



**SPECIAL MEETING OF COUNCIL
AGENDA**

Monday, April 19, 2021, 6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

A. CALL TO ORDER

In light of the ongoing COVID-19 pandemic, this Special Meeting of Council is being held electronically. Members will meet via electronic participation. Members of the public can view the meeting at www.kingsville.ca/meetings and select the VIDEO icon.

B. DISCLOSURE OF PECUNIARY INTEREST

When a member of Council has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of Council (or that was the subject of consideration at the previous Meeting of Council at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

C. STAFF REPORTS

1. Procedure By-law Review

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J. Astrologo, Director of Legislative Services

SEE: PowerPoint Presentation entitled 'Procedure By-law Proposed Amendments' dated April 19, 2021

D. CONFIRMATORY BY-LAW

1. By-law 36-2021

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Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its Special Meeting held on April 19, 2021

To be read a first, second and third and final time.

E. ADJOURNMENT

Procedure By-law Proposed Amendments

April 19, 2021

Overview

- Procedure By-law due for comprehensive review
 - Last review of the Procedure By-law 2016
- Changes to the *Municipal Act, 2001* (the “Act”)

Proposed Changes - Procedure By-law

1. eSCRIBE Voting (computer voting)
2. Delegations and Presentations
3. Consent Approvals (Consent Agenda)
4. Notices of Motion
5. Electronic Participation and Proxy Voting
6. Curfew
7. Land Acknowledgement
8. Applicability to Committees

1. eSCRIBE Voting

- Council approved the purchase of the eSCRIBE voting module
- Changes are “Best Practices” for accountability and transparency:
 - Voting will be everyone at the same time
 - Motions will be displayed and in writing
 - Votes will all be “recorded” for the Minutes by the computer system (so no need to call for a “recorded vote”)
 - There will be a “record of voting” over the course of a council term
 - Voting options on your computer: Yes, No, Abstain
- **Recommendation: Council approves the necessary changes in the Procedural Bylaw to allow for this new voting system**

2. Delegations and Presentations

- Currently
 - Delegations submit requests by Wednesday before a Council Meeting
 - Delegations are limited to 10 minutes speaking time (not strictly enforced)
- Proposed Revisions
 - Establish different groups of participants
 - Delegations
 - i) Non-agenda items, ii) agenda items, iii) planning/public notice matters
 - Presentations (Invited Public-Sector Organizations)
 - Allow the Clerk to establish a process for these participants to request status before council (Delegation Request Form)
 - Establish timelines for the various participant groups to submit a request
 - i.e. Delegations speaking to agenda items can request status up until 11am on the day of the meeting vs. non-agenda item delegation must submit a request 2 weeks' prior

2. Delegations and Presentations Part 2

- Proposed Revisions Cont'd
 - Establish speaking time limits for the various groups of participants
 - i.e. Presentation permitted 20 minutes vs. agenda item delegation permitted 5 minutes
 - Speaking limits automatically adjusted when a large number of speakers
 - Clerk to use a timer displayed for public viewing and to notify Council/speaker when time limit has been exhausted
- Limit the dialogue between Council and the delegation to only issues of clarification
 - On agenda items, save questions and comments for the staff report

2. Delegations and Presentations Part 3

- Proposed Revisions Cont'd
 - Express limit of the number of planned delegations/presentations at any given meeting (no more than 2 or 3)
 - Allow the Clerk to refuse the delegation request in limited circumstances with written reasons for the denial supplied to the requester
- Benefits
 - Meeting efficiency by holding speakers to time
 - Enhance public participation by allowing the public to register to speak to agenda items up until the day of the meeting
 - Better agenda management by Clerk's Office to schedule delegations

2. Delegations and Presentations Part 4

- **Recommendation: Council approves the changes to the delegations and presentations format**

3. Consent Approvals

- Currently
 - No easy way to quickly approve items that are not contentious
- How it Works
 - Items that the Clerk believes are not contentious, controversial or result in significant debate/discussion would be included
 - Examples: minutes from previous meetings, information items, information/staff reports
 - Members may remove any item for subsequent consideration and that item is dealt with individually
 - Any item not removed from the listing will be adopted by one motion

3. Consent Approvals Part 2

- Benefits
 - Enhance the efficiency of the meeting by adopting routine business items in one motion
- **Recommendation: That Council approves the inclusion of a 'Consent Approvals' section in the Procedure By-law**

4. Notices of Motion

- Currently
 - Provided that a notice of motion is received by noon, the Wednesday before a Regular Meeting, Council may consider and vote on that motion
- Proposed Revisions
 - A motion must be introduced at a Council Meeting and cannot be voted on until the meeting after the one in which it was introduced
 - Exception: if 2/3 vote allows to go ahead if an Emergency
 - Recommend that the written motion is provided to the Clerk in advance (not mandatory)
- Benefits
 - Enhances transparency for the public, and their ability to provide comment, if any
 - Gives both Council and Administration time to consider the proposed Motion and prepare comment, if any
- **Recommendation: That Council approves the change to the Notice of Motion procedure**

5. Electronic Participation & Proxy Voting

- Electronic participation permitted by the *Act*
 - Participation counts toward quorum, members may vote
 - Participate equally in open and closed meetings
- Proxy Voting
 - Council members can assign vote to another member of Council if not present
- Currently
 - Electronic participation is only permitted during a declared emergency
 - No provisions in the by-law for proxy voting

Electronic Participation & Proxy Voting Part 2

- Proposed Revisions
 - Councillor Choice - Members can participate electronically 3 times per year with advanced written notice to Clerk
 - Intervening event (snowstorm, pandemic etc.) - Clerk, Mayor, CAO have authority to determine whether a meeting is held electronically
 - Method of electronic participation as determined by the Clerk, based on the IT resources available
 - Council does not allow Proxy Voting at this time
- **Recommendation: That Council approve the revisions to Electronic Participation in Meetings**

6. Curfew

- Currently
 - Curfew is only extended on a unanimous vote of council
- Proposal
 - Curfew extended on 2/3 vote of council
- Benefit
 - Gives members of council more control over extending meetings when necessary
- **Recommendation: That Council approve the change to the voting to extend curfew**

7. Land Acknowledgement

- Council received a request to include a Land Acknowledgement Statement at the beginning of Council Meetings
- Currently
 - The Town does not include a Land Acknowledgement Statement as part of its proceedings
- **Recommendation: That Council approve introducing a Land Acknowledgement Statement at the beginning of the meeting and that Council appoint one or two Members of Council to work with the Clerk's Department to craft a statement for Council's consideration**

8. Applicability to Committees

- Currently
 - The procedure by-law applies with the necessary modifications to Council Meetings
- **Recommendations**
 - **Wait until the conclusion of the Committee Review before changing any procedural rules with respect to committee governance**
 - Voting module won't apply
 - Formal vs. informal meeting procedure
 - Electronic vs. in-person
 - Staff involvement with committees

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 36 - 2021

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its April 19, 2021 Special Meeting

WHEREAS sections 8 and 9 of the *Municipal Act, 2001* S.O. 2001 c. 25, as amended, (the “Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

AND WHEREAS section 5(3) of the Act provides that such power shall be exercised by by-law, unless the municipality is specifically authorized to do so otherwise.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the “Town”) be confirmed and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The actions of the Council at its April 19, 2021 Special Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this
19th day of April, 2021.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo