



The Corporation of the Town of Tecumseh

Legislative & Clerk Services

To: Mayor and Members of Council

From: Laura Moy, Director Legislative Services & Clerk

Date to Council: January 25, 2022

Report Number: LCS-2022-01

Subject: Open and Closed Meetings for 2021

Recommendations

It is recommended:

That Report LCS-2022-01 entitled “ Open and Closed Meetings for 2021, **be received.**

Background

The purpose of this report is to provide information on the number and length of open and closed meetings Council holds annually and to ensure the Town's actions are transparent to the public. In accordance with Section 270 of the *Municipal Act, 2001* (Act) and the Town's Transparency and Accountability Policy No. 61, Council is to be accountable to the public for its actions and to ensure that the manner in which the Town operates is transparent.

Section 239 of the Act states that all meetings shall be open to the public. A meeting, or part of a meeting, may be closed to the public if the subject matter being considered is:

- 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;
- 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.

Section 239 of the Act also allows for closed meetings when the subject matter being considered is a request under the *Municipal Freedom of Information and Protection of Privacy Act*; or when the meeting is being held for the purpose of educating or training the Members and no discussion is held on matters that in any way materially advances the business or decision-making of the Council.

The Town's Council Procedural By-law No. 2020-13, as amended, (Procedural By-law) also confirms that closed meeting obligations are met. The Procedural By-law was updated in February 2020 to be consistent with and in compliance with the Act, at that time, and for housekeeping matters. It was subsequently amended following the Declarations of Emergency by both the Province and the Mayor, under the authority of the *Emergency Management and Civil Protection Act*, due to the COVID-19 pandemic. The amendments allow for Council, Committee and Board meetings to be held electronically and for the members' electronic participation to be counted towards quorum while there is a Declaration of Emergency.

A person may request an investigation be undertaken by the Ombudsman of whether the Town has complied with section 239 or its Procedural By-law in respect of a meeting, or part of a meeting, that was closed to the public.

Comments

The following information has been compiled on open and closed Council meetings for 2021. The meetings are presented in three open categories:

1. Regular Council Meetings (RCM)
2. Public Council Meetings (PCM), and
3. Special Council Meetings (SCM)

The meetings held in closed sessions (In-Camera Council Meetings) are also shown.

Table A - 2021 Council Meetings

Table A below provides a summary of the number of meetings, number of agenda items, total duration of meetings and average duration of meetings for each type of meeting held in 2021.

The agenda items include: delegations, communication motions, reports, one item representing all by-laws, and motions passed under unfinished business, new business and motions.

Meeting Type	# of Meetings	# of Agenda Items	Total Duration	Average Duration
RCM	21	319	40 hrs. 21 min.	1 hr. 55 min.
PCM	16	69	9 hrs. 21 min.	35 min.
SCM	8	32	19 hours 55 min.	2 hrs. 29 min.
In-Camera	19	58	16 hours 12 min.	51 min.

Table B - 2020 Council Meetings

Table B gives a summary of the 2020 meetings, including the number of meetings, number of agenda items, total duration of meetings and average duration of meetings for each type of meeting.

Meeting Type	# of Meetings	# of Agenda Items	Total Duration	Average Duration
RCM	22	291	26 hrs. 55 min.	1 hr. 13 min.
PCM	8	39	3 hrs. 53 min.	29 min.
SCM	6	11	7 hrs. 47 min.	1 hr. 17 min.
In-Camera	6	16	4 hrs. 52 min.	48 min.

Table C – 2019 to 2021 Council Meeting Averages

Table C shows the average number of meetings, number of agenda items, total duration of meetings and average duration of meetings held during the term from 2019 to 2021.

Meeting Type	# of Meetings	# of Agenda Items	Total Duration	Average Duration
RCM	22	305	33 hrs. 38 min.	1 hr. 34 min.
PCM	12	54	6 hrs. 37 min.	32 min.
SCM	7	22	13 hrs. 51 min.	1 hr. 53 min.
In-Camera	13	13	10 hrs. 32 min.	49 min.

Table D – 2015 to 2018 Council Meeting Averages – Term of Council

Table D shows the average number of meetings, number of agenda items, total duration of meetings and average duration of meetings held during the 2015-2018 term of Council.

Meeting Type	# of Meetings	# of Agenda Items	Total Duration	Average Duration
RCM	20	317	32 hrs. 9 min.	1 hr. 39 min.
PCM	13	62.5	8 hrs. 28 min.	0 hr. 39 min.
SCM	9	21	18 hrs. 51 min.	2 hrs. 0 min.
In-Camera	10	26	7 hrs. 43 min.	0 hr. 45 min.

Analysis

Council normally meets on the second and fourth Tuesday of each month. This schedule is amended annually by eliminating two (2) meetings during the summer and one (1) meeting in at the end of December. The number of meetings will also vary each year as meetings may be cancelled due to conflicts with annual holidays or other municipal business, events and activities. The number of 2020 RCMs was greater than in 2021, due to the cancellation of the first meeting in August 2021.

To help stop the spread of COVID-19 and in adherence to provincial orders for persons to physically distance by 2 meters, on March 24, 2020, Council held its first meeting virtually via Zoom and continued to meet virtually throughout the remainder of 2020 and all of 2021.

The number of agenda items is slightly lower in 2020 than in 2021. Work assignments and priorities were impacted by the pandemic, particularly in 2020, with measures taken to address the safety of the public and Town staff.

The number of PCMs in 2021 increased from 2020. PCMs are generally held to receive public comment on drainage and planning matters, as required under the *Drainage Act* and *Planning Act*. The duration of meetings and agenda items will vary depending on the level of public interest and engagement on the subject meeting matters. By way of Provincial Order, the timelines to deal with matters under the *Planning Act* and other legislation were suspended due to COVID-19. The use of virtual platforms was implemented in mid 2020 for public consultation and engagement. The first virtual PCM was held in August regarding an application under the *Planning Act*.

SCMs typically include annual recurring meetings for the purposes of strategic planning and priority setting, annual capital projects, awards and committee appointments, and draft budget reviews for the following year.

There were more SCMs held in 2021 than in 2020 attributable in part to the cancellation of the 2020 road tour and budget deliberations carrying into 2021. There were presentations given in 2021 at SCMs from the consultants conducting an Organization Review and Information Technology Service Review. Additionally, presentations were given on the new Community Safety Well Being Plan.

In 2021, the most common reasons for meetings to be called In-Camera were to consider the acquisition and disposition of land and labour relations. The number of closed meetings will fluctuate each year depending on current issues and events. There were 19 meetings held in closed session in 2021, greater than the six In-Camera meetings in 2020, and more than the average for the prior term of Council.

Consultations

None

Financial Implications

There are no financial implications relating to this report.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Sue White
Administrative Assistant to Director Legislative Services & Clerk

Reviewed by:

Laura Moy, Dipl. M.M.
Director Legislative Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None