

# Municipality of Lakeshore – Report to Council

## Strategic & Legal Affairs



**To:** Mayor & Members of Council  
**From:** Kristen Newman, Corporate Leader – Strategic & Legal Affairs  
**Date:** February 2, 2023  
**Subject:** Amendment to the Procedural By-law – Hybrid Meetings & Electronic Voting

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### Recommendation

Direct the Clerk to read By-law 18-2023, being a By-law to Amend By-law 94-2017 being a Comprehensive By-law to Provide Rules Governing the Proceedings of the Council of the Town of Lakeshore and the Conduct of its Members, to amend the provisions of the by-law to enable electronic voting by Council Members and clarify the by-law in relation to hybrid meetings, as further described in the report presented at the February 14, 2023 Council meeting.

### Background

Administration recommends amendments to the Procedural By-law for 2 purposes:

- 1) To clarify that Council Members, members of Administration and members of the public may attend in person or virtually; and
- 2) To enable electronic voting by Council Members.

### Comments

The amendments associated with Hybrid Meetings are intended to clarify the electronic attendance provisions in the Procedural By-law which were implemented to allow electronic meetings during the COVID pandemic when Council Members, members of Administration, and members of the public were not permitted entry to Council Chambers in order to ensure physical distancing and reduce COVID-19 transmission.

The second set of amendments to enable electronic voting for Council Members is associated with a longer term plan to implement further electronic meeting management measures. In March 2019, as part of the 2019 Budget, Council approved the purchase and implementation of an electronic agenda and meeting management system. When the Municipality of Lakeshore procured the eScribe agenda production module, one of the benefits of the system procured was an electronic voting system. The electronic voting system will enable Council Members to indicate their vote in the agenda/meeting

management system (eScribe) and for the Chair to easily view the results of the vote and helping to avoid any confusion as to a Member’s vote which sometimes result from delays in putting one’s hand up or down or virtual lags as a result of virtual attendance.

The following table summarizes the changes to the By-law:

By-law Section	Current Provision	Proposed Amendment
Interpretation/ Definitions  1.1*	<p><b>“Electronic Attendance”</b> means attendance at a meeting by use of video-enabled technology that:</p> <ul style="list-style-type: none"> <li>i. enables all of the meeting’s participants to hear and speak with each other, and</li> <li>ii. enables the public to hear the statements and votes of the Council Members during the part of the meeting that is open to the public.</li> </ul>	<p><b>“Electronic Attendance”</b> means attendance at a meeting by use of video-enabled technology that:</p> <ul style="list-style-type: none"> <li>i. enables all of the meeting’s participants to <b>see</b>, hear and speak with each other, and</li> <li>ii. enables the public to hear the statements and <b>hear or see the</b> votes of the Council Members during the part of the meeting that is open to the public.</li> </ul>
Interpretation/ Definitions  1.1*	<p>[nothing]</p>	<p><b>“Hybrid Meeting”</b> means a Meeting conducted in a manner that permits both <b>Electronic and in person attendance by Members of Council, members of Administration and members of the public.</b></p>
Interpretation/ Definitions  1.1*	<p><b>“Quorum”</b> means the number of members of Council who must be present in person in order that business can be legally transacted. (The quorum for the purpose of Town of Lakeshore Council Meetings shall be 5 Members of Council.) For Committees, quorum means the majority of the whole number of appointed members who are present in person.</p>	<p><b>“Quorum”</b> means the number of members of Council who must be present in the meeting in order that business can be legally transacted. (The quorum for the purpose of Council Meetings shall be 5 Members of Council.) For Committees, quorum means the majority of the whole number of appointed members who are present.</p>

<p>Location of Meetings</p> <p>3.2</p>	<p>a) All Regular and Special meetings of Council shall be held virtually in a manner that permits Electronic Attendance by all Council Members.</p>	<p>a) All Regular and Special meetings of Council shall be held <b>as Hybrid Meetings, unless an emergency dictates otherwise, in which case notice should be issued to the public in whatever means is practicable in the circumstance.</b></p>
<p>Electronic Attendance by Council Members at Meetings</p> <p>3.6.1</p>	<p><b>3.6.1 Electronic Attendance by Council Members at Meetings</b></p> <p>f) In the event that a Member is disconnected from a meeting held virtually, the Chair shall announce a recess until it is determined whether or not the virtual connection can be re-established, at which time the Clerk shall attempt to contact the Member by an alternative method of communication and permit the Member time to re-establish the connection.</p>	<p><b>3.6.1 Electronic Attendance by Council Members at Meetings</b></p> <p>a) Members attending the meeting through means of Electronic Attendance shall be included in the calculation of quorum as and where permitted by the <i>Municipal Act, 2001</i>.</p> <p>b) In the event that a Member is disconnected from a meeting <b>while attending the meeting in a virtual manner</b>, the Chair shall announce a recess until it is determined whether or not the virtual connection can be re-established, at which time the Clerk shall attempt to contact the Member by an alternative method of communication and permit the Member time to re-establish the connection.</p>
<p>Rules for Presenters</p> <p>7.3</p>	<p>7.3.1 Members of the Public shall attend the meeting virtually by use of telephone, video or a combination of both.</p> <p>7.3.2 Members of the Public shall:</p> <p>a) Respect the decorum of Council;</p>	<p><b>7.3.1 Members of the Public may attend the meeting in person, or by use of telephone, video or a combination of both. In the event that a Member of the public is disconnected, the Chair may do any one or a combination of the following:</b></p> <p><b>(a) call a recess to permit the member of the public time to reconnect;</b></p> <p><b>(b) move to the next item on the</b></p>

	<p>b) Where possible, mute their microphones while not speaking; and</p> <p>c) Refrain from public outbursts, shouting, or behaviour intended to disrupt the debate, discussion and/or general proceedings of the meeting.</p>	<p>agenda, while allowing time for the member of the public to reconnect; and</p> <p>(c) having provided sufficient opportunity for the member of the public to reconnect, proceed with the matter; and</p> <p>(d) take any other measures necessary to ensure a fair and transparent process.</p> <p><b>7.3.2</b> Members of the Public shall:</p> <p>a) Respect the decorum of Council;</p> <p>b) Where possible, mute their microphones while not speaking; and</p> <p>c) Refrain from public outbursts, shouting, or behaviour intended to disrupt the debate, discussion and/or general proceedings of the meeting; and</p> <p>d) When attending the meeting virtually, ensure that they have a stable connection to facilitate attending in a virtual manner.</p>
<p>Voting Procedures</p> <p>9.1</p>	<p>9.1 Every Member present at a meeting of the Council or Committee when a question is put, shall vote, unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting. A Member attending the meeting through means of Electronic Attendance shall vote by audibly stating “in favour” or “opposed”.</p>	<p>9.1 a) Every Member present at a meeting of the Council or Committee when a question is put, shall vote, unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason that they are prohibited from voting.</p> <p>b) A Member shall indicate their vote by selecting the option in the Electronic Voting Tool, where available. If the Electronic Voting Tool is not available for any reason, the Member shall advise the Chair and audibly state if “in</p>

		<b>favour” or “opposed” to the motion.</b>
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\*For ease and clarity of amendment the entire definition section is repealed and replaced in order to ensure correct alphabetization of definitions.

### **Others Consulted**

eScribe

### **Financial Impacts**

There are no additional financial implications associated with this report.

### **Report Approval Details**

Document Title:	Procedural By-law Amendment - Electronic Voting and Hybrid Meetings.docx
Attachments:	
Final Approval Date:	Feb 8, 2023

This report and all of its attachments were approved and signed as outlined below:

Prepared by Kristen Newman

Approved by Justin Rousseau and Truper McBride