

Concept: How Might We Facilitate Updates to the Council Procedural By-law

Background:

The Municipal Act, 2001, c.25 as amended, Section 238(2) (The Act) requires that every municipality pass a procedure by-law governing the calling, place and proceedings of meetings. The most recent Council Procedural By-law was adopted on October 21, 2013. Since that time, there have been some key updates made to The Act that should be incorporated into the by-law. In addition, in order to address concerns expressed by some Members of Council relating to agenda review periods, a change to the agenda publication dates is being recommended.

To accommodate an earlier agenda release timing, it is also proposed to convene the Policy and Priorities Committee meetings on the first Monday of each month, and the Committee of the Whole meetings on the third Monday. This will allow for a full month to have passed enabling reporting on departmental statistics and information to be provided in a more fulsome manner.

The Challenge:

Members of Council, under the general principles of fundamental parliamentary rights, are entitled to receive information to support their decision-making role. Historically, Council and Committee agenda packages have been released to Council ninety-six hours (4 days) prior to the scheduled meeting. This has presented challenges for Members of Council, particularly when agendas can exceed three hundred pages including reports and supporting documentation.

Staff is responsible to review by-laws, policies and procedures to ensure compliance with applicable legislation. This legislative review incorporates some of the amendments being recommended.

Our Recommended Solution:

THAT Committee the report, Update to Town of Pelham Procedural By-law – Proposed Amendments, be received; and

Update to Town of Pelham Procedural By-law – Proposed Amendments
April 15, 2019

**THAT Committee recommend that the proposed by-law amendments be presented to Council for First and Second Reading at their next regular meeting; and
THAT the Clerk be directed to provide Notice in accordance with the Town's Notice Policy prior to presentation of the By-law for Third Reading and Adoption.**

Rationale:

Staff is proposing to release the agenda packages to meeting participants five business days prior to the meeting, i.e. on the Monday one week prior to a regular Monday Council or Committee meeting. It is believed that this will enable a more comprehensive review of the reports and supporting documentation by Members of Council thus enabling a fully informed decision-making process.

Additional amendments to the by-law being proposed are enabling the Committee of the Whole schedule and the Policy and Priorities Committee schedule to be reversed so that COW meets on the third Monday of the month. This will allow the monthly update reports to include information from the full month previous.

Changes to the closed meeting provisions in the Municipal Act, 2001 are also incorporated in the proposed amendments as well as setting out electronic participation more fully.

In accordance with Council Policy, notice must be posted 10 days prior to adoption, while no separate formal public meeting is mandated.

Measure of Success:

Council will have in place an updated procedural by-law that enables an extended agenda review period.

Milestones:

First and Second Reading; Public Notice; Third Reading and Adoption

Alternatives:

Council may give direction for additional by-law amendments.