

The Corporation of the Town of Gananoque
PROCEDURAL BY-LAW ADVISORY COMMITTEE
MINUTES OF SEPTEMBER 08, 2011 @ 6:00 PM

Members Present:

Councillors: Roberta Abbott, Bill Sheppard, and Anne Warren.
Mayor Erika Demchuk
Public-At-Large: James Garrah, Don Matthews

Staff Present:

Robert W. Small, CAO
Bonnie Dingwall, Clerk / Assistant to the CAO

Mr. Small called the meeting to order thanking everyone for coming out and suggested that the Committee needed to appoint a Chair of the Committee.

APPOINTMENT OF THE CHAIR:

Moved by: Mayor Demchuk
Seconded by: Councillor Abbott

Be it resolved that Robert W. Small be appointed as the Chair of this Committee.

CARRIED

DECLARATION OF PECUNIARY INTERESTS: NONE

REVIEW OF BY-LAW 2010-87 – Section 6

Councillor Sheppard suggested that the mandate of Committee be reviewed. Some of the points of view included:

- is the Committee going to decide whether there is going to be a section 6. What do the Council members feel?
- Section 6 and the use of "Informal Consideration" sessions. Informal Considerations are items that Council wishes to discuss less formally and would replace the Committee of the Whole
- Municipalities started to use Committee of the Whole to replace standing and elective Committees. It gave Councils an opportunity to bring subjects forward without them being voted on at that meeting – but rather were brought back to the next regular meeting of Council for a decision. It has now evolved to where Council holds the Committee of the Whole and then goes right into Council and makes decision – probably because of the urgency of items being brought to Council.
- Changes or deletion of section 6 may affect other sections of the by-law

- whether section 6 is in or out the committee should probably collect more information to consider before deciding. File a notice of motion at the next regular Council meeting and seek permission to review the by-law as a whole.
- Section 6 provides that the chair “may” ask for public input – suggestion was made that the word may be changed to shall. If the public do not get their say they may go away mad and/or it could put council in a bad light for not listening.
- There is no-one on the present Council who want to eliminate the public from the process, but rather it is hoped that it become more efficiently managed as to when and how the input is gained. The public can contact any Council member at any time.
- there is a body of seven that has the power. To deal with individual councillors detracts from the Council as a body. Residents should be able to bring their ideas and questions to Council as a body not have to go to individual Councillors.
- The residents want to talk to Council as a body to get all of their opinions, not just get an individual Council member’s opinion on a matter.

- Taking on all of the procedural by-law should be done by the whole of Council.
- Agenda is only posted on Friday and does not give a lot of time for the public to have input – Council is provided with the same amount of time as the public to review.
- it was noted that it is important to be open minded and impartial.

- It was suggested that perhaps Council should treat the development of a new procedural by-law as a training session – with a trained professional coming and providing training. Staff could then develop/draft the by-law ready for Council’s consideration.
- the public have a democratic right to express themselves and the public have the right to come and be able to express themselves. Maybe have the MMAH come back and give an update.

MOTION NO. 2011-01

Moved by: Councillor Warren
Seconded by: Councillor Abbott

Be it resolved that the Procedural By-law Advisory Committee recommends to Council:

- 1) That the Procedural By-law Advisory Committee be dissolved, and
- 2) That the CAO arrange for appropriate training, and to conduct necessary research, and
- 3) That the CAO draft a procedural by-law, with the assistance of the Clerk, for approval of Council.

CARRIED

ADJOURN

Moved by; Councillor Warren

Be it resolved that the Committee adjourn.

Chair, Robert Small

Secretary, Bonnie Dingwall