



Clerk's Division Staff Report

Report Title: Updated Procedural By-law
Report Number: C12-2021
Author: Jeff Smith, Deputy Clerk
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File: N/A
Consent Item: No
Final Version: Yes
Reviewed By: Val Hummel, Clerk
Final Review: Senior Management Team

Recommendation:

That the Council of the Township of Woolwich, considering Report C12-2021 approve the updated Procedural By-law as attached to the report.

Background:

Section 238(2) of the Municipal Act, 2001 requires every municipality to have a procedure by-law for governing the calling, place, and proceedings of meetings. Woolwich Council last adopted minor updates to the Procedural By-law in September 2020 by By-law No. 64-2020 related to temporary electronic meetings. Public notice of Council's intent to consider a Procedural By-law was provided at the meeting on August 10, 2021.

Comments:

Clerk's office staff are proposing updates to the Procedural By-law to make meetings more efficient and to allow for hybrid in-person and remote meetings when it is safe to do so. The draft by-law has been thoroughly reviewed and reorganized by topic to make finding procedures easier. Content relating to agenda outlines and special circumstances has been added to schedules for quick reference.

Since the changes are significant, a summary of major changes is listed below in lieu of a redlined version.

Electronic Participation and Livestreaming (s. 9-14, Schedule B)

Originally, electronic participation was expected to be a temporary COVID-19 measure. Staff now expect that electronic participation can be allowed going forward. Once the

Council Chambers reopens for public use, both in-person and a “hybrid” of in-person and electronic participation can be accommodated. The date for which is still to be determined in consultation with the Township’s Pandemic Control Group, Public Health and other area municipalities.

Staff also note that livestreaming of meetings is anticipated to continue. With the public expectation set, Schedule B sets out special considerations during electronic meetings, including procedures for when a livestream fails consistent with decisions from recent Closed Meeting Investigations.

Added Guidance for Public Meetings and Presentations (s. 60-63)

Guidance has been added for members participating in public meetings and presentations consistent with our current practice.

7-Minute Time Limit for Delegations (s. 58.b and 62.e)

The draft by-law proposes to reduce the time limit for delegates and unregistered speakers at public meetings to seven minutes from the previous 10-minute limit. Staff believe that most speakers can still deliver their core message in this time and the improved focus may improve public feedback. Council may change the speaking limit by passing a resolution.

This proposed change sets clear expectations for public speakers. It also shifts the burden for Council from reducing speaking time when there are many delegates to granting longer speaking times when there are significant issues that require additional time for public debate.

By-laws passed in one motion (s. 68)

Unless required by law, by-laws will be able to be passed in one motion. Council will still be able to pull individual by-laws for further debate and discussion when needed.

Suspension of Rules of Procedure (s. 79)

The proposed by-law removes a loophole that allowed a rule which required a unanimous vote to be suspended by a simple majority.

Allowing the Chair to Vote (s. 82)

The procedure allowing the meeting Chair to appoint an alternate Chair and engage in debate has been updated to allow the Chair to vote. This allows the Chair to vote on a matter that is of interest to them or to ensure the perception a vote is taken fairly. To do so, the Chair must not resume the role of Chair until after the vote has been taken.

Speaking Limits for Council (s. 89.c)

The proposed by-law gives the chair discretion to impose the 10-minute speaking limit

and speaking once per motion on Council. There may be times when this is necessary, but the Chair may also wish to allow additional discussion on certain issues.

The Chair's Role in Voting (s. 92 & 97)

The language in the by-law has been clarified: in a regular vote, the chair *must* vote to break a tie. The chair *must* also vote during all recorded votes.

Motion to Reconsider (s. 100)

Consistent with Roberts Rules of Order, the proposed by-law allows a motion to reconsider to be passed only at the same meeting. Council may still change recommendations passed at Committee of the Whole and provide different direction at a future meeting by passing a regular resolution.

Streamlined Agendas (Schedule A)

Agenda outlines will be reorganized to expedite business and allow Council to focus discussion on critical matters:

- Council will no longer be required to move in and out of Committee of the Whole during Council meetings
- More items will be added to the consent agenda for approval in one motion unless Council wishes to pull individual items for discussion

Interdepartmental Impacts:

Staff in all departments participate in Council meetings.

Financial Impacts:

None.

Strategic Plan Impacts:

Focusing more on debate and less on procedural matters supports the strategic plan focus area of Best Managed and Governed Municipality.

Conclusion:

An updated Procedural By-law is proposed to streamline meetings and allow continued remote and "hybrid" meetings.

Attachments:

1. Draft Procedural By-law