

Office of the Integrity Commissioner

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INVESTIGATIONS 2001 to 2010

RE: RECOMMENDED SANCTION

Date: August 13, 2020
To: City Council for The City of Edmonton
From: Jamie Pytel, Integrity Commissioner for the City of Edmonton
Respondent: Councillor Mike Nickel (the “Respondent”)

With respect to the Investigation Reports dated July 19, 2020 for these Complaints, when considering the appropriate sanction available under the *Council Code of Conduct Bylaw 18483*, the following was considered:

1. The Respondent has not removed the April 17 post from his social media page. The Respondent says he has not apologized for the April 17 post and will not apologize.
2. Mayor Iveson asked the Respondent to take down the April 18 post which the Respondent says he did as a professional courtesy to Councillor Knack. The Respondent says he has never apologized for the April 18 post and he is not going to apologize. He says in hindsight he wishes he would not have taken it down.
3. The Respondent repeated the conduct during this investigation when he posted the May 20 post suggesting that Mayor Iveson is responsible for the decision to add dozens of temporary emergency bike lanes. This was after the Respondent had already received the *Code of Conduct* complaints alleging these sorts of statements are misleading. This was also within a few hours of being interviewed for this investigation and being told of the concerns that this is misleading and that, in my view, freedom of expression is limited by the *Code* requirement to not be misleading about decisions made by Council.
4. The Respondent has not previously been found in violation of the *Code of Conduct*.