



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: Jennifer Astrologo, Director of Council Services/Clerk

Department: Council Services

Date of Report: April 4, 2022

Report Number: CS-2022-07

Subject: Procedure By-law: By-law 8692

Recommendation

That the report of the Director of Council Services/Clerk dated April 4, 2022 (CS-2022-07) regarding the Procedure By-law: By-law 8692 be received;

And That Council endorses the provisions of the proposed Procedure By-law and adopts the implementing by-law.

Report

At the April 12, 2022 Meeting, Council was provided with a draft version of the proposed Procedure By-law. The purpose of this report is to provide Council with an overview of a number of changes that are being introduced.

The proposed By-law has been drafted with the intent of ensuring transparency and accountability of municipal decision-making, meeting efficiency, and consistency in meeting administration. Additionally, provisions were added to reflect current in-meeting practices.

Electronic Participation in Meetings

The COVID-19 pandemic forced organizations and businesses to enhance the use of technology in their everyday operations. One such enhancement has been the use of a

video conferencing platform to conduct council meetings.¹ Since April 2020, the Town has successfully hosted its meetings through the Zoom platform, allowing Council, staff and the public to participate remotely. Meetings were also live-streamed and posted to the Town's YouTube channel.

While many are eager to return to Council Chambers, there are benefits to allowing Council, staff, consultants and members of the public the opportunity to participate in meetings remotely, as may be necessary and/or desired (i.e. reduce travel time and costs for out-of-town consultants and provide an alternative and more accessible attendance option). The By-law has been drafted to allow for the remote participation of Members of Council, administration, and the public, and will continue the practice of recordings and live-streaming by the Town.²

Specifically, Section 5 of the proposed By-law establishes the parameters for remote participation by Council Members. Members participating remotely in a meeting are still counted towards quorum, are permitted to vote, and can participate in both open and closed meetings. The newly proposed provisions:

- Limit the number of times a Member can remotely participate in a meeting without Council approval (four (4) meetings per calendar year);
- Codify the practice of ensuring that Members attending meetings closed to the public do so from a location that will maintain the confidentiality of closed meeting discussions;
- Give the Chair some flexibility to determine in-meeting processes that may need to be adapted for those participating remotely; and
- Speak to the handling of connection issues that affect individual Members or quorum.

Delegations and Presentations

Section 9 of the By-law was created to address the in-meeting and registration process for individuals wishing to appear before Council. The conduct of delegates, the allotment of time to speak, and the requirement to register remain unchanged from the current By-law and have been incorporated in the proposed By-law.

The proposed By-law incorporates the following additions/changes:

- The timelines to register for different types of delegations – a matter on the agenda vs. a public meeting vs. a matter not on the agenda;

¹ The Province introduced legislation amending the *Municipal Act, 2001* to allow municipalities to conduct electronic meetings and the rights of participation be set out in the applicable Procedure By-law.

² See Paragraphs 4.2 and 4.3, and Section 5 of the By-law.

- Who cannot register as a delegation (i.e. current members of the Council/Committee that is being addressed, political candidates etc.);
- The circumstances in which a delegation can be refused; and
- The recognition that some delegations will be granted “presentation status”, which gives the delegates 10 minutes to make their presentation to Council.

With respect to different types of delegations, the timelines for delegations for matters on the agenda remain unchanged (Friday at noon prior to a regular meeting); however, for matters not on the agenda, the timelines for requests have been increased (21 days in advance). This corresponds with the internal agenda preparation process and gives staff the opportunity to review the delegation to determine whether an administrative report is necessary. Additionally, delegates who wish to participate remotely in a public meeting must notify the Clerk by noon on the day of the meeting, so that the log-in details can be provided.

Section 9.7 of the proposed By-law acknowledges that there may be some delegations wishing to bring a matter or subject before Council that is not appropriate or does not fall under Council’s jurisdiction and accordingly provides the Clerk and CAO with the authority to refuse the request to appear. If this authority is exercised, the delegate and Council are notified in writing of the refusal.

Motion to Reconsider

While the process to reconsider a motion remains unchanged, the proposed By-law includes provisions to clarify the process. This will give Members of Council and the public a better understanding of the process and steps involved when this type of motion is brought forward.

Agenda Headings

The Agenda headings have been revised to enhance meeting administration, flow, and efficiency. An “Adoption of Agenda” heading has been included to give Council the opportunity to make any changes to the agenda in terms of the order of proceeding, or the deferral of business items.

A number of headings have been consolidated – Presentations and Delegations, Committee Matters, and Questions and Statements by Council Members – to improve the efficiency of meetings. Regardless of whether a committee is internal (i.e. Water and Wastewater) or external (i.e. ERCA), all business items flowing from a particular committee can be discussed under the “Committee Matters” section of the agenda. Similarly, questions and statements from Members will be raised under the applicable heading.

Other Changes

There are a number of other housekeeping amendments, such as updates to the Definitions section, the creation of a Table of Contents and some language cleanup throughout the by-law.

The section titled 'Duties and Responsibilities' has been updated to reflect roles and responsibilities as they relate to in-meeting processes and procedures. The provisions related to the duties of the Mayor and meeting Chair have been amended as follows:

- Responsibility to appoint the County Council Alternate Representative;
- Requirement to vacate the Chair if moving a motion; and
- Enforcement of speaking limits.

Section 7, 'Disclosure of Pecuniary Interest' has been updated to reflect disclosures in the context of remote participation and speaks to how a Member is to leave a meeting or the Council table.

With respect to suspending the By-law provisions, language has been included to prohibit Council from suspending the provisions related to quorum, open meetings, and reconsideration.

The date for the Inaugural Meeting has also been changed to reflect the changes to the Term of Council outlined in the Municipal Act, 2001. The By-law also proposes to codify the current practice of only holding one Meeting during the month of December.

Consultations

Chief Administrative Officer, Joe Milicia, consulted in the preparation of the By-law

Financial Implications

None.



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Link to Strategic Goals

1. Enhancing organizational excellence - Yes
2. Strengthen the community's engagement with the Town - Not Applicable
3. Grow and diversify the local economy - Not Applicable
4. Build on our high-quality of life - Not Applicable
5. Sustaining strong public services and infrastructure - Not Applicable

Communications

Not applicable.

Notifications

None.

Report Approval Details

Document Title:	Procedure By-law - By-law 8692 .docx
Attachments:	Draft By-law 8692
Final Approval Date:	Apr 6, 2022

This report and all of its attachments were approved and signed as outlined below:


Chief Administrative Officer

Joe Milicia