



VILLAGE OF MERRICKVILLE-WOLFORD
Agenda for Council
Council Chambers

Council Meeting 6:00 p.m.

Tuesday, November 14, 2017

1. **Call to Order**
2. **Disclosure of Pecuniary Interest and the general nature thereof**
3. **Approval of the Agenda**
4. **Move to Public Meeting**
5. **Zoning By-Law Amendments**
 1. Zoning By-Law Amendment (37-17) re: Ontower; and
 2. Zoning By-Law Amendment (38-17) re: Princiotta.
6. **Recess until 7:00 p.m.**
7. **Reconvene Council Meeting**
8. **Minutes:** Approval of the Minutes of the regular meeting of October 23, 2017; and Approval of the Minutes of the special meeting of November 1, 2017.
9. **Delegations:**
 1. Ontario Clean Water Agency (OCWA),
Distribution and Collection System Assessment
10. **Public Question Period to Council**
11. **Correspondence:** Letter from Sandra McGibbon re: reverse-angle parking;
Letter from the Salvation Army re: Kettle Campaign;
Letter from Chamber of Commerce re: Korea Day in Merrickville;
12. **Building:** CBO-12-2017 re: Proactive v. Complaint Driven By-Law Enforcement;
Discussion re: By-Law Enforcement Officer position; and
CBO-13-2017 re: 3rd Quarter Report.
13. **Finance:** FIN-23-2017 re: 3rd Quarter Financial Report
14. **Environment:** Environmental Advisory Committee Minutes of October 26, 2017; and
Note from Environmental Advisory Committee re: water.
15. **By-Laws:** DEPC-06-2017 and By-Law 30-17, 3rd reading
16. **Notices of Motion:** Discussion and Mayor's Resolution re: Chamber of Commerce Arbitrator
17. **New Business:** Supporting Resolution re: Bill 148 on-call provisions; and
Discussion re: Smiths Falls Recreation Agreement.
18. **Public/Media Question Period**
19. **Next meeting of Council:** November 27, 2017 at 7:00 p.m.
20. **Adjournment.**

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby adopt the agenda of the regular Council meeting of November 14, 2017 as:

___ circulated.

___ amended.

Carried / Defeated

David Nash, Mayor

BY-LAW No. 37-17

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

RURAL INDUSTRIAL-EXCEPTION (M2-1)

14369 County Road 15
Wolford Ward

(Ontover)

NOVATECH

Engineers, Planners & Landscape Architects

Suite 200, 240 Michael Cowpland Drive

Ottawa, Ontario

K2M 1P6

tel: (613) 254-9643

fax: (613) 254-5867

File: 116146

Date: November, 2017

Purpose and Effect of the By-law

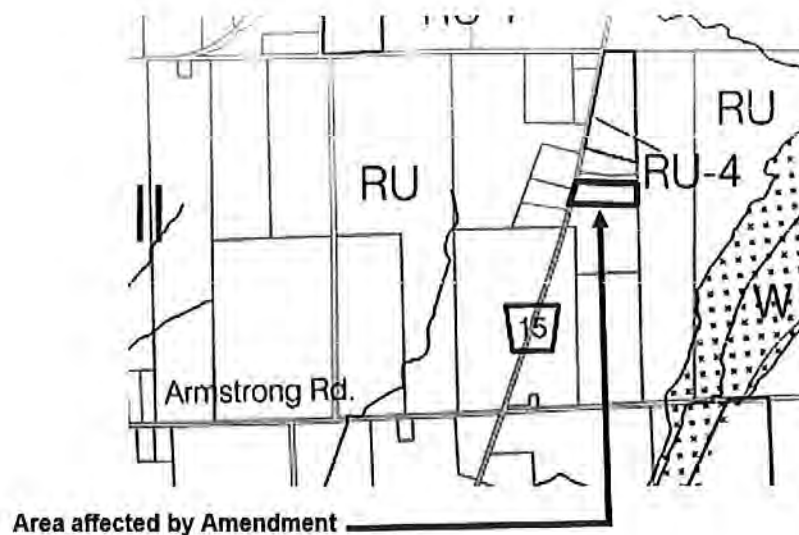
Location and Site

The Zoning By-law Amendment affects a property of approximately 2.4 ha (approximately 6 acres), located in Part of Lot 10, Concession 2 on the east side of County Road 15 in the Wolford Ward. The property is located at 14369 County Road 15 and is occupied by Ontower Inc.

Purpose and Effect of Proposed Amendment

The Amendment re-zones the property from the Rural (RU) Zone to the Rural Industrial-Exception (M2-1) Zone to recognize the existing Ontower use and to permit it to be expanded to include other uses. The "exception" provision adds a "contractor or tradesman establishment" and "equipment sales and rentals" to the list of permitted uses on the property.

Key Map



Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that: By-Law 37-17, being a By-Law to amend Zoning By-Law 23-08, be read a first and second time, and that By-Law 37-17 be read a third and final time and passed.

Carried / Defeated

David Nash, Mayor

**CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD
BY-LAW No. 37-17**

Being a By-law to Amend Zoning By-law No. 23-08, as Amended

**14369 County Road 15
Wolford Ward**

(Ontover)

WHEREAS Section 34(1) of the *Planning Act*, R.S.O., 1990, Chapter P.13, authorizes Council to pass by-laws to regulate the use of lands and the character, location and use of buildings and structures within the Village of Merrickville-Wolford;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford deems it advisable to amend Zoning By-law No. 23-08, as amended, as hereinafter set forth;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows:

1. The lands affected by this By-law are shown as outlined by heavy black lines on Schedule "A" which is attached hereto and forms part of this By-law.
2. Schedule "A" to Zoning By-law No. 23-08, as amended, is hereby further amended by changing the zoning of the lands affected by this By-law from "Rural" (RU) to "Rural Industrial" (M2).
3. Section 7.2, RURAL INDUSTRIAL (M2) ZONE, of Zoning By-law No. 23-08 is hereby amended by adding a new subsection to Subsection 7.2.3, Exception Zones, as follows:

"1. M2-1: 14369 County Road 15 (Wolford Ward)

Notwithstanding the permitted use provisions of Section 7.2.1, on the lands zoned M2-1, a contractor or tradesman establishment and equipment sales and rentals are permitted uses in addition to the uses permitted in Section 7.2.1."

This By-law given its first and second readings on the 14th day of November, 2017

This By-law given its third and final reading and passed under the Corporate Seal on the 14th day of November, 2017

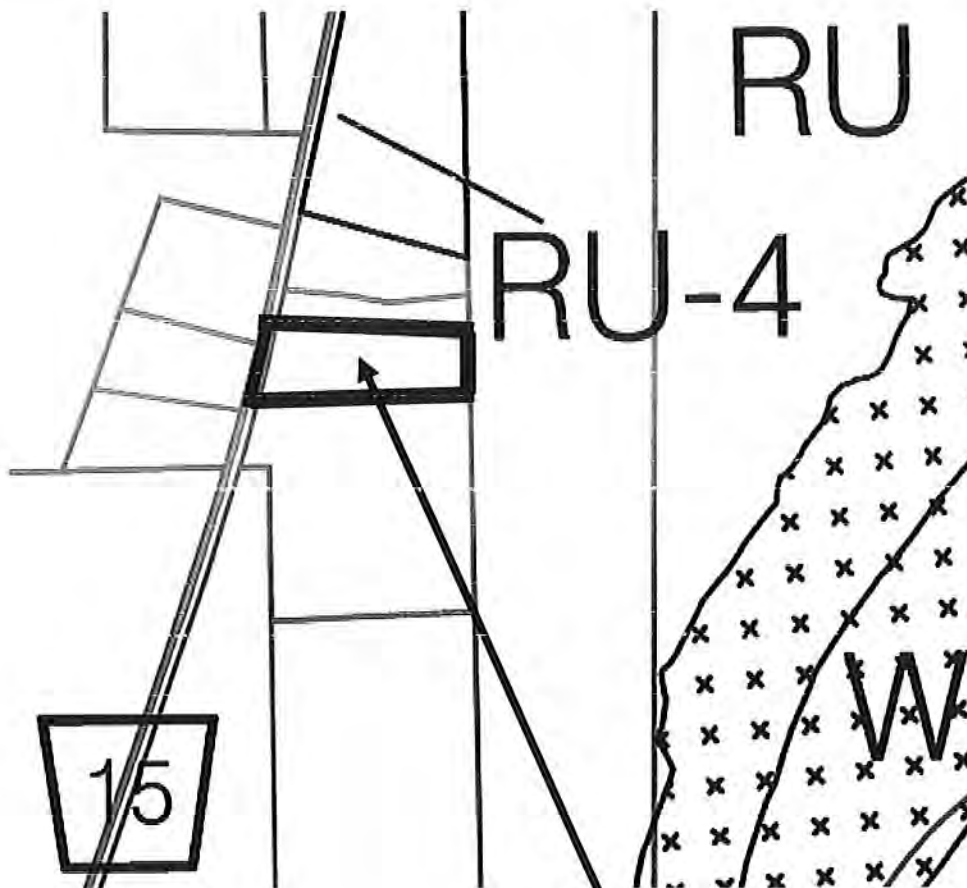
Mayor (D. Nash)

CAO/Clerk (J. Regan)

Schedule "A" to By-law No. 37-17

VILLAGE OF MERRICKVILLE-WOLFORD

14369 County Road 15
Wolford Ward (Ontario)



Area rezoned from RURAL (RU)
to RURAL INDUSTRIAL-EXCEPTION (M2-1)

BY-LAW No. 38-18

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

RESIDENTIAL TYPE 2 (R2) & RESIDENTIAL TYPE 2 holding (R2h)

Charlotte Street
Merrickville Ward

(Princiotta)

NOVATECH

Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario
K2M 1P6
tel: (613) 254-9643
fax: (613) 254-5867

File: 116189
Date: November, 2017

Purpose and Effect of the By-law

Location and Site

The Zoning By-law Amendment affects a property of approximately 8,890 m² (approximately 2.2 acres), located on the west side of Charlotte Street in Merrickville. It also affects a portion of the unopened Wellington Street East road allowance along the southern boundary of the property.

Previous Development Proposal and Previous Public Meeting

The applicant had previously proposed to develop a plan of subdivision by extending Wellington Street East through the property to create a maximum of 9 semi-detached lots (18 dwelling units) and potentially 1 single detached lot.

The previous public meeting had considered a proposed Zoning By-law Amendment that would have re-zoned the entire property to the *Residential Type 2 Zone (R2)* in order to permit the proposed semi-detached dwellings.

Current Development Proposal

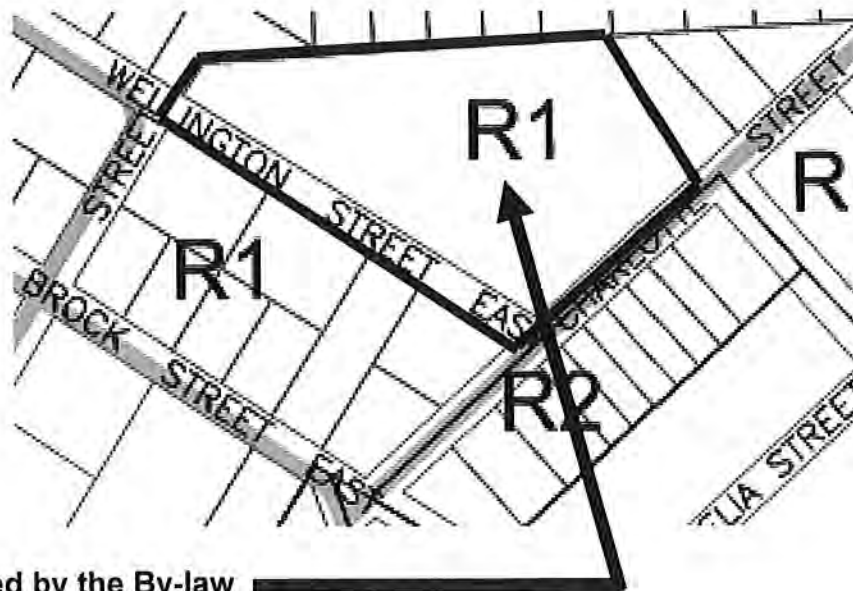
The applicant subsequently modified the original development proposal, and is now proposing to sever two lots on Charlotte Street, one for the existing single-detached dwelling and one for a proposed semi-detached dwelling (2 units). Future consent and/or plan of subdivision applications are to be filed for the development of the balance of the applicant's property.

Revised Zoning By-law Amendment

The revised Zoning By-law Amendment:

- retains the existing *Residential Type 1 Zone (R1)* on the proposed single-detached lot;
- re-zones the proposed semi-detached lot to the *Residential Type 2 Zone (R2)* in order to permit a semi-detached dwelling; and
- re-zones the balance of the property to the *Residential Type 2 Zone holding (R2h)* where the "holding zone" would be lifted to permit additional semi-detached dwellings once the Village is satisfied that all of its development approval conditions are met.

Key Map



Area affected by the By-law

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that: By-Law 38-17, being a By-Law to amend Zoning By-Law 23-08, be read a first and second time, and that By-Law 38-17 be read a third and final time and passed.

Carried / Defeated

David Nash, Mayor

**CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD
BY-LAW No. 38-17**

Being a By-law to Amend Zoning By-law No. 23-08, as Amended

**Charlotte Street
Merrickville Ward**

(Princiotta)

WHEREAS Sections 34. (1) and 36. (1) of the *Planning Act*, R.S.O., 1990, Chapter P.13, authorizes Council to pass by-laws to regulate the use of lands and the character, location and use of buildings and structures within the Village of Merrickville-Wolford;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford deems it advisable to amend Zoning By-law No. 23-08, as amended, as hereinafter set forth;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows:

1. The lands affected by this By-law are shown as outlined by heavy black lines on Schedule "A" which is attached hereto and forms part of this By-law.
2. Schedule "B" to Zoning By-law No. 23-08, as amended, is hereby further amended by changing the zoning of the lands affected by this By-law from "Residential Type 1" (R1) to "Residential Type 2" (R2) and to the "Residential Type 2 holding" (R2h).
3. Section 3.14, Holding Zones, of Zoning By-law No. 23-08 is hereby amended by adding a new subsection to Subsection 3.14.3, as follows:

"1. R2h: Charlotte Street (Merrickville Ward)

On the lands zoned R2h on Charlotte Street (Merrickville Ward), the "holding zone may be lifted in whole, or in part, when the municipality is satisfied that road access, servicing (sanitary sewer, water supply and stormwater management) and utilities (hydro, cable, telephone, gas, etc.) can be provided, including all related approvals, permits and agreements, to the subject lands and to the vacant properties on the south side of the Wellington Street East road allowance."

This By-law given its first and second readings on the 14th day of November, 2017.

This By-law given its third and final reading and passed under the Corporate Seal on the 14th day of November, 2017.

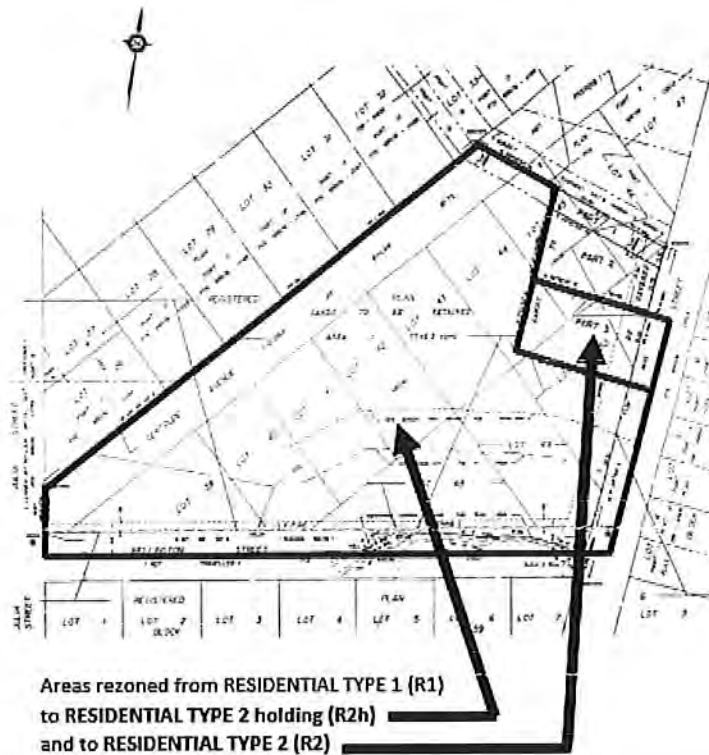
Mayor (D. Nash)

CAO/Clerk (J. Regan)

Schedule "A" to By-law No. 38-17

VILLAGE OF MERRICKVILLE-WOLFORD

Charlotte Street
Merrickville Ward (Princiotta)



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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the minutes of the regular council meeting on October 23, 2017 as:

___circulated

___amended.

Carried / Defeated

David Nash, Mayor

**The Corporation of the
Village of Merrickville-Wolford**

Monday, October 23, 2017

A regular meeting of the Council of the Corporation of the Village of Merrickville-Wolford was held at 7:00 p.m. on Monday, October 23, 2017.

Chaired by: Mayor David Nash

Members of Council: Deputy Mayor Anne Barr
Councillor Chuck MacInnis
Councillor Stephen Ireland
Councillor Kim Weedmark
Councillor David Snowdon

Regrets: Councillor Vic Suthren

Staff in Attendance: John Regan, CAO/Clerk
Christina Conklin, Deputy Clerk
Sheila Kehoe, Manager of Finance/Treasurer
Randy Wilkinson, Chief Building Official
Brad Cole, Lieutenant Firefighter
Andy Boffee, By-Law Enforcement Officer
Dave Powers, Manager of Public Works

Media: Hilary Thomson, North Grenville Times

Disclosure of Pecuniary Interest and the general nature thereof: None.

Approval of Agenda

Clerk's Note: Deputy Mayor Barr added she would put forth a Notice of Motion under Section 16 of the Agenda.

Mayor Nash added discussion regarding the Leeds and Grenville United Way under Section 17 of the Agenda.

Mayor Nash added discussion regarding South Korea's visit to Merrickville under Section 17 of the Agenda.

CAO Regan added discussion regarding a special Council meeting under Section 17 of the Agenda.

R-266-17 Moved by Councillor MacInnis, Seconded by Councillor Snowdon
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby adopt the agenda of the regular Council meeting of October 23, 2017 as amended.

Carried

Approval of Minutes

R-267-17 Moved by Councillor Ireland, Seconded by Councillor Weedmark
Be it hereby resolved that: the minutes of the regular Council meeting of October 10, 2017 be approved as circulated.

Carried

Delegations:

R-268-17 Moved by Councillor Weedmark, Seconded by Councillor Snowdon
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive the delegation of Doug Struthers on behalf of the Rideau Corridor Landscape Strategy Steering Committee.

Carried

R-269-17 Moved by Councillor Snowdon, Seconded by Councillor MacInnis
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive the delegation of Barry Phillips regarding a late payment charge.

Carried

Public Question Period to Council: None.

Correspondence:

R-270-17 Moved by Councillor MacInnis, Not Seconded
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the request made by the Chamber of Commerce to hold a roundtable discussion on ways to improve the relationship.

Failed.

Planning:

R-271-17 Moved by Councillor Weedmark, Seconded by Councillor MacInnis
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve Consent Applications B-51-17 and B-52-17, subject to the conclusions and recommendations of the Village Planner's report dated September 18, 2017.

Carried.

The memorandum from the Village Planner dated September 18, 2017 was reviewed.

The minutes of the Planning Advisory Committee dated September 18, 2017 were reviewed.

By-Law Enforcement:

R-272-17 Moved by Councillor MacInnis, Seconded by Councillor Ireland

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report BLEO-05-2017, the third quarter report of the By-Law Enforcement Department, for information purposes.

Carried

Fire Department:

R-273-17 Moved by Councillor Weedmark, Seconded by Councillor MacInnis

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FD-08-2017, the third quarter report of the Merrickville Fire Department, for information purposes.

Carried

Finance:

R-274-17 Moved by Councillor Snowdon, Seconded by Councillor Weedmark

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FIN-22-2017, the third quarter report of the Finance Department, for information purposes.

Carried

Public Works:

R-275-17 Moved by Councillor Ireland, Seconded by Councillor Weedmark

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report PW-08-2017, the third quarter report of the Public Works Department, for information purposes.

Carried

By-Laws:

R-276-17 Moved by Councillor Ireland, Seconded by Deputy Mayor Barr

Be it hereby resolved that: By-Law 30-17, being the Procedural By-Law for the Village of Merrickville-Wolford, be read a first and second time.

Carried

Agriculture: The minutes of the Agricultural Advisory Committee dated September 21, 2017 were discussed.

Library: The minutes of the Merrickville Public Library Board dated September 12th and 26th, 2017, together with the highlights of the Summer of 2017 were reviewed.

Notice of Motion:

Deputy Mayor Barr withdrew her earlier addition of a Notice of Motion as it will be covered under new business.

New Business:

A discussion was had regarding whether Council wished to make a donation to the Leeds and Grenville United Way. It was decided no donation would be made at this time.

A discussion was had regarding the South Korean Embassy's visit. It was decided there was not enough information for Council to make any decisions at this time.

A discussion was had regarding calling a special Council meeting in order to discuss the Strategic Plan priorities for 2018. It was decided that a special meeting will be held on November 1, 2017 at 7:00 p.m. in this regard.

Public or Media Question Period: None.

In Camera:

R-277-17 Moved by Councillor Snowdon, Seconded by Councillor Weedmark

Be it hereby resolved that: Council moves to "In Camera" at 8:30 p.m. in order to address matters pertaining to:

1. Personal matters about an identifiable individual, including municipal or local board employees.

Carried

R-278-17 Moved by Councillor Snowdon, Seconded by Councillor Weedmark

Be it hereby resolved that: the "In Camera" session rise and report, with staff being given direction, and the regular Council session resume at 9:10 p.m.

Carried

Adjournment:

R-279-17 Moved by Councillor Weedmark, Seconded by Councillor Snowdon

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at 9:14 p.m. until the next regular meeting of Council on Tuesday, November 14, 2017 at 7:00 p.m., or until the call of the Mayor subject to need.

Carried.

David Nash, Mayor

John Regan, CAO

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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the minutes of the special Council meeting of November 1, 2017 as:

___circulated

___amended.

Carried / Defeated

David Nash, Mayor

**The Corporation of the
Village of Merrickville-Wolford**

Wednesday, November 1, 2017

A special meeting of the Council of the Corporation of the Village of Merrickville-Wolford was held at 7:00 p.m. on Wednesday, November 1, 2017.

Chaired by: Mayor David Nash
Members of Council: Councillor Stephen Ireland
Deputy Mayor Anne Barr
Councillor Kim Weedmark
Councillor Chuck MacInnis

Regrets: Councillor David Snowdon
Councillor Victor Suthren

Staff in Attendance: John Regan, CAO/Clerk

Press in Attendance: None.

Disclosure of Pecuniary Interest and the general nature thereof: None.

Approval of Agenda

R-280-17 Moved by Councillor MacInnis, Seconded by Councillor Weedmark
Be it hereby resolved that: the agenda of the special council meeting of November 1, 2017 be adopted as circulated.

Carried.

The Strategic Plan 2017-2025 budget priorities for 2018 were discussed.

Adjournment:

R-281-17 Moved by Deputy Mayor Barr, Seconded by Councillor Weedmark
Be it hereby resolved that: this special meeting of the Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at 8:55 p.m. until the next regular meeting of Council on Monday, November 14, 2017 at 7:00 p.m., or until the call of the Mayor subject to need.

Carried.

David Nash, Mayor

John Regan, Clerk

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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive the Distribution and Collection System Assessment as presented by the Ontario Clean Water Agency.

Carried / Defeated

Mayor: _____

OCWA

ONTARIO CLEAN WATER AGENCY
AGENCE ONTARIENNE DES EAUX

Your Total
Water Solutions
Provider



Village of Merrickville Distribution and Collection System Assessment

Step 1 – Establishing Parametres

Gather data for water, sewer and stormwater

- Locations by block
- Length of pipe in metres / diameter
- Type of material
- When installed
- Number of leaks/breaks over the last 10 years

PIPELINE (STREET) NAME	LENGTH (METRES)	INSTALL'N YEAR	MATERIAL	DIAMETER S	# OF		# OF SERVICE CONN'NS	# LEAKS LAST 10 YEARS	# BREAKS LAST 10 YEARS
					HYDRANT	# OF VALVES			
100 block Main St E	138	2009	Poly	250	2	3	5	0	0
200 block Main St E	135	2009	Poly	250	1	2	9	0	0
300 block Main St E	110	2009	DI	150	1	2	2	0	0
400 block Main St E	280	1947-1950	DI	250	2	2	19	2	2
100 block Main St W	140	2009	Poly	250	1	1	4	0	0
200 block Main St W	138	2009	Poly	250	2	2	9	0	0
300 block Main St W	120	2009	Poly	250	1	2	7	0	0

Step 2 – Calculate Costs

- Calculation is based on cost / metre
- Costs estimated are replacement costs for a standard replacement*

ESTIMATED REPLACEMENT COST FOR WATERMAIN SECTION (2017 \$)	ESTIMATED REPLACEMENT COST FOR SANITARY SECTION (2017 \$)	ESTIMATED REPLACEMENT COST FOR STORM SECTION (2017 \$)	TOTAL ESTIMATED REPLACEMENT COST FOR ALL SECTIONS (2017 \$)
\$81,732	\$97,524	\$84,564	\$263,820
\$59,132	\$60,294	\$52,494	\$171,920
\$51,512	\$59,850	\$52,050	\$163,412

*Does not include:

- Road resurfacing
- Extra excavation if needed
- Additional engineering if needed

Recommended priorities

Top 5 priorities:

- 100 block Drummond Street West
 - 300 block Church Street
 - 400 block Church Street
 - 500 block Church Street
 - 300 block Elgin Street
-

To Whom it may concern
or NOT concern I am sure

This ticket is "bull ~~xxxx~~"
Who the heck backs into
angle parking?

As a tourist and a
shopper you have lost
me. I will no longer be
shopping in your town
after getting this ridiculous
ticket. There were 6 of
us shopping that day, any
idea how much money was
spent in your town? Apparently
not enough!!!

Sandra McGibbon





Giving
Hope
Today

**The Salvation Army
Mississippi-Rideau Lakes Corps
Ontario Central East Division**



251 Brockville Street, Box 381
Smiths Falls, Ontario, K7A 4T2
Tel: (613) 283-3563
Fax: (613) 283-3564

www.SalvationArmy.ca

October 25, 2017

Mr John Regan
Township of Merrickville-Wolford
317 Brock Street West
Merrickville, Ontario
K0G 1N0

Dear Mr Regan:

The Christmas season is fast approaching so it is once again time for the Salvation Army Kettle Campaign. We are hoping to hear that you and your council are willing to participate in the Annual Mayor's/Reeves Challenge. The challenge involves mayors and reeves from all over the County of Lanark.

Due to the economic struggles in our area, the demand for our services has increased tremendously. We rely heavily on the support of our communities for this once a year fundraiser. The monies raised stock our food bank for the entire year, aid fire victims, provide emergency accommodations, hydro assistance, clothing, furniture, transportation and much more. We also send 35 children to camp each year and provide over 700 Christmas hampers to people in need. All of the funds raised go directly back into our communities.

The date for this year's challenge is Saturday December 9th. Whatever funds you collect on this day will be counted and the Bell Ringer Trophy, for the most donations by a Mayor/Reeve and council, will be awarded to the winner in January.

Please contact me as soon as you can to book your block of time and the location of your choice. The block of time for the council to man the kettle must be a minimum 4 hours but can be longer if council is willing. Of course, if you or any members of your council would like to take an extra shift on the kettle any other day, we would be happy to have you.

Blessings and Merry Christmas,

Mary Lynn Kelford – Volunteer & Kettle Coordinator
Salvation Army Mississippi-Rideau Lakes Corp
Mary-Lynn_Kelford@can.salvationarmy.org

“Volunteers are the heart of our work”

Community and Family Services
Perth: 40 North St. (613) 267-4652
Smiths Falls: 251 Brockville St (613) 283-3563

Thrift Stores
Perth: 51 Foster St. (613) 267-6260
Smiths Falls: 49 Chambers St (613) 283-8311

William and Catherine Booth
Founders

André Cox
General

Brian Peddle
Territorial Commissioner

Susan L. van Duinen
Divisional Commander

Bell Ringer Trophy Information

Bell Ringer Trophies: 4 Trophies

- Service Clubs
 - Emergency Services
 - Mayor's/Reeve Challenge
 - Youth
-
- Group must man a kettle for at least a 4 hour stretch, can be longer
 - Shifts are 10 a.m. to 12 p.m., 12 p.m. to 2 p.m., 2 p.m. to 4 p.m., 6 p.m. to 8 p.m. (where location is open).
 - Can be on more than one day but each day 4 hours (due to need to empty kettle, tracking of group, etc.)
 - The date for the Mayor's/Reeves Challenge is December 9 and the location for Merrickville is the Food Market on St. Lawrence Street
 - Totals will be kept secret until after Christmas when we do the presentations of the trophies.
 - Days and locations organized through Mary Lynn at 613-283-3563 or Mary-Lynn_Kelford@can.salvationarmy.org

Mon	Tues	Wed.	Thurs.	Fri.	Saturday
				Nov 17	Nov 18
			Nov 23	Nov 24	Nov 25
		Nov 29	Nov 30	Dec 1	Dec 2
	Dec 5	Dec 6	Dec 7	Dec 8	Dec 9
Dec 11	Dec 12	Dec 13	Dec 14	Dec 15	Dec 16
Dec 18	Dec 19	Dec 20	Dec 21	Dec 22	Dec 23

Mary Lynn Kelford
Smiths Falls Kettle Coordinator – Salvation Army Mississippi-Rideau Lakes Corp
613-283-3563
Mary-Lynn_Kelford@can.salvationarmy.org

“Volunteers are the heart of our work”

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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby:

___ Support the Mayor's proclamation of November 16th as "Korea Day in Merrickville";

AND

___ Approve up to \$600.00 be allocated to sponsor the event;

AND

___ Direct the CAO to organize the installation of Korean flags on proper flag poles on St. Lawrence Street.

Carried / Defeated

Mayor: _____



October 23/17

Hello David.

The Embassy of Korea runs a Village Visit Program each year. This year they selected Merrickville based on recommendations they received. It is an honour for Merrickville.

Because the Korea Day event is so close to Nov. 11 we suggested they also take part in this year's Remembrance Day activities. They agreed, and the Merrickville Legion was "enthused" (Lee Horning) about the idea. Koreans will be part of the colour parade and the wreath-laying ceremony. There is already a plaque at the Cenotaph remembering the Korean War (1950 - 1953).

Friday November 24 2017 was chosen in conjunction with the Village. Friday might produce the largest turnout and it was a day the Mayor would be available.

The current itinerary for Korea Day was mainly that suggested by the embassy.

- 1) School Visit (all three)
- 2) Business / Elected Officials Lunch (Baldachin)
- 3) Walk about the Village (selected stores)
- 4) Evening Reception - a taste of Korea (Ball Room)

Action Required

- 1) Mayor's proclamation of "Korea Day in Merrickville" (Friday 24 Nov 2017)
- 2) Village to sponsor Lunch Event (no more than \$600)
- 3) Chamber to install flags

Please Note: If there is something the Village/Council would like to include or suggest, please let us know. We view this more as a Merrickville event than a Chamber event.

Thanks,
Karl

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Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report CBO-12-2017; and

That Council, in considering this report, shall not require By-Law Enforcement staff to carry out proactive by-law enforcement of Village Property Standards and other related by-laws; and

That Council direct staff to maintain the status quo with respect to enforcement of Village by-laws.

Carried / Defeated

David Nash, Mayor



Village of Merrickville - Wolford

Report CBO-12-2017
of the Chief Building Official/Chief Property
Standards Officer

Date to Council: November 14, 2017

Information Report to Council

RE: Proactive By-law Enforcement Inspections

OBJECTIVE: To investigate and report to Council with respect to the feasibility of carrying out Proactive By-Law Enforcement

RECOMENDATION:

That Council receive report CBO-12-2017; and

That Council, in considering this report, shall not require By-Law Enforcement staff to carry out proactive by-law enforcement of Village Property Standards and other related by-laws; and

That Council direct staff to maintain the status quo with respect to enforcement of Village by-laws.

BACKGROUND:

Recently, an inquiry was put forward by Council directing staff to investigate and report on the possibility that By-law Enforcement staff proactively enforce Village Property Standards and related by-laws.

The current policy respecting by-law enforcement has been to receive complaints on by-law matters and carry out enforcement based upon comprehensive inspection and investigation.

The current practice is to receive a written complaint from the public or through direction from the Chief Administrative Officer. This is a time-tested method and is used by most municipalities.

After an inspection has determined that a property standards complaint was deemed to be valid, staff has the option of attempting to resolve the matter through deliberation with the contravenor or issuing a Notice of Violation with a deadline date for compliance. Failing to comply may result in the issuance of an Order to Comply, carrying out the repairs to gain compliance and/or pursuing the issue in Court.

This methodology has been demonstrated time and again as highly successful in gaining compliance.

ANALYSIS:

It has been the experience of staff to carry out proactive inspection practices within a larger urban municipality.

In this case, staff was involved with the proactive enforcement of the city property standards by-law for the clean-up of properties and the maintenance of houses and rental buildings, including high rises.

It was anticipated that this program would be permanent. Several new inspectors were hired as well as legal staff for this new enforcement. Considerable training was undertaken for the inspectors and other staff.

The system did initially achieve its desired effect, however, challenges were launched with respect to deemed harassment by inspectors of property owners and, counter intuitively, there were legal problems for insufficient inspection and enforcement.

Typically, a property owner having felt victimized by the newly implemented inspection practice would then point to other properties and inquire as to whether or not the same attention was being paid to other perceived contravenors.

Consequently, the system became bogged down with ongoing legal challenges and staff time was used increasingly in the Court system. City legal advisors were having to defend the new policy in Court as well as the actions of city inspectors.

Media attention was high and largely unfavourable and this staff member achieved unwanted television coverage.

Staff has had opportunity to consult with the Village Solicitor who has strongly recommended against implementing proactive by-law enforcement for the reasons such as those discussed above.

Simply put, where does the inspector draw the line? The proactive enforcement of a property owner's dilapidated garage would invariably lead to that person complaining of the house "just down the street" having a broken window or a neighbour's fence needing painting.

Further, would the inspector not also be required to enforce other unrelated by-laws such as Zoning, Yards, or Signs By-laws, etc.?

In addition, there would be a legal obligation to inspect not just the urban centres but also the rural areas just as comprehensively. Failure to do so would instigate calls of harassment or unfair treatment.

The snowball effect would lead to increased staff time issuing Notices or Orders, hiring and supervising private clean up and repair contractors and, ultimately, appearances in Court giving testimony in a prosecution or possible law suits.

The Village Solicitor stated that more staff would need to be hired for the inspection process and for office staff preparing Notices for registered mail and completion of summons.

All summons and subpoenas must be sworn before a Justice of the Peace. These officials are available for a few hours per week in the Court Offices in Brockville, Ontario. The process of swearing out those legal documents would cost more in hours worked and mileage claimed.

While attending recent Building Code courses, staff met with an official of the Ontario Building Officials Association to discuss proactive by-law enforcement. This official also strongly recommended against proactive by-law enforcement.

It should be noted that certain by-laws, such as the Parking By-law, are normally enforced on a proactive basis in cases such as enforcing winter parking for snow clearing and also weekend events for safety and traffic flow reasons. However, proactive enforcement is the very nature of the Parking By-law.

BUDGET/LEGAL IMPLICATIONS:

The implementation of proactive by-law inspections, unlike Building Code or planning inspections, would not bring in any revenue.

Thus, the budget implications are potentially very large. Staff time would be increased to the point of having to hire additional staff to be inspectors and support staff.

Often, the Public Works Department may be called in for sidewalk and street closures for building maintenance, yard clean-ups or to escort private contractors to the landfill site.

All clean-ups and repairs by staff-ordered private contractors on private lands have the high risk of non-payment for services rendered causing more public monies being assigned to tax rolls of properties.

Prosecutions would require the expensive review and facilitation by our Village Solicitor.

With respect to budget implications for the costs of preparation of this report, please see below:

1. Staff time estimate: Chief Building Official = 15 hours
By-law Enforcement Officer = 2 hours
2. Mileage: 100km @ \$0.50 per kilometer = \$50.00
3. Village Solicitor: One (1) hour consultation, plus sundry expenses and H.S.T.
Fees not available at the time of preparing this report.

The legal implications would be very large. As discussed above, the proactive by-law enforcement will involve more prosecutions, more building repair and cleanups by private contractors hired by the Village.

The risk factor for legal backlash increases as each case proceeds to Court or for property clean-up ordered by staff.

It should be noted that inspectors in the field always endure a certain amount of risk of injury from angry or unstable property owners and Council should be aware that staff have inspected some properties two inspectors at a time. In addition, staff have felt compelled to wear Kevlar vests to properties where there have concerns of elevated danger.

Therefore, it would follow that risk to staff would be increased proportionately when even more inspections are required to be carried out in a proactive enforcement policy.

INTERDEPARTMENTAL IMPACTS:

The Building and By-law Enforcement, Public Works and Treasury Departments will be the most affected by the approval of this proposal by Council.

LINKS TO STRATEGIC PLANS:

The Village of Merrickville-Wolford Strategic Plan Bylaw 10-17, as adopted by Council on January 23, 2017, indicates in the "Trust in Good Governance" section on page 7, that maintaining "the public's trust and establish better accountability for the tax dollars spent on their behalf".

Proactive by-law enforcement would produce the potential for ongoing resentment of Village officials.

CONCLUSION:

With the exception of the Parking By-law, it is the recommendation of staff that Council not implement a proactive by-law enforcement policy and thereby maintain the status quo with respect to by-law enforcement based upon a reactive, complaint driven system.

ATTACHMENTS:

None.

CAO	Yes
Clerk	Yes
Finance	Yes
Building & MLEO Department	Yes
Public Works Department	Yes
Parks, Recreation & Facilities Department	N/A
Planning Department	Yes
Economic Development Department	NA
Fire Department	NA
Other:	NA

Respectfully submitted;



Randy Wilkinson
Chief Building Official
Chief Property Standards Officer
Building and Planning

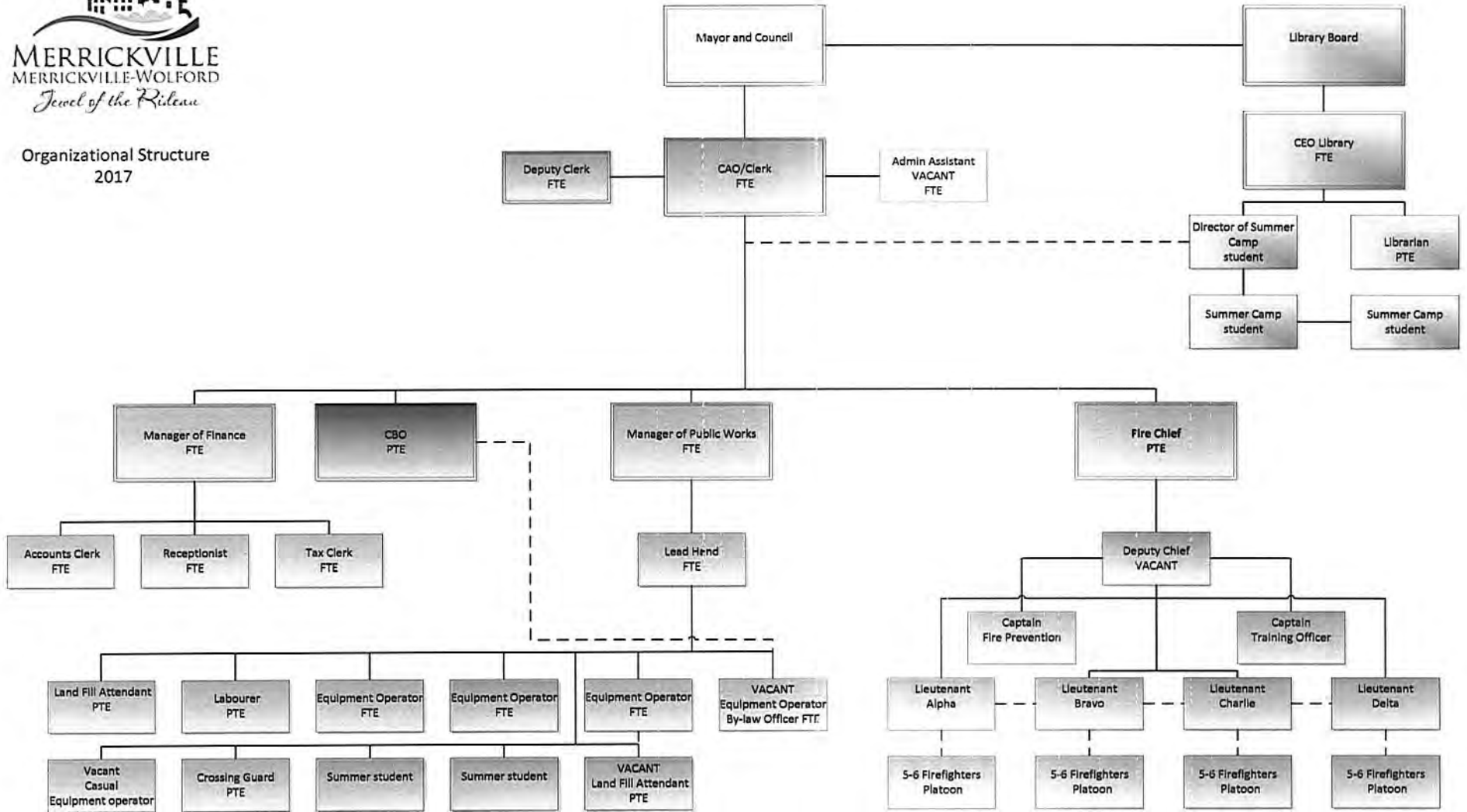
Approved



John Regan, EcD(F), CECD
Chief Administrative Officer



Organizational Structure
2017



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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report CBO-13-2017, the third quarter report of the Building and Planning Department, for information purposes.

Carried / Defeated

David Nash, Mayor



Village of Merrickville-Wolford

Report CBO-13-2017
Planning and Building Department
Information Report to Council
Date of Council Meeting: November 14th, 2017

RE: 3rd Quarter Report (July 1st to September 30th)

OBJECTIVE: To update Council with respect to the functions of the Building and Planning Department for the third quarter of 2017 compared to the third quarter results of 2016, for information purposes.

RECOMMENDATION:

That Council receive report CBO-13-2017, the third quarter results of the Building and Planning Department, for information purposes.

BACKGROUND:

The Building and Planning Department regularly receives and reviews various applications for construction permits as well as those for planning development.

The review of permit applications plus the issuance (or refusal of the issuance) of construction permits typically requires site inspections and approvals as mandated under the Building Code. These results are linked to the data as provided in Schedules "A" and "B".

Similarly, Schedule "A" includes the review of planning development applications including Minor Variances, Zoning/Official Plans, Site Plan Control Agreements and consents which can require site inspections to facilitate compliance with Village planning documents and processing as applicable under the *Planning Act*.

ANALYSIS:

In considering the graphs appended to this report, it appears that the third quarter of 2017 had seen a much higher number of zoning and minor variance applications as well as consent applications compared to the third quarter of 2016.

Applications for consents received in the third quarter 2017 totaled five compared to zero applications received for the same time period in 2016.

All of the above may be considered as a reflection of positive growth towards orderly development.

With respect to the number of construction permits issued, the third quarter of 2017 saw 50 construction permits issued compared to just 31 issued in the same period in 2016.

The 2017 third quarter number of inspections carried out were almost double the number of inspections carried out in the 2016 third quarter. Despite the unusually wet spring and summer conditions, it has been a very active year for construction.

The value of construction activity in 2017 was \$3,674,520.00, well above the \$3,373,005.00 recorded in 2016.

It must be noted that the year 2016 was a busy year for overall construction as well as planning development and a standout from previous years. However, the third quarter of 2017 marks a significant increase in construction activity and planning development over 2016 to date.

BUDGET/LEGAL IMPLICATIONS:

The budget implications are identified in the 2017 municipal budget.

The legal implications are non-applicable.

LINKS TO STRATEGIC PLANS:

The Village of Merrickville-Wolford Strategic Plan By-law 10-17, as adopted by Council on January 23, 2017 provides on Page 26 of the document a specific basis for Performance Monitoring with Macro Indicators such as population growth being directly tied to Housing Starts.

One theme consistently mentioned throughout the Plan is that of "Growing the Economy" and, by association, that there is a need for orderly growth of the residential and commercial aspects of the Village "to ensure its financial viability". This orderly growth is accomplished in many ways through well thought out approvals of consents, site plan agreements and zoning and official plan amendments.

CONCLUSION

The remainder of this year indicates a further increase in construction permit activity. The 2017 third quarter overall saw sharply higher requests for inspections, permit issuances and planning development applications.

All indications for the remainder of the year point to a strong finish and it is anticipated the following year should continue through inertia though always dependent upon local economic factors.

Finally, there is a pending Zoning and Official Plan Amendment as well, both of which are anticipated to be concluded in this year's fourth quarter.

ATTACHMENTS:

Schedules "A" and "B"- comparisons of 3rd quarter results from 2016 and 2017

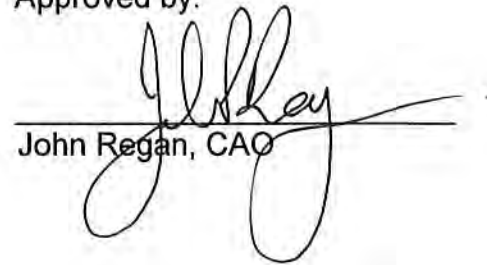
REQUIRED AND RECEIVED COMMENTS FROM: Yes or N/A (Not applicable)	
CAO	Yes
Clerk	Yes
Finance	N/A
Building Control & BLEO Department	Yes
Public Works & Environmental Department	NA
Parks, Recreation & Facilities Department	N/A
Planning Department	Yes
Economic Development Department	NA
Fire Department	NA
Other:	NA

Submitted by:



Randy Wilkinson
Chief Building Official

Approved by:

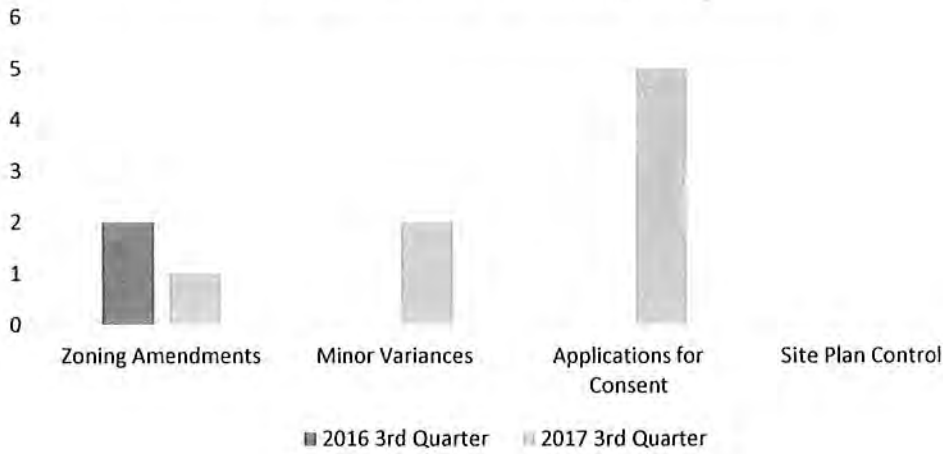


John Regan, CAO

Schedule "A" to CBO-13-2017

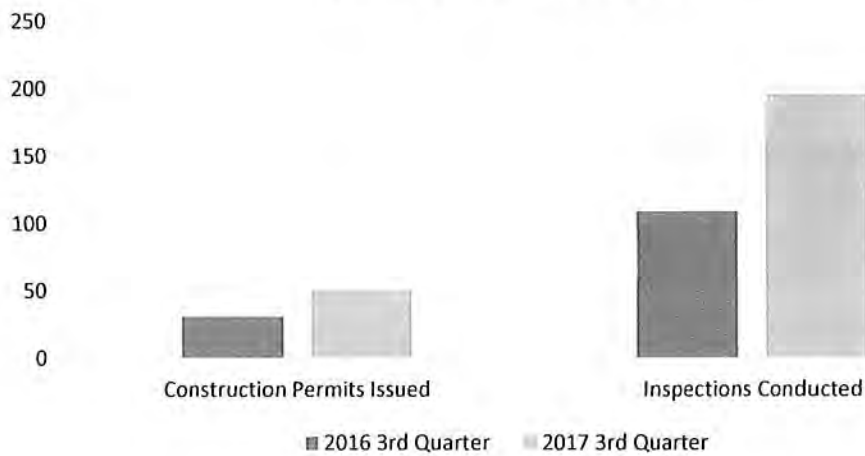
	2016 3rd Quarter	2017 3rd Quarter
Zoning Amendments	2	1
Minor Variances	0	2
Applications for Consent	0	5
Site Plan Control	0	0

Planning Applications Received/Facilitated



	2016 3rd Quarter	2017 3rd Quarter
Construction Permits Issued	31	50
Inspections Conducted	109	196

Permits and Inspections



Schedule "B" to CBO-13-2017

	2016 3rd Quarter	2017 3rd Quarter
Total Construction Values	\$3,373,005	\$3,674,520

Total Value of Construction



	2016 3rd Quarter	2017 3rd Quarter
Fees Collected	\$33,958	\$40,622

Construction Permit Fees Collected



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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FIN-23-2017, the third quarter financial report, for information purposes.

Carried / Defeated

David Nash, Mayor



Village of Merrickville-Wolford

Report FIN-23-2017
Finance Department
Information Report to Council
Date of Council Meeting: November 14, 2017

RE: Third Quarter Financial Report

OBJECTIVE: To provide Council and the public with an overview of the third quarter financial report, for information purposes.

RECOMMENDATION:

THAT: Council receive report FIN-23-2017, the 3rd quarter financial report, for information purposes.

BACKGROUND:

In order to keep Council fully apprised of the financial operations of the municipality, a quarterly report outlining departmental progress is provided to Council.

ANALYSIS:

The Village of Merrickville-Wolford adopted the 2017 operating and capital budget for the general operations and the water/sewer operations, By-law #9-17 on January 23rd, 2017.

Attached is Third Quarter Variance Report, Schedule "A", that provides a summary of the year-to-date compared to the total budget with the year-to-date percentage variances indicated. The detailed accounts were distributed and reviewed by all Department Heads and no major areas of concern were identified.

In addition to previous comments from previous quarterly reports, the following operating notes have been provided by department staff:

- Fire pumper is overspent due to long overdue replacement of tires to meet NFPA standards;
- Fire building repairs to the overhead door and electrical system exceeded cost estimates;
- Tree removal is overspent as there were a number of old, three-foot diameter trees, removed in Eastons Corners and Baldwin;
- As part of the Tree Canada grant program, the new trees and shrubs have been planted at Easton Corners; and

- The Public Works 2010 International truck repairs are overspent to meet safety requirements, in addition to repair the plow and harness.

The Ontario Clean Water Agency (OCWA) third quarter variance report is attached, Schedule "B", and the operations for water and wastewater are indicating positive balances to date. As part of the capital budget, the new handheld meter reading units have been purchased (under budget) and are operational. At this time, there are no items of concern.

Finally, attached as Schedule "C", is the third quarter capital summary for the period ending September 30, 2017. Many of the capital projects are completed for the 2017 construction season. The following are status updates (in addition to past Council updates/approvals):

- Office construction is almost completed and within budget;
- Putnam Road construction began mid-May and completed with driveway tie ins last week;
- Crack sealing for various municipal roads has been completed, awaiting County invoicing;
- The salt storage coverall paved base completed and purchased precast blocks;
- The post office retaining wall base completed;
- The budget allotment for the Generlink will enable Library and Town Hall, but Community Center and Eastons Corners will now be 2018 budget;
- Landfill asphalt paving completed;
- Landfill sample wells monitoring completed;
- GPS mapping – we have started working with the County and this will continue next year; and
- Bomag wheel cleats to be deferred until next year.

BUDGET/LEGAL IMPLICATIONS:

The budget implications are identified in the 2017 municipal budget, as amended. There are no or minimal legal implications.

LINKS TO STRATEGIC PLANS:

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

The priorities of the strategic plan that can be linked to this report are as follows:

Ensuring efficient, effective services and civic engagement: Reviewing budget to actuals provides all with the ongoing financial actuals and will enable Council to determine if there are issues that may need to be identified. Making this information available to Council and the public ensures transparency and is in keeping with the priority to ensure efficient and effective services are being delivered to the residents of Merrickville-Wolford.

CONCLUSION:

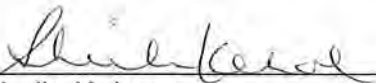
This report is for information purposes only.

ATTACHMENTS:

- Schedule "A" – Second Quarter Operating Variance Report 2017
- Schedule "B" – Second Quarter Ontario Clean Water Agency Variance Report 2017
- Schedule "C" – Second Quarter Capital Budget to Actuals Report 2017

REQUIRED AND RECEIVED COMMENTS FROM: Yes or Not applicable	
CAO	Yes
Clerk	Yes
Finance	Yes
Building Control & BLEO Department	Yes
Public Works & Environmental Department	Yes
Parks, Recreation & Facilities Department	Yes
Planning Department	Yes
Economic Development Department	Yes
Fire Department	Yes
Other:	Yes

Submitted by:



Sheila Kehoe,
Manager of Finance – Treasurer

Approved by:



John Regan,
CAO/Clerk

**Village of Merrickville Wolford Third Quarter Operating Financials
2017**

		<u>2017 FINAL OPERATING BUDGET</u>	<u>2017 SEPT YTD OPERATING ACTUALS</u>	<u>Year To Date</u>
Tax Levy	Revenue	2,593,998	2,593,998	100%
Fees/Grants/PIL	Revenue	691,320	837,580	121%
Misc & Grants/Levies	Revenue	0	0	
	Expenditure			
Council	Revenue	0	0	
	Expenditure	87,472	59,793	68%
Administration	Expenditure	800,812	671,313	84%
Fire	Revenue	6,500	8,905	137%
	Expenditure	277,112	158,257	57%
Police	Revenue	18,155	5,545	31%
	Expenditure	467,779	339,479	73%
Building	Revenue	63,050	60,279	96%
	Expenditure	53,627	47,256	88%
By Law	Revenue	6,800	11,660	171%
	Expenditure	58,527	28,700	49%
Public Works	Revenue	10,500	9,736	93%
	Expenditure	1,217,580	872,234	72%
Crossing Guard	Expenditure	5,063	3,228	64%
Waste Management	Revenue	113,050	109,239	97%
	Expenditure	204,187	135,391	66%
Recreation	Revenue	25,370	30,351	120%
	Expenditure	163,422	102,174	63%
Planning	Revenue	8,900	31,522	354%
	Expenditure	22,000	27,599	125%
Tile Drainage	Revenue	6,332	6,331	100%
	Expenditure	6,332	6,515	103%
Economic Development - Tourism	Revenue	1,000	9,290	929%
	Expenditure	85,650	64,512	75%
Museum	Revenue	16,000	0	0%
	Expenditure	28,312	22,817	81%
Library Grant	Expenditure	83,100	55,400	67%

**Village of Merrickville Wolford Third Quarter Operating Financials
2017**

		<u>2017 FINAL OPERATING BUDGET</u>	<u>2017 SEPT YTD OPERATING ACTUALS</u>	<u>Year To Date</u>
Capital Infrastructure Reserve		55,000	55,000	100%
Capital funded from Tax Levy		214,250	214,250	100%
	Totals	-3,830,225	-3,983,686	104%
		<u>3,830,225</u>	<u>2,863,918</u>	75%
Surplus/Deficit - (unaudited)		0	-1,119,768	
Water/Sewer Operations	Revenue	-1,103,549	-743,979	67%
	Expenditure	<u>1,103,549</u>	<u>657,290</u>	60%
Surplus/Deficit - (unaudited)		0	-86,689	
	Totals	-4,933,774	-4,727,665	96%
		<u>4,933,774</u>	<u>3,521,208</u>	71%
Surplus/Deficit - (unaudited)		0	-1,206,457	

2017 Capital Budget to Actuals as at September 30, 2017

	2017 Budget as revised	2017 Actual
ADMINISTRATION:		
1 IT system Consultant Review, VOIP, Phone system, new server & Outlook	40,000	9,435
2 Canada 150 grant program matching contribution if successful	25,000	5,325
3 Municipal Offices office reconstruction	63,000	36,030
Municipal Offices office reconstruction - computer system		5,238
Records Management	40,000	2,544
PUBLIC WORKS:		
4 OCIF Infrastructure project Drummond/Lewis/Brock Reconstr (PW share) \$1.9 M grant if successful	120,000	
5 Putnam Road double surface treatment rebuild	205,000	74,150
6 PW Storage Building Collar Hill Salt Storage coverall 24 X 40 precast foundation 2017 foundation (6 ft high rather than 4 ft)	13,000	
7 Crack Sealing - Kilmarnock, Main St, Roses Bridge) over 2 years	6,000	6,290
8 Replace 2008 Kubota (sidewalk & bushhog) net of trade-in	37,000	28,978
9 Replace 1996 Public Works/Landfill Loader	136,000	133,421
10 Retaining wall upgrades @ Post Office	12,500	
11 Speed Control sign	4,000	3,773
12 Grader tires and chains 2013 Volvo grader	12,000	7,811
13 GPS mapping of Merrickville underground utilities (update 1973 MOE drawings) reduce to 2 year program	8,000	
14 Village & Hamlet signage replacement (3 boundary & 8 hamlet signs) & 1 bulletin board	10,000	6,351
FIRE:		
Firefighter Assoc Equipment		5,554

Quarterly Cost Plus

Facility:

Merrickville-Wolford WT

Project:

Cost Plus Client Report

Date:

For the Period of January 1, 2017 to September 30, 2017

Operating Charges	2018 Budget Estimate	2017 Budget	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	YTD Budget	YTD Actuals	Variance
Salaries & Benefits	150,538.00	138,155.16	21,582.67	32,347.24	34,515.18	0.00	103,616.37	88,445.09	15,171.28
Chemicals	2,700.00	3,699.96	510.81	510.83	1,040.10	0.00	2,774.97	2,061.74	713.23
Electricity	47,000.00	46,999.92	9,447.64	11,275.92	6,237.30	0.00	35,249.94	26,960.86	8,289.08
Services	43,683.00	41,349.68	5,083.98	7,776.29	10,612.45	0.00	30,997.26	23,472.72	7,524.54
Supplies & Equipment	26,789.00	26,632.92	2,437.05	4,305.68	2,123.03	0.00	19,970.19	8,865.76	11,104.43
Total Operating Costs	270,710.00	256,837.64	39,062.15	56,215.96	54,528.06	0.00	192,608.73	149,806.17	42,802.56
Management Fee	40,320.41	39,646.43	9,911.60	9,911.61	9,911.61	0.00	29,734.82	29,734.82	0.00
Total Operating Charges	311,030.41	296,484.07	48,973.75	66,127.57	64,439.67	0.00	222,343.55	179,540.99	42,802.56

Quarterly Cost Plus

Facility: 1162
Project: MERWOM1162S-001
Date: 11/3/2017

Merrickville-Wolford WWT

Cost Plus Client Report

For the Period of January 1, 2017 to September 30, 2017

Operating Charges	2018 Budget Estimate	2017 Budget	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	YTD Budget	YTD Actuals	Variance
Salaries & Benefits	170,603.00	159,026.40	28,447.95	42,698.50	30,561.00	0.00	119,269.80	101,707.45	17,562.35
Chemicals	20,000.00	18,000.00	4,717.57	4,510.21	9,232.10	0.00	13,500.00	18,459.88	(4,959.88)
Sludge Haulage	10,000.00	10,000.00	0.00	0.00	447.74	0.00	10,000.00	447.74	9,552.26
Electricity	65,000.00	55,000.08	19,499.62	12,349.38	11,146.03	0.00	41,250.06	42,995.03	(1,744.97)
Services	52,616.00	50,335.44	9,660.88	8,767.55	10,383.70	0.00	37,876.14	28,812.13	9,064.01
Supplies & Equipment	20,395.00	18,770.08	2,457.31	8,400.43	5,180.02	0.00	14,043.06	16,037.76	(1,994.70)
Total Operating Costs	338,614.00	311,132.00	64,783.33	76,726.07	66,950.59	0.00	235,939.06	208,459.99	27,479.07
Management Fee	42,624.37	41,911.91	10,477.97	10,477.98	10,477.98	0.00	31,433.93	31,433.93	0.00
Total Operating Charges	381,238.37	353,043.91	75,261.30	87,204.05	77,428.57	0.00	267,372.99	239,893.92	27,479.07

**Environmental Advisory Committee
Meeting Minutes
October 26th, 2017**

Call to Order: 5:33pm

Present: Gary Brown, Chuck MacInnis, Steve Ireland, Anney de Gobeo, Carol Williams, Andy Boffee, Claire Sexton

Approval of Minutes - done by email

Approval/Additions to Agenda: Motion made by Carol, seconded by Claire with the addition that the 2018 Budget for Strat Plan initiatives is due at the end of the month, need to revise

Old Business

1. Strategic Plan Budget Revision

Investigating funding opportunities and grant-writing via volunteers for now \$0

Communications - no change \$0

Shoreline Restoration

- \$10,000 for all the areas of both Merrickville and Wolford

(Much of the planning and implementation can be obtained at no cost through RVCA)

Andy mentioned that we should also communicate with Montague about collaboration on shoreline protection efforts

- Education - no change \$1000
- Identifying where storm drains empty into the river - no cost other than staff time \$0
- Storm water buffer strips to be added as its own initiative for 2019-2020, seek funding
- Water testing - no change, but will seek funding \$1000
- Well education, can carry out in-house \$0

Total for River Management/Protection + Shoreline Stabilization in 2018 = \$12000

Flora & Fauna

- Identification of species at risk - no changes \$2500
- Exploring invasive species management options - no changes \$2500
- Developing comprehensive invasive species plan pushed to 2019-2020
- Researching best practices for habitat protection divided between 2018/2019 - \$1250/year

Total for Flora and Fauna Protection in 2018 = \$6250

Ecological Beautification

- Investigating a tree program - no cost \$0
- Planting budget increased to \$2500
- Signage pushed to 2019

Total for Ecological Beautification in 2018 = \$2500

Waste Reduction

- Mostly in-house, no changes made except for water bottle refill station cost - \$2000
- Will recommend that this be added to a public infrastructure project downtown
i.e. washroom/bandstand

Total for Waste Reduction in 2018 = \$2000

Renewable & Green Energy

- Exploring funding and auditing options - no cost
- Implementation of recommendations moved to 2019/2020

Total for Renewable and Green Energy Initiatives in 2018 = \$0

Total for all 2018 Environment Projects = \$22,750

Heritage

- 2018 projects volunteer-based
- Gary mentioned that they will need to take the minimum wage increase into account for the Blockhouse operating budget

2. Strategic Plan Update

Chuck reported that Council adopted the Strategic Plan, although a distinction has been made that they are accepting the recommendations - not necessarily committing to carrying out everything within the plan

3. Forest-Related Diseases Workshop

Carol confirmed that the workshop will need to be pushed to April of 2018

4. Letter to Martin Cathrae

Chuck & Steve reported that the Mayor sent an email thanking Martin for his volunteer efforts

5. ED-19 Mega Dump

Chuck & Steve confirmed that the Mayor voted against ED-19

We will be notified of any further developments via public notice/meeting

6. Additional Hazardous Waste Day

Andy said that it's a county-level decision and the 3 days provided this year were an increase from past years

Gary mentioned that we should do more communicating to residents to let them know about other disposal options (i.e. paint cans at Canadian Tire, batteries at Staples)

New Business

1. Landfill Updates

Andy discussed changes to the layout of the landfill and paving improvements being made
We should get an update soon on the official annual stats from the weigh scale re: amount of waste and revenue

2. Clear Garbage Bag By-Law

Anney would like to re-address implementing a clear garbage bag by-law to reduce recyclables going into the landfill - it will be added to the agenda for the next meeting

Adjournment: 6:45pm

Next Meeting: November 23rd at 5:30pm

TAP WATER IS A
HEALTHIER + ^AMUCH
BETTER ENERGY + CLIMATE
CHOICE THAN BOTTLED
WATER - 40-1000x BETTER
IN TERMS OF FOSSIL FUEL
USE!

Council PLEASE USE TAP

WATER - WE HAVE GOOD WATER.

YOUR ENVIRONMENTAL
ADVISORY COMMITTEE,

Carol Williams
Amy Brown
Marie Sexton
A. de Lebed

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Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby
Council receive report DEPC-06-2017; and

That Council give Procedure By-Law 30-17 its' third and final reading and pass By-Law
30-17 under the corporate seal.

Carried / Defeated

David Nash, Mayor



Village of Merrickville - Wolford

Report DEPC-06-2017

of the Clerk's Department

Information / Action Report to Council

Date of Council Meeting: November 14, 2017

RE: Overview of Procedure By-Law

OBJECTIVE: To provide Council with a summary of highlights regarding the proposed new procedure by-law in advance of the third and final reading.

RECOMMENDATION:

THAT: Council receive report DEPC-06-2017;

AND THAT: Council give Procedure By-Law 30-17 its third and final reading and pass it under the corporate seal.

BACKGROUND:

The current procedure by-law for the Village of Merrickville-Wolford was adopted as the first by-law, number 1-98, following amalgamation of the Village of Merrickville and the Township of Wolford.

There have been several amendments to the by-law and, as such, the current by-law has become laden as the result of several consolidations. The by-law is so outdated, it refers to the *Municipal Act, 1990*, as amended.

In an effort to bring the Municipality up to date with legislation and to ensure efficient and effective meetings of Council, Boards and Committees, a new procedure by-law (30-17) was presented to Council and has received its first and second readings.

ANALYSIS:

It is extremely important for a municipality to be able to rely on their procedure by-law when circumstances arise at meetings. Without a comprehensive by-law in place to govern the order and proceedings of Council and Committees, there is a risk of inconsistency, breaches of decorum, and inefficient or unproductive meetings.

The new procedure by-law 30-17 should not be viewed as an amendment to the old by-law 1-98 as there have been substantial changes. In an effort to provide Council with an overview of some of the main highlights of those changes, the following is provided.

For ease of reference, the new procedure by-law has a table of contents. Also, the definitions section has increased from only six definitions to twenty-eight, which adds to the clarity provided within the new by-law.

The roles and duties of Council, the Head of Council, the Clerk and the Municipal Administration are clearly defined as they are legislated under the *Municipal Act, 2001*, as amended. Also, there are clear roles defined for the Chief Administrative Officer, the Deputy Mayor, and the Chair. There were no roles and duties laid out in the old by-law, save for Section "F" of same which discussed the duty of the "Head of Council or other presiding officer". It is staff's opinion that the duties listed therein referred more to a chairperson than the legislated role of the "Head of Council". Also, the new by-law clearly outlines the procedure should a chairperson wish to take part in a debate – a procedure that was not outlined in the old by-law.

Another significant change in the new procedure by-law is with respect to the notice requirements for meetings. Currently, the requirement for an agenda to be posted is "3:00 p.m. on the Thursday preceding a Monday meeting". The change proposed in the new by-law is that notice of a meeting must be posted three full days in advance of a meeting. This change provides a certain amount of openness when, for example, a Council meeting is on a Tuesday due to a statutory holiday on a Monday. Also, as all Committee meetings are open to the public, these agendas shall be posted no less than two days in advance of a meeting. Should a special meeting be called, the notice period will remain to be twenty-four hours' notice.

With respect to the agendas for regular Council meetings, the proposed changes give the Clerk more discretion regarding the headings used on the agenda so that he or she may tailor it to the needs of the specific meeting, save and except for the call to order, adoption of the agenda, disclosure of pecuniary interest, notice of motion, public question period to Council, and adjournment, which will be on each agenda.

Closed meetings have been clearly defined in the new by-law as per the *Municipal Act, 2001*, as amended, and includes changes to come into effect as a result of Bill 68.

As per further legislative changes, a form will now be required to be filled out by any member of Council who declares a pecuniary interest at a Council meeting and a registry of same is required to be maintained by the Clerk.

The length of Council meetings is one of the proposed changes in the new procedure by-law. It is provided that Council meetings will end at 10:00 p.m., at the latest. However, has business before Council not been completed at that time, Council may choose to pass a resolution to extend the meeting by 30 minutes. If, at 10:30 p.m. there is still unfinished business, the business will be deferred to the next regular Council meeting unless Council unanimously votes to continue the meeting.

With respect to delegations, this area has been more clearly defined in the new by-law and sets out deadlines for delegations to have materials to the Clerk in advance of the agenda being posted. As you will see in Section 5.2(a)(1) of the new by-law, a Delegation Request Form (please see attached at Schedule "A") is required to be completed and submitted to the Clerk. This provides for a more documented and

streamlined approach in the management of delegations, and requires the person requesting the delegation to agree to follow rules of conduct as well as agreeing that the supporting materials provided by them will be made public.

Part 7 of the new procedure by-law provides much needed clarity surrounding motions, including which motions may be introduced orally and provides that Council requires a two-thirds vote in order to introduce a motion without notice. This provides for more transparency to the public and, having these rules in the procedure by-law, will provide for more efficient meetings.

By-Law 1-98 used its Schedule "A" as the medium to provide terms of reference for all Committees of Council. This is one of the reasons there were so many amendments to this by-law as most were to change composition or terms of reference for committees, or to add or remove committees, as necessary. It is the opinion of staff that each Committee should have its own by-law that establishes the Committee and sets out the terms of reference therein.

Finally, as you will see at Schedules "A" and "B" of the new procedure by-law, there is a Council/Staff Protocol as well as a Council Code of Conduct. The Council Code of Conduct is legislated through Bill 68 and the Council/Staff Protocol will assist in defining the relationships between Council and Staff.

BUDGET/LEGAL IMPLICATIONS:

The budget could be positively affected in that meetings that are held efficiently and effectively will reduce staff's claim to overtime hours.

The legal implications of the passing of the by-law are favourable as the new by-law will bring the Municipality into compliance with Provincial legislation.

LINKS TO STRATEGIC PLANS:

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

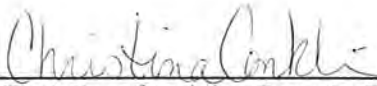
The priorities of the strategic plan that can be linked to this report are as follows:

Ensuring efficient, effective services and civic engagement: By maximizing Staff and Council members' time and streamlining procedures in an effective and efficient way ensuring a maintenance of decorum and transparency to the public, the passing of By-Law 30-17 will be well-aligned with the Merrickville-Wolford Strategic Plan 2017-2025.

ATTACHMENTS:

Schedule "A" – Delegation Request Form

REQUIRED AND RECEIVED COMMENTS FROM: Yes or Not applicable	
CAO	Yes
Clerk	Yes
Finance	Yes
Building Control & MLEO Department	NA
Public Works & Environmental Department	NA
Parks, Recreation & Facilities Department	NA
Planning Department	NA
Economic Development Department	NA
Fire Department	NA
Library Service	NA
Other:	NA


 Christina Conklin, Deputy Clerk


 John Regan, CAO



MERRICKVILLE-WOLFORD
Jewel of the Rideau

<u>DELEGATION REQUEST</u> <u>FORM</u>
--

Should you wish to appear as a delegation to Council at one of their regular meetings, you are required to complete this request form. This form, together with any supporting materials, *must* be received by the Clerk at least seven (7) days prior to the meeting at which the delegation is requested. The date requested may not be the date on which your delegation will be heard. The Clerk will confirm the date your delegation will be heard. Please note a maximum of two (2) delegations are permitted per Council meeting. Each delegation will be permitted ten (10) minutes to make their presentation.

Name: _____ Organization (if applicable): _____

Address:

Phone Number: _____ Email: _____

The delegation is for (check one): ___ information only ___ request to Council

Brief description of topic to be discussed:

If you are making a request to Council, please state your specific request:

Are you providing supporting materials? Please note all supporting materials will become part of the Council Agenda package that is made available to the public.

___ Yes ___ No

The Clerk reserves the right to approve, refuse, defer or refer any delegation.

Delegations shall abide by the Rules of Conduct and shall:

1. Not speak on any subject other than the subject for which they have received approval to address.
2. Not enter into cross debate with other delegations, administration or Members of Council.
3. Not appear for the purposes of publicly announcing a local event.
4. Refrain from public outbursts, shouting, or behavior intended to disrupt the debate, discussion and/or general proceedings of the meeting.

Upon the completion of a presentation by a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.

Conduct of Members of the Public

No person at a meeting shall:

1. Speak aloud at a meeting or address Members without first receiving permission of the Chair to do so;
2. Speak disrespectfully of any persons;
3. Use profane or offensive words or insulting expressions against the Council or Committee or against any Member, staff or guest;
4. Resist the rules of Council or Committee or disobey the decisions of the Chair or of Council or Committee on questions of order or practice or upon the interpretation of the rules of Council;
5. Cause any disturbance to the Council or Committee or staff or guest or any person in attendance;
6. Interrupt any member while speaking through speaking out, noise or disturbance;
7. Be permitted to attend another meeting of Council or Committee after being ordered to vacate, having committed a breach of any rule of Council, and without having first met with the Mayor or Chair and the Chief Administrative Officer, and having satisfied the Mayor that their conduct at future meetings will be in conformity to the rules.

I, _____, have read the above and agree to comply with the rules as set out.

Signature

Date

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Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that: By-Law 30-17, being a procedure by-law, be read a third and final time and passed.

Carried / Defeated

David Nash, Mayor

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 30-17

**A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF MEETINGS
FOR THE VILLAGE OF MERRICKVILLE-WOLFORD**

WHEREAS every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings, pursuant to Section 238 (2) of the *Municipal Act*;

AND WHEREAS the procedure by-law shall provide for public notice of meetings, pursuant to Section 238 (2.1) of the *Municipal Act*;

AND WHEREAS Council deems it expedient to adopt a new by-law to govern the order and proceedings of Council and Committees of the Corporation of the Village of Merrickville-Wolford;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows:

TABLE OF CONTENTS

Part 1 - GENERAL	3
1.1 Short Title	3
1.2 Definitions	3
1.3 Rules of Procedure	4
1.4 Amendment	5
Part 2 - ROLES AND DUTIES	5
2.1 Role of the Council	5
2.2 Role of the Mayor (Head of Council)	5
2.3 Role of Deputy Mayor	6
2.4 Duties of the Chair	6
2.5 Duties of the Clerk	7
2.6 Role of the Chief Administrative Officer	7
2.7 Role of the Municipal Administration	7
Part 3 - MEETINGS	7
3.1 Location of Meetings	7
3.2 Notice of Meetings	7
3.3 Cancellation and Rescheduling of Meetings	8
3.4 Staff Participation	8
3.5 Inaugural Meeting	8
3.6 Regular Meetings	8
3.7 Special Meetings	8
3.8 Closed Meetings	9

Part 4 - MEETING PROCEDURES	10
4.1 Agendas	10
4.3 Call to Order and Quorum	11
4.4 Disclosures of Pecuniary Interest	11
4.5 Adoption of Minutes	12
4.6 By-laws	12
4.7 Public Question Period	13
4.8 Adjournment	13
Part 5 - COMMUNICATIONS, DELEGATIONS AND PETITIONS	13
5.1 Written submissions for Council	13
5.2 Delegations	14
5.3 Conduct of Members of the Public	15
Part 6 - RULES OF CONDUCT AND DEBATE	15
6.1 Rules of Conduct and Debate - General	15
6.2 Points of Order	16
6.3 Point of Privilege	16
Part 7 - MOTIONS	17
7.1 Motions - General	17
7.2 Motions Introduced Orally	17
7.3 Dispensing with Notice	17
7.4 Request to Divide a Question	17
7.5 Notice of Motion	17
7.6 Request for permission to Withdraw or Modify a Motion	18
7.7 Motion to Amend	18
7.8 Motion to Refer	18
7.9 Motion to Postpone or Defer	19
7.10 Motion to Postpone Indefinitely	19
7.11 Motion to Reconsider	19
7.12 Ultra Vires Motion	19
7.13 Motion to Adjourn	20
Part 8 - VOTING	20
8.1 Voting - General	20
8.2 Recorded Vote	20
Part 9 - COMMITTEES OF COUNCIL	21
Part 10 - APPENDIXES	21
Appendix "A" - Council/Staff Protocol	22
Appendix "B" - Council Code of Conduct	26
Part 11 - ENACTMENT	21

PART 1 - GENERAL

1.1 Short Title

a) This By-law shall be referred to as the 'Procedure By-law'.

1.2 Definitions

"Advisory Committee" means a committee established by Council which is advisory or consultative in nature with jurisdiction for providing advice and recommendations to Council regarding a specific subject.

"Agenda" means the written order of business.

"Ad hoc Committee" means a special purpose committee with a limited duration, appointed by Council to carry out a specific task and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.

"CAO" means the Chief Administrative Officer of the Corporation of the Village of Merrickville-Wolford.

"Chair" means the Mayor or designated presiding officer at a Council, committee or local board meeting.

"Clerk" means the Clerk of the Corporation of the Village of Merrickville-Wolford or his/her designate pursuant to section 228 of the *Municipal Act, 2001*.

"Committee" means a committee established by Council and as defined in the Committee's Terms of Reference.

"Communications" means all forms of communication with Council including, but not limited to, the following: correspondence, memorandum, report, notice, email, facsimile, petition, brochure, newspaper/magazine article, etc.

"Council" means the Council of the Corporation of the Village of Merrickville-Wolford.

"Councillor" means a Member of Council of the Corporation of the Village of Merrickville-Wolford, but does not include the Mayor.

"Delegation" means an appearance by a person, group of persons, firm or organization to address Council or a Committee.

"Deputy Mayor" means a member of Council who is not the Mayor who is appointed by a majority vote of Council at their first meeting in a term.

"In Camera" or "Closed Session" means a meeting or portion thereof, which is closed to the public pursuant to Section 239 of the *Municipal Act, 2001*, as amended.

"Majority" means more than half of the votes cast by Members present and eligible to vote.

"Mayor" means the Head of Council of the Corporation of the Village of Merrickville-Wolford.

"Meeting" means any regular, special, committee or other meeting of Council, Committee or local board.

"Member" means a Member of Council or a Committee, a person duly elected or appointed to serve on Council, a committee or local board for the Corporation of the Village of Merrickville-Wolford.

"Municipality" means the Corporation of the Village of Merrickville-Wolford.

"Municipal Office" means the building located at 317 Brock Street West, Merrickville, Ontario.

"Notice of Motion" means an advance notice to Members on a matter which Council will be asked to take a position.

"Pecuniary Interest" means a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50, as amended.

"Point of Order" means a matter that a Member considers to be departure from or contravention of the rules, procedures or generally accepted practices of the Council.

"Point of Personal Privilege" means a matter that a Member considers to impugn his/her rights, integrity or that of Council, a committee or local board.

"Prevailing Member" means any member who voted with the majority on an issue or question that was dealt with by a resolution.

"Quorum" means the majority of the total voting Members required to constitute Council or a Committee.

"Recorded Vote" means recording in the Minutes, the name and vote of each Member present on any matter or question where any Member requests that the vote be recorded.

"Rules of Procedure" means the applicable procedural rules and rules of conduct contained in this by-law.

"Two-Thirds Vote" means the affirmative vote of two-thirds (2/3) of the Members present and eligible to vote.

1.3 Rules of Procedure

- a) The rules of procedure contained in this by-law shall be observed in all proceedings of Council, committees and local boards. For purposes of interpreting this by-law or determining a proper course of action for matters that may arise that are not specifically contemplated by this by-law, the most recent edition of *Robert's Rules of Order* in existence at the time shall be referred to.
- b) Except as provided elsewhere in this by-law, the rules and regulations contained in this by-law may be temporarily suspended by a two-third majority vote of the Members present.

1.4 Amendment

- a) Any provision contained in this by-law shall only be amended or repealed by two-thirds vote of the Members present at any meeting of Council, provided that notice of the proposed amendment or repeal is given at a preceding regular meeting, and such notice may not be waived.

PART 2 - ROLES AND DUTIES

2.1 Role of Council

As defined within the *Municipal Act*, Section 224, it is the Role of Council:

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure the administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of Council under the *Municipal Act, 2001*, as amended, or any other Act.

2.2 Role of the Mayor (Head of Council)

As defined within the *Municipal Act*, Section 225, it is the role of the Head of Council:

- (a) to act as chief executive officer of the municipality;
- (b) to preside over Council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the Council:
- (c.1) without limiting clause (c), to provide information and recommendations to the Council with respect to the role of Council described in clauses 224(d) and (d.1) of the *Municipal Act*;
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the Head of Council under the *Municipal Act, 2001*, as amended, or any other Act.

As defined within the *Municipal Act, 2001*, as amended, Section 226.1, it is the role of the head of council as chief executive officer of a municipality to:

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality's activities;
- (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

The Mayor, by virtue of his/her office, shall be an ex-officio Member of all Committees of Council and shall be a non-voting member of such Committees and is not counted in the quorum.

2.3 Role of the Deputy Mayor

- a) In the absence of the Mayor, the Deputy Mayor shall preside at meetings.
- b) The Clerk shall prepare a resolution for the first regular meeting of Council following a regular election to appoint a Deputy Mayor from the Members of Council, not including the Mayor, to act in the absence of the Mayor for the duration of that term.

2.4 Duties of the Chair

- a) The duties of the Chair are:
 - (1) To open the meeting by taking the Chair and calling the Members to order;
 - (2) To announce the business before the Council in the order in which it is to be acted upon;
 - (3) To receive and submit, in the proper manner, all motions presented by the Members;
 - (4) To put to a vote all questions which are moved and seconded or which necessarily arise in the course of the proceedings, and to announce the results of such vote;
 - (5) To decline to put to a vote motions which infringe upon the rules of procedure;
 - (6) To enforce on all occasions the observance of order and decorum among the Members and guests;
 - (7) To call by name any person persisting in breach of the rules of order of the Council, committee or local board thereby ordering the person to vacate the Council Chamber or other place of meeting, as the case may be;
 - (8) To authenticate by signature all by-laws, resolutions and minutes of Council;
 - (9) To inform the Council, committee or local board when necessary, or when referred to for the purpose, on a point of order;
 - (10) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
 - (11) To ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Corporation, committees and local boards;
 - (12) To order any person or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting;
 - (13) To expel from a meeting any person or group who continues to disrupt the meeting after being so warned and who engages in improper conduct;
 - (14) To adjourn the meeting without question in the case of grave disorder arising in the Council Chamber or other place of meeting, as the case may be;
 - (15) To adjourn the meeting without question in the case of any person or group who refused to vacate the place of meeting after being ordered to do so by the Chair.
- b) The Chair may state the relevant facts on any matter, including his/her position on any matter either before the commencement of debate on any matter or, without entering into further debate, may speak to close the debate on any matter after all Members wishing to speak have spoken.
- c) If the Chair wishes to take part in the debate, the Chair must leave the chair and call on another Member to act in the Chair's place until the debate is closed and, in such case, the Chair waives his/her privilege to close the debate. The Member acting in the Chair's place may close the debate.

2.5 Duties of the Clerk

- a) As defined within the *Municipal Act, 2001*, Section 228(1), a Municipality shall appoint a Clerk whose duty it is:
 - (a) to record, without note or comment, all resolutions, decisions and other proceedings of the Council;
 - (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
 - (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council;
 - (d) to perform the other duties required under this Act or under any other Act; and
 - (e) to perform such other duties as are assigned by the Municipality.

2.6 Role of the Chief Administrative Officer

- a) The Chief Administrative Officer shall be appointed by by-law and is responsible to Council for the efficient management and general control of the administration of the Corporation's various administrative departments.
- b) All reports and recommendations of department heads shall be coordinated through the Chief Administrative Officer.

2.7 Role of the Municipal Administration

As defined within the *Municipal Act, 2001*, Section 227, it is the role of the officers and employees of the municipality:

- (a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- (b) to undertake research and provide advice to Council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.

PART 3 - MEETINGS

3.1 Location of Meetings

- a) Council Meetings shall be held in the Council Chambers in the Municipal Office located at 317 Brock Street West, Merrickville, Ontario, or in such other location as determined by the Council.
- b) Council may, by resolution passed by a majority of the Members present, dispense with or alter the date, time or place of a meeting, provided that notice of the change is posted at the Municipal Office and provided that the location be within the boundaries of the Municipality.

3.2 Notice of Meetings

- a) The schedule of Council Meetings shall be prepared by the Clerk and published on the municipal website.
- b) Notice of a meeting shall be provided in the form of an Agenda. The Agenda shall be posted on the bulletin board at the Municipal Office and on the municipal website by the no later than three full days in advance of a regularly scheduled meeting.

3.3 Cancellation and Rescheduling of Meetings

- a) Council, by resolution, may cancel or reschedule any meeting at a preceding regular meeting.
- b) The Mayor may cancel any meeting if notice has been given that a quorum will not be available to conduct a meeting.

3.4 Staff Participation

- a) Officers and employees shall attend meetings as required by the Chief Administrative Officer in order to assist and support the Members and may leave the meeting after their presentation.
- b) Members shall, whenever possible, communicate their concerns, raise questions or clarify issues with staff in advance of discussing them at a meeting. Requests for reports or direction to employees shall be by resolution of Council. See also the Council/Staff Protocol attached as Appendix 'A'.

3.5 Inaugural Meeting

- a) The first meeting in a new term of Council shall be held at 7:00 p.m. in the Council Chamber of the Municipal Office on the first Monday in December following a regular election.
- b) At the Inaugural Meeting, each Member present shall make his/her declaration of office and sign the Council's Code of Conduct, and Council shall not proceed with any regular business at this meeting.

3.6 Regular Meetings

- a) Regular Meetings of Council shall be held on the second (2nd) and fourth (4th) Mondays of each month at 7:00 p.m., except as altered by way of Council resolution.
- b) The Clerk shall prepare the regular meeting Agendas to their discretion, but the Agenda shall include the following headings:
 - 1. Call to Order;
 - 2. Adoption of the Agenda;
 - 3. Disclosure of Pecuniary Interest;
 - 4. Notice of Motion;
 - 5. Public Question Period to Council; and
 - 6. Adjournment

3.7 Special Meetings

- a) The Mayor may at any time call a Special Meeting of Council by providing written direction to the Clerk stating the date, time and purpose for the special meeting.
- b) Upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a Special Meeting of Council for the purpose, date and time as stated in the petition.
- c) In either circumstance, the Clerk shall give notice of a special meeting and its purpose to the public and all Members at least twenty-four (24) hours prior to holding the meeting.

- d) On urgent or extraordinary occasions, the Mayor or Clerk may call a special/emergency meeting without the notice provided in Section 3.8 (c).

3.8 Closed Meetings

1. All meetings of the Council and its Committees shall be open to the public. Council may, by resolution, close a meeting or part of a meeting to the public in accordance with s. 239 (2) of the *Municipal Act, 2001*:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

2. On January 1, 2018, the day named by proclamation of the Lieutenant Governor, s. 239 (2) of the *Municipal Act, 2001* will be amended. As such, this portion of the by-law will come into effect on that date. The amendment will add the following clauses:

- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

3. As per the *Municipal Act, 2001*, as amended, s. 239 (3), a meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of the *Municipal Act, 2001*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*.

4. As per the *Municipal Act, 2001*, as amended, s. 239 (3.1), a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

5. When a closed session is required, it may be held prior to 7:00 p.m. Except for opening the meeting, approving the agenda, obtaining declarations of pecuniary interest and the holding of a closed session, all other matters on the agenda shall not be addressed prior to 7:00 p.m.

6. Prior to moving into a closed meeting, Council, a committee or local board shall state by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered. All persons not specifically invited to attend the closed meeting shall exit the Council Chambers, or other location of the meeting. When in Closed Session, no one shall leave and re-enter the meeting room without the approval of the Chair.

7. Minutes of the closed meetings shall be kept in the form of Minutes, as those kept for open sessions and shall be adopted at the next scheduled closed meeting and kept in a secure location by the Clerk.

8. Voting shall take place in open session, however, Council may vote during a closed meeting if the meeting was permitted or required by s. 239(2) or (3) of the *Municipal Act* and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or to persons retained by the Municipality. All votes under s. 239(6) of the *Municipal Act, 2001* shall be taken in accordance with the voting process set out in this by-law, as applicable, including the requirement of a mover and seconder and a written resolution.

9. Members shall not release, make public or in any way divulge any confidential information or any aspect of Closed Session deliberations, unless expressly authorized or required by law.

PART 4 - MEETING PROCEDURES

4.1 Agendas

- a) The Clerk may accept items for any Agenda from Staff, the Mayor or Chair, and from Members of Council or Committees up to the Agenda deadline, seven (7) full days before the meeting date.
- b) The Clerk shall prepare and distribute the Agenda, along with supporting material, for Council Meetings (as much as feasibly possible) to Council Members and to all Department Heads and the public not less than three (3) days before the meeting date with the exception of any "In Camera" Agendas or items and documents protected under the *Freedom of Information Act*. Committee Agendas, insofar as practicable, shall be posted two (2) days prior to the meeting.
- c) The items on the Agenda of each meeting shall be taken in the order in which they stand on the Agenda, however, the Chair, with the general agreement of the majority of the Members present may vary the order in which the items are presented.

- d) All items on the Agenda not dealt with at a meeting shall be placed on the Agenda for the next meeting unless otherwise decided by resolution passed by a majority of the Members present.
- e) Amendments and/or additions to the proposed Agenda presented after the closing of the deadline for preparation of the Agenda and prior to the meeting, which are considered as being urgent and/or require the immediate attention of Council shall be considered during the Approval of the Agenda and require a two-thirds majority vote to be added. Items added to the Agenda shall be added under the respective area of the agenda.

4.2 Call to Order and Quorum

- a) The Chair shall call the Members to order as soon as there is quorum after the time set for the start of the meeting. Once the Chair has called the meeting to order, the Clerk shall record in the minutes those Members who were present, and those Members absent. If a member arrives after the roll call, the Clerk shall note the time of arrival in the minutes.
- b) The Mayor shall Chair meetings unless he/she is unavailable or has a conflict in which case the Deputy Mayor will Chair. If the Mayor, or in the case where a quorum is present and the Mayor has not attended within ten (10) minutes after the time appointed, the Deputy Mayor shall call the Members to order and assume the Chair during the meeting for as long as the Mayor is absent.
- c) In the absence of the Mayor and the Deputy Mayor, and if a quorum is present, the Clerk shall call the Members to order. An Acting Chair shall be chosen from the Members by the Members, who shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor.
- d) In the event that a quorum is not present within thirty (30) minutes after the designated start time of the meeting, the Clerk shall indicate that no quorum is present and record the names of the Members present and the meeting shall stand adjourned until the next meeting called in accordance with the provisions of this by-law.
- e) Members of Council should notify the Clerk, or designate, when the Member is aware that he/she will be absent from any meeting of Council.

4.3 Disclosures of Pecuniary Interest

- a) When a Member present at a Meeting has a pecuniary interest, direct or indirect, as defined by the *Municipal Conflict of Interest Act*, the member shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof and not take part in the discussion of or vote on any question in respect of the matter, and not attempt in any way, whether before, during, or after the meeting, to influence the voting on any such question.
- b) The Clerk shall record in the minutes the particulars of any disclosure a pecuniary interest and for what reason.
- c) In addition to complying with the requirements of Section 4.3 (a), if the matter is considered or discussed at a Closed Meeting, the Member shall leave the meeting for the part of the meeting during which the matter is under consideration.

- d) Section 4.3 (c) does not apply if the matter under consideration is to consider whether to suspend remuneration paid to the Member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001*, as amended. Where this is the case, the Member may attend the meeting or part of the meeting and take part in the discussion of the matter, including making submissions to Council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting, however, the Member is not permitted to vote on any question in respect of the matter.
- e) Where the interest of a Member has not been disclosed, by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting of Council or Committee, as the case may be, attended by the Member after the particular meeting.
- f) At a meeting at which a Member discloses a pecuniary interest, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk of the municipality or the secretary of the committee or local board, as the case may be.
- g) The Clerk of the municipality and the secretary of a local board shall establish and maintain a registry which shall include a copy of each written statement filed as per the *Municipal Conflict of Interest Act*, as amended, Section 5.1, and a copy of each declaration as recorded in the minutes of a meeting.
- h) If the Chair has made a disclosure of pecuniary interest on any matter before Council or Committee, the Chair shall withdraw from the chair during the deliberations on that matter.

4.4 Adoption of Minutes

- a) It is the duty of the Clerk to duly record, without note or comment, all resolutions, decisions and other proceedings of the Council or Committee, the place, date and time of the meeting, the names of the Members in attendance and the absence of any Members and the reason for their absence, if known.
- b) The Clerk shall present the minutes of previous meetings to Council for adoption. During the adoption of the minutes of a previous meeting, no changes can be made in the action taken at previous meetings of Council or Committee, except for changes in the form of errors. Omissions in the recording of any action taken at the previous meeting may be made in adopting the minutes.

4.5 By-laws

- a) Every proposed by-law presented to Council shall include the title, number, the number of required readings if more than one is mandated by statute and the authority under which the by-law is being proposed or a descriptive recital setting out the by-law's purpose.
- b) Every by-law:
 - (1) shall be introduced by motion specifying the title of the by-law and its purpose;
 - (2) shall be presented in printed format and shall contain no blanks except as may be required to conform to accepted procedure, or to comply with provisions of any Act;
 - (3) shall have three readings previous to it being passed;
 - (4) shall have the first and second reading decided without amendment or debate;
 - (5) shall be open to debate and amendment before it is ordered for third reading; and

(6) may be given three readings on the same day except when requested otherwise by a resolution passed by a majority of the Members present, or unless provided by law or if the Clerk has received statements from members of the public contesting the by-law.

- c) A majority of Council present may request that the Clerk read a by-law or by-laws for clarification or benefit of the public. If reading is not required, all by-laws will be considered to have been read.
- d) All amendments to a by-law shall be presented in the form of a resolution and shall be voted on before the by-law is ordered for the third reading. The Clerk shall be authorized to provide a copy of the by-law, as amended.
- e) Every by-law enacted by Council shall be numbered, indicate the date of passage, be signed by the Mayor and the Clerk, and be affixed with the corporate seal of the municipality.
- f) A Confirmation By-law shall be passed at each regular and special meeting of Council to confirm the decisions of Council.

4.6 Public Question Period

- a) Questions may be asked by the public with permission of the Chair. This section of the Agenda allows an opportunity for the public to ask one question to Council with respect to an item on the current Agenda for the purpose of clarification only, and shall not be used to table new items that require Council's/Committee's consideration. Inquiries made by members of the public shall be directed to Council only.
- b) The Public Question Period section of the Agenda may be cancelled, at the discretion of Council, without notice, by resolution passed by two-thirds of the Members present.

4.7 Adjournment

- a) All regular meetings shall stand adjourned when the Council has completed all items as listed on the Agenda or at 10:00 pm. In the event the business before Council has not been completed by 10:00 pm., then Council, by resolution passed by a majority of the Members present may approve an extension of the meeting to the hour of 10:30 p.m. At 10:30 pm. the unfinished business shall be deferred to the next regular Council meeting of Council, unless continued by the unanimous consent of all Members present.

PART 5 - COMMUNICATIONS, DELEGATIONS AND PETITIONS

5.1 Written submissions for Council

- a) Every petition, communication or correspondence intended to be presented to Council shall be delivered to the Clerk by 12:00 p.m. seven (7) working days prior to the meeting date. If it is not received by the said deadline, it shall be placed on the Agenda of the following meeting. It must be legible and not contain any defamatory allegations and shall be signed by the author(s). All submissions for Council will be made available to the general public.

5.2 Delegations

- a) A delegation may be heard at a Committee Meeting or at a Regular Council Meeting provided that the following requirements are complied with:
 - (1) A written request on the prescribed Delegation Request Form is submitted to the Clerk at least seven (7) days prior to the meeting at which the delegation is requested; and
 - (2) Submission of documentation supporting the request to be presented to Council and provided to the Clerk at least seven (7) days prior to the meeting at which the delegation is requested.
- b) The Clerk shall make a determination as to deferral of delegations to subsequent meetings or referral to the appropriate Committee or Department Head and shall reply to such delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and reasons thereof.
- c) A delegation shall have up to ten (10) minutes to make its presentation. The Clerk shall monitor the time at the commencement of the delegation presentation. The Chair shall, at the conclusion of the ten minutes, inform the delegation that the time limit has been reached. The time limit may be extended by such amount of time as the Council or Committee deems advisable upon general agreement.
- d) A maximum of two (2) persons shall be permitted to address the Members for each delegation representing a group or organization. Delegations shall not repeat information presented by an earlier delegation.
- e) No more than two (2) delegations shall be allowed at any meeting. Delegations will be provided in the order in which they were received by the Clerk.
- f) Delegations shall abide by the Rules of Conduct as set out in Section 5.3 and shall:
 - (1) not speak on any subject other than the subject for which they have received approval to address;
 - (2) not enter into cross debate with other delegations, administration, Members or the Chair;
 - (3) not appear for the purpose of publicly announcing a local event; and
 - (4) refrain from public outbursts, shouting, or behavior intended to disrupt the debate, discussion and/or general proceedings of the Meeting
- g) If a delegation does not comply with the Rules of Conduct, the Chair may restrict any delegation, any questions of a delegation or debate during a delegation. The person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.
- h) Upon the completion of a presentation by a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting the presentation. Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.
- i) The Clerk is given authority to refuse delegations that are not permitted under the following circumstances:
 - (1) The request is not submitted within the time required in Section 5.2 (a);

- (2) No written submission together with handouts or materials is provided with the request to appear;
 - (3) The subject matter is deemed to be beyond the jurisdiction of Council;
 - (4) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session;
 - (5) The issue has been or is to be considered by the Committee of Adjustment; or
 - (6) Council has previously made a decision on the issue.
- j) In the event a delegation request is refused, the Clerk shall provide to the person(s) in writing, with a copy to Council, the reasons for the refusal.

5.3 Conduct of Members of the Public

- a) No person at a meeting shall:
- (1) speak aloud at a meeting or address Members without first receiving permission of the Chair to do so;
 - (2) speak disrespectfully of any persons;
 - (3) use profane or offensive words or insulting expressions against the Council or Committee or against any Member, staff or guest;
 - (4) resist the rules of Council or Committee or disobey the decisions of the Chair or of Council or Committee on questions of order or practice or upon the interpretation of the rules of Council;
 - (5) cause any disturbance to the Council or Committee or staff or guest or any person in attendance;
 - (6) interrupt any member while speaking through speaking out, noise or disturbance;
 - (7) be permitted to attend another meeting of Council or Committee after being ordered to vacate, having committed a breach of any rule of Council, and without having first met with the Mayor or Chair and the Chief Administrative Officer, and having satisfied the Mayor that their conduct at future meetings will be in conformity to the rules of this by-law.

PART 6 - RULES OF CONDUCT AND DEBATE

6.1 Rules of Conduct and Debate - General

- a) Council and Committee Members shall govern themselves according to Council's Code of Conduct.
- b) Members shall:
- (1) act in accordance with their Declaration of Office;
 - (2) refrain from speaking to a question or motion, until the Member has been recognized by the Chair;
 - (3) not use indecent, offensive, or insulting expressions, at any time, toward other Members, members of the administration, delegations or members of the public;
 - (4) not speak in a manner that is discriminatory in nature based upon an individual's race, ancestry, place of origin, ethnic origin, creed, gender, sexual orientation, age, colour, marital status or disability;
 - (5) speak only to the subject under debate;
 - (6) not leave their seat, or make any noise or disturbance while a matter is being considered or discussed by Council, while a vote is being taken or until the results are declared;
 - (7) not disturb another Member, staff or guest, or conduct themselves in a disorderly manner disturbing the speaker or the assembly;

- (8) not interrupt any Member while speaking by speaking out, making noise or creating a disturbance except to raise a point of order or point of personal privilege;
 - (9) not leave a meeting without first obtaining permission from the Chair; and
 - (10) obey the rules of the Council or a decision of the Chair, or Council, on a question of order, or upon the interpretation of the Rules of Council.
- c) A Member who is called to order shall immediately cease to speak. Any Member persisting in a breach of this by-law may be ordered to leave the meeting by the Chair.
 - d) The Member will be permitted to retake his/her seat provided the Member has apologized to Council.
 - e) The Member who moves a main motion has the first right of speaking on that motion, and the seconder has the right of speaking second on the motion.

6.2 Point of Order

- a) The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting.
- b) Any Member may at any time raise a Point of Order to call attention to what the Member believes to be a violation of the rules of procedure.
- c) The member shall, when once recognized by the Chair, state the point of order with concise explanation and the Chair shall rule upon the point of order.
- d) When a Point of Order is acknowledged by the Chair, any Member speaking at the time shall cease doing so until the point has been dealt with.
- e) Unless a Member immediately appeals the ruling of the Chair, the Chair's ruling shall be final.
- f) If an appeal is made, the Member appealing shall state the reasons for the appeal and the Chair may offer reasons in favour of upholding his or her ruling and the Members shall vote on the appeal without debate.
- g) If the appeal is upheld, then the Chair shall change his/her ruling accordingly or if the appeal is rejected, then the Chair's ruling stands and no further avenues of appeal are allowed.

6.3 Point of Privilege

- a) Where a Member considers that the Member's rights, immunities or integrity or the rights, immunities or integrity of the Council as a whole has been impugned, the Member may, as a matter of privilege, rise at any time, with the consent of the Chair, but not so as to interrupt a speaker who has the floor, for the purpose of drawing the attention of the Council to the matter.
- b) Upon being recognized by the Chair, the Member shall state the question of privilege and the Chair shall rule whether the question is properly one of privilege and admissible. The Chair's ruling shall be final and subject only to appeal to the Council.

- c) An appeal to the Council will be by verbal Motion duly seconded and requires a majority vote to overturn the Chair's ruling. The appeal Motion is not debatable and the result of the vote is final.

PART 7 - MOTIONS

7.1 Motions - General

- a) Members of Council or Committee, the Clerk and other officers may introduce matters to be dealt with by motion, subject to the notice provisions in this by-law.
- b) All motions shall be read, moved and seconded before prior to any debate on the question.
- c) Any member may require a motion under discussion to be read by the Chair at any time during the debate but not so as to interrupt another member who is speaking.
- d) A motion properly before the Council for consideration must receive disposition before any other motions can be received, unless it is a motion to amend, to refer, to defer indefinitely or to a specified time, to adjourn the meeting or that the vote be now taken.

7.2 Motions Introduced Orally

- a) The following matters may be introduced orally, without written notice and without leave:
 - (1) a point of order or personal privilege;
 - (2) a motion to defer;
 - (3) a motion to amend;
 - (4) a motion to refer;
 - (5) a motion to table the question;
 - (6) a motion to vote on the question;
 - (7) a motion to suspend the rules of procedure;
 - (8) a motion to recess; and
 - (9) a motion to adjourn.

7.3 Dispensing with Notice

- a) A motion may be introduced without notice, if Council, without debate, dispenses with notice, on the affirmative two-thirds vote of the Members present.

7.4 Request to Divide a Question

- a) When the motion under consideration contains several distinct propositions, a Member may require that each proposition be voted on separately (known as 'splitting the motion'), provided the Member receives the support of a majority of the Members present.
- b) If a Member objects to the division, the Chair will call the vote on the question or whether the motion should be divided. A simple majority is required to divide the question and is not debatable.

7.5 Notice of Motion

- a) Notice of all new motions, except motions listed in Section 7.2, shall be given in writing in the appropriate motion format and delivered to the Clerk prior to the Monday preceding the date of the Council meeting at which the matter is to be considered. Such notices shall be included in the Agenda for that meeting under the item "Notice of Motion".

- b) A Notice of Motion, in writing, may also be received by the Clerk prior to the closing of the meeting and in this event, the Chair or Clerk shall read the motion and it shall be duly recorded in the minutes without debate, and shall form part of the Agenda for the subsequent meeting under the item "Notice of Motion".
- c) A motion for which notice was given in accordance to this by-law must be moved and seconded at the meeting on which it appears on the Agenda for debate.

7.6 Request for permission to withdraw or modify a Motion

- a) Before the motion is stated by the Chair, it belongs to the mover of the motion and he/she can withdraw it or modify it without the permission of Council.
- b) If the Member who seconds the motion withdraws his/her second from the modified form, the Chair can ask for another seconder to the motion.
- c) Before the Chair opens the discussion and/or debate on the motion, another member can ask the chair if the mover of the motion will accept a change in the motion. The mover can either accept or reject the proposed change. If the mover rejects the proposed change, the member suggesting the change can propose a formal amendment after the motion has been open for discussion and/or debate by the Chair.
- d) Once a motion has been stated, it shall be deemed to be in possession of Council, but at any time, the member who moved a motion may request permission of the Council to withdraw or modify the motion before a decision or an amendment. Permission to withdraw is not debatable. If there is no objection, the motion is withdrawn with general consent. If there is an objection, anyone may second the motion to withdraw and the Chair puts it to a vote.
- e) A withdrawn motion is not recorded in the minutes unless the motion has been properly moved and seconded.

7.7 Motion to Amend

- a) An amendment is designed to alter or vary the main motion without materially changing its intent or meaning. It may propose certain words be omitted, replaced or added. Only one amendment at a time can be presented to a main motion, and only one amendment to an amendment can be presented. A motion to amend a motion in possession of Council shall;
 - (1) be made only to a previous question or to amend an amendment to the question;
 - (2) be relevant to the motion not contrary to the main intention of the motion;
 - (3) be voted on first, prior to the main motion;
 - (4) not be in order if, in essence, it constitutes a rejection of the main question.

7.8 Motion to Refer

- a) A motion to refer the question should include;
 - (1) the name of the body or official to whom the question is to be referred;
 - (2) instructions respecting the terms upon which the question is to be referred.
- b) A motion to refer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.

7.9 Motion to Postpone or Defer

- a) A motion to defer shall:
 - (1) include a reason for the deferral, and a fixed date to which the matter is deferred;
 - (2) takes precedence over any motion or amendment except a motion to adjourn;
 - (3) be debated, however, the debate must be limited to the advisability of the proposed postponement; and
 - (4) only be amended to change the length of the postponement.

7.10 Motion to Postpone Indefinitely

- a) The motion to "Postpone Indefinitely" allows Council to avoid making a decision on a main motion by delaying the decision to an undetermined time beyond the current meeting.
- b) If the motion to "Postpone Indefinitely" is carried, the matter may not be brought back at the same meeting. If the motion is defeated, discussion on the main motion continues.
- c) The motion is debatable (only to outline the reasons why the motion should or should not be dealt with immediately) but not amendable and requires a majority vote.

7.11 Motion to Reconsider

- a) When a Council or Committee has decided either for or against a certain question, it shall not reconsider the same question for a period of one (1) year.
- b) Notwithstanding the above paragraph, only a Member on a prevailing side can make a motion to reconsider. In the event of a resolution that was defeated due to an equality of votes, both sides shall be considered as prevailing.
- c) A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration and requires a two-thirds (2/3) vote of the Members present.
- d) No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried.
- e) A member may give notice of reconsideration of a matter at any meeting following the meeting when the matter was considered.
- f) If the motion to reconsider the vote is carried, the motion being reconsidered is taken up immediately as if it had never been voted on. Procedurally, it is considered a newly made main motion and all rights of the Members are renewed with regard to debate.
- g) No more than two motions to reconsider the same questions shall be permitted in the same calendar year.

7.12 Ultra Vires Motion

- a) A motion in respect of a matter which is beyond the scope of power (ultra vires the jurisdiction) or legislative authority of Council shall not be in order.

7.13 Motion to Adjourn

- a) A motion to adjourn the Council or to end the debate (Call the Question) shall always be in order, except:
 - (1) when a Member is speaking;
 - (2) during the taking of a vote;

- (3) immediately following the affirmative resolution of a motion that a vote on the question now be taken;
- (4) when a Member has already indicated to the Mayor or Chair, that he or she desires to speak on the question; or
- (5) when resolved in the negative, cannot be made again until Council has conducted further proceedings.

PART 8 - VOTING

8.1 Voting - General

- a) Every Member present at a meeting shall vote on the question unless prohibited by statute or this by-law. If prohibited from voting, the Clerk shall record in the minutes the name of the Member and the reason that he or she is prohibited from voting. If a Member present refuses to vote or fails to vote, the Member shall be deemed to vote against the question.
- b) Voting shall be by way of a 'show of hands' in favor or against, except when a recorded vote is requested by any Member.
- c) The Chair, except where disqualified to vote, may vote on all questions and when it could affect the result of the vote, and when so doing, shall vote last.
- d) The Chair shall announce the results of the vote once the vote is completed and the Clerk shall record as follows:
 - (1) if passed, "Carried";
 - (2) if not passed, "Defeated"; or
 - (3) if tied (equal votes), "Defeated".
- e) After the Chair commences to take a vote on a question, no member shall speak to such question or present any other motion until a vote has been taken on such question.
- f) When the Chair calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Chair. A Member who is not at the Council table when the Chair calls for a vote shall not be entitled to vote.
- g) If there is no request for a recorded vote, a Member may request the Clerk to record his/her vote only, either for or against the question, as the case may be.

8.2 Recorded Vote

- a) Any Member may request a recorded vote immediately before or after the taking of a vote. The Clerk shall call by name the Members present in random order except for the Chair whose name shall be called last. Each Member present who is not disqualified from voting by statute or this By-law shall announce his vote openly. The Clerk shall record each Member's vote in favour or against the question and announce the result of the vote.

PART 9 - COMMITTEES OF COUNCIL

- a) Council may, from time to time, establish Committees in response to specific issues requiring immediate or long-term attention. No Committee shall have departmental jurisdiction.
- b) When establishing a Committee, Council shall adopt Terms of Reference that shall define the following provisions:
 - (1) the name of the Committee;
 - (2) the type of Committee;
 - (3) the composition of the Committee;
 - (4) the method in filling vacancies;
 - (5) the purposes and objectives of the Committee; and
 - (6) the term of the Committee, which shall not exceed the term of Council unless required by statute.
- c) At the first regular meeting of the new term of Council, or as soon thereafter as is reasonable, Council shall appoint Members to the Committees as required. Stakeholders and citizens shall be recruited in a public and transparent manner.
- d) The Minutes of the Committees of Council shall be adopted by each respective Committee and shall be forwarded to Council in a timely manner, to be received by resolution, as information only and not discussed.
- e) Reports and recommendations of Committees shall be received and considered by Council through motions brought forward by Council liaison.

PART 10 - APPENDIXES

- Appendix "A" - Council/Staff Protocol
- Appendix "B" - Council Code of Conduct

PART 11 - ENACTMENT

That By-Law 1-98 and any and all other by-laws not in conformity with this by-law are hereby repealed.

This by-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME this ____ day of _____, 2017.

READ A THIRD TIME AND FINALLY PASSED this ____ day of _____, 2017.

David Nash, Mayor

John Regan, CAO/Clerk

APPENDIX "A" to By-Law 30-17 COUNCIL/STAFF PROTOCOL

Preamble

This protocol has been developed by staff members and reviewed by the Council of The Village of Merrickville-Wolford, in order to clarify roles and expectations and to support highly effective working relationships. It is intended to be reviewed at the beginning of each term of a new Council (at least once every four years).

This Council/Staff Protocol augments the existing Oath of Office sworn by each Council member, the Code of Conduct for Municipal staff, Council Code of Conduct and other related Municipal policies and procedures.

1. ROLES

Role clarification and sensitivity are fundamental to the success of our working relationship and there are some shared aspects of Council/Staff protocol. Both Council and Staff are expected to enhance public education about the political process by providing context and process information about decision making. Policy making and implementation move along a continuum, with different roles at different times. Both Council and municipal staff are required to have a solid understanding of the following:

1.1 Roles of Council and Staff:

- demonstrate commitment to communication and consultation among ourselves and with the general public;
- show leadership, relying on our knowledge and judgment, and respond based upon our areas of expertise; and
- maintain confidentiality and ensure confidential issues will be dealt with *in camera* at Committee and Council meetings.

1.2 Council Role:

- To govern and provide political direction;
- To ensure that management systems work properly, establishing vision, goals, determining needs and outcomes to be achieved, and empowering effective staff performance;
- To determine corporate policy and make decisions about issues following consultation with municipal staff and community residents; and
- To respond to constituent concerns, to keep municipal staff informed, to be open to discussion, and to ask when clarification is needed.

Elected representatives do not have an administrative managerial role in the day to day business of the organization.

1.3 Municipal Staff Role:

- To provide timely reports to Council outlining factors that will assist in their decision-making process, research policy issues as required, provide sufficient information based upon analysis and best professional expertise and judgment. Timely information ensures that Council Members are provided information early enough to allow for review and consultation. Timeliness also ensures that deadlines and

commitments requiring adjustment are communicated proactively, rather than after the fact.

- To implement Council's decisions;
- To manage and identify the means for achieving corporate goals and outcomes;
- To provide appropriate follow-up to Council inquiries, to keep Members of Council up to date and informed, to be open to discussion, and to ask when clarification is needed.

Municipal staff does not have a political role.

2. HIGHLY EFFECTIVE WORKING RELATIONSHIPS

Given that staff and the elected representatives are all individuals with different personalities and styles, there must be some flexibility within the guidelines for working relationships. In all cases, we commit to the following requirements of a highly effective working relationship together:

2.1 Respect

A formal relationship exists between municipal staff and Members of Council. This will ensure that all members of staff and Council are treated equitably without favouritism. A chain of command exists to deal with issues of significance. Council Members are encouraged to discuss clarification of reports and related information directly with the author of the report. Issues, additions, changes and/or challenges to the content of any report are to be addressed to the CAO in order to ensure an appropriate department response. The CAO may suggest direct consultation with other staff members and/or continue open communication through the department heads. All staff should feel comfortable responding appropriately to straightforward Council requests, advising their supervisors of the inquiry. Any response to a request for information from a member of Council between Committee and Council meetings on a subject will be answered in writing and circulated to all Council Members.

2.2 Consultation and Community Responsiveness

We share a commitment to communication and consultation among ourselves and with the general public. We believe in community involvement in decision making and accept our shared responsibility to ensure effective community responsiveness.

Staff is encouraged to provide information memos and reports for inclusion in Agenda packages distributed to Council Members. Department heads also receive the Agenda package which eliminates the need for additional copies of memos and reports. Confidential information will be provided on blue paper.

3. EXPECTATIONS

The expectations outlined here are intended to enhance trust in our staff/Council relationships. Staff directions are expected when Municipal-wide issues are being discussed. Open lines of communication are essential.

3.1 It is Expected that Council Members Will:

- Request staff input prior to making important policy decisions and convey feedback to staff;

- Discuss issues with staff and advise staff of questions prior to meetings, whenever possible;
- Request advice from the CAO/Clerk about the appropriate wording of motions, amendments, and formal staff directions in accordance with the Procedural By-law; and
- Consult with staff prior to making commitments to constituents.

3.2 It is Expected that Staff Will:

- Ensure that council is apprised of any issues that may impact upon their decision-making process;
- Present a departmental or corporate perspective, in writing or in person, at Council or at Committee.
- Notify Council of changes to legislation and any unintended or unexpected impacts of policy decisions through written reports and/or presentations in a timely fashion; and
- Through senior staff, convey feedback to Council Members who may not be aware of existing policy or other workload demands and related issues.

3.3 Time is valuable

Priorities and timelines must be respected. All must make good use of time, be understanding the other's demands, be well prepared for meetings, and communicate if there are changes to the timelines. When asked to complete a task, clarify the timeline.

4. PROTOCOL

4.1 Forms of Address

Delegations will be addressed formally as "Mr., Mrs., or Ms." at Committee and Council meetings and all will be addressed by first initial and last name or last name only in minutes.

At any public function, including social events to which members of the public are invited, the terms "elected representatives", "Councillors" or "Mayor" and formal address are expected. Sensitive or difficult situations may also suggest formal address. In an informal situation where members of the public are not present or during a work group meeting that has established a relationship among the members, Council and municipal staff may wish to communicate on a first name basis. All written correspondence requires formal titles.

Be aware that while a close working relationship of staff and elected representatives is important, Councillors and the Mayor are elected symbols of democracy and fill public office. There is a line between the staff role and the elected representative role and the distinction is important to keep in mind at all times.

4.2 Office Environment

Council Members will announce their presence upon arrival at the municipal office. Appointments are recommended to ensure that both parties are able to meet prepared, and able to give their undivided attention to the contents of the meeting.

4.3 Invitations

Invitations for Municipal officials to attend functions should be provided at least three (3) weeks in advance of the Mayor's or Councillor's requested attendance. Ideally, contact should be in the planning stages to ensure that the desired representatives will be available.

4.4 Social Events

Various social events take place which municipal employees and Members of Council jointly attend. Staff are to ensure that all Members of Council, or none, are invited to social functions, whether municipally sponsored, staff or other in nature.

When the general public attends a social function, both municipal staff and Council Members are representatives of the Municipality. The openness of these events helps build rapport and fosters a team/partnership feeling when handled appropriately. In any social venue, all are encouraged to enjoy themselves, keeping in mind their "professional hats".

APPENDIX "B"
to Procedure By-law 30-17

Council Code of Conduct

Preamble

The Council of the Village of Merrickville-Wolford considers it desirable to augment the Oath of Office sworn by each member of Council, with a Council Code of Conduct. A written Code of Conduct helps to ensure that the Members of Council share a common basis for acceptable conduct. The Code is intended to provide guidance to individual Members of Council in acting at all times in a manner that will enhance public trust and confidence in their Municipal Council. ("**Member**" means a Member of the Council of the Village of Merrickville-Wolford, elected in accordance with *The Municipal Elections Act*.)

General

The Member must discharge with integrity all duties owed to Council, the Village of Merrickville-Wolford, and the public.

The Member shall serve her/his constituents in a conscientious and diligent manner.

Confidentiality

It is every Council Member's responsibility to ensure that all information collected, produced or obtained in the course of his/her duties, whether in reports, memos, oral communication, or electronic format, is as accurate as possible. No Council Member shall willfully mislead other Council Members, municipal employees, or the public about any issue of municipal concern.

It is the responsibility of each member of Council to ensure that confidential information, provided through administration, other Council Members, developers, investors, the public or through any other party, is kept strictly confidential and not released without the approval of Council.

The following information must not be disclosed, except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

- Information which is personal;
- Information that constitutes the proprietary information of a third party, individual or group;
- Information that might reasonably be regarded as having been disclosed to an employee or member of Council in confidence;
- Is sensitive in nature, or
- Imparts to the person in possession of such information an advantage not available to the public generally.

The Member has a duty to hold in strict confidence all information concerning matters dealt with *in camera* by Council. The Member shall not release, make public or in any way divulge any such information or any aspect of the *in-camera* deliberations, unless expressly authorized or required by law to do so.

Information acquired through the Council member's position with the Municipality may not be used or disclosed in any personal external activity.

No Council member shall benefit, either directly or indirectly, from the use of information acquired during the course of official duties, which is not generally available to the public.

Business Relations

- The Member must not borrow money from any person who regularly does business with the Village of Merrickville-Wolford unless such person is a bank or trust company, or is a company whose shares are publicly traded and is regularly in the money-lending business.
- No member of Council shall act as a paid agent before Council or a committee of Council, or any agency, board, or committee of the Municipality.

Conduct At Council

- In Committee and Council meetings, the Member shall treat the Chair, other Members, staff and delegates from the public with courtesy and respect and good faith.
- The Member shall not criticize or blame staff or any other member in public. Criticism will be dealt with in private through the CAO. Should the criticism be of the CAO, it will be dealt with by the Mayor or his or her designate.
- The Member shall make every effort to participate in the Boards and Committees of Council to which he/she is appointed, and shall always be forthright with Council regarding the affairs of the Board or Committee.
- Where the Member is involved in an issue outside the Member's own ward, the Member shall inform the Ward Councillor(s) of such involvement and shall make reasonable efforts to invite the Ward Councillor to any meetings in conjunction therewith unless:
 - The issue is clearly of Municipality-wide significance, or:
 - The Member is the Chair of the Committee handling the matter or the Mayor, and the involvement does not go to the merits of the issue but rather involves only procedural aspects.

Municipal By-laws & Policies

- The Member shall encourage public respect for, and try to improve the administration of the by-laws and policies of the Municipality.

Harassment

- Harassment of another Member, staff, or any member of the public is misconduct.
- It is the policy of The Village of Merrickville-Wolford that all persons be treated fairly in the workplace, in an environment free of discrimination and of personal and sexual harassment.

Influence on Staff

The Member shall be respectful of the tradition that staff are expected to make recommendations to Committee and Council that reflect professional and corporate management, judgment, and opinions and which are not unduly influenced by any single member of Council.

It is expected that Members of Council will discuss Municipality business with staff and the CAO. These discussions, however, should never involve any comments or action that would in any way threaten or intimidate staff in the conduct of their duties.

Gifts and Benefits

Members should make responsible efforts to maintain a favour for a favour insofar as expenses associated with meetings with persons doing business with the Municipality are concerned.

It is acknowledged that, on occasion, discussions with persons doing business with the Village of Merrickville-Wolford may take place outside the Municipal Office where there is some form of hospitality. The Member may, from time to time, meet persons involved in doing business with the Municipality to discuss such business in such manner although this should not become a regular practice with the same person. The Member should make efforts to split the costs associated with such meetings or where it is reasonably anticipated that subsequent meetings may be held with the same person, the Member may choose to host the next meeting. In no event should a Member attend a meeting where the setting is so extravagant that the Member could not reciprocate or such that it is clear that the principal function of the meeting is to enjoy the social setting as opposed to discussing business in a related atmosphere.

Members should not solicit or accept gifts or other benefits whether it be money, services, loan, travel entertainment, hospitality, promise or any other gift/benefit from persons or companies who are or may be doing business with the Municipality or who are clients of the Municipality if:

- It could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or
- The gift was intended to serve as a reward for any official action on their part.

There are some limited circumstances where the acceptance of a gift or benefit is acceptable. Low value gifts may be accepted where it would be poor business practice or would cause offence not to accept it, for example, ball-point pen, coffee mug, cap or the like, commemorating an official opening, or a gift or benefit given as part of the formal and public protocol of the Member performing his/her duties as a Member of Council, such as a gift from a twin municipality given as part of a formal exchange visit. There are also receptions, open houses, charitable events and the like to which Members are invited and expected to attend as public figures by virtue of their being Members of Council. Members should avoid participation in events where the location or setting is unduly extravagant.

Use of Municipal Property

Where a member of Council makes use of any Village of Merrickville-Wolford property, equipment, supplies, or services of consequence, other than for the purpose connected with the discharge of Council duties, it is incumbent upon the member to make restitution for any additional expenses which are incurred by the Municipality for the use of said equipment, supplies or service.

No member shall use information gained in the execution of his or her duties, which is not available to the general public, for any purposes other than his or her official duties.

No member of Council shall use Municipal facilities, services, or property for his or her re-election campaign. No member of Council shall use the services of municipal employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Municipality.

No member shall seek or obtain, by reason of his or her office, any personal privilege or advantage with respect to the Municipality's services not otherwise available to the general public and not consequent to his or her official duties.



VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

WHEREAS the relationship between the Chamber of Commerce and the Village of Merrickville has deteriorated over the last year to an all-time low and is one the Chamber would like to change;

AND WHEREAS the request from the Chamber of Commerce for a special Council meeting which they provided a draft agenda for as requested was not even entered into discussion due to the lack of a Council member willing to second the motion;

AND WHEREAS the Chamber of Commerce is, at this time, the mechanism in place for supporting and communicating with the merchants of Merrickville-Wolford;

THEREFORE, The Council of the Corporation of the Village of Merrickville-Wolford does hereby agree to address this relationship with the use of a mutually approved arbitrator to ensure that we are serving our merchants through the Chamber of Commerce to the best of our ability.

Carried / Defeated

David Nash, Mayor

On Oct 25, 2017, at 10:17 PM, David Nash <mayor@merrickville-wolford.ca>
<<mailto:mayor@merrickville-wolford.ca>> > wrote:

John

Pls include on our next agenda a discussion re the use of a mediator to address the issues we are having with the chamber.

The result of refusing the request by the chamber for a meeting to attempt to resolve these issues was nothing more than a slap in the face to all of our business owners already resulting in requests for interviews from the press and presenting an image of this council that is not only embarrassing but one that I cannot support.

This was made even more evident by Yves question during the Merrickville public meeting session.

It's time or rather past time that we once and for all fixed the problem. We at the very least owe that to the business owners. We are supposed to be community leaders so let's approach this with an open mind and a positive attitude towards finding a solution.

I will be having discussions with others as yet unknown as to how best to achieve this to better prepare myself for this discussion at our next meeting.

David Nash
Mayor
Village of Merrickville-Wolford
Box 340, 317 Brock Street West
Merrickville, ON
CANADA
K0G 1N0
TEL: 613-269-4791, ext 226
FAX: 613-269-3095

----- Original Message -----

Subject: FW: Chamber of Commerce
From: "David Nash" <mayor@merrickville-wolford.ca>
Date: Thu, October 26, 2017 5:52 pm
To: "'Anne Barr'" <barr@merrickville-wolford.ca>
"Chuck" <macinnis@merrickville-wolford.ca>
"David" <snowdon@merrickville-wolford.ca>
"Kim Weedmark" <weedmark@merrickville-wolford.ca>
"steve" <ireland@merrickville-wolford.ca>
"Vic" <suthren@merrickville-wolford.ca>
Cc: "John Regan" <cao@merrickville-wolford.ca>

FYI

I thought I had copied this to council when I sent this to John but it appears not.

I would ask that council and staff refrain from making any comments to the press or in any articles and refer any questions to me.

I met with Karl today and he and I will be doing a joint press interview tomorrow (damage control) and proposing the mediator scenario as a solution.

We have an obligation to ensure that our merchants are supported by council and at this time the mechanism in place to do so is the chamber of commerce.

Should that mechanism change in the future to a BIA then I would support it 100%

I do not think a combination of the two would work in a community this size.

David

David Nash
Mayor
Village of Merrickville-Wolford
Box 340, 317 Brock Street West
Merrickville, ON
CANADA
K0G 1N0

TEL: 613-269-4791, ext 226
FAX: 613-269-3095

Preserving a quality of life on the Rideau River that is vibrant, natural, rural and historic

MEDIATION SUGGESTED FOR VILLAGE AND CHAMBER

By
NG Times

November 8, 2017

by David Shanahan and Hilary Thomson

Over the past year, relations between the Village of Merrickville-Wolford and the local Chamber of Commerce have been somewhat tense. The Chamber Board of Directors, which has only been in office for two years, had come to believe that their role in the social and economic life of the municipality was being undermined by council and staff in ways they found both confusing and insulting. Activities and initiatives, which in previous times had been welcomed and supported by the municipality, were now being criticised, and even rejected. An example of this were the provincial flags that were put up by the Chamber and promptly taken down by the Village the same night.

The Village of Merrickville-Wolford, on its part, has found itself having to deal with issues which had not previously been on the table, especially in the area of what is known as Joint and Several Liability. What this means is that insurance claims against the municipality were increasingly a danger to the financial health of the Village, as several court cases across the province have held municipalities liable in cases even where they were not directly involved. People involved in the insurance cases were citing municipalities as joint defendants on the often

mistaken belief that they had “deep pockets” and were therefore easy sources of compensation.

In 2014, the newly-elected Council was faced with a changing context, and Mayor David Nash’s involvement in the United Counties Council educated him very quickly on the need for Merrickville-Wolford to adopt a strict risk management policy. What this meant in day-to-day life was that activities traditionally carried out by organisations like the Chamber of Commerce, could no longer be left to them without proper insurance coverage protecting the municipality from liability. Because of this, the Chamber members were no longer encouraged to climb ladders to put up flags and decorations on the municipal streets in Merrickville.

The most unfortunate part of all of this was that the Chamber Board feels that these changes were not communicated effectively to them, and they therefore supposed that their efforts on behalf of the community were no longer welcome. The exclusion of a member of the Chamber on the Economic Development Committee has further estranged the Chamber from the Municipality. On top of that, rumours of the possibility of a BIA in Merrickville had the Chamber wondering whether they were being deliberately squeezed out of the equation. “By default, or by design, the Chamber has been excluded,” said Chamber Board President, Karl Feige.

To try and clarify the issue, the Chamber approached the municipality as early as last June to arrange a face-to-face meeting between the Board and the Council and senior staff, without success. This came to a head at the last meeting of Council when Mayor Nash, in an effort to bring everyone together, brought forward a motion to have such a meeting take place. The resolution was moved by Councillor Chuck MacInnis, but the council chamber fell silent when it came to a

seconded for the motion and it therefore died on the table. This was, as Mayor Nash says, “shocking”.

The Mayor and Karl Feige met afterwards and talked about the best way to move forward, and it became apparent that there had been much mis-communication and, in fact, a complete lack of communication on many of the issues between the two sides. Statements and rumours which seemed to pit them against each other were found to have been unfounded, and much of the bitter feelings were based on nothing solid. David Nash is now suggesting that the Chamber and Village representatives approach a mediator, who will bring the two sides together, identify the problems which have caused this division, and help them to come to a more productive and mutually beneficial relationship.

“From the minute I took office, I believed the Chamber was important,” says Mayor Nash, “I liken it to marriage counselling, in that it will only work if both sides want it to work, and that the merchants should not suffer as a result. We need to sit down at the table and resolve it.” He went on to say in a later interview that: “As community leaders, Council has a responsibility to support our business community, and, at this time, the mechanism in place to do that is our Chamber of Commerce. I’m not interested in looking back and pointing fingers, but rather to look ahead to improving this critical relationship with our merchants. The Mayor and Karl agree that, whatever the mechanism is, be it the Chamber or a BIA, it needs to be supported by Council in order to best serve our merchants.

The resolution of their differences is important to the health of the municipality’s relationship with its business sector moving forward, as the Chamber represents around 90% of the businesses in Merrickville-Wolford. It is hoped that, through mediation, the Chamber and Municipality will be able to clarify the Chamber’s

area of responsibility when it comes to Village property, and to rectify any concerns regarding proper insurance for the Chamber. Mayor Nash says he will be bringing the suggestion of mediation to the next council meeting on Tuesday, November 14. It remains to be seen if this motion will receive a better level of support than the last.

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MaInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford hereby supports and endorses the Township of Montague Resolution No. 104-2017 dated September 19, 2017 regarding the on-call provisions of Bill 148, Fair Workplaces, Better Jobs Act, 2017; and

That this resolution be forwarded to Premier Wynne, Minister of Labour Kevin Flynn, MPP Steve Clark, the Association of Municipalities in Ontario, and all Ontario municipalities.

Carried / Defeated

David Nash, Mayor

THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE



6547 ROGER STEVENS DRIVE
P.O. BOX 755
SMITHS FALLS, ON K7A 4W6
TEL: (613) 283-7478
FAX: (613) 283-3112
www.township.montague.on.ca

Town of Mono
Schedule A
Council Session 16-2017

October 2nd, 2017

Honourable Kathleen Wynne, Premier of Ontario
Legislative Building - Room 281
Queen's Park
Toronto Ontario, M7A 1A1
Via Email

Dear Premier Wynne,

Please be advised the Council of the Township of Montague passed the following resolution at its meeting of Committee of the Whole of September 19th, 2017:

MOVED BY: K. Van Der Meer RESOLUTION NO: 104-2017
SECONDED BY: I. Streight DATE: September 19, 2017

WHEREAS The Township of Montague maintains a motivated and well-functioning volunteer fire department;

AND WHEREAS changes proposed to on-call provisions in the Employment Standards Act by Bill 148 will result in exorbitant tax increases to maintain fire prevention services in a rural municipality;

AND WHEREAS many Ontario municipalities will be unable to maintain fire services if this change is enacted;

AND WHEREAS the Association of Municipalities of Ontario has submitted a position paper to the Ontario government specifically requesting the exemption of all municipal volunteer firefighters;

NOW THEREFORE The Township of Montague requests that all municipal employees be specifically exempted from the on-call changes proposed by Bill 148;

AND That the Township of Montague request that the government of Ontario conduct a full economic impact study of Bill 148 to study the effect of the Bill on businesses and municipalities across Ontario;

AND That this resolution be circulated to Premier Kathleen Wynne, Minister of Labour Kevin Daniel Flynn, the Association of Municipalities of Ontario and all Ontario municipalities.

CARRIED

**THE CORPORATION OF THE
TOWNSHIP OF MONTAGUE**



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P.O. BOX 755
SMITHS FALLS, ON K7A 4W6
TEL: (613) 283-7478
FAX: (613) 283-3112
www.township.montague.on.ca

Please contact me if you have any additional questions.

Thank you,

A handwritten signature in black ink, appearing to read "Jasmin Ralph".

Jasmin Ralph
Clerk

Cc: Minister of Labour Kevin Daniel Flynn;
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

From: David Nash [<mailto:mayor@merrickville-wolford.ca>]
Sent: October-20-17 10:55 AM
To: Shawn Pankow
Cc: John Regan; 'Anne Barr'; Chuck; David; Kim Weedmark; steve; Vic
Subject: RE: Arena agreement

Hi Shawn,

I'm sorry you had difficulty reaching me.

I did not receive a voice mail message and therefore was not aware of your call.

I have the following comments to make regarding your email.

Our residents have never been denied an opportunity to address council.

There are two options available to them which are to ask questions during at least two open question periods on every agenda or to address council as a delegation which would allow them 10 minutes to present to council.

The delegation status is also available to you. The request has to be received in writing by our CAO by 4:30pm on the Wednesday preceding the council meeting. It should include a copy or description of your presentation. We normally allow 2 delegations per meeting.

Council meets on the second and 4th Monday of the month.

I take offence to your comments that we are looking for a free ride, disguising addresses or hoping to slip thru the cracks.

I appreciate your comment that there is a solution to every problem and your offer to help in any way.

I believe we both appreciate and value the importance of a good working relationship between our two municipalities and the opportunities it can present to both of us to reduce our operating costs and best serve our residents.

The solution to me appears to be quite simple. The issue has always come down to how can we verify the number of users.

If your council was to put back in place for this year only a user fee of \$200/user which we would fully subsidize our residents there would be no incentive to as you claim conceal an address. I believe there might even be an easy solution which our councils would have to approve that might allow them to register with you and upon verification with our residents by our staff we cut you a cheque thereby not burdening the residents with any upfront costs.

If your numbers are what you claim then our cost would be considerably higher than what the cost sharing agreement is asking for and would certainly encourage our council to enter into the agreement next year.

This would certainly be much better for both municipalities than the lose /lose scenario we now have.

Respectfully yours

David



David Nash

Mayor

Village of Merrickville-Wolford

Box 340, 317 Brock Street West

Merrickville, ON



SMITHS FALLS

RISE AT THE FALLS



Mayor Nash,

As a follow up to the option presented by the Merrickville - Wolford resolution to pay \$200 per resident for access to the Smiths Falls Memorial Centre, we have collected user information from the Merrickville-Wolford residents we could identify and will be submitting an invoice shortly.

The list contains information for 167 residents using the facilities and as such represents a cost of \$33,400. We recognize that this amount represents a significant increase in the \$15,727.50 identified by the Recreation cost sharing agreement based on assessment values in the catchment areas. I would note that the assessment information was based on the catchment areas for sporting organizations that use the Smiths Falls facilities and was an estimate of the number or Merrickville-Wolford residents who might use the facilities. This number does not include residents who may use the walking track or attend other events at the facilities.

We value our partnerships with neighbouring municipalities as we all seek to bring value to our tax paying citizens. Recognizing that the per capita cost being invoiced is much greater than the amount indicated in the recreation contribution agreement (\$33,400 vs the \$15,727.50), we would like to suggest that we are still open to you endorsing the recreation cost sharing agreement. We will be happy to have the residents of Merrickville-Wolford as partners in this service.

I would look forward to hearing your thoughts on the issue.

Thank you for your consideration and I look forward to working together to provide extraordinary value for our respective residents and partners.

Sincerely



Shawn Pankow
Mayor, Smiths Falls

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 17

Date: November 14, 2017

Moved by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Seconded by: Barr Ireland MacInnis Snowdon Suthren Weedmark

Be it hereby resolved that:

This regular meeting of the Council of the Corporation of the Village of Merrickville-Wolford

does now adjourn at p.m. until the next regular meeting of council on Monday,

November 27, 2017 at 7:00 p.m., or until the call of the Mayor subject to need.

Carried / Defeated

David Nash, Mayor