

Motion Number & Title: 23-26 Code of Conduct Complaint

Background

WHEREAS Council received complaints under By-Law No. A-8, being the Council Code of Conduct (the “Code”), from Cindy McLaughlin and Chris McLaughlin, alleging that the Respondent, then a sitting Councillor and now Mayor, breached the Code by way of communications made with members of the public during the April 2026 local government election campaign;

AND WHEREAS Council, acting under section 4(d)(iii) of the Code, retained an independent investigator to investigate the complaints and to report to Council;

AND WHEREAS the Investigator delivered a confidential investigation report dated August 7, 2026 (the “Report”), which concludes that the Respondent breached sections 3(e)(i)(1), (2), (3) and (5) of the Code;

AND WHEREAS Council has received and considered the Report in its entirety, has received and considered independent legal advice, over both of which privilege is maintained, and has deliberated the matter;

AND WHEREAS Council is satisfied that the complaint is valid and that the Respondent has breached the Code as found in the Report;

AND WHEREAS Council has considered the mitigating circumstances identified in the Report, including that the communications arose during an active mayoral campaign in which both the Respondent and the complainant Cindy McLaughlin were candidates, that the Respondent was responding in part to concerns raised with her by members of the community, that the Respondent has acknowledged that her conduct was inappropriate and has taken responsibility for it, and that the Investigator found the Respondent’s contact with Mr. McLaughlin’s employer to be mitigated by his own publication of a private message;

AND WHEREAS section 4(e) of the Code provides that Council may impose sanctions defining the specific action to be taken by motion, and section 5(a) sets out the sanctions available to Council;

Motion

Councillor Brayall **MOVES** that Council receives and accepts the Report of the Investigator dated August 7, 2026, and finds that the Respondent, Mayor Tamara McPhail, has breached sections 3(e)(i)(1), (2), (3) and (5) of the Code.

2. Pursuant to section 5(a) of the Code, Council imposes the following sanctions

- (a) **Letter of apology — s. 5(a)(ii).** That Council request that Mayor McPhail provide a written letter of apology to the Complainants Cindy McLaughlin, and Chris McLaughlin, to be delivered through the Chief Administrative Officer within 30 days of this resolution.
- (b) **Training — s. 5(a)(iii).** That Council request that Mayor McPhail attend training on the obligations of elected officials under the Council Code of Conduct, UMN B mayor's school, respectful communication and the appropriate use of social media by elected officials, the particulars of which are to be determined in consultation with Council, within 90 days of the date of this resolution, and with confirmation of completion to be provided to the Chief Administrative Officer.
- (c) **Suspension as official spokesperson — s. 5(a)(iv).** That Mayor McPhail be suspended as official spokesperson for Council for a period of thirty five (35) days from the date of this resolution, and that during that period the Deputy Mayor act as official spokesperson in accordance with section 3(b)(i) of the Code.
- (d) **Suspension from committees — s. 5(a)(v).** That Mayor McPhail be suspended from the following committees and bodies to which Council has the right to appoint members, for a period of thirty five (35) days from the date of this resolution: Utilities Board, Recreation Commission, Planning and Advisory Committee, Regional Service Commission, and Donation Committee.
- (e) **Suspension of remuneration — s. 5(a)(vii).** That the remuneration otherwise payable to Mayor McPhail be suspended in full for a period of thirty five (35) days from the date of this resolution; that the amount withheld be forgone and not payable in arrears at the conclusion of that period; that this sanction apply to remuneration only and not to the

reimbursement of expenses properly incurred in the discharge of her office; and that the Chief Administrative Officer give effect to this resolution through the payroll periods falling within that thirty five (35) day period

- (f) **Suspension from exercising powers** – That Mayor Tamara McPhail be suspended from exercising the powers and performing the duties conferred upon the Mayor under section 48 of the Local Governance Act for a period of thirty five (35) days from the date of this resolution, and that the Deputy Mayor perform such duties as authorized by law during the period of suspension. Notwithstanding this resolution, Mayor McPhail shall be required to participate in training as authorized and/or directed by Council.

3. That the Chief Administrative Officer notify the complainants and the Respondent in writing of the conclusions of the investigation and of the sanctions imposed.
4. That the Report and the record of the investigation be maintained as confidential, subject to any requirements of the *Right to Information and Protection of Privacy Act* and any further direction of Council.
5. That Council affirm its expectation that all members conduct themselves in accordance with the Code of Conduct and that this resolution be recorded in the meeting minutes.

SECONDED by Councillor Shaw. **MOTION CARRIED.**