



## MUNICIPALITY OF **West Elgin**

### Staff Report

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**Report To:** Council Meeting  
**From:** Jana Nethercott, Clerk  
**Date:** 2022-06-23  
**Subject:** Amendments to the Procedural By-law

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#### **Recommendation:**

That West Elgin Council hereby receives the report from Jana Nethercott re: Amendments to the Procedural By-law; and

That West Elgin Council provide the following feedback on the proposed draft amendments to the Procedural By-law; and

That West Elgin Council direct staff to return with a final version of the amended Procedural By-law at the next Council Meeting.

#### **Purpose:**

The purpose of this report is to gain Council feedback on proposed amendments to the Procedural By-law.

#### **Background:**

With changes introduced in the Municipal Elections Act in 2022, the Procedural By-law needed to be updated to allow for the inaugural meeting to take place in November instead of December and so staff took the opportunity to update other parts of the by-law to assist in the flow of the agenda and meetings. Changes to the by-law appear in red in the draft by-law appended to this report.

Section 4.1 – This change reflects the latest update to the Municipal Elections Act (Section 6(1)), which changed the first day of the new term of Council from the First Monday in December to November 15.

“Inaugural Meetings shall be held on the first **Thursday of the new term of Council** ~~Monday in December~~ following a Regular Municipal Election at 7:00 pm. In case of inclement weather, the Inaugural Meetings shall be held on the first suitable day following, at the same hour, and Notice shall be given on the Municipal website and posted at the Municipal Office.”

Section 4.2.1 – This change was necessitated by the renovation of the Municipal Office. Now that Council Chambers will permanently be located at the West Lorne Complex, the by-law needed to be updated. Presently we are operating under a resolution to allow a temporary location. This section has been amended previously to allow for electronic participation.

“Meetings of Council shall be held in the Council Chambers ~~in the Municipal Building in the~~ **West Elgin Community Complex** located at ~~22413 Hoskins Line, Rodney~~ **160 Main**

**Street, West Lorne**, unless otherwise decided by Resolution of Council or as provided for in the *Municipal Act, 2001* when Notice is given. Attendance may be by electronic participation. 2021-04"

Section 4.2.4 – There some minor changes to the meeting schedule section. These changes allow for more flexibility in the meeting dates and times and better transparency with a published meeting schedule.

- a) this change allows more freedom in setting the Council dates and is what has been in practice now, in order to ensure that meetings are not missed due to the election and/or statutory holidays.
  - a) "Prior to the **31<sup>st</sup> of December in each year** ~~first meeting in each calendar year,~~ the Council **shall establish a schedule of all regular Council meeting dates for the calendar year. This Calendar shall be posted on the Municipal Website.** ~~Except as otherwise noted on the meeting schedule, meetings shall generally be held on the second and fourth Thursday of the month at 9:30 a.m. except for July, August and December. Council will meet the 3rd Thursday in July, the 2nd Thursday in August and the 3rd Thursday in December. Council may by resolution, alter the date and/or time of a regular meeting when deemed necessary, provided that notice is given pursuant to this by-law. When a meeting is scheduled on a Public Holiday, it shall be held on the next business day at the same hour.~~
- b) This change allows for a set time for the curfew, instead of length of time in the meeting. This update allows the meeting to proceed
  - b) The meeting curfew shall be **4:00 p.m. on the published day of the meeting** ~~three hours from the published start time of the meeting.~~ Council may by resolution, proceed past the curfew for up to one hour, in order to proceed past the one-hour extension the unanimous consent of Members present shall be required

Section 4.2.6 Order of Business – this is the layout of the agenda and this section has some updates that we are already doing (location of Closed Session and Report from Closed) as well as the new addition of a Consent Agenda. The Consent Agenda is used for items that generally require little to no discussion, for things such as monthly reports, correspondence (with no requests) and other general information reports, including awarding of tenders that were previously approved in the budget. This is a way of speeding up the meetings an reducing the number of vote as there will be one resolution to approve the consent agenda. This does not mean that Council can not ask questions, they can ask basic clarification questions or can also request that an item be removed from the consent agenda (this is done during the approval of the agenda) and then it will be placed in the Consideration of Items Requiring Discussion which appears right after the Consent Agenda. This idea of a consent agenda is used effectively in many Council's agendas to move thru routine reports.

- 4.2.5.1. The Agenda for each Meeting shall be prepared by the ~~CAO~~/Clerk or designate. The order of the proceedings shall be as follows, or as otherwise determined by the ~~CAO~~/Clerk or designate:

1. Call to Order
2. Adoption of Agenda
3. Closed Session
4. Report from Closed Session
5. Disclosure of Pecuniary Interest
6. Public Meeting
7. Delegations
8. Minutes
9. Business Arising from Minutes
10. Consent Agenda
11. Staff Reports
12. Committee and Board Reports
13. Accounts
14. Consideration of Items Requiring Discussion
15. Council Inquires/ Announcements
16. By-Laws
17. Confirming By-Law
18. Adjournment

#### 4.2.5.2 The Consent Agenda will include the following items:

- a) Communications from other Municipalities
  - b) Procurement items that are within the approved budget
  - c) Monthly Staff information reports
  - d) Items as directed by the CAO, Clerk or Mayor
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- i. Questions of clarification may be asked by Members about any consent item during the adoption of the Consent Agenda without requiring a separate vote.
  - ii. Members may request that a matter be removed from the Consent Agenda to be dealt with under Consideration of Items Requiring Discussion (Regular Agenda).
  - iii. In the event that a Member declares pecuniary interest on an item that is included on the Consent Agenda, that item shall be considered under Consideration of Items Requiring Discussion.
  - iv. The Consent Agenda shall be adopted by a single motion.

These updates being proposed are tweaks to the existing by-law to ensure a smooth transition to a new term of Council and staff are looking for feedback from the current Council on these changes prior to bringing a by-law amendment forward.

#### **Financial Implications:**

There are no financial implications

#### **Policies/Legislation:**

Municipal Act, 2001 requires a procedural by-law.