



City of
Peterborough

To: Members of the General Committee

From: John Kennedy, City Clerk

Meeting Date: November 8, 2021

Subject: Procedure By-law Review, Report CLSCLK21-029

Purpose

A report to recommend amendments to the City's Procedure By-law 19-029.

Recommendation

That Council approve the recommendation outlined in Report CLSCLK21-029 dated November 8, 2021, of the City Clerk, on behalf of the Procedure By-law Committee, as follows:

That the amendments to Procedure By-law 19-029, attached to report CLSCLK21-0029 as Appendix A, be approved.

Budget and Financial Implications

There are no budget or financial implications as a result of the adoption of these recommendations.

Background

Councillor Baldwin and Mayor Therrien are the appointed members of the Procedure By-law Review Committee. They met electronically with various staff over a series of meetings commencing last fall. Council undertakes a review of the Procedure By-law at least once per term. A number of procedural items were reviewed, and the following

municipalities were examined: Barrie, Burlington, Cobourg, Guelph, Kingston, Kitchener and Oshawa. The proposed changes are highlighted in the draft Procedure By-law attached as Appendix A to this report and summarized below.

Opening of Meeting

It is proposed to move the Constitution statement to be read after the National Anthem and not before. The opening, starting with the Land Acknowledgement, would be as follows:

“We respectfully acknowledge that we are on the treaty and traditional territory of the Mississauga Anishinaabeg (pronounced Uhnish-nahbe).

We offer our gratitude to the First Peoples for their care for, and teachings about, our earth and our relations.

May we honour those teachings.”

Following the singing of the National Anthem, the statement regarding the Constitution, which would not change, would be read as follows:

“The Council for the City of Peterborough recognizes the principles contained in our Constitution and the Canadian Charter of Rights and Freedoms.”

Other Business Items at Committee Meetings

To improve transparency, it is proposed that new items of business shall not be introduced under Other Business unless a vote of two-thirds of Council supports the addition of the new item.

A Notice of Motion is recommended to be introduced on General Committee and Finance Committee meeting agendas. Council members wishing to introduce a motion not associated with an agenda item may do so by providing the written motion to the Clerks Office by noon on the Tuesday preceding the meeting. The motion would be then included in the published agenda. Motions introduced using the Notice of Motion provides greater transparency for both members of Council and the public and would require a majority vote to approve.

Electronic Recorded Voting/Paperless Agendas

Council passed a motion in June 2021 directing staff to proceed to implement a system of recorded electronic votes using the eSCRIBE technology. As a result, the Procedure By-law will be amended to show that all votes at meetings of General Committee (open sessions only), Finance Committee, and Council will be recorded votes.

Lost/No Decisions by Standing Committees

The Procedure By-law wording has been clarified regarding the recording of Lost/No Decisions in section 26.1. Where a Standing Committee has not made any recommendation related to a motion provided in a staff report, the LOST motion will be added to the appropriate report on a Council agenda under the heading “Not Recommended by Committee”.

Public Participation

A number of changes are proposed to the Procedure By-law to better organize public delegations at meetings, improve meeting efficiency and offer modern tools for the public to provide comment and information to Council.

The proposed changes to make the process more meaningful for members of the public, staff and Council and to bring consistency with electronic meeting processes are:

- Discontinue unregistered delegations
- Require the completion of an application form to appear as a delegation
- Delegation can address only one item on the agenda
- Organize delegations by report
- Maximum speaking time for a delegation is five minutes
- The number of delegations to an individual item/report is not to exceed ten
- Encourage groups to select a speaker
- Enhance website commenting options as another available tool for the public to express its comments to Council

The order of speakers at a public meeting under the **Planning Act** was reviewed. No changes are proposed. Delegations will continue to be organized in the order of registration with the applicant or the applicant’s agent being the last speaker. This allows Council members to clarify issues raised by the public delegation with the applicant.

The following is an explanation of each of these proposed changes:

Discontinue Unregistered Delegations

Since the original shutdown due to COVID-19 in March 2020, unregistered delegations have not been permitted. Electronic meetings require pre-registration for speakers, and when we had Council sessions with limited seating we also required registration to control the number of attendees and for tracking purposes. Individuals have maintained their ability to make their views known to Council members and it is proposed that this continue.

Application Form for Delegations

It is recommended that individuals/groups requesting to speak to Council complete a form (either on-line or in person at the Clerk's Office) which will collect information on the purpose of their delegation. Most communities of a similar size already require delegations to complete this type of form. The completion of the form requires the user to supply contact information, indicate which agenda item they are speaking to, and to provide details on the presentation they wish to make before Council. Assistance can be provided to anyone needing help with completing the form, but the individual must be clear on the comments they wish to provide. This form is the basis for their delegation request and presenters are to bring forward the information they have outlined on the form and to stay on topic.

Currently, individuals may call and request to be added to the agenda or complete a brief form on-line which only indicates which topic they will be addressing. The proposed change is to collect additional information and details on their presentation without adding an undue amount of work on their part. As the delegations are related to reports brought forward at the General Committee meetings (or Finance Committee), they have under most circumstances, up to several weeks to consider what they wish to provide to Council for information.

Council and staff will be made aware of the general content of the delegations and appropriate staff and information can be made available.

One item per Delegation

Council has in the past had individuals appear before them and speak on a variety of items on the agenda. It is recommended that individuals be required to speak to the one item of most concern/interest to them on the agenda. There are multiple opportunities for individuals to provide comment to Council outside of speaking as a delegation. Determining which topic an individual speaks to will also assist with organizing the delegations by report number. Delegations speaking to Council for matters related to annual budgets would have more latitude in their comments.

Organize Delegations by Report

It is proposed that delegations be organized by report so that all delegations on an item be heard consecutively. This keeps the topic fresh in the minds of staff, Council and the public. The other benefit of this approach is to ensure that the time of delegates is respected as much as possible. There have been meetings with large numbers of delegates speaking on a single item, and instances when delegates speaking to a single item are required to wait for a large number of speakers (sometimes several hours) to speak before them. The order of registration would impact only the report speaking order, not their place on the agenda. It is proposed that the single speaker to an item be organized to speak first before proceeding to the larger list of speakers. Where the number of speakers to specific items is fairly balanced, the delegation topics will be held in the order the report appears on the agenda.

Delegations Speak for Five Minutes Maximum

While Council has been conducting meetings electronically, the speaking time of delegates has been five minutes. Five minutes appears to be ample time for speakers to convey their message to Council and has worked well over the past year. It is proposed that the five-minute time limit be retained for delegates speaking at any meeting of Council whether it be an in-person meeting or electronic meeting.

Speaker to Represent a Group

Where there are a group of individuals presenting to Council on a specific topic, it is proposed the group be encouraged to select one or two key speakers to represent the individual speakers. This approach ensures that the information is presented in a clear, consistent fashion and without undue repetition.

Enhance Website Commenting Options

To assist the public in providing comment to council and staff, it is proposed to enhance the Connect Peterborough portal (www.connectptbo.ca). Individuals who wish to provide information to Council members about specific reports, who do not intend to appear as a delegation at a Council meeting are able to provide their comments through the portal. This information will be collected by staff and provided to Council members prior to the Council meeting. This is another opportunity for individuals to make their opinions known to all of Council in advance of the item going before them for decision. Public meetings under the **Planning Act** as well as selected items on the agenda that are of particular public interest will be made available for comment using the portal.

Summary

Based on discussions with members of the Procedure By-law Committee, the proposed changes to the Procedure By-law, attached as Appendix A, are recommended to improve clarity of procedure, meeting efficiency, offer additional tools for delegations, and create consistency between meeting modes.

Submitted by,

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City Clerk

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Attachments:

Appendix A – Proposed Amendments to Procedure By-law 19-029