

CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE
SPECIAL COUNCIL MEETING
April 20, 2015

The Council of the Corporation of the Township of McNab/Braeside met at 7:00 p.m.

Staff in attendance: Lindsey Parkes, CAO/Clerk
Angela Young, Deputy Clerk

Media in attendance: Nil.

1. CALL TO ORDER AND ROLL CALL

All members of Council were in attendance this evening.

2. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No disclosures of pecuniary interest were declared at this time.

3. ADOPTION OF AGENDA

The agenda dated April 20, 2015 was accepted as submitted and circulated.

4. NOTICE OF MEETING

a) Notice dated April 16, 2015

The Clerk read the notice of the Special Meeting. The notice was posted on the Township website calendar. The Clerk further advised that the notice of the Special Meeting was posted on the front door and front counter of the Municipal office as well as on the door to the Council Chambers.

Moved by Deputy Mayor Armsden, seconded by Councillor Lang, **THAT** Council of the Township of McNab/Braeside hereby consider that the notice of this Special Meeting in the form and manner that was given by the Clerk's office to be adequate as set out under the provisions of Section 238(2.1) of the Act.

CARRIED.

5. DELEGATIONS AND PRESENTATIONS

Nil.

6. ITEMS OF BUSINESS

- Procedural By-Law Review

PART 1 - INTERPRETATION

(1) GENERAL

Item 1.8

“Question period shall be available for members of the public in attendance to ask questions of council regarding any items relevant to the business discussed during the meeting.”

Mayor Peckett requested Deputy Mayor Armsden take the Chair so that he could participate in the discussion. Deputy Mayor Armsden assumed the Chair at this point of the meeting.

Moved by Councillor MacKenzie, seconded by Councillor Lang, **THAT** item #1.8 remain in the procedural by-law.

A recorded vote was requested by Mayor Peckett:

Recorded vote as follows:	Mayor Peckett	- Opposed
	Councillor Brum	- In favour
	Councillor MacKenzie	- In favour
	Councillor Lang	- Opposed
	Deputy Mayor Armsden	- In favour

MOTION CARRIED.

Mayor Peckett resumed the Mayor’s Chair at this time.

Item 1.13

“Any reference to a member of Council shall include the Mayor.”

To Add

“Deputy Mayor” to the end of this item.

(2). DEFINITIONS

Item 2.3

“Chair” means the Head of Council or Presiding Officer at a Committee meeting.”

To Remove

“Head of Council”

PART II - DUTIES/PRIVILEGES/RESPONSIBILITIES**(3). PRESIDING OFFICER**

Item 3.12

“the Presiding Officer or Mayor may answer questions and comment in a general way without leaving the chair, but if he/she wishes to make a motion or to speak on a motion, taking a definite position and endeavoring to persuade the council to support that position, then he/she shall first leave the chair;”

Moved by Councillor MacKenzie, seconded by Councillor Brum, **THAT** item #3.12 be removed from the procedural by-law.

A recorded vote was requested by Councillor MacKenzie.

Recorded vote as follows:	Councillor MacKenzie	- Opposed
	Councillor Lang	- Opposed
	Deputy Mayor Armsden	- In favour
	Mayor Peckett	- In favour
	Councillor Brum	- In favour

MOTION CARRIED.

Item 3.13

“if the Presiding Officer or Mayor desires to leave the chair to move a motion pursuant to subsection (12), or otherwise, the Presiding Officer or Mayor will call upon a Member to preside until the issue is resolved.”

Moved by Councillor MacKenzie, seconded by Councillor Lang, **THAT** item #3.13 be removed from the procedural by-law.

A recorded vote was requested by Councillor MacKenzie.

Recorded vote as follows:	Councillor MacKenzie	- Opposed
	Councillor Lang	- Opposed
	Deputy Mayor Armsden	- In favour
	Mayor Peckett	- In favour
	Councillor Brum	- In favour

MOTION CARRIED.

PART III - COUNCIL

(4). VACANCIES

Nil.

(5). INAUGURAL MEETINGS

Nil.

(6). REGULAR MEETINGS

“Council shall meet on the first and third and fourth Tuesday of each month of the year at 7:00 p.m. in the Township Council Chambers unless by way of resolution the Council selects an alternate meeting date, time or another location. In the event the regular meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday.”

To Remove:

“fourth and In the event the regular meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday.”

(7). PLANNING ADVISORY COMMITTEE MEETINGS

“Planning Advisory Committee shall meet on the second Tuesday of each month of the year at 7:00 p.m. in the Township Council Chambers unless by way of resolution the Committee selects an alternate meeting date, time or another location. In the event the committee meeting date falls on a public holiday, the Planning Advisory Committee shall meet at the same hour on the next day not being a public holiday.”

To Remove:

“In the event the committee meeting date falls on a public holiday, the Planning Advisory Committee shall meet at the same hour on the next day not being a public holiday.”

(8). SPECIAL MEETINGS

“The Mayor may at any time summon a special meeting of the Council and it shall be his/her duty to summon a special meeting whenever so requested by a majority of the members of Council. Twenty-four hours notice shall be necessary for all special meetings of Council.”

Change to:

“Twenty-four hours notice” to “Forty-eight hours notice”

(9). WORKSHOPS

Item 9.7

“The Clerk will prepare “minutes” from the workshop, and any public session “minutes” will be made available to the public for review if a request is received.”

To Remove:

Quotation marks from *“minutes”*

To Change:

“minutes” to *“summary”*

(10). LOCATION OF MEETING

Nil.

(11). POSTPONEMENT OF REGULAR MEETINGS

Nil.

(12). MEETINGS OPEN TO THE PUBLIC

Nil.

(13). MEETINGS CLOSED TO THE PUBLIC

Item 13.1

“Council, Committee or a Local Board may go into Closed Session, referred to as In Camera, by passing of a motion which shall state:

- (a) the fact of holding the in camera session;*
- (b) the general nature of the matter to be considered during the Closed Session as provided in the Municipal Act.”*

No Changes

(14). CONFIDENTIAL DOCUMENTATION

Nil.

(15). ADJOURNED MEETINGS

Nil.

(16). COMMENCEMENT OF MEETING

Nil.

(17). ATTENDANCE

Nil.

(18). NO QUORUM AT BEGINNING OF THE MEETING

Nil.

(19). UNFINISHED BUSINESS - QUORUM LOST

Nil.

(20). NOTICE AND AGENDA OF COUNCIL AND COMMITTEE MEETINGS

Item 20(2)

"No business except the business dealing directly with the purpose mentioned in the Notice shall be transacted at any Special Meeting."

No Changes

(21). COUNCIL CHAMBERS

Nil.

PART IV - INAUGURAL MEETING

(22). AGENDA

Item 22(5)

"Appointment of Committees"

No Changes

PART V - ORDER OF PROCEEDINGS

(23). CALL TO ORDER

Nil.

(24). AGENDA

Item 1.3

"Adoption of Agenda"

No Change

Item 1.14

"Public Questions/Comments"

No Change

Item 1.17

To Remove

"Adjournment"

To add new item 1.17

"Notice of Council Meeting Dates"

(25). DELIVERY OF AGENDA TO MEMBERS

Nil.

(26). MINUTES

Item 26.3

"It shall be the duty of the CAO/Clerk to ensure that the minutes of the last ordinary meeting and all subsequent special meetings held more than three days before an ordinary meeting are prepared and distributed to all the members."

To Remove:

"held more than three days before an ordinary meeting"

(27). COMMUNICATIONS AND PETITIONS

Nil.

(28). DELEGATIONS

Item 28.1

“Any group, or agent representing a group, desiring to address the Council shall notify the Clerk in writing of such intention, five (5) business days prior to the date of the meeting, shall specify the nature of the business to be discussed and name the delegate who will address the Council. Any delegation that intends to distribute any reports or supporting documentation shall provide same to the Clerk with the request in order that the material can be circulated with the agenda. Failure to comply with the above requirements may result in the request being refused. The Clerk shall advise of the approximate time the delegate will be heard.”

To Remove:

“business”

Item 28.3

“Delegations shall be limited to a maximum of fifteen (15) minutes inclusive of questions and answers.

To Add:

“Can be extended by a majority of Council or Committee members.”

Item 28.4

“Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and quiet and may not:

- (a) address the Council except upon request of the Mayor with Council approval and with the restriction of 5 minutes;”*

To Change

“Mayor” to “Chair”

“restriction of 5 minutes” to “restriction of 2 minutes”

Item 28.10

“Requests from delegations who have previously addressed Council or Committee at a regular meeting within the last six (6) months on a particular item shall not be granted unless there is new information to present, in addition to what they have previously presented. Such proof shall be submitted to the Clerk in writing. If Council does not believe the written submission provides new information, the submission shall be deemed as an information item.”

No Change

(29). PRESENTATIONS

Nil.

(30). ENQUIRIES AND ANSWERS

Nil.

PART VI - RULES OF CONDUCT AND DEBATE

(31). ADDRESS THE MAYOR

Nil.

(32). ORDER OF SPEAKING

Nil.

(33). CONDUCT OF MEMBERS AT COUNCIL MEETINGS

Nil.

(34). POINT OF PRIVILEGE

Nil.

(35). POINTS OF ORDER (must deal with a matter that is currently on the agenda)

Nil.

(36). APPEAL

Nil.

(37). MEMBERS SPEAKING

To Do:

Section 41 is to be added and combined with Section 37

(38). SEATING ARRANGEMENTS

Item 38 Seating arrangements

“The Deputy Mayor shall sit to the right of the Mayor and remaining seats shall be filled in order of seniority and thereafter in order of votes polled:”

To Remove:

“in order of seniority and thereafter”

(39). DISCLOSURE OF CONDUCT OF INTEREST

To Do:

Staff was requested to review the version of the Municipal Conflict of Interest Act, to ensure that R.S.O. 1990 is still appropriate.

(40). QUESTION READ

Nil.

(41). SPEAK MORE THAN ONCE TO THE SAME QUESTIONS, EXCEPT:

To Add:

“No Member shall speak more than once to the same question without leave of the Mayor, except that a Member who has presented a main motion rather than an amendment, may reply. ”

Item 41.1

“upon the consideration of a report from a Committee to which it was referred by Council after being properly introduced and debated, but not determined;”

Remove

Item 41.2

“in explanation of a material part of his or her speech which may have been interpreted incorrectly; or”

No Change

Item 41.3

“with leave of Council, after all other members so desiring have spoken; or”

To Change:

“Council” to “Chair”

Item 41.4

“a reply may be allowed by leave of the Council to the member who presented the motion in which case he or she shall speak for no longer than five minutes period without leave of Council;”

No Change

“No Member shall speak more than once to the same question without leave of the Mayor, except that a Member who has presented a main motion rather than an amendment, may reply”

To Do:

The final section is to be numbered accordingly and change *“Mayor”* to *“Chair”*.

Section 41 is to moved up under Section *“37. Members Speaking”*

(42). TIME LIMITED

Nil.

(43). QUESTION PUT - NO FURTHER DEBATE

Nil.

(44). MEMBERS QUESTIONS

Nil.

PART VII - VOTING DURING COUNCIL MEETINGS

(45). SECRET BALLOTS

“No vote shall be taken during a meeting of the Council by secret ballot or other form of secret vote except a vote to elect the Mayor.”

To Add:

a new sentence - *“Except a vote to elect the Mayor.”*

(46). ALL MEMBERS VOTE

Nil.

(47). UNRECORDED VOTE

Nil.

(48). SEVERABILITY OF QUESTION

Nil.

(49). RECORDED VOTE

Nil.

(50). DISAGREEMENT WITH THE RESULT OF THE VOTE

Nil.

(51). TIE VOTE

Nil.

(52). VOTING

Nil.

(53). PECUNIARY INTEREST

Item 53.1

“Notwithstanding the provisions of Section 46, if a Member of Council present at a meeting desires to refrain from voting by reason of a pecuniary interest, he shall abide with the provisions of the applicable “Conflict Of Interest” legislation.”

To Change:

“he” to “he/she”

PART VIII - RESOLUTIONS AND MOTIONS

(54). READING

“Every motion when seconded shall be received and read by the Presiding Officer, except as provided for by the Rules of Procedure. However, where motions have been distributed or printed in the Agenda, recitals need not be read.”

To Remove:

“Presiding Officer” and “However, where motions have been distributed or printed in the Agenda, recitals need not be read.”

Council recessed for 5 minutes at 9:10 p.m.

Council reconvened with the same persons present at 9:15 p.m.

(55). WITHDRAWAL

Nil.

(56). NO DEBATE UNTIL READ

Nil.

(57). MOTIONS RULED OUT OF ORDER

Nil.

(58). NOT WITHIN THE JURISDICTION OF THE COUNCIL

Nil.

(59). INTRODUCTION OF MOTIONS

Nil.

(60). ORDER OF CONSIDERATION

Nil.

(61). AMENDMENT

Nil.

(62). MOTION TO PUT THE QUESTIONS

Nil.

(63). MOTION TO REFER

Nil.

(64). MOTION TO LAY ON THE TABLE

Item 64.6

"A motion that has been tabled and not taken from the table for six months is deemed to be withdrawn, and cannot be taken from the table."

To Remove:

"and cannot be taken from the table"

(65). MOTION TO POSTPONE OR DEFER

Nil.

(66). NOTION OF MOTION

Nil.

(67). RECONSIDERATION

Nil.

(68). MOTION TO ADJOURN

Nil.

PART IX - BY-LAWS

(69). READING OF BY-LAWS AND RELATED PROCEEDINGS

Nil.

(70). CONFIRMATORY BY-LAWS

Nil.

(71). PERMITS AND LICENCES

Nil.

PART X - COMMITTEES OF COUNCIL

(72). PROCEDURE

Nil.

(73). ESTABLISHMENT/APPOINTMENT

Item 73.1

“At the first sitting of Council in each year, immediately after communications, petitions, etc., having been read by the Clerk, the Mayor shall select and appoint the Standing Committees and Ad Hoc Committees for the current year to the Council.”

To Change

“shall” to “may”

Item 73.3

“The Standing Committees will be composed of designated Members of Council. The names of members required to serve including the Chair and Vice-Chair if necessary on each Standing Committee will be determined by the Mayor and approved by Council.”

To Change

“will” to “may”

(74). TERMS OF REFERENCE

Nil.

(75). GENERAL ROLES AND POWERS

Nil.

(76). RESPONSIBILITIES OF THE COMMITTEE CHAIR

Nil.

(77). QUORUM

Nil.

(78). MEETINGS OF COMMITTEES

Nil.

(79). DUTIES OF COMMITTEES

Nil.

(80). REPORTS OF COMMITTEES

Nil.

(81). AGENDA IN COMMITTEE

Nil.

(82). INFORMATION REPORTS

Nil.

(83). CONFIDENTIAL REPORTS

Nil.

PART XI - GENERAL PROVISIONS

(84). ELECTION

Nil.

(85). NOTICE

Nil.

(86). SEVERABILITY

Nil.

7. CLOSED SESSION

Nil.

8. CONFIRMATORY BY-LAW

Moved by Councillor Brum, seconded by Councillor MacKenzie, **THAT** By-Law #2015-40, being a By-Law to confirm the proceedings of the April 20, 2015, Special Meeting of Council of the Corporation of the Township of McNab/Braeside, I now deem read a second and third time short and it is hereby enacted and passed.

CARRIED.

9. ADJOURNMENT

The Special Meeting of Council adjourned at 9:30 p.m.

MAYOR

CAO/CLERK