

BY-LAW 09-19

OF THE CORPORATION OF THE TOWN OF AYLMER

Being a By-Law to amend the By-Law 07-18

Being a By-law to establish a policy to govern the calling, place and proceedings of the Council of the Corporation of the Town of Aylmer and to provide public notice of Council meetings.

WHEREAS, it is from time to time necessary and expedient to amend the present procedures governing the calling, place and proceedings of the Council of the Corporation of the Town of Aylmer.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AYLMER HEREBY ENACTS AS FOLLOWS:

That By-Law No. 07-18, of the Town of Aylmer, being a By-law to establish a policy to govern the calling, place and proceedings of the Council of the Corporation of the Town of Aylmer and to provide public notice of Council meetings is hereby amended as follows:

1. Section 2.9 shall be deleted in its entirety and the following substituted therefor:

2.26 – “Meeting Closed to the Public” means a meeting, or portion thereof, closed to the public in accordance with Section 239 of the Municipal Act, 2001 and Section 5.6 of this By-Law.

The impacted numbering sequence as a result of the deletion of Section 2.9 shall be re-ordered accordingly.

2. Section 5.3(a) shall be deleted in its entirety and the following substituted therefor:

Regular Meeting

- a. Regular meetings shall be held in the Council Chambers on the first, second and third Mondays of each month. Regular meetings on the first and third Monday of each month shall commence at 7:00 p.m., whereas Regular meetings on the second Monday of each month shall commence at 5:00 p.m. When a day for a Regular Council meeting is a public or civic holiday, the meeting will not be held on that day. Council will hold Regular Council meetings on the second Monday of the months of July and August at 4:30 p.m.

3. Section 5.6 (d)(e)(g)(h)(i)(j)(k) shall be deleted in its entirety and the following substituted therefor:

Meetings Closed to the Public

- d. For purposes of this section, a meeting not open to the public shall be called a "Meeting Closed to the Public."
- e. Before holding a meeting or part of a meeting that is to be closed to the public, the Council shall state by resolution the fact of the holding of the meeting closed to the public and the general nature of the matter to be considered; or in the case of a meeting that is an educational or training session, the fact of the holding of the meeting closed to the public, the general nature of its subject matter and that is to be closed as an educational or training session.
- g. When a meeting is closed to the public is necessary, it will be a requirement that the Minutes shall be prepared and be approved during the meeting closed to the public.
- h. Upon completion of the meeting closed to the public, the Members shall immediately reconvene in Open Session and the Head of Council or Presiding Officer shall report the results of the meeting closed to the public.
- i. The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed, relating to meetings closed to the public and for keeping confidential Minutes of all meetings closed to the public.
- j. Subject to the provisions of this section, the Council may hear delegations in a meeting closed to the public.
- k. It shall be the responsibility of the Council and Staff to respect the confidentiality of all matters disclosed to them and materials provided to them during meetings closed to the public that are required to be kept confidential.

4. Section 6.3 shall be deleted in its entirety and the following substituted therefor:

Notice of Meetings s. 6.3

The Clerk shall ensure that a copy of the Agenda for each Regular Meeting of the Council is posted for public viewing on the municipal website (www.aylmer.ca) no later than 12:00 noon on the Thursday preceding the scheduled meeting, unless circumstances prevent this from occurring whereby the Clerk will post the Agenda as soon as practicable.

5. Section 12.2 shall be deleted in its entirety and the following substituted therefor:

Committees s. 12.2

The Council may appoint representatives to serve on Local Boards, Advisory Committees, or any other body to which the Council is required or empowered to appoint a representative. Appointments to such Boards/ Committees may be a Member of Council or may be a person appointed from amongst its residents. Keeping in mind the obligations outlined in the Town of Aylmer Council and Committee Code of Conduct, which stipulates that "members are expected to

conduct themselves at all times in a manner that is consistent with the Municipality's interest in transparency and accountability," the following conditions shall be reasonably satisfied by all bodies for which appointments are made to:

- a) A predetermined meeting schedule that is posted publicly and kept up to date;
- b) Agendas are posted at least 48 hours prior to any meeting and are publicly posted. It is the Town's expectation that meeting proceedings and discussion are strictly guided by and limited to the items listed on the agenda;
- c) Recordings of proceedings (minutes) are provided to the Clerk so that they can be included on Regular Council Agendas to be received by Council.

6. Section 12.3 shall be deleted in its entirety and the following substituted therefor:

Committees s. 12.3

Advisory Committees shall be composed of appropriate Council Members and Members from the community at large, appointed by Council. Advisory Committees act in accordance with a mandate, are created by By-Law, are not able to act independently, and advise Council, through the appointed member of Council, for matters related to the mandate. Advisory Committees must report at least once per year and continually provide updates to Council through the submission of agendas and minutes. They exist indefinitely, however, during its first year of office, the Council shall review the mandates of the various advisory Committees and the performance of the Committee members. At the end of that first year, the Committee appointments shall be reviewed, and they may be either renewed or terminated at the discretion of Council. The Committee mandate shall be adopted by By-Law of Council, but related policies may be adopted by resolution of Council.

7. Section 12.9 shall be deleted in its entirety and the following substituted therefor:

Committees s. 12.9

The Committee Secretary shall distribute the agenda package for Regular and Special Committee meetings via the Clerk who will arrange for the agenda to be posted on the Town's website. If the notice related obligations set out in Section 12.2 of this By-law are not satisfied, the Clerk may cancel a scheduled meeting authorization from the Mayor or Chief Administrative Officer.

8. Section 13 shall be deleted in its entirety.

Subsequent numbering shall be amended accordingly.

9. Section 17.1(a)(2) shall be deleted in its entirety and the following substituted therefor:

Agendas s. 17.1(a)(2)

2. Moment of Reflection and Respect

10. Section 17.2(a)(2) shall be deleted in its entirety and the following substituted therefor:

Agendas s. 17.2(a)(2)

2. Moment of Reflection and Respect

11. Section 18(2) shall be deleted in its entirety and the following substituted therefor:

2. The Head of Council shall request that all present recognize a moment of reflection and respect. From time to time, the Head of Council may briefly elaborate on this moment of reflection and respect, considering special circumstances, traditional land acknowledgements or other points of secular interest.

12. Section 18(6)(a)(c)(d)(e)(i) shall be amended to substitute each reference to 12:00 noon on the Thursday preceding the regular Council meeting to 4:30 p.m. on the Wednesday preceding the regular Council meeting.

13. Section 18(7) shall be deleted in its entirety and the following substituted therefor:

Consent Agenda s. 18(7)

The Consent Agenda includes any information that is to be received for information or contains a general or repetitive request, including Regular Consent, Correspondence and Resolutions from other Municipalities. Members may make a brief statement about any of the items on the consent agenda or request a simple clarification.

Items can be pulled for further discussion from the consent agenda if a Council member wishes to alter the action required for a specific item, or if a longer discussion is required on an item. If a member pulls the item, the item is discussed at that time and the member who pulls the item moves a new resolution related to the item. The consent agenda is then disposed of with the exception of any items that had been pulled and voted on separately.

For example, Councillor A advises they wishes to pull item b) on the consent agenda for further discussion. The Clerk makes note. The Chair inquires if any other members have items they wish to pull. Hearing none, the Chair requests a mover and seconder to approve the remaining items on the consent agenda as such:

Moved by xxx, Seconded by xxx;

Be it resolved that Council approve the items on the consent agenda dated Month X, 2019, save and except item b), and direct staff to proceed with all necessary administrative actions.

The Chair asks for discussion on the resolution (at this point members may make brief statements on any item) then calls for the vote. Once the vote is taken, the Chair calls on Councillor A to discuss item b). Councillor A moves "That Council receive item b for information; and That Council direct staff to send the XYZ meeting minutes to the ABC Municipality for their information." The item now becomes its own item and would be dealt with like any other motion before Council and would require a seconder for further discussion.

14. Section 18(8) shall be deleted in its entirety and the following substituted therefore:

Action Items s. 18(8)

All items requiring consideration by and/or the action of Council shall be listed under this item. It shall include items specifically referred from any Committee or Board, petitions or requests from the public (which are not dealt with as Delegations at the meeting), Staff Reports, etc. Every communication shall be legibly written, typed, or printed, shall not contain any obscene or defamatory language and shall be signed by at least one person. All Staff Reports shall contain pertinent information including options for Council's action. Reports of Departments shall be received by the Clerk not later than 12:00 noon on the Wednesday preceding the Council meeting. Additional reports outside of this deadline are discouraged; however, they may be added to the Agenda should it be deemed a matter of urgency by the Clerk and/or Chief Administrative Officer. The added item will be distributed at the meeting.

15. Section 18(12) shall be deleted in its entirety and the following substituted therefore:

Statements and Committee Reports s. 18(12)

Brief statements may be made by a member of Council relating to matters directly connected to the business of Council, but no argument or opinion is to be offered, and the statement is not subject to debate. Members of Council may also take this opportunity to provide updates on the internal and external Committees and Boards to which they are appointed, but no argument or opinion is to be offered, and the Committee or Board update is not subject to debate.

16. Schedule (A) shall be deleted in its entirety.

READ A First and Second time this 21st day of January, 2019.

Original Signed By _____
MAYOR, Mary French

Original Signed By _____
CLERK, Josh Brick

READ A Third time and finally passed this 4th day of February, 2019.

Original Signed By _____
MAYOR, Mary French

Original Signed By _____
CLERK, Josh Brick