



## Corporation of the Municipality of Temagami

**Memo No.**  
2020-M-093

### Memorandum to Council

<b>Subject:</b>	Procedural By-Law update
<b>Agenda Date:</b>	<b>August 6, 2020</b>
<b>Attachments:</b>	19-1478 Procedural By-Law Revised 8-19-19

#### **RECOMMENDATION**

BE IT RESOLVED THAT Council approve the proposed changes to the Procedural By-Law;

AND FURTHER THAT Council directs Staff to bring the appropriate by-law to the next meeting for Council's consideration.

#### **INFORMATION**

As we entered the pandemic response and Provincial Orders restricting public gatherings were put in place, the Province amended the Municipal Act by permitting broader electronic participation in Council meetings, including those times when the meeting is closed to the Public as permitted by Section 239 of the Municipal Act.

In July, Bill 197 received Royal Assent. While Bill 197 amends many pieces of Provincial Legislation, there are changes related to meetings of Council. The first of these is re-amending the Municipal Act that effectively alters the rules for electronic participation outside of a declared emergency to make them consistent with the changes put in place in March.

The second change to the Municipal Act deals with Proxy Voting. At this time Staff are not making a recommendation regarding Proxy Voting. Should a Member of Council wish Proxy Voting to be considered by Council, direction should be given to the Clerk to draft guidelines on how the Proxy Vote would work in the Municipality of Temagami. For Council's benefit, an information package about Proxy Voting has been included as an attachment to this report.

Also attached to this report is an information package concerning electronic participation. Simply put, the choice to have and to what extent to have electronic participation at Council meetings remains with Council. What the Province has done through the passage of this part of Bill 197 is provided more choice.

If you consider the recent Council meetings held using zoom, recommended changes to our Procedural By-Law are being offered so as to allow meetings to continue in this fashion on a moving forward basis. For example, Members participating electronically would be counted in quorum and for those occasions when the meeting is closed to the Public, as provided, Members would be able to participate.

Most likely, assuming Council adopts the recommendation, what would be available is a hybrid of what we have now and how we met before the pandemic response. There may be some Members in Council Chambers during the meeting and some participating electronically. As well, once we are able to host members of the Public in our Council Chambers during a meeting, there may also be some who log into the zoom meeting site. While it does not have to be part of the Procedural By-Law, this would effectively mean that whether meeting in person or electronically, the use of Council laptops would be required regardless. Also, while the Provincial Emergency Orders remain in place as they relate to physical distancing, the furniture in Council Chambers will be moved to provide for this distancing as well as access to a power supply.

Council did discuss changes to our audio recording policy. From the discussion, it is believed that Council is not of the mind to make changes to this policy. As such, there will be no video recording of the Council meeting although audio recordings will still be made in the normal fashion. Future recommendations made by made, especially as they relate to the part of the Policy which notes that the no part of the recorded minutes should be reproduced.

#### Recommended changes

By-Law 20-1503 which was read and passed by Council on May 14, 2020, is now basically redundant. The sections of the Municipal Act that authorized this By-Law were altered by Bill 197. This By-Law should therefore be rescinded in its entirety.

#### Definition 1.1.1 Changed to read

“Electronic Meeting” means a Meeting where any Member is not physically present but participates via electronic means of communication. Such Member would be counted in quorum and vote in the manner directed by the Chair. The Member participating electronically may participate in a Closed Meeting.”

#### Section 2.6 Changed to read

“Unless otherwise authorized by Council, all meetings of Council shall be hosted in the Municipal Building located at 7 Lakeshore Drive, Temagami, Ontario, Canada in addition to being hosted virtually through the appropriate virtual meeting site. The access to Members of Council, Staff and the Public to attend the meeting virtually will be included in the published agenda.”

#### Section 4.2.1 Changed to read

“Regular meetings shall be held on every third Thursday at 6:30 PM. Regular Meetings shall be preceded, when required, by a Closed Session starting no earlier than 3:00 PM. A report of the Closed Session will be made at the appropriate time during the Regular Meeting.”

Section 4.2.3 dealing with reduced meetings during summer months should be removed in its entirety.

As well, Schedule D will be updated to reflect the recent changes made by Council resolution.

Schedule E – Electronic Participation is recommended to be amended by replacing when electronic participation is or is not permitted by “Electronic Participation is permitted for all Meetings of Council. When appropriate, Electronic Participation is permitted for Committee Meetings.

The section dealing with quorum and the restrictions regarding how many Members of Council can participate electronically will be removed.

The Chair is not required to be in Council Chambers and the appropriate change to Schedule E will be made.

Based on Council’s decision on the recommended changes, the appropriate By-Law will be prepared for Council’s consideration at our next meeting unless a Special Meeting is called in accordance with our present Procedural By-Law.

**Respectfully Submitted:**  
**Craig Davidson**  
**Treasurer/Administrator**