



**Date:** March 28, 2022

**To:** Mayor and Council

**Author:** Paula Parker, Town Clerk

**RE:** Return to In-Person Meetings

**Report No.:** LS- 2022-05

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## **RECOMMENDED ACTION**

1. That the graduated return to in-person Council meetings with members of Council and Administration permitted to attend in-person commencing on April 11, 2022 and delegates, presenters and members of the public permitted to attend in-person commencing on May 9, 2022 **BE APPROVED.**

## **BACKGROUND**

On March 22, 2020, the Town of Kingsville declared an emergency in response to COVID-19. Since that time, the Town has been responding to the threat of COVID-19 as directed by the Province and the local Medical Officer of Health.

After almost two (2) years of emergency response, the threat of COVID-19 is decreasing and emergencies have been terminated both at the provincial level and at local levels. On March 8, 2022 the Town of Kingsville terminated its pandemic emergency.

While the threat of COVID-19 is no longer as great as it once was, it still exists and return to normal pre-covid activities should be done cautiously to ensure the safety of both Town employees and the community.

Although COVID-19 disrupted the way we provide services in usual circumstances, it also accelerated our ability to provide virtual services, which has, in many ways, increased our service level. On March 19th, 2020 the Ontario Government made amendments to the Municipal Act, 2001 in response to COVID-19. Bill 187, the Municipal Emergency Act, 2020 allowed municipalities to update their procedure by-laws for meetings of municipal councils, committees and local boards under sections 238 and 239 of the Municipal Act. The Town of Kingsville amended its procedure by-law in 2021 to reflect these amendments and added Section 4 "*Electronic Participation in Meetings.*"

As per Procedure By-law 77-2021, Section 4, there are two (2) options for virtual meetings. The first is fully electronic and provides an opportunity for all Council members to participate electronically based on resources available at the time, prevailing circumstances of the meeting, and any other factors that support the holding of an electronic meeting.

The second is in-person with an electronic element. If Council meetings are “in-person” (normally held in Council Chambers) the Procedure By-law allows each member an opportunity to participate electronically subject to:

- Providing advance notice to the Clerk
- Attend only 3 times a year from a remote location if they are unwell or away from Town. (more with Council approval in the event of extended illness or other extenuating circumstances)
- The Clerk’s decision of what electronic method is suitable in the circumstance (i.e: phone, zoom, etc.)

Virtual meetings are also beneficial to the community by providing an opportunity for them to watch the meeting from the comfort of their own home, which may be easier for those that would otherwise require an accommodation to watch in person in a municipal facility. It also provides greater transparency, as it allows the entire community to watch the democratic process, rather than limiting the amount of viewers to the maximum capacity of a room under either the Fire Code or provincial COVID restrictions.

## **DISCUSSION**

In considering options for return to in-person meetings, Administration feels it would be a valuable service to the community to continue a hybrid model whereby Council and Administration are physically seated within Council Chambers (with the option to attend virtually three (3) times a year, as indicated above), while presenters and delegates, as well as spectators, are given the option to attend either virtually or in-person.

This will provide individuals a choice of how they participate based on their own comfort level. This ability to choose, should help eliminate organizational, physical, communications, and technology barriers for many viewers.

Although Council Chambers has limited space, it is still the most appropriate space for Council meetings, as it is properly equipped to manage both in-person and virtual meetings as planned for in the current procedure by-law. In response to the pandemic and provincial mandates such as, work from home wherever possible and physical distancing, IT made significant changes to the Council Chamber over the past 2 years to ensure we were able to continue to provide virtual access to the open democratic process as required by law. Also of significance, is the Town’s ability to eliminate physical barriers to watching Council/Committee meetings by providing the livestream option.

In November 2021, Administration pivoted from a fully electronic meeting model to a hybrid meeting model. However, in reaction to the increased transmission rate of the COVID-19 omicron variant later that month, we were forced back to full electronic meetings until further notice. While the Council Chamber was not in use, Administration made some additional improvements to it. The improvements will allow 7 members of Council, the CAO and Clerk to comfortably sit around the council table in the traditional style. These alterations will allow the CAO and Clerk to more easily provide procedural advice to the Mayor/Chair of Council and Committee of the Whole meetings as required. The Senior Management Team will also have a permanent space to address Council/Committee questions during meetings.

Administration recommends a graduated return to in-person meetings with hybrid meetings beginning on April 11, 2022 which will first allow Council and Administration back into the Council Chamber with delegates and presenters still using an electronic means to participate.

Then, on May 9, 2022, delegates and presenters will be provided the option to attend in-person or electronically and spectators will be allowed into the building to watch or can continue to use the livestream option.

### Alternative Locations

Understanding that there may be times when a matter with considerable community interest will come to Council and may attract a larger in-person audience, Administration has explored other locations, such as the Grovedale, Arena, and the Unico.

While the Grovedale is a useful space to accommodate a larger crowd on occasion, it is not an ideal location. It was not built as a Council Chambers and is not appropriate for this use, especially now that the expectation is to provide quality livestream and electronic participation. To use this space even on occasion, a dedicated internal internet connection and better sound equipment to address acoustic concerns would be required in the space.

Unlike Council Chambers at Town Hall, the Grovedale does not have a backup generator so any interruption in electrical power would cause equipment failure as well as an inability to continue the livestream. Acquiring a generator for the Grovedale is cost prohibitive, please see financial considerations section for more detail.

Additionally, the Grovedale lacks a separate space to retreat to in the event a closed session meeting is required. Members of the public would be asked to leave the building during a closed session. For these reasons the Grovedale is not recommended as a secondary location.

The use of the Grovedale as a permanent replacement location for council chambers is also not recommended as it would require considerable staff time for set up and take down to make it available for other users and events.

The Arena and Unico buildings likewise could be used on occasion for larger public meetings but also would be difficult for use regularly for a variety of reasons. These buildings have their own challenges with respect to acoustics, privacy for closed session, livestream equipment for meetings, as well as additional staff time involved in setup and take down to make the rooms available for other users and events.

## **FINANCIAL CONSIDERATIONS**

In 2021, audio/video equipment was purchased to conduct hybrid zoom meetings in Council Chambers. A dedicated computer, cameras and a digital media converter was purchased to connect to the already present sound system and televisions.

To use the Grovedale as an alternative location when matters are of considerable community interest, this same equipment would be taken to the site as well as additional equipment that the Town would require at an estimated cost of \$8,000-\$12,000.

The cost of installing a generator at the Grovedale is estimated at \$180,000 (\$150,000 for the generator due to the elevator and the balance for a load assessment audit and gas service upgrades).

Additionally, if Council wishes to relocate Council meetings to a different venue which is not dedicated for Council meeting use, there would be overtime costs of having staff provide regular setup and takedown of a venue.

## **ENVIRONMENTAL CONSIDERATIONS**

None.

## **CONSULTATIONS**

The Senior Management Team, the Manager of IT and the Facilities Supervisor were consulted on this report.

PREPARED BY:



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Paula Parker  
**Town Clerk**

REVIEWED BY:



Susan Hirota

**Director of Legal and Clerk Services**

## **LINK TO STRATEGIC PLAN**

Strive to make the Town of Kingsville a more accessible community.

Promote the betterment, self-image and attitude of the community.

To promote a safe community.

Effectively manage corporate resources and maximize performance in day-to-day operations.

## **Link to Council 2021-2022 Priorities**

- ☒ COVID-19 and the health and safety of the community
- ☒ Customer Service: Training, Technology, Staff, Review Standards/Level of service
- ☐ Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- ☐ Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- ☐ Programming Increase: Youth and Seniors
- ☐ A development plan for Downtown Kingsville / Main Street
- ☐ Financial savings: Schools closings, Migration Hall
- ☐ Economic Development: strengthen tourism/hospitality
- ☐ COVID - economic recovery
- ☒ Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- ☐ Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- ☐ Committees / Boards: Review and Report
- ☐ Policy Update: Procedural Bylaw
- ☐ Economic Development: diversify the economy, create local jobs, industrial, Cottam
- ☐ Infrastructure (non-Municipal): Union Water expansion & governance
- ☐ Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit