.

¹ Policy No. HUM-001-0031 (the “**Code**”).

² *Municipal Act, 2001*, S.O. 2005, c. 25.

APPLICABLE CODE PROVISIONS

The relevant provisions of the Code provide as follows:

9.0 RESPECT IN THE WORKPLACE

- 9.1 Without limiting the generality of Section 8.0 of the Code,³ Members shall be governed by Welland’s Workplace, Discrimination, Harassment and Workplace Violence Policy,⁴ and any similar policy or procedure, made pursuant to the *Occupational Health and Safety Act* and the *Human Rights Code*.
- 9.2 Members have a duty to treat members of the public, one another and staff appropriately and without engaging in workplace harassment, workplace sexual harassment, abusive conduct, discrimination or workplace violence.
- 9.3 Members have a further responsibility to support a workplace within Welland that is free of workplace harassment, workplace sexual harassment, abusive conduct, discrimination and workplace violence.

...

14.0 DISCREDITABLE CONDUCT

- 14.1 As a representative of the City, 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.
- 14.2 A Member shall not use indecent, abusive, or insulting words or expressions toward any other Member, any member of staff, or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person’s race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status, or disability.
- 14.3 During Council and Standing Committee meetings, Members shall conduct themselves with decorum and in accordance with the City’s Procedural By-law.

³ Section 8.0, entitled “Conduct Respecting Staff,” establishes standards governing how Members are expected to interact with and treat municipal staff.

⁴ Policy No. HR – 009.

THE INVESTIGATION

Investigation Process

I investigated the Complaint in accordance with subsection 223.4 of the *Municipal Act, 2001*, the Complaint Protocol, and the principles of procedural fairness.

Standard of Proof

I have made my findings on the civil standard of proof, namely the balance of probabilities. This means that, in order to find that a particular event or conduct occurred, I must be satisfied that it is more likely than not that it occurred. In reaching my findings, I carefully considered all of the evidence and the parties' submissions and have referred to them where relevant to my analysis and conclusions in this Report.

Steps Taken in the Investigation

In conducting the investigation, I took the following steps:

- reviewed the submissions of the parties, including the Complaint, the Respondent's written response, and the Complainant's written reply;
- spoke with the Complainant and the Respondent on numerous occasions both by telephone and by videoconference;
- conducted a formal interview of the Respondent by videoconference;
- reviewed additional documentary and other evidence obtained during the investigation, including the Complainant's contemporaneous notes from the Meeting, the livestream recording of the Meeting, and relevant correspondence from the Clerk's Office and the Mayor's Office;
- conducted follow-up inquiries and sought additional information where necessary;
- provided the Complainant and the Respondent with a draft of this Report and an opportunity to provide comments; and
- reviewed the parties' comments on the draft Report and, where appropriate and necessary, made revisions before issuing this final Report.

NOTE REGARDING LANGUAGE

This Report reproduces certain offensive language where necessary. The precise words that are alleged to have been used are material to the allegations, the evidentiary findings, and the analysis under the Code. The language is reproduced only to the extent necessary and is not repeated unnecessarily.

SUMMARY OF ALLEGATIONS

In summary, the Complaint alleges that, during the Meeting, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?"

The Complaint alleges that this conduct contravenes sections 9.1, 9.2, 9.3, 14.1, 14.2, and 14.3 of the Code, which are reproduced above.

INITIAL INFORMAL RESOLUTION EFFORTS

I first learned of this matter on January 19, 2026 when I received an email from the Clerk's Office. The Clerk forwarded to me an email from the Complainant dated January 14, 2026. In that email, which was also sent to the Mayor and the CAO, the Complainant stated his concerns regarding the Respondent's alleged conduct at the Meeting and expressed a desire to address the matter informally.

Soon after, the Complainant requested a meeting with me to discuss the matter and the options available under the Complaint Protocol. We spoke by telephone on January 22, 2026. During that conversation, the Complainant described the alleged conduct and reiterated that he wished to resolve the matter informally, if possible. The Complainant agreed to attempt to arrange a meeting with the Respondent, with the assistance of the Mayor's Office, to determine whether the matter could be resolved without proceeding to a formal complaint.

The Mayor's Office made several attempts to schedule a meeting. Ultimately, a meeting did not take place.⁵ As an informal resolution was not achieved, the Complainant elected to file the Complaint within the six-week period prescribed by the Complaint Protocol.

THE COMPLAINT

As noted above, I received the Complaint on February 24, 2026.

The Complaint includes the following preliminary remarks:

Regrettably, I must seek [the Integrity Commissioner's] assistance. After many attempts through the Mayor's office to have an informal meeting to address and

⁵ The parties have differing perspectives regarding why the meeting ultimately did not take place. As that issue is not material to the determination of the allegations contained in the Complaint, I make no findings in relation to it and do not address it further in this Report.

resolve concerns, no meeting could be arranged. As a result, I am left with the only remaining avenue of asking [the Integrity Commissioner] to review the conduct and to determine its suitability at a Council meeting. My intent remains to maintain the integrity and decorum of the City's decision-making body and uphold the standards our constituents deserve of its representatives.

The Complaint alleges the following facts:

During [the Meeting], [the Respondent] called me two inappropriate names, I believe to cause an altercation, an argument and or/to provoke me during the council meeting. At approximately 9:02, [the Respondent] raised his voice at the mayor stating, "Shut my mic off, like you always do". He then proceeded to call out to the mayor 'you're an idiot'.⁶ I turned to [the Respondent] and said, 'watch your mouth', as I was attempting to get him to stop. He said something to me, I asked him to repeat it, we were now facing each other, chair to chair. He said, "You're a Fucking Idiot"... "Fucking P___y". He was angry. He then followed with "What are you going to do, run to the Integrity Commissioner". Rather than engage further I swiveled in my chair and called for a 5 minute recess, which could not be accommodated and he disengaged.

On the basis of the above-alleged facts, the Complaint alleges that the Respondent breached sections 9.1, 9.2, 9.3, 14.1, 14.2, and 14.3 of the Code.

THE RESPONSE

I provided notice of the Complaint to the Respondent on March 4, 2026 and requested a written response within ten (10) days in accordance with Section 9.16(a) of the Complaint Protocol.

I received the Respondent's written response on March 13, 2026 (the "**Response**").

The Respondent did not dispute that an interaction occurred between himself and the Complainant during the Meeting. However, the Respondent stated that he could not recall using the exact words alleged in the Complaint.

⁶ The Complaint does not allege that the Respondent contravened the Code on the basis that he allegedly called the Mayor "an idiot" during the Meeting. Rather, the Complaint is limited to the comments that the Respondent allegedly made directly to the Complainant. Accordingly, while the alleged comment about the Mayor was considered for contextual purposes, I did not investigate or make any findings as to whether it amounted to a breach of the Code.

The Respondent explained that he has a significant hearing impairment that affects both his ability to hear others and the volume at which he speaks. The Respondent stated that he "must of mumbled something to the speaker," at which point the Complainant turned toward him, "red faced," and began speaking. The Respondent stated that, although he "could not hear properly," the Complainant "kept speaking," and that he believed "[the Complainant's] comments were not appropriate." The Respondent stated that he "may have unintentionally/in the heat of the moment responded" to the Complainant.

The Response also raised several additional matters that are not themselves the subject of the Complaint but which the Respondent relied upon as contextual matters to explain his conduct and his account of the events in question. For ease of reference, and to distinguish those contextual matters from the allegations in the Complaint, I have addressed them separately below under the heading "Additional Matters Raised by the Respondent."

THE REPLY

I provided the Response to the Complainant on March 13, 2026 and requested a written reply within ten (10) days in accordance with Section 9.16(b) of the Complaint Protocol.

I received the Complainant's written reply on March 23, 2026 (the "**Reply**").

The Reply notes that the Respondent "does not deny what was said."

The Reply reiterates the Complainant's account of the alleged events and responds to the additional contextual matters raised in the Response. As the Reply largely repeats or supplements matters already set out in the Complaint, I do not summarize it in further detail here.

INTERVIEW OF THE RESPONDENT

I interviewed the Respondent by videoconference on March 30, 2026.

I asked the Respondent whether, during the Meeting, he called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?"

In response, the Respondent stated as follows:

[T]ruthfully and honestly, I cannot actually recall using those exact terms. Honestly, because it was the heat of the moment.

The Respondent explained that the interaction began after the Complainant turned toward him. The Respondent said, “What started to get me upset was when [the Complainant] turned to me, red faced, mumbling something. I didn’t hear a word he said.” The Respondent explained that he has a significant hearing impairment and stated that, as a result, he was unable to hear what the Complainant was saying during the interaction.

The Respondent said that, before the interaction took place, he had been “mumbling” to himself in response to the speaker and may have said something like, “What’s this bullshit?”

The Respondent distinguished between comments that he initially made to himself and comments that he said he may have directed to the Complainant, stating as follows:

When [the Complainant] turned to me, beat red, I may have said [the alleged comments] to him, I’m not sure. I did not say that at the beginning, no... [And] after he turned to me, red faced, and everything else, is when I said something, those words, or whatever I said to him, I do not recall...

When I asked the Respondent again whether he had called the Complainant the alleged offensive names, he stated:

I’m not exactly sure what I called him. I don’t recall... Maybe I did call him that.
I’m not sure. I cannot recall what I said.

The Respondent did not deny that he spoke to the Complainant during the interaction. Rather, he repeatedly characterized the exchange as having occurred "in the heat of the moment" and over "a very short period of time," while maintaining that he could not recall the precise words that he used.

ADDITIONAL MATTERS RAISED BY THE RESPONDENT

As noted above, the Respondent also raised several additional matters that are not themselves the subject of the Complaint but which he relied upon as contextual matters to explain his account of the events in question. I address those matters briefly below.

First, the Respondent alleged that, before the Meeting commenced and while in Council Chambers, the Complainant "stuck his hand [approximately] a foot from [the Respondent's] face," which the Respondent understood to be an attempt by the Complainant to shake his hand. The Respondent alleged that the same conduct had occurred at two other Council meetings, namely those held on December 3 and 16, 2025. The Respondent noted that he had only recently returned to attending Council meetings in person after approximately two

years of participating virtually.⁷ The Respondent stated that the Complainant's attempts to shake his hand were unwelcome and characterized the conduct as "taunting" and "harassment."

I reviewed the available livestream recording of one of the three interactions relied upon by the Respondent, namely the recording of the December 3, 2025 Regular Council Meeting.⁸ The recording depicts an ordinary attempt by the Complainant to shake the Respondent's hand. There is nothing in the gesture itself or the surrounding circumstances that would objectively support characterizing the interaction as "taunting" or "harassment."

Although recordings of the pre-meeting portions of the other two meetings were not available, the Respondent described the interactions as being materially the same. Accordingly, while I accept that the Respondent may have subjectively experienced the Complainant's actions in a negative manner, I find that the Complainant's conduct would not reasonably or objectively be characterized as taunting or harassment.

Second, the Response referred to a Motion brought forward by the Complainant in December 2023 that sought Council's support for requesting the Respondent's resignation (the "**2023 Motion**").⁹ Both parties made submissions regarding the 2023 Motion, their differing perspectives on its significance, and the broader history of their interactions. I have considered those submissions as part of the factual context between the parties. However, the 2023 Motion is not the subject of this Complaint, and it has not been necessary for me to make any findings in relation to it in determining the allegations before me.

Finally, the Respondent alleged that, following the Meeting, individuals who had been present in the gallery advised him that they had heard the Complainant state that he "wanted to take it outside," which the Respondent interpreted as a threat of a physical altercation. Although this allegation does not form part of the present Complaint and is alleged to have

⁷ The Respondent had been attending Council meetings electronically since December 2023 pursuant to a Council decision made following an independent third-party workplace investigation into the Respondent's conduct towards the City's former CAO. The investigation concluded that the Respondent had contravened the City's policies and the *Occupational Health and Safety Act* (see Report CLK-2025-05 dated March 18, 2025). On November 25, 2025, Council resolved to permit the Respondent to resume attending meetings in person.

⁸ The livestream recording is available online [here](https://video.isilive.ca/play/welland/2025-12-03.mp4) (<https://video.isilive.ca/play/welland/2025-12-03.mp4>) with the relevant interaction commencing at 00:06.

⁹ The 2023 Motion stated as follows: "WHEREAS, the behaviour of a member of Council has progressively deteriorated and is no longer acting in a manner consistent with being an elected official. NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests the resignation of Councillor Tony DiMarco." Council did not adopt the Motion. The minutes from the December 19, 2023 meeting are available online [here](https://www.welland.ca/council/c2023/CM20231219.pdf) (<https://www.welland.ca/council/c2023/CM20231219.pdf>).

occurred after the interaction giving rise to it, I nevertheless made inquiries into the allegation in light of the Respondent's reliance upon it.

The Respondent acknowledged that he did not personally hear the alleged comment. Rather, he stated that unidentified individuals who had been present in the gallery advised him that they had heard the Complainant make the alleged comment. During the investigation, I requested on multiple occasions that the Respondent provide the names and contact information of those individuals so that I could interview them. Despite being provided with multiple opportunities to do so, the Respondent did not provide that information.

During his interview, the Respondent also commented on how he believes he would have reacted had he personally heard the alleged remark. He stated, "Thank God I did not hear that comment, because if I would've heard it, there may have been an unfortunate incident right then and there." When I asked whether he meant that the interaction could have become physical, the Respondent replied, "It could have become physical right there."

In the absence of any identifiable witness or other reliable evidentiary foundation for the allegation, I did not consider it necessary or appropriate to put the allegation to the Complainant for a response. Accordingly, I am not satisfied, on a balance of probabilities, that the Complainant made the alleged comment, and I place no weight on that allegation in determining the issues before me.

However, the Respondent's comments regarding how he believes he might have reacted to a perceived provocation are part of his own evidence before me. While they do not establish that the Complainant made the alleged comment, they are relevant to my assessment of the Respondent's evidence and, as discussed later in this Report, to my consideration of the appropriate recommendations.

ADDITIONAL EVIDENCE

Livestream Recording of the Meeting

I reviewed the livestream recording of the Meeting, including the portion immediately before, during and after the alleged interaction between the parties.¹⁰

¹⁰ The livestream recording is available online [here](https://video.isilive.ca/play/welland/2026-01-13.mp4) (https://video.isilive.ca/play/welland/2026-01-13.mp4).

At approximately 8:53 p.m.,¹¹ the Complainant moved to pull a staff report summarizing the City's highlights from the 2025 calendar year. The CAO subsequently presented the report, following which Members asked questions and provided comments.

At approximately 8:57 p.m.,¹² the Respondent spoke to the report. During his remarks, the Respondent was critical of the report and expressed the view that the report presented an overly positive picture of the City. A somewhat heated exchange occurred between the Respondent and the Chair regarding the relevance of the Respondent's comments to the report before Council. The Chair repeatedly directed the Respondent to confine his comments to the report, while the Respondent maintained that his comments were relevant. The Respondent ultimately concluded his remarks.

The Complainant subsequently spoke to the report.¹³ At approximately 9:03 p.m.,¹⁴ Council proceeded to vote on the motion.

During this portion of the Meeting, the livestream displayed a "Voting Results" screen over the video of Council Chambers. Council Chambers remained visible in the background, although the view was partially obscured by the voting display. The Complainant and the Respondent, who were seated next to one another, remained visible.

At approximately 9:04 p.m.,¹⁵ the Respondent can be seen with his chair turned toward the head of the Council table, in the direction of the Chair. The Complainant is initially facing forward. The Complainant can then be seen turning toward the Respondent and appearing to speak to him. The parties appear to engage briefly with one another.

The livestream then changes views, such that the parties are no longer visible.

While the Clerk is announcing the results of the recorded vote, the Chair's attention appears to turn toward the area of the Council table where the Complainant and Respondent are seated. At approximately 9:05 p.m.,¹⁶ the Chair says, "Councillors, Councillors..." A voice in Council Chambers can then be heard calling for the security guard. The Chair again addresses the parties, stating, "Councillors! Councillor McLeod. Councillor DiMarco."

¹¹ Livestream recording commencing at 1:52:42.

¹² Livestream recording commencing at 1:56:39.

¹³ Livestream recording commencing at 2:01:52.

¹⁴ Livestream recording commencing at 2:03:00.

¹⁵ Livestream recording commencing at 2:03:35.

¹⁶ Livestream recording commencing at 2:04:37.

The Chair then states, “I am not going to recess this meeting at this time. But... Because we’re in the middle of a vote. So, I can’t recess it until after the vote has been taken.”

The Clerk continues announcing the results of the vote. The Chair announces that the motion has carried and the livestream returns to a wider view of Council Chambers. At approximately 9:06 p.m.,¹⁷ the Complainant can be seen writing in a notebook.

The Chair asks the Complainant whether he still wants a five-minute recess. The Complainant responds, “I think at this point we’re OK, Mr. Mayor.”

Contemporaneous Notes

As noted above, in the recording of the Meeting, the Complainant can be seen writing in a notebook in the moments immediately following the alleged interaction.

As part of the investigation, I requested a copy of these notes, which the Complainant provided.

The notes state as follows:

What You Going to Run to The Integrity Commissioner

Fucking Idiot

Fucking Pussy

1/13/26

SUBSEQUENT INFORMAL RESOLUTION EFFORTS

During my interview of the Respondent on March 30, 2026, I asked whether, if the Complainant remained open to doing so, the Respondent would be willing to attempt to resolve the matter informally. The Respondent advised that he would. I confirmed that understanding in a follow-up email dated April 1, 2026, in which I advised that I would contact the Complainant to determine whether he likewise remained open to an informal resolution.

Shortly thereafter, I contacted the Complainant for that purpose.

On April 10, 2026, the Complainant advised me by email that he remained willing to participate in an informal resolution process, provided that I assist in facilitating the

¹⁷ Livestream recording commencing at 2:05:28.

discussion, that the Mayor also be present, that the meeting occur in person, and that it take place without undue delay.

On April 15, 2026, I emailed the Respondent to advise him of the Complainant's position and to request his availability for a meeting the following month. I did not receive a response.

I sent a follow-up email to the Respondent on April 22, 2026. The Respondent replied later that day. However, rather than responding to my request regarding his availability for a meeting, the Respondent reiterated his concerns regarding the Complainant's conduct (addressed above under the heading "Additional Matters Raised by the Respondent") and raised additional concerns that were not relevant to the allegations under investigation.

On April 23, 2026, I again asked the Respondent whether he would be willing and available to meet the following month in an effort to resolve the matter informally. I did not receive any response to that request.

Accordingly, on June 4, 2026, I advised the Respondent that, as the further attempt at informal resolution had not been successful, I would proceed with the investigation. I provided the Complainant with the same update that day.

The investigation then proceeded to its conclusion and I prepared this Report.

FINDINGS OF FACT

Assessment of the Evidence

In making my findings of fact, I assessed both the credibility and the reliability of the evidence before me.

Although credibility and reliability are related concepts, they are distinct. Credibility concerns whether a witness is attempting to provide an honest and truthful account of the events in question. Reliability concerns whether that account is accurate and dependable, such that it can be relied upon as an accurate reflection of what occurred.

A witness may therefore be credible, in the sense that they genuinely believe their account to be true, while their evidence may nevertheless be unreliable because of limitations in perception, memory, or recollection.

In assessing credibility and reliability, I considered the evidence as a whole and, where relevant, factors including the internal consistency of a witness's account, its consistency with other available evidence, the witness's opportunity to observe the events in question,

the passage of time and its potential effect on memory, the presence or absence of contemporaneous documentary or other corroborating evidence, and whether the evidence was inherently plausible in light of the surrounding circumstances.

These factors are not exhaustive, nor is any single factor necessarily determinative. Credibility and reliability must ultimately be assessed in light of the totality of the evidence.

Summary of Findings

For the reasons that follow, and having considered the totality of the evidence, I find, on a balance of probabilities, that the following events occurred.

At approximately 9:05 p.m., during the Meeting and in Council Chambers, an interaction occurred between the Respondent and the Complainant. During that interaction, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?" or words to that effect.

In reaching these findings, I have considered the evidence of both parties, the contemporaneous documentary evidence, the livestream recording of the Meeting, and the surrounding circumstances as a whole.

The Complainant's Evidence

I find the Complainant's evidence regarding the comments made during the interaction to be both credible and reliable.

First, the Complainant's account is supported by contemporaneous notes that he made immediately following the interaction. As discussed above, the livestream recording shows the Complainant writing in a notebook in the moments immediately after the interaction occurred. During the investigation, I requested those notes from the Complainant, and he provided them. As set out above, the notes record the comments that are the subject of this Complaint.

I place significant weight on the contemporaneous nature of those notes. They were made immediately following the interaction, before the passage of time could materially affect the Complainant's recollection and well before the Complaint was filed.

Second, the Complainant's account has remained materially consistent throughout. The day after the Meeting, and more than one month before the Complaint was filed, the Complainant emailed the Clerk, copying the Mayor and the CAO, to report the incident. His description of the Respondent's comments in that email is materially consistent with the account he subsequently provided during my telephone discussions with him, in the formal Complaint, in his Reply, and throughout the investigation.

The fact that a person reports an event contemporaneously does not, in itself, establish that the event occurred. However, contemporaneous accounts are relevant in assessing the consistency and reliability of a person's recollection over time. In this case, I identified no material inconsistencies in the Complainant's account from his contemporaneous notes and email through to the conclusion of this investigation.

Finally, I found the Complainant's oral evidence to be straightforward and responsive. The Complainant answered my questions directly and without hesitation, and I did not observe any attempt to evade or avoid the questions put to him. These observations further support my assessment that the Complainant's evidence was both credible and reliable.

For these reasons, I find the Complainant's evidence regarding the comments made during the interaction to be highly credible and reliable.

The Respondent's Evidence

By contrast, the Respondent was unable to provide a clear account of what he said to the Complainant during the interaction.

Importantly, the Respondent did not deny making the alleged comments. Rather, when first asked whether he had called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?", the Respondent stated:

[T]ruthfully and honestly, I cannot actually recall using those exact terms. Honestly, because it was the heat of the moment.

The Respondent later stated:

When [the Complainant] turned to me, beat red, I may have said [the alleged comments] to him, I'm not sure. I did not say that at the beginning, no... [And] after he turned to me, red faced, and everything else, is when I said something, those words, or whatever I said to him, I do not recall...

When asked again whether he had called the Complainant the names alleged, the Respondent stated:

I'm not exactly sure what I called him. I don't recall... Maybe I did call him that. I'm not sure. I cannot recall what I said.

I do not treat the Respondent's inability to recall the precise words that he used as evidence that he made the comments alleged, nor do I treat his acknowledgment that he "may have" used those words as an admission that he did. However, the Respondent's evidence does

not undermine or contradict the Complainant's account. Rather, the Respondent accepted that he said something to the Complainant during the interaction, could not recall what he said, and acknowledged the possibility that he used the words alleged in the Complaint.

I also identified some inconsistency and lack of clarity in the Respondent's evidence.

In particular, the Respondent's evidence was inconsistent regarding whether he heard what the Complainant said to him during the interaction. In his written Response, the Respondent stated that, although he "could not hear properly," the Complainant "kept speaking," and that he believed "[the Complainant's] comments were not appropriate." During his interview, however, the Respondent stated, "I didn't hear a word he said." These accounts are difficult to reconcile.

I also found the Respondent's recollection of his own comments immediately preceding the interaction to be unclear. In his written Response, he stated that he "must of mumbled something to the speaker." During his interview, he explained that he had been mumbling to himself, possibly saying something such as "What's this bullshit?" While these accounts are not necessarily inconsistent, they illustrate the Respondent's uncertainty regarding precisely what he said and to whom those comments were directed.

Taken together, the Respondent's inability to recall the comments made during the interaction, together with the inconsistencies and lack of clarity in his evidence, cause me to place less weight on his recollection of the interaction than on the Complainant's evidence.

The Surrounding Circumstances

There is no material dispute that an interaction occurred between the parties at the relevant time. The principal issue in dispute is what the Respondent said during that interaction.

The recording of the Meeting provides independent evidence of the chronology and surrounding circumstances of the interaction. Immediately before the interaction, the Respondent had been engaged in a contentious exchange with the Chair regarding his comments on the staff report. The Respondent can subsequently be seen facing toward the head of the Council table. The Complainant then turns toward the Respondent, and the parties appear to engage briefly with one another. Shortly thereafter, the Chair's attention turns toward their area of the Council table, the Chair addresses the parties, someone can be heard calling for the security guard, and a recess is requested. Immediately following the interaction, the Complainant can be seen making notes in his notebook.

The recording does not capture the words exchanged between the parties and therefore cannot independently establish that the Respondent made the comments alleged in the

Complaint. It does, however, corroborate important aspects of the parties' evidence regarding the timing, sequence, and surrounding circumstances of the interaction. In particular, it confirms that an interaction occurred between the parties at the relevant time, that the interaction immediately drew the Chair's attention, and that it was followed by a recess.

When considered together with the contemporaneous notes made by the Complainant, the Complainant's email to the Clerk the following day, and the parties' respective evidence, the recording forms an important part of the evidentiary record that I have considered in determining what occurred.

Conclusion

Ultimately, the central factual issue is a narrow one: what, if anything, did the Respondent say to the Complainant during the interaction in question?

The Complainant's evidence is that the Respondent called him a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?" That account is supported by the Complainant's contemporaneous notes, his materially consistent email to the Clerk the following day, his subsequent consistent accounts throughout the complaint process, and the objective chronology depicted in the recording.

The Respondent, by contrast, does not deny speaking to the Complainant during the interaction. Rather, he maintains that he cannot recall the precise words that he used. He acknowledged that he said something to the Complainant after the Complainant turned toward him and accepted that he may have used the words alleged.

Having considered the totality of the evidence, I prefer the Complainant's evidence regarding what was said during the interaction. His account remained materially consistent throughout, is supported by contemporaneous documentary evidence, and is consistent with the surrounding circumstances. By contrast, the Respondent's evidence was marked by an inability to recall the words that he used during the interaction and some inconsistency and lack of clarity regarding the surrounding events.

Accordingly, I find, on a balance of probabilities, that, during the Meeting, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?" or words to that effect.

I therefore find that the factual allegations underlying the Complaint have been established on a balance of probabilities.

ANALYSIS & FINDINGS

Section 9.1 – Workplace Discrimination, Harassment and Violence Policy

In summary, section 9.1 provides in relevant part that Members are governed by the City's Workplace Discrimination, Harassment and Workplace Violence Policy.¹⁸

The Policy expressly applies to Members of Council.¹⁹ However, the relevant provisions of the Policy are directed toward the protection of workers (i.e. employees).

Consistent with the *Occupational Health and Safety Act*,²⁰ the Policy defines “Workplace Harassment” as follows:

Engaging in a course of vexatious comment or conduct **against a worker** in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or workplace sexual harassment. (My emphasis)²¹

Accordingly, although Members are subject to the Policy generally, the workplace harassment provisions of the Policy are engaged only where the alleged conduct falls within the scope of that definition.

In the present case, the conduct at issue involved comments made by one Member of Council to another while both were acting in their capacities as elected officials. The Complaint does not allege workplace harassment of a worker within the meaning of the Policy or the *Occupational Health and Safety Act*. Rather, it concerns the conduct of one elected official toward another.

In these circumstances, I am not satisfied that the workplace harassment provisions of the Policy are engaged.

Accordingly, I find that the Respondent did not contravene section 9.1 of the Code.

¹⁸ *Supra* footnote 4. There is no allegation in this case of discrimination, workplace violence, workplace sexual harassment, or any other conduct engaging the remaining provisions of the Policy. The only issue is whether the Respondent's conduct constitutes workplace harassment within the meaning of the Policy.

¹⁹ Section 3.0 (Scope).

²⁰ *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1.

²¹ The Policy identifies examples of conduct that may constitute workplace harassment, including: verbally abusive behaviour such as yelling, insults, ridicule and name-calling, including remarks, jokes or innuendos that demean, ridicule, intimidate or offend.

Section 9.2 – Duty to Treat Others Appropriately and Without Abuse, etc.

Section 9.2 of the Code provides as follows:

Members have a duty to treat members of the public, one another and staff appropriately and without engaging in workplace harassment, workplace sexual harassment, abusive conduct, discrimination or workplace violence.

Section 9.2 imposes a broad obligation on Members to treat members of the public, one another, and staff appropriately. In addition to prohibiting workplace harassment, workplace sexual harassment, discrimination, and workplace violence, it separately prohibits Members from engaging in abusive conduct toward others.

The allegations in this case are properly considered under that independent prohibition against abusive conduct.

As set out in my findings of fact, during the Meeting, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy," and then said, "What are you going to do? Run to the Integrity Commissioner?" or words to that effect.

Those comments were directed toward a fellow Member of Council during a Council meeting. The use of profane, insulting, and verbally abusive language toward another Member plainly constitutes abusive conduct and is inconsistent with the obligation imposed by section 9.2 to treat fellow Members appropriately.

I accept that the interaction was brief and occurred in what the Respondent described as the "heat of the moment." However, those circumstances do not alter the character of the Respondent's conduct or remove it from the scope of section 9.2. While they may be relevant in determining the appropriate penalties and remedial measures, they do not excuse or justify the conduct.

Accordingly, I find that the Respondent contravened section 9.2 of the Code.

Section 9.3 – Support a Workplace Free of Abusive Conduct, etc.

Section 9.3 of the Code provides as follows:

Members have a further responsibility to support a workplace within Welland that is free of workplace harassment, workplace sexual harassment, abusive conduct, discrimination and workplace violence.²²

Section 9.3 imposes a broader, positive obligation on Members to support and maintain a workplace within the City that is free from workplace harassment, workplace sexual harassment, abusive conduct, discrimination, and workplace violence.

For the purposes of this provision, I am satisfied that Council Chambers constitutes a workplace within the meaning of the Code and the City's Workplace Discrimination, Harassment and Workplace Violence Policy. Members are therefore expected to conduct themselves in a manner that supports a respectful and professional workplace environment while carrying out their duties as elected officials.

As I have found, the Respondent directed profane, insulting, and abusive comments toward the Complainant during a Council meeting in Council Chambers. By engaging in abusive conduct toward a fellow Member in that workplace, the Respondent acted in a manner that was fundamentally inconsistent with the obligation imposed by section 9.3 to support a workplace free from abusive conduct.

Although I have found that the workplace harassment provisions of the Policy are not engaged on the facts of this case for the reasons discussed above, section 9.3 is not limited to workplace harassment. It separately requires Members to support a workplace that is free from abusive conduct. It is that obligation that has been breached in the present case.

Accordingly, I find that the Respondent contravened section 9.3 of the Code.

Section 14.1 – Duty to Treat Others Appropriately and Without Abuse, etc.

Section 14.1 of the Code provides as follows:

As a representative of the City, 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.

Section 14.1, in relevant part, requires Members to treat one another appropriately and without abuse, bullying, or intimidation.

²² The Policy defines the “workplace” broadly to include “any other location where the business of the City is being conducted” (Section 3.0). A meeting of Council in Council Chambers plainly falls within this definition.

As I have found, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy" during the Meeting. Those comments constituted profane, personally insulting, and abusive language directed toward another Member of Council. For substantially the same reasons discussed in relation to section 9.2, I find that this conduct was inconsistent with the Respondent's obligation under section 14.1 to treat fellow Members appropriately and without abuse.

I have also considered the Respondent's additional comment, "What are you going to do? Run to the Integrity Commissioner?" or words to that effect.

Viewed objectively and in the context of the interaction as a whole, I find that this comment had an intimidating character. It immediately followed the Respondent's profane and abusive name-calling and was directed at the possibility of the Complainant seeking recourse through the City's Integrity Commissioner process.

Regardless of whether the Respondent intended to discourage the Complainant from pursuing such a complaint, the comment conveyed that the prospect of doing so was itself something to be mocked or challenged. Members of Council should be able to access the City's accountability processes without being subjected to comments of that nature.

I do not find it necessary to characterize the Respondent's conduct separately as bullying. The interaction was brief and isolated, and my findings that the conduct was abusive and intimidating adequately capture its nature.

Accordingly, I find that the Respondent contravened section 14.1 of the Code by engaging in abusive and intimidating conduct toward the Complainant.

Section 14.2 – Prohibition re: Indecent, Abusive, or Insulting Words or Expressions

Section 14.2 of the Code provides as follows:

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

As set out in my findings of fact, the Respondent called the Complainant a "fucking idiot" and a "fucking pussy," and said, "What are you going to do? Run to the Integrity Commissioner?" or words to that effect.

The Respondent's comments were, on their face, indecent, abusive, and insulting and fall squarely within the conduct prohibited by section 14.2.

Accordingly, I find that the Respondent contravened section 14.2 of the Code.

Section 14.3 – Duty to Act with Decorum at Meetings

Section 14.3 of the Code provides as follows:

During Council and Standing Committee meetings, Members shall conduct themselves with decorum and in accordance with the City's Procedural By-law.

Section 14.3 requires Members to conduct themselves with decorum during meetings of Council and its Standing Committees.

The conduct at issue occurred during a Council meeting. As I have found, the Respondent directed profane and abusive comments toward the Complainant, a fellow Member of Council, during the course of that meeting.

Council meetings are the primary forum through which Members conduct the City's business. Although Members are entitled to disagree, sometimes strongly, those disagreements must be expressed in a manner consistent with the standards of civility, respect, and decorum expected of elected officials. Directing profane and personally insulting comments toward another Member is incompatible with those standards.

Accordingly, I find that the Respondent failed to conduct himself with decorum during the Meeting and therefore contravened section 14.3 of the Code.

CONCLUSION

For the reasons set out in this Report, I find that the Respondent contravened sections 9.2, 9.3, 14.1, 14.2, and 14.3 of the Code. I further find that the Respondent did not contravene section 9.1 of the Code.

My recommendations regarding the appropriate penalties and remedial measures are set out later in this Report for Council's consideration.

COMMENTS ON THE DRAFT FINAL REPORT

On July 24, 2026, I provided the parties with a draft of this Report and invited them to provide comments within ten (10) days. The Respondent was provided with this opportunity in accordance with the Complaint Protocol. The Complainant was also invited to provide comments as a matter of practice and courtesy.

The Complainant provided written comments on July 31, 2026. The Respondent did not provide written comments, but instead provided oral comments to me by telephone on August 4, 2026.

I carefully reviewed and considered the parties' comments and revised this Report where I considered it appropriate and necessary to do so.

I do not propose to summarize every comment received. Where appropriate, I have addressed the parties' comments by revising or clarifying portions of this Report. However, two matters warrant brief comment.

First, the Respondent questioned the timing of this investigation and suggested that this Report was being issued because of the upcoming municipal election. I do not accept that characterization. The timing of this investigation and Report reflects the chronology of this matter, including the parties' initial efforts to resolve the matter informally, the investigation itself, the subsequent efforts made during the investigation to facilitate an informal resolution, and the preparation, circulation, consideration of comments on, and finalization of this Report in accordance with the Complaint Protocol.

Second, the Respondent maintained that he had done nothing wrong and that his conduct during the Meeting was simply a reaction to what he perceived to be inappropriate conduct by the Complainant. I have carefully considered that position. However, for the reasons set out throughout this Report, I do not accept it. I have found that the Respondent directed profane and abusive comments toward the Complainant in contravention of multiple provisions of the Code. The Respondent's continued refusal to acknowledge that his conduct was inappropriate is a relevant consideration in determining the appropriate recommendations to Council, as it suggests a lack of insight into the seriousness of the misconduct and diminishes the likelihood that similar conduct will not occur in the future without further remedial measures.

RECOMMENDATIONS

Applicable Legal Principles

Where an Integrity Commissioner determines that a Member has contravened a Code of Conduct, the *Municipal Act, 2001* authorizes the Council to impose either of the following statutory penalties:

- a reprimand; or
- a suspension of the remuneration paid to the Member in respect of their services as a Member of Council for a period of up to 90 days.

In addition to these statutory penalties, Council may consider other appropriate remedial measures arising from a contravention of the Code. Such measures must be directed toward addressing the conduct at issue and may not serve as an additional punishment.

In formulating the recommendations that follow, I have considered the particular circumstances of this case, including the nature and seriousness of the misconduct, the context in which it occurred, the impact of the conduct on the Complainant, the Respondent's degree of experience as a Member of Council, the Respondent's prior history of Code of Conduct contraventions, whether the conduct reflects an isolated incident or a broader pattern, any mitigating or aggravating circumstances, the Respondent's response to the Complaint and the investigation, including any acceptance of responsibility or lack thereof, and the extent to which the recommended measures are likely to promote future compliance with the Code and protect the integrity of Council's governance processes.

No single factor is determinative. Rather, the appropriate recommendations must reflect the totality of the circumstances and be proportionate to both the misconduct established and the purposes of the Code.

Ultimately, it is for Council to consider the findings and recommendations contained in this Report and determine the appropriate response. Council may accept, reject, or modify the recommendations set out below.

Prior Code of Conduct Findings

In determining the appropriate penalties and remedial measures in this case, I have considered the Respondent's prior history of Code of Conduct contraventions. While each matter must be assessed on its own facts, a Member's disciplinary history is a relevant consideration in determining the appropriate response to a further contravention. I summarize the relevant findings below, as they inform the recommendations that follow.

The Respondent has previously been the subject of four (4) Integrity Commissioner reports in which he was found to have contravened provisions of the Code relating to his treatment of other Members of Council. Those reports involved abusive, aggressive, or threatening conduct that occurred during or in connection with Council meetings.

First, in a report dated May 1, 2020,²³ the Integrity Commissioner found that, in the ante room on the night of the December 17, 2020 Council meeting, the Respondent “was in an agitated state and behaved in a physically aggressive and threatening way” towards another Member of Council. The Integrity Commissioner characterized the Respondent’s conduct as

²³ Integrity Commissioner Report re Councillor DiMarco dated May 1, 2020, available online [here](https://www.welland.ca/Council/pdf/IC20200505-DiMarco.pdf) (https://www.welland.ca/Council/pdf/IC20200505-DiMarco.pdf).

“bullying,” “an attempt to intimidate a fellow councillor,” and “egregious.” The Integrity Commissioner found that the Respondent contravened Section 11 of the Code.²⁴

Second, in a report dated November 3, 2020,²⁵ the Integrity Commissioner found that, in Council Chambers during the May 19, 2020 Council meeting, the Respondent “was very upset and aggressive,” and directed “abusive and threatening language in a loud voice” at another Member of Council. The Integrity Commissioner found that the Respondent contravened Section 11 of the Code.²⁶

The following passage from the Integrity Commissioner's report dated November 3, 2020 is instructive in the present circumstances (at p. 3):

Unfortunately, this is another in a series of complaints that I have received about Councillor DiMarco's behaviour. I have dealt with complaints that he was abusive towards and tried to intimidate a member of the public at a public meeting, that he has tried to assault a fellow Member of Council in the ante room during a break in a meeting of Council, and that he has disclosed sensitive, confidential information in an open session of Council.

While I have always tried to give Councillor DiMarco the benefit of the doubt, and respect his sincere commitment and contributions to the City of Welland, I fear he has lost perspective on his role as a Councillor, and his relationship with not only his fellow Councillors, but with staff and members of the public. His angry outbursts and often fierce attacks against people who disagree with him has become a serious impediment to the civilized debate of important matters. His contributions, however well-intended and meritorious, are diminished, and his colleagues become reluctant to engage with him, for fear of his response.

Third, in a report dated August 18, 2022,²⁷ the Integrity Commissioner considered the Respondent's conduct in relation to a Council meeting held on March 8, 2022, which was conducted in a hybrid format. After the Respondent was removed from the electronic meeting, he travelled to Council Chambers and entered the meeting in person. The Integrity Commissioner found that, during the meeting, the Respondent “threatened [another

²⁴ Section 11 of the former version of the Code is substantively identical to section 14 of the current version.

²⁵ Integrity Commissioner Report re Councillor DiMarco dated November 3, 2020, available online [here](https://www.welland.ca/Council/pdf/IC20201103-VanVlietvDiMarco.pdf) (https://www.welland.ca/Council/pdf/IC20201103-VanVlietvDiMarco.pdf).

²⁶ See footnote 24.

²⁷ Integrity Commissioner Report re Councillor DiMarco dated August 18, 2022, available online [here](https://www.welland.ca/Council/pdf/IC20220818-DiMarco.pdf) (https://www.welland.ca/Council/pdf/IC20220818-DiMarco.pdf).

Member of Council] with physical violence” and engaged in “bullying and intimidation.” The Respondent was subsequently directed to leave and escorted from the building by security. The Integrity Commissioner concluded that the Respondent had contravened sections 9.0 and 14.0 of the Code.

Fourth and finally, in a report dated February 21, 2023,²⁸ the Integrity Commissioner found that, in Council Chambers during the November 16, 2022 Council meeting, the Respondent physically approached the Mayor in an angry and threatening manner while pointing his finger at him and subsequently failed to comply with the Mayor’s directions to return to his seat and apologize. The Integrity Commissioner concluded that the Respondent had contravened sections 9.0 and 14.0 of the Code.

Taken together, these prior findings demonstrate a recurring pattern of Code contraventions arising from the Respondent’s interactions with fellow Members of Council. These interactions involved abusive, aggressive, or threatening conduct that occurred during or in connection with Council meetings. The present Complaint is therefore not an isolated incident but forms part of a broader pattern of similar conduct.

Penalties

Reprimand

I recommend that Council formally reprimand the Respondent for the conduct described in this Report.

The Respondent’s comments toward the Complainant were wholly inappropriate and fell well below the standard of conduct expected of Members of Council. Disagreement and robust debate are an inherent and important part of municipal governance. However, personal insults and profane, abusive language directed toward a fellow Member have no place in Council proceedings.

A formal reprimand publicly denounces the Respondent’s conduct, affirms the standards of civility and respect expected of Members under the Code, and reinforces Council’s commitment to maintaining a respectful and professional environment in which municipal business can be conducted.

Accordingly, I recommend:

²⁸ Integrity Commissioner Report re Councillor DiMarco dated February 21, 2023, available online [here](https://www.welland.ca/Council/pdf/IC20230221-DiMarco.pdf) (https://www.welland.ca/Council/pdf/IC20230221-DiMarco.pdf).

1. That Council formally reprimand the Respondent for the conduct described in this Report.

Suspension of Remuneration

I recommend that Council suspend the remuneration paid to the Respondent in respect of his services as a Member of Council for a period of twenty-one (21) days.

In my view, a meaningful suspension of remuneration is warranted having regard to the seriousness of the Respondent's conduct, the abusive and profane language directed toward a fellow Member during a Council meeting, the Respondent's extensive history of similar Code contraventions, and his continued failure to acknowledge the impropriety of his conduct. Although I have considered that the interaction was brief and occurred in what the Respondent described as the "heat of the moment," those mitigating circumstances are outweighed by the aggravating factors identified above.

A twenty-one-day suspension appropriately reflects the seriousness of the misconduct, reinforces the standards expected of Members of Council, and denounces conduct of this nature.

Accordingly, I recommend:

2. That Council suspend the remuneration paid to the Respondent in respect of his services as a Member of Council for a period of twenty-one (21) days.

Remedial Measures

In addition to the statutory penalties recommended above, I have considered whether further remedial measures are appropriate. Unlike statutory penalties, the purpose of remedial measures is not to punish past misconduct, but to address its consequences, promote future compliance with the Code, and reduce the likelihood of similar conduct recurring.

Given the Respondent's history of similar Code contraventions and my concern that previous findings and sanctions have not resulted in meaningful behavioural change, I am satisfied that remedial measures are warranted in addition to the statutory penalties.

Apology

In my view, the Respondent's conduct toward the Complainant was sufficiently serious to warrant a formal apology. The Respondent directed profane, abusive, and intimidating comments toward a fellow Member during a Council meeting, conduct that was plainly

inconsistent with the standards of professionalism, respect, and civility required by the Code.

I also consider it significant that the Complainant made genuine efforts, both before and during this investigation, to resolve the matter informally without the need for a public report. Despite opportunities to do so, no informal resolution was achieved, and the matter ultimately proceeded to a formal investigation and this public Report.

In these circumstances, I am satisfied that a formal and sincere written apology would serve an important remedial purpose by acknowledging the Respondent's conduct, recognizing its impact on the Complainant, and assisting in restoring a respectful working relationship between the parties.

Accordingly, I recommend:

3. That Council request that the Respondent provide the Complainant with a formal and sincere written apology within thirty (30) days of Council's decision respecting this Report.

Virtual Attendance at Meetings

I recommend that, for the remainder of the current term of Council, the Respondent participate electronically, rather than in person, in meetings of Council and its committees.

I recognize that this is a significant remedial measure and do not recommend it lightly. Were the conduct before me an isolated incident, I would not consider such a measure warranted. However, the Respondent has now been found on five separate occasions to have contravened the Code in relation to his treatment of fellow Members of Council during or in connection with Council meetings.

I have also considered the Respondent's position throughout this investigation, including his continued refusal to acknowledge any wrongdoing. In my view, that lack of insight, together with the Respondent's disciplinary history, demonstrates that previous findings under the Code have not resulted in meaningful behavioural change.

I am further concerned by the Respondent's evidence that, had he personally heard what he believed to be a provocative comment from the Complainant, "there may have been an unfortunate incident" and that the interaction "could have become physical." Although I have not found that the Complainant made the alleged comment, the Respondent's evidence raises legitimate concerns regarding how he believes he might react to perceived provocation during Council meetings.

Taken together, these considerations give rise to a legitimate concern regarding the recurrence, and possible escalation, of interpersonal conflict during in-person Council meetings. In my view, requiring the Respondent to participate electronically for the remainder of the current term represents a measured, prospective, and proportionate response. It reduces the opportunity for further direct interpersonal conflict while preserving the Respondent's ability to participate fully in the business of Council and represent his constituents.

Accordingly, I recommend:

4. That, for the remainder of the current term of Council, the Respondent be required to participate electronically, rather than in person, in meetings of Council and its committees.

STATUTORY DISCLOSURE AND DECISION

This Report has been prepared for and is submitted to Council pursuant to subsections 223.4(5) and 223.6(2) of the *Municipal Act, 2001*.

Council is asked to consider the findings and recommendations contained in this Report and determine the appropriate response in accordance with the *Municipal Act, 2001*. In doing so, Council may accept, reject, or modify the recommendations set out in this Report.

In accordance with subsection 223.6(3) of the *Municipal Act, 2001*, this Report shall be made available to the public.

Respectfully submitted,

HINES LAW



Rebecca Hines

Integrity Commissioner – City of Welland