

January 24, 2017

To: Town Clerk, Town of Aurora
100 John West Way, Box 1000
Aurora, Ontario L4G 6J1

Request Investigation on Violation of Ethics Guidelines for Councillors
– Tom Mrakas, December 7, 2017

From summer through December 7 I was outspoken on the many ongoing failures by Parks and Recreation to inspect, repair, maintain and enhance Canine Commons dog park. It has become a constant embarrassment, unchanged since it opened in 2003. I was helping the Canine Commons Committee, the Adopt A Park team in charge of the park when their leader was in bed fighting cancer. Tom Mrakas got involved in early December. I was very critical in emails, asking the town to at least honour the contract they had created especially for the CCC in 2013 when the committee resigned out of frustration, over a total lack of support. Those contacted at Parks claimed to know nothing about any current problems at the dog park despite 13 years of absolutely zero dollars budget and pushing all requests back to the CCC as if their contract called for them to do repairs and enhancements.

By December 7, I was electronically banned by the CAO, Doug Nadorozny, and had no two way communication directly, but the head volunteer and I worked as partners (good cop/bad cop) to elicit responses to the perpetual lack of support from Parks and Rec. I still submitted emails to staff, councillors and mayor asking for support, clarifying misinformation spread by Parks, and demanding the CCC be supported as their contract specified. The CCC head volunteer played along meekly as she had done for 10 years before. The Town clearly did not want my voice heard because it raised too many issues, too quickly for them to counter. They wished to quiet my voice so they could continue to deal only with the head volunteer whom they knew they could control.... since for 10 years she had made annual requests for repairs and enhancements, and every year the Town totally ignored her. This person has a financial interest in keeping the park open, she is a professional dog walker and needs the park for her business. She would do whatever Parks told her to do over the past ten years. So they told her to be quiet and nothing was done to the park for safety or simple pleasure. It got NO attention.

On December 2 we heard there was to be a big Parks staff meeting Monday Dec. 5. After that date we heard nothing about any results from the meeting.

On Wed. Dec 7, about 10:30 am the lead volunteer received a phone call from Jim Tree of Parks. I was not present for this call. What follows is her explanation to me of what happened. He asked her to write him a letter stating I did not speak for the dog park, sign it and send it to him right away. He said if she would do that, that he in return would get some wood chips delivered to the dog park the following day, December 8 Thursday. Since we had been working together, she put him off and sent instead a complete list of the signed up volunteers, and I was just helping out. She texted me right away his request (see below) and as expected she said she felt like complying rather than making waves. But she waited for me to get to her house before taking any further action. We spoke for about half an hour. She was not aware that Jim Tree wanted that letter so he could discredit me to everyone, and somehow force me to be so embarrassed I would dhut up about park problems. Once I clarified that for her, she resolved that sending the volunteer list was adequate. We agreed to maintain the charade of good cop/bad cop as it seemed to at least cause a Parks meeting and that had never happened before.

As I was in the lobby about leave her cell rang, it was Tom Mrakas. I was present for the entire call, I

coached her while she responded, but she had to confirm his complete words to me after he hung up. She said he was calling because she had not agreed to do what Jim Tree had asked, to write a disparaging letter about me. He repeated the request for a signed letter disavowing my involvement in park issues, and she repeated what she had done for Jim, that she sent a complete volunteer list, that I was not a volunteer, and that should be adequate for them. He promised he would get wood chips delivered the next day if she would just write that letter for Jim. She again declined to write it. The phone call ended, and we discussed it in detail. She will confirm details of the call if you ask her.

The wood chips were the basic required material for covering the mud and rough ground cover at the park. It was to be provided by Parks to the CCC whenever they requested since the contract terms provide for that explicitly. Every time I had asked for chips, when trying to help the volunteers, I was told by Sara Tienkamp there were not chips on hand. She would also tell me the volunteers had to use their own money and labour to repair gates and fences, an absurd request since the contract said that was the town's responsibilities. It turns out she never got a copy of the 2013 CCC contract, since Director Downey had not distributed copies even though the contract specified ALL contact to the town was to be through Jim Tree only.

The meeting on the previous Monday had set a schedule for a crew to bring chips Thursday Dec. 8, but no one outside of Parks and Tom Mrakas knew that. Tom had prior knowledge of future events.

Tom Mrakas took advantage of prior knowledge of future events by offering the volunteer access early to wood chips if she complied with his request to write a disparaging letter. The advantage to him was that with me out of the way, he could claim complete credit for getting Parks to honour their contract, while I had been doing this since summer 2016, and most recently in early October 2016.

Mr. Mrakas has a web page and Facebook page proclaiming himself as the “get it done” councillor and this dog park problem he solved in a mere few days when Bob Lepp had spent months on it with no results. While I appreciate anyone's attempts to get support from Parks, it was the constant barrage of public postings and emails I was making that moved Doug Nadorozny to force Director Downey to call a meeting and get it solved.

The ethics guidelines at:

<http://www.aurora.ca/TownHall/Documents/Members%20of%20Council/5532-13%20Adopt%20Code%20of%20Ethics%20for%20Members%20of%20Council.pdf>

States in part...

The Town of Aurora's Members of Council fundamentally understand that:

- a) The proper operation of democratic and representative municipal government requires that they be **independent, impartial and responsible to the people;**
- b) **There are open, proper and appropriate channels of government structure for decision making** and approval of policy which is transparent, accessible and equitable,
- c) **Conflicts between private interests and public responsibilities are unacceptable** and must be avoided as public office is not to be used for personal gain;
- d) As leaders of the community, they are held to a higher standard of behaviour and

conduct,

e) Attaining an elected position within the community is a privilege which carries significant responsibilities and obligations;

f) No member shall use the influence of office for any purpose other than for the exercise of his/her official duties; and

and....

Being aware of and conversant with the statutory obligations imposed on Council as a whole, as well as each individual Member of Council.

Use of Information

Use **"insider" information** appropriately, **so as not to be used to their personal advantage,**

Use confidential information appropriately so as not to cause loss or damage to the Town or **detriment or benefit to others;**

Respect the status of confidential information (including documentation and/or deliberation) **until the matter ceases to be confidential as determined by Council;**

Understand that **confidential information as provided to them by the Town belongs to the Town not to members of Council;**

and...

4. Relationships with Staff and Other Members of Council Members of Council will: V.

Acknowledge that **only Council as a whole has the capacity to direct staff members** to carry out specific tasks or functions,

Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others;

I am stating Tom Mrakas on December 7 attempted to take advantage of the insider information he had from a Parks meeting December 5 about plans to dump wood chips December 8 so he gained the personal advantage of appearing to be responsive to the needs of his constituents, and attempting to have disparaging information about me he could use to his advantage on Facebook and elsewhere. His attempted "bribe" of wood chips followed exactly the "bribe" attempted by Jim Tree, except there is no code of ethics for Town staff I am aware of. York Regional Police called the attempted bribes "character flaws" as opposed to crimes.

I look to you to take appropriate action.

Thank you,

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