

Regular Council AGENDA

Monday, January 14, 2019 at 4:00 P.M. Council Chambers, Victoria Hall, Cobourg

A Regular Council meeting of the Cobourg Municipal Council will be held on Monday, January 14, 2019 at 4:00 P.M. in the Council Chambers, Victoria Hall, Cobourg.

- I CALL TO ORDER
- II MOMENT OF REFLECTION
- III ADDITIONS TO THE AGENDA
- 1. Presentation, Mandy Robinson, Cobourg Town Crier, regarding the history of the Town Crier through the Ages to Present Day.
- IV DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST
- V ADOPTION OF MINUTES OF THE PREVIOUS MEETING
- 1. Adoption of the Special Council Meetings held on November 26, 2018, and the 8 16 Inaugural Council Meeting held on December 3, 2018.

<u>Action Recommended:</u> THAT Council adopt the Minutes of the Special Council Meetings held on November 26, 2018, and the Inaugural Council Meeting held on December 3, 2018.

VI PRESENTATIONS

- 1. Mandy Robinson, Town Crier, Town of Cobourg, regarding the History of the Town Crier and the transition of the Town Crier role to the present day.
- VII <u>DELEGATIONS</u>
- VIII DELEGATION ACTIONS

IX REPORTS

Economic Development Services

1. Memo from the Economic Development Officer, regarding Lucas Point 17 - 20 Business and Industrial Park Sale of Land.

Action Recommended: THAT Council approve acceptance of an offer received for the purchase of 4.5 - acres in the amount of \$30,000.00 per acre and a Right of First Refusal for an additional 2 -acres of land, in Lucas Point Business and Industrial Park by 1978327 Ontario Ltd (Loadstar Trailers Trailers); and

FURTHER THAT Council authorize and endorse the preparation of by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute a Commercial Development Agreement with 1978327 Ontario Ltd for the purchase of sale of land in Lucas Point Business Industrial Park. (Dodge Street, Cobourg).

2. Memo from the Economic Development Officer from April 17, 2017 regarding 21 - 25 the purchase of land by 2364574 Ontario Inc (Vancor) and the Council approved Motion 144-17 and By-law No.033-2018 Development Agreement regarding 115 Dodge Street, Cobourg.

<u>Action Recommended:</u> THAT Council receive the Memo from the Economic Development Officer for information purposes.

General Government Services

1. Committee of the Whole Meeting Notes held on December 6, 2018, December 26 - 37 20, 2018, and January 7, 2019.

<u>Action Recommended:</u> THAT Council receive the Notes of the Committee of the Whole meetings on December 6, 2018, December 20, 2018, and January 7, 2019.

2. By-law No.00-2019 Town of Cobourg Municipal Council Procedural By-law 38 - 81 updates and amendments.

Action Recommended: THAT Council receive the Draft Municipal Council Procedural By-law as amended at the January 7th, 2019 Committee of the Whole Meeting for information purposes; and

FURTHER THAT Council refer the Draft Municipal Council Procedural By-law to be placed on the January 28, 2019 Public Meeting Agenda in order to receive public submissions on the amended Procedural By-law for Council consideration.

Public Works Services

1. Memo from the Manager of Engineering and Capital Projects regarding the 82 - 83 Transfer of Lands of 53 and 55 Albert Street, Cobourg (Millstone Bread).

Action Recommended: THAT Council authorize and endorse the preparation of by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute an agreement with 2183419 Ontario Ltd (Known as Millstone Bread) for the transfer of lands known as Part 2 on Registered Plan 39R12127 (53 and 55 Albert Street, Cobourg).

X MOTIONS

General Government Services

- 1. Resolution regarding Banking authorization for the Corporation of the Town of 84 85 Cobourg and the Royal Bank of Canada.
- 2. Motion from the Committee of the Whole regarding the appointment a 86 Municipal Integrity Commissioner, Municipal Ombudsman, and Closed Meeting Investigator for the Corporation of the Town of Cobourg.
- 3. Motion from the Committee of the Whole, regarding the Unfinished 87 Business/Referred Items from the 2014 2018 Council Term.
- 4. Motion from the Committee of the Whole, regarding Private Retail Cannabis 88 Establishments in the Town of Cobourg.
- 5. Motion from the Committee of the Whole, to appoint various Members to the 89 90 Cobourg Heritage Advisory Committee, the Committee of Adjustment/Property Standards Committee, the Cobourg Police Services Board, and the Cobourg Downtown Business Improvement Area (DBIA) Board.
- 6. Motion from the Committee of the Whole regarding the creation of an Ad Hoc 91 Committee regarding the location of Christmas Magic in Cobourg for 2019.
- 7. Motion from the Regular Council Meeting, regarding the appointment of 92 93 Council Coordinator Roles and their alternates, and the appointment of Council representatives to various Committees, Boards and Staff Working Groups.

Community Services

1. Motion from the Committee of the Whole, to appoint various Members to the 94 Cobourg Public Library Board.

XI BY-LAWS

Economic Development Services

- 1. By-law No.001-2019, being a by-law to authorize execution of a Sale of Land 95 97 Agreement with 1978327 Ontario Ltd. (Loadstar Trailers), and the Town of Cobourg. (Dodge Street, Cobourg).
 - Action Recommended: THAT Council adopt By-law No.001-2019, being a by-law to authorize execution of a Sale of Land Agreement with 1978327 Ontario Ltd. (Loadstar Trailers Trailers), and the Town of Cobourg.
- 2. By-law No.002-2019, being a by-law to authorize execution of a Sale of Land 98 Agreement with 2364574 Ontario Ltd. (Vancor), and the Town of Cobourg. 100 (Thompson Street and Dodge Street, Cobourg).

<u>Action Recommended:</u> THAT Council adopt By-law No.002-2019, being a by-law to authorize execution of a Sale of Land Agreement with 2364574 Ontario Ltd. (Vancor), and the Town of Cobourg.

General Government Services

- 1. By-law No.003-2019, being a by-law to authorize an interim Tax Levy and to 101 provide for the collection of taxes and penalty and interest charges. 102
 - <u>Action Recommended:</u> THAT Council adopt By-law No.003-2019 being a by-law to authorize an interim Tax Levy and to provide for the collection of taxes and penalty and interest charges.
- 2. By-law No.004-2019, being a by-law to authorize borrowing from time to time to 103 meet current expenditures during the fiscal year ending December 31, 2019.

<u>Action Recommended:</u> THAT Council adopt By-law No.004-2019 being a by-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019.

Public Works Services

By-law No.005-2019, being a by-law to dedicate the lands Part 2, of Plan 39R- 105 13825 (known as 100 University Avenue East, Cobourg) as a Public Highway 106 within the Town of Cobourg.

Action Recommended: THAT Council adopt By-law No.005-2019 being a by-law to dedicate the lands Part 2, of Plan 39R-13825 (known as 100 University Avenue East, Cobourg) as a Public Highway within the Town of Cobourg.

2. By-law No.006-2019, being a by-law to dedicate the lands, Part 2 on 107 Registered Plan 39R12127 (known as 53 and 55 Albert Street, Cobourg - 108 Millstone Bread) as a Public Highway within the Town of Cobourg.

<u>Action Recommended:</u> THAT Council adopt By-law No.006-2019 being a by-law to dedicate the lands Part 2 on Registered Plan 39R12127 (known as 53 and 55 Albert Street, Cobourg) as a Public Highway within the Town of Cobourg.

General Government Services

- 1. THAT the following By-laws be passed:
 - By-Law No.001-2019, a By-law to authorize execution of a Commercial Development Agreement with 1978327 Ontario Ltd. (Loadstar Trailers Trailers), and the Town of Cobourg. (Dodge Street, Cobourg);
 - By-law No.002-2019, a By-law to authorize execution of a Sale of Land Agreement with 1317895 Ontario Ltd. (Vancor), and the Town of Cobourg. (Thompson Street and Dodge Street, Cobourg).
 - 3. By-law No.003-2019, a By-law to authorize an interim Tax Levy and to provide for the collection of taxes and penalty and interest charges;
 - 4. By-law No.004-2019, a By-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019;
 - 5. By-law No.005-2019, a By-law to dedicate the lands Part 2, of Plan 39R-13825 (known as 100 University Avenue East, Cobourg) as a Public Highway within the Town of Cobourg;
 - By-law No.006-2019, a By-law to dedicate the lands of Part 2 on Registered Plan 39R12127 (known as 53 and 55 Albert Street, Cobourg) as a Public Highway within the Town of Cobourg.

THAT leave be granted to introduce By-law # 001-2019 to By-law # 006-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XII PETITIONS

Petition submitted by Debbie Davis, on behalf of concerned parents from Terry 109
 Fox Public School, regarding amendments to the No Parking Restrictions on 110
 Riddell Street and the end of White Street. (Public Works Coordinator).

<u>Action Recommended:</u> THAT Council receive the petition for information purposes; and

THAT Council direct the petition to Public Works Staff for a report back to Council.

XIII NOTICE OF MOTION

1. Notice of Motion, Deputy Mayor Seguin, Coordinator of General Government 111 Services, regarding the Floating Playground at Victoria Park Beach.

<u>Action Recommended:</u> THAT Council refer the Notice of Motion to the January 28th, 2019 Committee of the Whole meeting for consideration.

XIV CORRESPONDENCE

- Minutes from the November 29th, 2018 Ganaraska Region Conservation 112
 Authority (GRCA) Board of Directors.
 115
 - <u>Action Recommended:</u> THAT Council receive the November 29, 2018 Ganaraska Region Conservation Authority (GRCA) Board of Directors Meeting Minutes for information purposes.
- Correspondence from Linda Davis, President and CEO of Northumberland Hills 116
 Hospital, regarding recognition and thanks to the Town of Cobourg Parks 117
 Department in supplying the Hospital with Poinsettias for the Holiday Season.
 - <u>Action Recommended:</u> THAT Council receive the correspondence for information purposes.
- 3. Correspondence from Linda MacDonald, requesting an exemption to Section 118 2.9 of the Animal Control By-law No.021-2014 regarding the number of Dogs 132 allowed within any dwelling unit for properties with two (2) or more dwelling units. (Protection Services Coordinator).

<u>Action Recommended:</u> THAT Council refer the request for an exemption to the Animal Control By-law No.021-2014 to the Legislative Services Department to be brought back to Council for a decision.

XV COUNCIL/COORDINATOR ANNOUNCEMENTS

- 1. Members of Council presented verbal reports on matters within their respective areas of responsibility:
 - Mayor Henderson, Economic Development Services Coordinator
 - Deputy Mayor Séguin, General Government Services Coordinator
 - Councillor Beatty, Planning Services Coordinator
 - Councillor Burchat, Protection Services Coordinator
 - Councillor Bureau, Community Services Coordinator
 - Councillor Chorley, Parks and Recreation Services Coordinator
 - Councillor Darling, Public Works Services Coordinator

XVI UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 079-2017.

XVII CLOSED SESSION

XVIII CLOSED SESSION ACTION ITEM

XIX ADJOURNMENT



SPECIAL COUNCIL MEETING MINUTES

November 26, 2018 Council Chambers, Victoria Hall, Cobourg

A Special meeting of the Cobourg Municipal Council was held this evening at 4:00 p.m. in the Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Mayor Gil Brocanier

Deputy Mayor John Henderson

Councillor Brian Darling
Councillor Forrest Rowden
Councillor Debra McCarthy
Councillor Aaron Burchat
Councillor Suzanne Séguin

Staff present: Ian Davey, Treasurer/Director of Corporate Services

Glenn McGlashon, Director of Planning and Development

Dean Hustwick, Director of Recreation and Culture

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The meeting was called to order by His Worship Mayor Brocanier and was opened with a Moment of Reflection.

ADDITIONS TO THE AGENDA

DISCLOSURE OF PECUNIARY INTEREST

There were no Declarations of Pecuniary Interest declared by Members of Council.

ADOPTION OF MINUTES OF THE PREVIOUS MEETING

Adoption of the October 1, 2018 Regular Council meeting minutes.

Moved by Deputy Mayor Henderson, Seconded by Councillor Darling: THAT Council adopt the minutes of the Regular Council meeting held on Monday, October 1, 2018. Attached herewith as Annex 'A'.

304-18 Carried

PRESENTATIONS

<u>Linda Laliberte, Chief Administrative Officer/Secretary-Treasurer, Ganaraska Region Conservation Authority, regarding the GRCA 2019 Preliminary Budget.</u>

L. Laliberte attended the meeting to discuss the Ganaraska Region Conservation Authority 2019 Preliminary Budget.

After a question and answer period, L. Laliberte was excused from the meeting (4:30 P.M.).

REPORTS

General Government Services

<u>Correspondence from the Ganaraska Region Conservation Authority (GRCA), regarding the 2019 Preliminary Budget.</u>

Moved by Deputy Mayor Henderson, Seconded by Councillor Darling: THAT Council receive the Ganaraska Region Conservation Authority 2019 Preliminary Budget for information purposes.

305-18 Carried

Memo from John Ewart, Town of Cobourg Municipal Ombudsman, regarding a Town of Cobourg Ombudsman Complaint 1-2018.

Moved by Deputy Mayor Henderson, Seconded by Councillor Burchat: THAT Council receive the Municipal Ombudsman report for information purposes; and

FURTHER THAT Council refer the Municipal Ombudsman recommendations to Staff to be brought forward in a report to the newly elected Municipal Council for consideration.

306-18

(AMENDMENT): Moved by Councillor Darling, Seconded by Councillor Rowden: THAT the Municipal Ombudsman provides clarification of his process, findings and recommendations based upon his analysis of the investigation pursuant to the Municipal Ombudsman Investigation Policy, the *Municipal Act, 2001* and the *Ombudsman Act*, and

FURTHER THAT Council refer the Municipal recommendations and clarifications to be brought forward in a report to the newly elected Municipal Council for consideration.

307-18

Carried

Moved by Deputy Mayor Henderson, Seconded by Councillor Burchat: THAT Council receive the Municipal Ombudsman report for information purposes; and

FURTHER THAT the Municipal Ombudsman provides clarification of his process, findings and recommendations based upon his analysis of the investigation pursuant to the Municipal Ombudsman Investigation Policy, the *Municipal Act*, 2001 and the *Ombudsman Act*, and

FURTHER THAT Council refer the Municipal recommendations and clarifications to be brought forward in a report to the newly elected Municipal Council for consideration.

308-18

Carried

Planning and Development Services

Memo from the Manager of Planning Services, regarding an Application to approve the Draft Plans of Subdivision and Condominium Conditions for the Nickerson Drive at D'Arcy Street Project, (Nickerson Woods Subdivision), 2020910 Ontario Inc. (LeBlanc Enterprises Ltd.).

Moved by Councillor Burchat, Seconded by Councillor Rowden: THAT Council receive the report from the Manager of Planning Services for information purposes; and

FURTHER THAT Council approve the Draft Plans of Subdivision and Condominium Conditions for the Nickerson Drive at D'Arcy Street Project, known as the Nickerson Woods Subdivision, as attached to the report as Schedule 'C' and Schedule 'D' respectfully.

Memo from the Senior Planner - Development, regarding Notice of Complete Application - Site Plan Approval: Lot 87, Block 93 & Block 94, Plan 39M-875, Lonsberry Drive (East Village Subdivision - Stage 3) 1141897 Ontario Ltd. (Stalwood Homes).

Moved by Councillor Burchat, Seconded by Councillor Rowden: THAT Council receive the report from the Senior Planner - Development for information purposes; and

FURTHER THAT Council refer the Notice of Complete Application - Site Plan Approval to the Planning Department for a report.

310-18 Carried

Memo from the Senior Planner - Development, regarding, a request for an Exemption to Part Lot Control, Lot 87, Block 93 & Block 94, Lonsberry Drive (East Village Subdivision - Stage 3) Stalwood Homes.

Moved by Councillor Burchat, Seconded by Councillor McCarthy: THAT Council receive the staff report from the Senior Planner - Development for information purposes; and

FURTHER THAT the attached By-law be endorsed and be presented to Council for adoption and final approval to exempt Lot 87, Block 93 an Block 94, Plan 39M-875 (Lonsberry Drive) in East Village Subdivision - Stage 3 from the Part Lot Control provisions of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended.

311-18 Carried

Memo from the Senior Planner - Development, regarding a request for an Exemption to Part Lot Control, Blks 43, 44, 45 & 46, Plan 39M-875, Morgan Street (East Village Subdivision - Stage 3) Stalwood Homes.

Moved by Councillor Burchat, Seconded by Councillor Rowden: THAT Council receive the staff report from the Senior Planner - Development for information purposes; and

FURTHER THAT the attached By-law be endorsed and be presented to Council for adoption and final approval to exempt Lots 43-46 inclusive, Plan 39M-875 (Morgan Street) in the East Village Subdivision - Stage 3, from the Part Lot Control provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

312-18 Carried

MOTIONS

Planning and Development Services

Motion from the Special Council meeting, regarding application to approve the Draft Plans of Subdivision and Condominium Conditions for the Nickerson Drive at D'Arcy Street Project, (Nickerson Woods Subdivision) 2020910 Ontario Inc. (LeBlanc Enterprises Ltd.).

Moved by Councillor Burchat, Seconded by Councillor Darling: WHEREAS the Special Council has considered a memo from the Manager of Planning Services, regarding an application to approve the Draft Plans of Subdivision and Condominium Conditions for the Nickerson Drive at D'Arcy Street Project, (Nickerson Woods Subdivision) 2020910 Ontario Inc. (LeBlanc Enterprises Ltd.);

NOW THEREFORE BE IT RESOLVED THAT Council approve the Draft Plan of Subdivision and Condominium Conditions for the Nickerson Woods Subdivision as affixed to this resolution as Schedule 'C' and Schedule 'D'. Attached herewith as Annex 'B'.

BY-LAWS

Planning and Development Services

By-law No. 052-2018, being a by-law to designate lands not subject to Part Lot Control (Lots 43, 44, 45 and 46, Plan 39M-875, Morgan Street, East Village Subdivision - Stage 3).

Moved by Councillor Burchat, seconded by Councillor McCarthy: THAT Council adopt By-law No. 052-2018, being a by-law to designate lands not subject to Part Lot Control (Lots 43, 44, 45 and 46, Plan 39M-875, Morgan Street, East Village Subdivision - Stage 3). Attached herewith as Annex 'C'.

314-18 Carried

By-law No. 053-2018, being a by-law to designate lands not subject to Part Lot Control (Lot 87, Block 93 and Block 94, Plan 39M-875, Lonsberry Drive, East Village Subdivision - Stage 3).

315-18 Carried

General Government Services

THAT the following By-laws be passed:

Moved by Deputy Mayor Henderson, Seconded by Councillor Rowden:

- By-law No. 052-2018, being a by-law to designate lands not subject to Part Lot Control (Lots 43, 44, 45 and 46, Plan 39M-875, Morgan Street, East Village Subdivision - Stage 3); and
- 2. By-law No. 053-2018, being a by-law to designate lands not subject to Part Lot Control (Lot 87, Block 93 and Block 94, Plan 39M-875, Lonsberry Drive, East Village Subdivision Stage 3).

THAT leave be granted to introduce By-law No.052-2018 and By-law No.053-2018 and to dispense with the reading of the by-laws by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

AD.	JOI	JR	NI	ИE	ΞΝΤ

Moved by Councillor McCarthy: THAT the Meeting Adjourn (5:18 P.M.) 317-18		
Mayor	 Municipal Clerk	



SPECIAL COUNCIL MEETING MINUTES

November 26, 2018 Council Chambers, Victoria Hall, Cobourg

A Special meeting of the Cobourg Municipal Council was held this evening at 6:00 p.m. in the Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Mayor Gil Brocanier

Deputy Mayor John Henderson

Councillor Brian Darling Councillor Forrest Rowden Councillor Debra McCarthy Councillor Aaron Burchat Councillor Suzanne Séguin

Staff present: Ian Davey, Treasurer/Director of Corporate Services

Glenn McGlashon, Director of Planning and Development

Dean Hustwick, Director of Recreation and Culture

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The meeting was called to order by His Worship Mayor Brocanier.

CLOSED SESSION

Closed Session

Moved by Deputy Mayor Henderson: THAT Council meet in Closed Session prior to the Special Council Meeting at 6:00 P.M. in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

s. 239(1)(d) Labour relations or employee negotiations.

1. Labour Relations - Cobourg Professional Fire Association Local 1732 - Collective Agreement.

318-18 Carried

The Special Council Meeting reconvened at 6:15 P.M. in open session.

ADDITIONS TO THE AGENDA

DISCLOSURE OF PECUNIARY INTEREST

There were no Declarations of Pecuniary Interest declared by Members of Council.

REPORTS

General Government Services

Memo from the Human Resources Officer, regarding Labour Relations - Cobourg Professional Fire Association Local 1732 - Collective Agreement.

Moved by Deputy Mayor Henderson, Seconded by Councillor McCarthy: THAT Council receive the Report from the Human Resources Officer for information purposes.

319-18 Carried

MOTIONS

General Government Services

Motion from the Special Council meeting, regarding Labour Relations - Cobourg Professional Fire Association Local 1732 - Collective Agreement.

Moved by Deputy Mayor Henderson, Seconded by Councillor Burchat: WHEREAS the Special Council has considered a Memo from the Human Resources Officer regarding Labour Relations – Cobourg Professional Fire Association Local 1732 - Collective Agreement;

NOW THEREFORE BE IT RESOLVED THAT Council accept the terms of the Collective Agreement as amended through negotiations between the Town of Cobourg and the Cobourg Professional Fire Association Local 1732 effective January 1, 2017 – December 31, 2020.

320-18 Carried

ADJOURNMENT

<u>Adjournment</u>		
Moved by Councillor Rowden: THAT 321-18	the Meeting Adjourn (6:16 P.M.)	Carried
Mayor	Municipal Clerk	



INAUGURAL COUNCIL MEETING MINUTES

Monday, December 3, 2018 at 7:00 P.M. Concert Hall, Victoria Hall, Cobourg

The Inaugural Council meeting of the Cobourg Municipal Council was held this evening at 7:00 P.M. in the Concert Hall, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Mayor John Henderson

Deputy Mayor Suzanne Séguin

Councillor Brian Darling Councillor Aaron Burchat Councillor Nicole Beatty Councillor Adam Bureau Councillor Emily Chorley

Staff present: Ian Davey, Treasurer/Director of Corporate Services

Glenn McGlashon, Director of Planning and Development

Dean Hustwick, Director of Recreation and Culture

Laurie Wills, Director of Public Works

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The Inaugural Council Meeting of the 2018-2022 Cobourg Municipal Council was called to order by Municipal Clerk Brent Larmer at 7:03 P.M. in the Concert Hall, Victoria Hall, Cobourg.

TOWN CRIER - INAUGURAL MEETING OPENING

Mandy Robinson, Town Crier, Town of Cobourg

Town Crier Mandy Robinson recited a declaration in honour of the 2018-2022 Municipal Council Inaugural Meeting.

NATIONAL ANTHEM

Concert Band of Cobourg

The Concert Band of Cobourg preformed Canada's National Anthem.

INAUGURAL MEETING POETRY READING

Ted Amsden, Poet Laureate, Town of Cobourg

Cobourg Poet Laureate Ted Amsden recited a poem in honour of the 2018-2022 Municipal Council Inaugural Meeting.

OATH OF ALLEGIANCE AND DECLARATION OF OFFICE - MAYOR

His Worship Justice of the Peace Jack Le Blanc

Mayor John Henderson of the 2018-2022 Municipal Council made his Declaration of Office and Allegiance administered by His Worship Justice of the Peace Jack Le Blanc and Municipal Clerk Brent Larmer.

PRESENTATION OF MAYOR'S CHAIN OF OFFICE

His Worship Justice of the Peace Jack Le Blanc

Gil Brocanier, former Cobourg Mayor presented the Mayor's Chain of Office to His Worship Mayor J. Henderson.

OATH OF ALLEGIANCE AND DECLARATION OF OFFICE - DEPUTY MAYOR

His Worship Justice of the Peace Jack Le Blanc

Deputy Mayor Suzanne Seguin, of the 2018-2022 Municipal Council made her Declaration of Office and Allegiance administered by His Worship Justice of the Peace Jack Le Blanc and Municipal Clerk Brent Larmer.

OATH OF ALLEGIANCE AND DECLARATION OF OFFICE - COUNCILLORS

His Worship Justice of the Peace Jack Le Blanc

Member Councillors of the 2018-2022 Municipal Council made their Declaration of Office and Allegiance administered by His Worship Justice of the Peace Jack Le Blanc and Municipal Clerk Brent Larmer.

REMARKS ON BEHALF OF KIM RUDD MEMBER OF FEDERAL PARLIAMENT, NORTHUMBERLAND PETERBOROUGH SOUTH

Mrs. Kim Rudd, Member of Federal Parliament, Northumberland Peterborough South, provided correspondence and congratulations on behalf of the Government of Canada.

REMARKS, DAVID PICCINI, MEMBER OF PROVINCIAL PARLIAMENT, NORTHUMBERLAND- PETERBOROUGH SOUTH

Mr. David Piccini, Member of Provincial Parliament, Northumberland-Peterborough South, provided correspondence and congratulations on behalf of the Government of Ontario.

INAUGURAL ADDRESS

Mayor John Henderson

His Worship John Henderson delivered his Inaugural Address to start of the 2018-2022 Term of Municipal Council.

MOTIONS

General Government Services

Motion from the Inaugural Council Meeting, regarding the appointment of Council Coordinator roles for the 2018 - 2022 Council Term.

Moved by Deputy Mayor Suzanne Séguin, WHEREAS the duly elected 2018 – 2022 Council of the Town of Cobourg will be assigned various Coordinator responsibilities and will also represent the Council on Advisory Committees and Local Boards;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the Coordinator Appointments; and

FURTHER THAT Council appoint representatives to the Municipal Advisory Committees and Local Boards, and make further appointments at a later date in the new Term of Council following the review and recommendations of Municipal Staff on the potential creation, amendment or dissolution of Advisory Committees. Attached herewith an Annex 'A'.

ACKNOWLEDGMENTS AND ANNOUNCEMENT OF PUBLIC RECEPTION

Deputy Mayor Suzanne Séguin

Deputy Mayor Seguin extended his appreciation to all those participating in the Inaugural Council Meeting and to staff members involved in organizing the event.

Deputy Mayor Seguin acknowledged former Mayor Peter Delanty, Mayor Joan Chalovich, Mayor Gil Brocanier, and former Municipal Clerk Richard Stinson and Lorraine Brace.

Deputy Mayor Seguin extended an invitation to those present to attend a public reception following the Inaugural Council meeting.

ADJOURNMENT

<u>Adjournment</u>	
Moved by Deputy Mayor Seguin, (7:48 P.M.)	THAT the Inaugural Council Meeting Adjourn.
323-18	Carrie
Mayor	Municipal Clerk

OO	THE CORPORATION OF THE	TOWN OF COBOURG	
	STAFF REPORT		
COBOURG			
TO:	Mayor and Council		
FROM: TITLE:	Wendy Gibson Economic Development Officer		
DATE OF MEETING:	January 7, 2019		
TITLE / SUBJECT:	Lucas Point Land Sale		
REPORT DATE:	December 10, 2018	File #: M04 COMPLAINTS, COMMENDATIONS & INQUIRIES – Loadstar Inquiry	

1.0 STRATEGIC PLAN

This request falls within Council's Strategic Plan, Objective 3 - promoting diverse economic development opportunities, with a desired outcome to increase Cobourg's industrial / commercial tax base.

2.0 PUBLIC ENGAGEMENT

Lucas Point Business & Industrial Park Lands were previously designated surplus through the public engagement process.

3.0 RECOMMENDATION

THAT Council approve acceptance of an offer received for the purchase of 4.5-acres and a Right of First Refusal for an additional 2-acres of land, in the Lucas Point Business & Industrial Park by 1978327 Ontario Ltd. The parcel is located on Dodge Street fronting East as depicted in the attached aerial map.

4.0 ORIGIN

The Economic Development Department received an offer to purchase 4.5-acres of industrial land plus a request for a Right of First Refusal for an adjacent 2 acres to the West, from 1978327 Ontario Ltd.

5.0 BACKGROUND

In July of 2015, Mr. Joseph Hopper of Loadstar Trailers Inc. (also known as 1978327 Ontario Ltd.) inquired about purchasing land in Cobourg. Loadstar Trailers is currently

located at 2655 Lakeshore Road, Port Hope, ON.

The company is expanding and has outgrown it's current building. After lengthy negotiations with both private and municipal land options being discussed, Mr. Hopper has determined the 4.5 acres in Lucas Point to be the best option for construction of his new building. His plan is to construct a basic metal clad building of approximately 20,000 sq.ft. including office space. There will be space available to the rear for the circulation of trailers, and the erection of an accessory building for sandblasting and storage requirements.

Loadstar Trailers manufactures trailers of all types and sizes (example below).



The company currently employs 23. Future increases in demand for their products indicates a further addition onto the building within 5 years. For this reason, Mr. Hopper has requested a Right of First Refusal on an adjacent 2-acre parcel to the West (the rear) of the proposed building.

6.0 ANALYSIS

The Town's Planning Department staff have been consulted with regard to the location of the building and agree, that based upon the information provided, that the Dodge Street location is suitable, taking into account future development of this particular parcel of land within the park. It is further staff's opinion that the activities, as described by the proponent to be undertaken, are of an industrial nature and fit within the permitted uses of the Light Industrial zoning for this property.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

The land in Lucas Point is currently priced at \$40,000.00 per acre, negotiable upon business retention and/or job creation. Previous land sold in Lucas Point has not exceeded \$30,000.00 per acre. Mr. Hopper has made an offer in the amount of \$30,000.00 per acre and provided a \$5,000.00 deposit. Closing of the sale will not take place until the site plan has been approved.

8.0 CONCLUSION

THAT Council approve acceptance of an offer received for the purchase of 4.5-acres and a Right of First Refusal for an additional 2-acres of land, in the Lucas Point Business & Industrial Park by 1978327 Ontario Ltd. The parcel is located on Dodge Street fronting East as depicted in the attached aerial map.

9.0 <u>ATTACHMENTS</u> Loadstar Land Map 12_10_2018

Approved By: Department:

Stephen Peacock, Chief Administrative Officer CAO





CONFIDENTIAL STAFF REPORT

TO:	Stephen Peacock, C.A.O.		
FROM:	Wendy Gibson, Economic Development Coordinator		
DATE OF MEETING:	April 17, 2017		
REPORT TITLE/SUBJECT:	Lucas Point Business & Industrial Park Land Sale		
REPORT #:	Economic Development 01-2017	File# M04 COMPLAINTS, COMMENDATIONS & INQUIRIES – Vancor Inquiry	

1.0 RECOMMENDATION

It is recommended that an offer received for the purchase of 1.5 acres of land by 2364574 Ontario Inc., o/a Vancor (Mr. Herman Vander Schaaf) be discussed in closed session with Council on April 17th, 2017. It is further recommended that Council authorize the acceptance of this offer pending a review by the Town's Solicitor.

2.0 ORIGIN

Mr. Herman Vander Schaaf initiated an offer to purchase of land from the Town of Cobourg to construct a 5,000 sq. ft. industrial building.

3.0 BACKGROUND

Mr. Vander Schaaf delivered an offer to purchase a 1.5 acre industrial lot on the South East corner of Thompson and Dodge Streets in the Lucas Point Business & Industrial Park for the purposes of constructing a 5,000 sq.ft. building. He would further like to establish a "First Right of Refusal" on an adjacent 1.3 acre parcel for future expansion.

As stated in a letter from Mr. Vander Schaaf on March 23, 2017, Vancor has been installing insulated metal panels for large and small projects for the past 27 years. They have 30 years prior experience in housing, commercial, industrial and heavy construction across Canada and the United States. Their main focus has been in projects such as freezers, coolers, and food preparation and distribution buildings.

1

They were responsible for all the freezer and cooler panel work at the Agri-Food Venture Centre building in Colborne and are currently doing installations for Astral Construction at Weston Foods in Cobourg.

They are presently in the planning stages of a new venture. In November of 2016, they were the first commercial enterprise to be invited to the Aboriginal First Nations Conference in Ottawa. There they introduced their design for a super insulated house which was well received by the leaders of the conference. They expect that these houses will be widely used in aboriginal communities across Canada.

The facility they propose to build will be used to assemble all materials needed for these houses, including the steel frames which will be built by Simpson Welding in Alderville. The materials will be loaded onto trucks or into containers and shipped to the building sites.

Mr. Vander Schaaf estimates the business will require 10 to 15 employees and as the business grows they anticipate hiring more employees to facilitate the assembly/loading process.

The proposed 5,000 sq.ft. building will face east with a potential for entrances on both Thompson and Dodge Streets. Although not depicted on the preliminary sketches, Mr. Vander Schaaf has indicated he intends to construct a 900 sq.ft. office on the front of the building that will include a partial stone front. The metal clad building warehouse will be constructed in dark blue with white trim. The Town's Planning Department staff have been consulted with regard to location of the building and agree this particular location is most suitable taking into account future development on the site.

4.0 FINANCIAL IMPLICATIONS

An offer has been received in the amount of \$45,000.00 for 1.5 acres. A deposit of \$5,000 has been provided. First Right of Refusal on the adjacent property will be negotiated at the time of purchase. Previous sales of Lucas Point properties include:

Purchaser	Date	Price Per Acre
Kott Lumber	Feb 2005	\$20,000
Casco Impregnated Papers Inc.	Mar 2005	\$18,000
Union Gas/Duke Energy	Dec 2005	\$25,000
Millard Towers	Jun 2008	\$25,000

5.0 CONCLUSION

That an offer received for the purchase of 1.5 acres of land by 2364574 Ontario Inc., o/a Vancor (Mr. Herman Vander Schaaf) be discussed in closed session with Council on April 17th, 2017. It is further recommended that Council authorize the acceptance of this offer pending a review by the Town's Solicitor.

Title:	Signing Official:	Signature:	Date:
Chief Administrative Officer	S. Peacock		
Economic Development Officer	W. Gibson	W. Libson	April 11, 2017

The Corporation of the Town of Cobourg

MOTION

Date: April 24, 2017 No. 144-17

John Memlerson

No. 144-17

Moved by:

Seconded by:

WHEREAS the Committee of the Whole has considered an offer to purchase municipally owned land located in the Lucas Point Business and Industrial Park from 1317895 Ontario Inc., o/a Vancor;

NOW THEREFORE BE IT RESOLVED THAT Council approve acceptance of an offer received for the purchase of 1.5 acres of land by 1317895 Ontario Inc., o/a Vancor; and

FURTHER THAT Council authorize the acceptance of an offer of "Right of First Refusal" on an adjacent 1.3 acre parcel in anticipation of future growth of the business noting that both parcels lie on the South East corner of Thompson Street and Dodge Street, Cobourg located within the municipally owned Lucas Point Business & Industrial Park.



BY-LAW NUMBER <u>033-2018</u>

A BY-LAW TO AUTHORIZE EXECUTION OF A DEVELOPMENT AGREEMENT WITH 2364574 ONTARIO INC., LAKEFRONT UTILITY SERVICES INC. AND THE CORPORATION OF THE TOWN OF COBOURG (115 DODGE STREET, COBOURG)

WHEREAS pursuant to Section 41(7) of the *Planning Act*, R. S. O. 1990, c. P. 13, as amended, which provides in part that a municipality has the authority to enter into one or more agreements in dealing with matters subject to Site Plan Control;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- THAT the Mayor and Municipal Clerk are hereby authorized and instructed to execute on behalf of the Corporation an agreement with 2364574 Ontario Inc., Lakefront Utility Services Inc., and the Corporation of the Town of Cobourg for the development of 115 Dodge Street with a new 548.9 m² (5,908.5 ft²) single storey light industrial building.
- 2. THAT this By-law come into effect as of its final passing thereof, and shall expire three (3) years from the date of passing.

READ and passed in Open Council this 3rd day of July, 2018.

DEV Site Plan Agreement 2364574 Ontario Inc. 115 Dodge Street

By-law No.033-2018



COMMITTEE OF THE WHOLE MEETING REPORT

December 6, 2018
Council Chambers, Victoria Hall, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this morning at 8:45 a.m. in the Council Chambers, Victoria Hall, Cobourg, with the following persons in attendance:

Members Present: Mayor John Henderson

Deputy Mayor Suzanne Séguin

Councillor Brian Darling Councillor Aaron Burchat Councillor Nicole Beatty Councillor Adam Bureau Councillor Emily Chorley

Staff Present: Stephen Peacock, Chief Administrative Officer

Ian Davey, Treasurer/Director of Corporate Services Glenn McGlashon, Director of Planning and Development

Laurie Wills, Director of Public Works

Dean Hustwick, Director of Recreation and Culture

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The meeting was called to order by Mayor John Henderson at 8:45 A.M. in the Council Chambers, Victoria Hall, Cobourg.

CLOSED SESSION

Closed Session

Moved by Deputy Mayor Suzanne Séguin, THAT Council meet in Closed Session in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- 3.1) the meeting is for the purpose of education or training of the members and 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.
 - 1. 2018-2022 Municipal Council Orientation.

Carried

Committee of the Whole Meeting Report	DECEMBER 06, 2018
The Committee of the Whole meeting reconvened at (5:12 P.I	M.) in Open Session.
<u>Adjournment</u>	
Moved by Deputy Mayor Suzanne Séguin, THAT the Meeting	Adjourn. (5:12 P.M.) Carried

Municipal Clerk



COMMITTEE OF THE WHOLE MEETING REPORT

December 20, 2018
Water Pollution Control Plant, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this morning at 8:00 a.m. at the Water Pollution Control Plant #1, Cobourg, with the following persons in attendance:

Members Present: Mayor John Henderson

Deputy Mayor Suzanne Séguin

Councillor Brian Darling
Councillor Aaron Burchat
Councillor Nicole Beatty
Councillor Adam Bureau
Councillor Emily Chorley

Staff Present: Stephen Peacock, Chief Administrative Officer

Laurie Wills, Deputy Director of Public Works

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The meeting was called to order by Deputy Mayor Seguin at 8:14 A.M. at the Water Pollution Control Plant #1, Cobourg

CLOSED SESSION

Closed Session

Moved by Deputy Mayor Suzanne Séguin, THAT Council meet in Closed Session in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- 3.1) the meeting is for the purpose of education or training of the members and 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.
 - 1. 2018-2022 Municipal Council Orientation Department Tour.

Carried

The Committee of the Whole meeting reconvened at (4:32 P.M.) in Open Session.

Committee of the Whole Meeting Report	DECEMBER 20, 2018
Adjournment	
Moved by Councillor Darling, THAT the Meeting Adjourn. (4:32	P.M.)
Municipal Clerk	



COMMITTEE OF THE WHOLE MEETING REPORT

January 7, 2019 Council Chambers, Victoria Hall, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this afternoon at 4:00 P.M. in the Council Chambers, Victoria Hall, Cobourg, with the following persons in attendance:

Members present: Mayor John Henderson

Deputy Mayor Suzanne Séguin

Councillor Nicole Beatty Councillor Aaron Burchat Councillor Adam Bureau Councillor Emily Chorley Councillor Brian Darling

Staff present: Stephen Peacock, Chief Administrative Officer

Ian Davey, Treasurer/Director of Corporate Services
Glenn McGlashon, Director of Planning and Development

Laurie Wills, Director of Public Works

Dean Hustwick, Director of Community Services

Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

Mayor John Henderson called the meeting to order. (4:00 P.M.)

AGENDA ADDITIONS

DISCLOSURE OF PECUNIARY INTEREST

There were no Declarations of Pecuniary Interest declared by Members of Council.

PRESENTATIONS

DELEGATIONS

Bruce Moore, Cobourg citizen, regarding relighting Victoria Park at Christmas.

B. Moore attended the meeting to discuss a request to Council for the Town of Cobourg to place decorative lighting at the Victoria Park during Christmas season, as done in former years. After a question and answer period, B. Moore was excused

from the meeting. (4:13 P.M.)

DELEGATION ACTIONS

Delegation Action, Bruce Moore, regarding relighting Victoria Park at Christmas.

THAT Council establish an Ad Hoc Committee regarding the location of Christmas Magic in Cobourg for 2019 with Staff involvement, and to include the item of moving Christmas Magic to Victoria Park in the 2019 Budget deliberations.

Carried

ECONOMIC DEVELOPMENT SERVICES

Chair, Mayor Henderson - Economic Development Services Coordinator

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Séguin - General Government Services Coordinator

A by-law to authorize an interim Tax Levy and to provide for the collection of taxes and penalty and interest charges.

Moved by Deputy Mayor Suzanne Séguin, THAT the by-law be endorsed and be presented to Council for adoption at a Regular Council Meeting.

Carried

A by-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019.

Moved by Deputy Mayor Suzanne Séguin, THAT the by-law be endorsed and be presented to Council for adoption at a Regular Council Meeting.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the 2018 Municipal Election Final Report and Statistics.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the 2018 Town of Cobourg Municipal Election Final Report for information purposes; and

FURTHER THAT based on a successful delivery of the 2018 Municipal Election and demonstrated convenience, efficiency, accessibility and cost benefit to the ratepayer/electors of the municipality, that Council direct the Municipal Clerk to provide a report to Council in 2021 in regards to implementing Alternative Voting methods for the 2022 Municipal Elections for the Town of Cobourg.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the appointment of the Town of Cobourg Municipal Integrity Commissioner, Municipal Ombudsman, and Closed Meeting Investigator.

Moved by Deputy Mayor Suzanne Séguin, THAT Council direct Staff to proceed with the Request for Proposal (RFP) in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg; and

FURTHER THAT the Town extend the appointment of John Ewart, Ewart O'Dwyer Barristers and Solicitors as the Town of Cobourg Integrity Commissioner, Ombudsman and Closed Meeting Investigator to conclude any final on-going investigations that remains with his office and report back to Council upon their conclusion pursuant to the Town of Cobourg Ombudsman Complaint Protocol Policy; and

FURTHER THAT Council direct Staff to bring forward a report to Council for decision to provide an overview and recommendation for the appointment of a Integrity Commissioner, Ombudsman and Closed Meeting Investigator for the Town of Cobourg; and

FURTHER THAT Staff look at the option of having three (3) different individuals forming each position of Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator separately or having one (1) individual preform all three roles.

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the additional wording of directing Staff to proceed with three (3) Request for Proposals in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg.

Carried

Moved by Deputy Mayor Suzanne Séguin, THAT Council direct Staff to proceed with three (3) Request for Proposals (RFP) in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg; and

FURTHER THAT the Town extend the appointment of John Ewart, Ewart O'Dwyer Barristers and Solicitors as the Town of Cobourg Integrity Commissioner, Ombudsman and Closed Meeting Investigator to conclude any final on-going investigations that remains with his office and report back to Council upon their conclusion pursuant to the Town of Cobourg Ombudsman Complaint Protocol Policy; and

FURTHER THAT Council direct Staff to bring forward a report to Council for decision to provide an overview and recommendation for the appointment of a Integrity Commissioner, Ombudsman and Closed Meeting Investigator for the Town of Cobourg; and

FURTHER THAT Staff look at the option of having three (3) different individuals forming each position of Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator separately or having one (1) individual preform all three roles.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding Unfinished Business/Referred Items from the 2014 – 2018 Council Term.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report for information purposes to address unfinished and referred business items from the outgoing term of Council; and

FURTHER THAT Council direct items to Municipal Staff for further comment or review as necessary to make a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the additional wording that Council direct items to Municipal Staff for further comment or review as necessary to assist Council in making a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

Carried

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report for information purposes to address unfinished and referred business items from the outgoing term of Council; and

FURTHER THAT Council direct items to Municipal Staff for further comment or review as necessary to assist Council in making a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services regarding the Council Procedural By-law updates and amendments.

AMENDMENTS TO THE DRAFT COUNCIL PROCEDURAL BY-LAW:

Councillor Darling - Section 5.10: Add to Section wording that includes Advisory Committee, Ad Hoc and Local Board Meetings - **Carried**

Councillor Chorley - Section 9.2: Amend Section to include and all related materials and change from seven (7) days to ten (10) days - **Carried**

Councillor Chorley - Section 15.6: Amend Section to delete the final sentence 'a limit of four (4) delegations will be considered at a Meeting of Committee of the Whole, and four (4) Delegations will be considered at a Regular Council Meeting' - **Carried**

Councillor Chorley - Section 15.11: Amend Section to delete the final sentence 'Questions shall only be directed to the Delegate and not to Municipal Staff' - Carried

Councillor Chorley - Section 15.12: Amend Section to delete the entire provision - Carried

Councillor Chorley - Section 19.16: Amend Section to delete Subsection i. 'No delegations shall be permitted to speak on a notice of Motion to Reconsider' - Carried

Councillor Darling - Section 26.1: Amend Section to include wording 'legible addresses' - Carried

Councillor Beatty - Section 33.1: Amend Section to include wording 'shall occur every month following a scheduled Committee of the Whole Meeting' and to amend the section from '10 minutes to 5 minutes of speaking time at the Open Forum'

Councillor Darling - Section 33.1: Amend Councillor Beatty's amendment to include the wording 'following every Committee of the Whole Meeting' - **Carried**

Councillor Beatty - Section 33.1: Amend Section to include wording 'shall occur every Committee of the Whole Meeting' and to amend the section from '10 minutes to 5 minutes of speaking time at the Open Forum' - **Carried**

Councillor Chorley - Section 2 - Definitions: Amend the Quarterly Open Forum to delete the definition and add the wording 'Open Forum means periods of regularly scheduled time after Committee of the Whole Meetings, during which the Chair will give members of the public an opportunity to direct questions to Council on matters relevant to that meeting. While Council will endeavor to satisfy questions posed, Council reserves the option to refer the question to Staff for timely follow-up subsequent to the meeting. Members of the public and the media are encouraged to participate in the Open Forum however, civility, respect and decorum is expected - Carried

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the draft amended Council Procedural By-law from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council, in accordance with the Public Notice Policy, direct the Municipal Clerk to prepare a Notice to be published in the local newspaper and on the Municipal Website to advise citizens of a Public Meeting to be held on Monday, January 28, 2019, to present the amendments to the procedural by-law and to allow for the public to comment on the draft procedural by-law.

MOTION TO POSTPONE: Moved by Councillor Emily Chorley, THAT Council postpone the discussion and review of the Draft Council Procedural By-law until after the proposed Public Meeting for public comment.

Defeated

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the draft amended Council Procedural By-law from the Municipal Clerk/Manager of Legislative Services

for information purposes; and

FURTHER THAT Council, in accordance with the Public Notice Policy, direct the Municipal Clerk to prepare a Notice to be published in the local newspaper and on the Municipal Website to advise citizens of a Public Meeting to be held on Monday, January 28, 2019 at 6:00 P.M. to present the amendments to the procedural by-law as amended and to allow for the public to comment on the draft procedural by-law.

Carried

Recess

Motion to Recess: Moved by Councillor Brian Darling, THAT Council Recess for Five (Minutes). (Recess at 6:40 P.M - Return at 6:46 P.M).

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding Cannabis Retail Establishments in the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council direct the Municipal Clerk/Manager of Legislative Services to notify the Alcohol and Gaming Commission of Ontario (AGCO) that the Town of Cobourg will not permit private cannabis retail stores in the Town of Cobourg; and

FURTHER THAT Council delegate authority to the Municipal Clerk/Manager of Legislative Services to develop a process and draft a Municipal Cannabis Policy Statement in order to identify the staff and reasons required to submit the Town of Cobourg's formal response to a cannabis retail site application(s) to the AGCO, and including in the response indication of:

- 1. Protecting public health and safety;
- 2. Protecting youth and restricting their access to cannabis;
- 3. Preventing illicit activities in relation to cannabis;

AND FURTHER THAT Council direct the Municipal Clerk/Manager of Legislative Services that the Town's formal responses to the AGCO be posted to the Town of Cobourg's Municipal website for accountability and transparency.

Defeated

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the wording, that Council reconsider its decision to opt-out of allowing private retail cannabis stores in Cobourg within Twelve (12) months or when at the specific time the Municipality of the Corporation of the Town of Cobourg becomes an eligible location for private retail cannabis stores under provincial legislation, or whichever comes first.

Defeated

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Beatty - Planning and Development Services Coordinator

PUBLIC WORKS SERVICES

Chair, Councillor Darling - Public Works Services Coordinator

PARKS AND RECREATION SERVICES

Chair, Councillor Chorley - Parks and Recreation Services Coordinator

PROTECTION SERVICES

Chair, Councillor Burchat - Protection Services Coordinator

<u>Letter from Pere Bekederemo, Intern Architect at n Architecture Inc., regarding a request for an Exemption to Sign By-law 008-2009 for 1154 Division Street, Cobourg.</u>

Moved by Councillor Aaron Burchat, THAT Council refer the request to Building Staff for a report.

Carried

COMMUNITY SERVICES

Chair, Councillor Adam Bureau- Community Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council. - Council Procedural By-law No. 079-2017.

CLOSED SESSION

Moved by Deputy Mayor Suzanne Séguin, Seconded by THAT Council meet in Closed Session following the Committee of Whole Meeting in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- **s. 239(1)(b)** personal matters about an identifiable individual, including municipal or local board employees.
 - 1. Advisory/Quasi-Judicial Committee and Local Board Applications for the 2018 2022 Council Term:
 - Cobourg Heritage Advisory Committee;
 - Downtown Cobourg Business Improvement Area Board of Management (DBIA);
 - iii. Committee of Adjustment;
 - iv. Property Standards Committee;
 - v. Cobourg Public Library Board; and
 - vi. Cobourg Police Services Board.
- **s. 239(1)(c)** A proposed or pending acquisition or disposition of land by the municipality or local board.
 - 1. A potential sale of Municipal Property, regarding Lucas Point

Industrial Park Lands.

Carried

The Committee of the Whole meeting reconvened at (9:12 P.M.) in Open Session.

ADJOU	JRNN	MENT
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Moved by Councillor Brian Darling, THAT the meeting adjourn. (9:12 P.M.)	
Municipal Clerk	



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 000-2019

A BY-LAW TO ESTABLISH THE RULES OF ORDER AND PROCEDURES FOR MUNICIPAL COUNCIL AND COMMITTEE MEETINGS OF THE CORPORATION OF THE TOWN OF COBOURG

WHEREAS parliamentary procedures are rooted in principles designed to ensure the fair and efficient disposition of business before a deliberative body;

AND WHEREAS Section 238(2) of the Municipal Act, 2001, provides that every Municipality shall pass a procedural by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS Council and its Committees shall also follow the regulations as set out within the Municipal Conflict of Interest Act, and the parliamentary authority of Robert's Rules of Order;

AND WHEREAS Council finds it appropriate to repeal and replace by-law 079-2017, as amended;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

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1 Procedural By-law

By-law No. 000–2019

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1.0 SHORT TITLE

1.1 This by-law may be referred to as the "Procedural by-law" or the "Rules of Procedure".

2.0 **DEFINITIONS**

- 2.1 In this by-law,
 - "Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended
 - "Ad Hoc Committee" means a Committee established by Council with a defined ending, to report directly to Council on a specific matter
 - "Advisory Committee" means a Committee established by Council, to address on-going administrative matters within the scope and responsibility of Council and will provide periodic reports to Council presenting advice and recommendations on matters under consideration
 - "Agenda" means the list of business items and order of proceedings for a meeting
 - **"Annual Report"** means the report that is provided to Council annually regarding the review of all Advisory Committees
 - **"Board Room"** means the Board Room on the 3rd floor of Victoria Hall, 55 King Street West, Cobourg
 - "CAO" means the Chief Administrative Officer of the Town or his/her designate
 - "Civic Web" means the Town of Cobourg Civic Web, accessed at https://cobourg.civicweb.net, which allows citizens to access information regarding Committees and Council meetings through agendas, minutes and reports, in addition to Town Policies, Procedures and By-laws
 - **"Chair"** means the Presiding Officer at a meeting or such other person as may be authorized to preside in their absence
 - "Clerk" means the Municipal Clerk of the Town of Cobourg or designate appointed by Council
 - "Closed Session" or "In-Camera Meeting" means a meeting, or part of a meeting, which is closed to the public, other than those persons specifically invited by Council or Committee to remain as permitted by the Act and this procedural by-law
 - "Communications" means communication items received by Council which includes but is not limited to letters, memorandums, reports, notices, electronic mail, facsimile, petitions, brochures, media release and newspaper/magazine articles
 - "Committee" means a committee of Council, an Advisory Committee or an Ad Hoc committee established by Council from time to time but does not include Committee of the Whole
 - "Committee Chair" means a Presiding Officer of a Committee of the Whole, Advisory or Special Committee and shall have the same powers during a committee meeting as the Head of Council during Council meetings

- **"Committee Room"** means the Committee Room on the 3rd floor of Victoria Hall, 55 King Street West, Cobourg
- "Committee of the Whole" means a Committee comprised of all Members of Council
- "Committee of the Whole Open Forum" means periods of regularly scheduled time after Committee of the Whole Meetings, during which the Chair will give members of the public an opportunity to direct questions to Council on matters relevant to that meeting. While Council will endeavor to satisfy questions posed, Council reserves the option to refer the question to Staff for timely follow-up subsequent to the meeting. Members of the public and the media are encouraged to participate in the Open Forum however, civility, respect and decorum is expected
- "Conference Room" means the Conference room on the 1st floor of Victoria Hall, 55 King Street West, Cobourg
- "Confirmatory By-law" means a by-law passed at the conclusion of Regular Council Meetings, confirming the actions of Council taken at that Meeting, in respect of each Resolution and other actions taken, so that every decision of Council at that Meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separately enacted by-law
- "Conflict of Interest" means a pecuniary (financial) interest as defined in the Municipal Conflict of Interest Act
- **"Council"** means the elected and sworn-in members of the Municipal Council of the Town of Cobourg
- **"Council Chambers"** means the Council Chambers on the 3rd floor of Victoria Hall, 55 King Street West, Cobourg
- "Council Floor" means the part of the Council Chambers between the podium and the seats of the Mayor and Members of Council that is separated from the public gallery and press areas
- **"Council Service Coordinator"** is a Member of Council appointed to assume responsibility for a specific municipal service area such as Economic Development, General Government, Planning and Development, Public Works, Community Services, Parks and Recreation, and Protection Services
- "Council Service Coordinator Alternate" means the alternate Council member that is appointed by Council to temporarily assume the role and responsibility of another Council Service Coordinator who, by reason of absence, illness, or other such circumstances, is not able to perform their duties as that Council Service Coordinator
- "Delegation" means, as the context may require, a person who addresses or seeks to address Council or a Committee
- "Deputy Mayor" means the Member of Council elected to act from time to time in the place and stead of the Mayor when the Mayor is absent or refuses to act or when the Office of Mayor is vacant

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- "Head of Council" means the Mayor who shall preside at all meetings of the Council (unless absent or refuses to act); and the Head of Council is also the Chief Executive Officer of the Municipality
- "Local Board" means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include the Cobourg Police Services Board, the Cobourg Public Library Board, a school board, hospital board, or conservation authority
- **"Majority Vote"** means an affirmative vote of more than one half of the Members present and voting
- "Meeting" means any meeting of Council or of a Committee where a Quorum is present, and at which Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council or the Committee
- **"Member"** means a member of Council and/or an appointed or elected member of a municipal Committee or Local Board
- "Motion" means a proposal by a Member to adopt, amend, or otherwise deal with a matter before Council or a Committee
- "Municipal Act, 2001" means the Municipal Act, 2001, S.O. 2001, c. 25
- "Municipal Conflict of Interest Act" means the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50
- "Planning Act" means the Planning Act, R.S.O. 1990, c. P.13
- "Point of Order" means a Motion raised by a Member drawing attention to an infraction of this By-law
- "Point of Personal Privilege" means a Motion concerning the health, safety, rights, or integrity of the Member, the Council, a Committee or anyone present at a Meeting
- "Point of Privilege" means a question by a Member to the Presiding Officer and the Members that a privilege affecting the rights and immunities of the Council collectively or the position and conduct of Members as elected representatives is being affected adversely and to request that action be taken to rectify the situation
- "Point of Procedure" means a question by a Member to obtain information on a matter of parliamentary procedure where the rules of the Council bearing on the business at hand require clarification in order to assist a Member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion
- "Presiding Officer" means the Mayor or Acting Head of Council, or Chair of a Meeting
- "Public Meeting" means a Meeting held to hear public input, as may be prescribed by legislation or where public input is sought on a matter
- "Quasi-Judicial Committee" means a Committee created by Council to exercise a legislative or quasi-judicial power under the Planning Act, Municipal Act, or any other Act as prescribed, and includes a Property Standards Committee required under the Building Code Act

- "Quorum" means the number of Members required for the legal conduct of the business of Council or a Committee
- "Recorded Vote" means the making of a written record of the name and the vote of each Member who votes on a Motion
- "Resolution" means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and is duly passed
- **"Robert's Rules of Order"** means the most current edition of Robert's Rules of Order
- "Secretary" means the recording secretary for a Council, Committee of the Whole or other Committee or Local Board meeting being the Municipal Clerk or designated Committee Secretary responsible for preparing Agendas and taking Minutes
- "Special Meeting" means a meeting other than a Regular scheduled meeting called pursuant to the Act or the provisions of this by-law
- "Statutory Powers Procedure Act" means the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22
- "Sub-Committee" means a Council approved committee consisting of at least three (3) Members of a committee establishing the sub-committee, to consider one or more matters
- "To Adjourn" means to end a Meeting
- "To Recess" means to suspend a Meeting for a specified length of time
- "To Table" means to postpone without setting a definite date as to when the matter will be discussed
- "Town/Municipality" means the Corporation of the Town of Cobourg
- **"Town Website"** means the Town of Cobourg official website at http://www.cobourg.ca
- "Two-Thirds Majority Vote" means an affirmative vote of at least twothirds of the Members present and voting, or
 - i. 2/3 of 7: 5
 - ii. 2/3 of 6: 4
 - iii. 2/3 of 5: 4
- "Unfinished Business" means business which has been raised at the same, or previous meeting, and which has not been completed

3.0 APPLICATION

3.1 The rules and regulations set out herein shall be observed in all proceedings of Council and, with necessary modifications, to Committees established by Council and Local Boards, and shall be the rules for the order and dispatch of business.

- 3.2 Notwithstanding anything in this by-law, where Council or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, shall govern the proceedings.
- 3.3 In the event of a conflict between this by-law and legislation, the provisions of the legislation will prevail to the extent of the conflict.
- 3.4 In the event of a conflict between this by-law and any other by-law of the Town respecting meeting procedure, this by-law will prevail to the extent of the conflict.
- 3.5 If there is a conflict between two or more rules established by this by-law, or if there is no specific rule on a matter, the Chair will determine a rule. In making a ruling pursuant to this by-law, the Chair may consult the Clerk and with such others as the Clerk may recommend, rely on previous rulings and practices, and refer to Robert's Rules of Order as the rule for guidance on a specific parliamentary procedure.
- 3.6 This by-law shall not be amended, suspended or repealed except by an affirmative vote of two-thirds (2/3) of the Members present and pursuant to the Motion to suspend the Rules of Procedure as set out in this By-law.
- 3.7 Any definition of a word or phrase used in this by-law and not defined in this by-law has the meaning as defined in the Act.

4.0 INAUGURAL MEETING

- 4.1 Pursuant to the Municipal Act, 2001, the Inaugural Meeting of Council shall be held after the regular municipal election in accordance with this by-law and no later than thirty-one (31) days after the term commences.
- 4.2 The first order of business at the Inaugural Meeting shall be the Declarations of Office. A person elected or appointed to Council shall not take a seat on the Council of the Municipality until said elected or appointed official takes and signs the Declaration of Office in the English or French version of the form established by the Province of Ontario for that purpose.
- 4.3 The new Council shall be deemed to be organized after the Declarations of Office have been taken and signed by a sufficient number of Council Members to form a quorum.
- 4.4 A Striking Committee composed of the Mayor and Deputy Mayor shall prepare a report for presentation during the Inaugural Meeting recommending the appointment of the Council Service Coordinators and their alternates.
- 4.5 The appointment of Council Service Coordinators and appointments of Members of Council to various Local Boards and Committees shall be reviewed by the Mayor and Deputy Mayor mid-way through the four year term of Council.

5.0 COUNCIL AND COMMITTEE MEETINGS - GENERAL

- 5.1 Meetings of Council shall be held on Mondays at 4:00 p.m. in the Council Chambers, in accordance with the annual Regular Council and Committee of the Whole meeting schedule prepared and published annually, except when:
 - a) otherwise directed by resolution of Council;

- b) the Clerk advises otherwise upon a minimum of forty-eight (48) hours of advance notice;
- c) a Special Meeting is called by the Head of Council, with forty-eight (48) hours' notice given; or
- d) an Emergency Meeting is called by the Head of Council in which no notice is required.
- 5.2 All meetings of Committees established by Council shall be convened in the Committee Room, unless a decision is made by **the Mayor and Municipal Clerk**, in consultation with the Chair and with approval of the Committee Members if applicable, or decided otherwise by resolution of Council or required due to an emergency event.
- 5.3 When the day for a Committee of the Whole or Regular Council meeting falls on a public, statutory or civic holiday, Council shall direct the meeting to be held on the business day immediately following the originally scheduled date for that meeting.
- 5.4 A Motion passed by a majority of the Members present is required to continue a meeting of Council or of a Committee past 8:00 p.m. local time.
- 5.5 In general, formal Public Meetings will be held in the Council Chambers at 6:00 p.m. and will be communicated in accordance with the Town of Cobourg Public Notice Policy.
- 5.6 Other Public Information Sessions, Workshops or Forums can be held in various locations and at varied times providing they are communicated in accordance with the Town of Cobourg Public Notice Policy.
- 5.7 Advisory Committee and Local Board meetings will be held once per month in general, with the exception of Committees dealing with issues requiring action on a more frequent basis or on as needed basis.
- 5.8 For the months of July and August, there will be a combined Committee of the Whole and Regular Council meeting for each month. Additional Council meetings may be held during this time period at the call of the Head of Council.

USE OF AUDIO/VISUAL TECHNOLOGY

- 5.9 At meetings of Council the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras or any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public may be permitted, subject to the approval and/or direction of the Chair unless otherwise decided by Council.
- 5.10 Any member of Municipal Council, an Advisory Committee, Ad Hoc Committee or Local Board who is unable to attend a Meeting shall not be permitted to participate by means of audio/visual or audio electronic communication devices.

SPECIAL MEETINGS

5.11 The purpose of summoning a Special Meeting is to take care of business that requires the urgent attention of Council and cannot wait until the next scheduled Regular Council meeting.

- 5.12 The Head of Council or designate may, at any time, summon a Special Meeting of Council. Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a Special Meeting for the purpose and at the time mentioned in the petition and in accordance with the Public Notice Policy.
- 5.13 The Clerk shall give notice in writing or by electronic mail, on the time, place and purpose of every Special Meeting to all Members of Council not less than forty-eight (48) hours prior to the time set for the Meeting.
- 5.14 The notice calling for a Special Meeting of Council shall state only the business to be considered at the meeting. No other matters, business, or financial decisions shall be considered at such meeting, other than those stated in the notice or agenda, and except with consent of a majority of the members present and voting.

EMERGENCY MEETING:

5.15 The Head of Council may summon an Emergency Meeting of the Council to deal with matters deemed to be of an urgent/emergency nature, that may impact the health, safety, well-being of the community or that need to be addressed due extraordinary circumstances.

OPEN AND CLOSED SESSION (IN-CAMERA):

- 5.16 All Council and Committee meetings shall be open to the public except as provided for pursuant to Section 239(2) of the Municipal Act, 2001, regarding a meeting or part of a meeting that may be closed to the public if the subject matter being considered falls under a section as outlined in Section 239(2) of the Act.
- 5.17 Pursuant to Section 238(1) of the Act, a Meeting is defined as any Regular, Special, or other meeting of a Council, of a Local Board or of a Committee of either of them, where a quorum is present, and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.
- 5.18 For the purpose of ensuring accountability and transparency, any Committee established by Council that does not meet the composition requirement for a Committee described in section 238(1) of the Municipal Act, 2001, shall still be considered a Committee of Council that is subject to the same requirements as Council as provided in Section 239 of the Municipal Act, 2001, unless stated otherwise by Council through resolution.

6.0 NOTICE OF MEETINGS

- 6.1 All Council and Committee meetings and agendas will be published and communicated in accordance with the Town of Cobourg Public Notice Policy.
- 6.2 The annual Regular Council and Committee of the Whole meeting schedules will be updated and posted by the Clerk on the Municipal Website and circulated annually prior to the commencement of the upcoming year. Any changes to the annual schedule will be posted on the Municipal Website within forty-eight (48) hours prior to the change(s) occurring.
- 6.3 The annual Advisory Committee and Local Board meeting schedules will be updated and posted on the Municipal Website and will be circulated to Council and Committee Secretaries annually prior to the commencement of the upcoming year.

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- 6.4 The Clerk shall send notice for each Regular Council, Committee of the Whole, Emergency and Special Meeting of Council, accompanied by its Agenda, to every Council Member and will ensure the meetings and Agendas are posted publicly on to the Municipal Website.
- 6.5 A Notice of Meeting to Councillors may be sent by electronic mail, telephone, placed in the Council Mailboxes, or provided in person in the case of an emergency.
- 6.6 Every Notice of a meeting of Council or Committee shall indicate the day, month, year, place and time of commencement of the meeting and the contact information of the Clerk or designated Secretary's Office.
- 6.7 The Notice of meeting requirements as set out in this by-law are minimum requirements only and the Clerk or designated Secretary may give notice in an extended manner if, in the opinion of the Clerk or designated Secretary the extended manner is reasonable and necessary under the circumstances.
- 6.8 The Notice of meeting requirements set out in this by-law shall be subject to any specific requirements for the publishing of notice as prescribed by legislation such as the Planning Act, Statutory of Powers and Procedures Act, Municipal Act 2001, and the Town of Cobourg Public Notice Policy, or as directed by Council.
- 6.9 Any meeting may be cancelled and/or rescheduled to a day, time and place set out in a written notice from the Clerk, sent to each Member by electronic mail or a method acceptable to the Member at least forty-eight (48) hours before the scheduled date of the meeting.

7.0 GENERAL RULES IN CONDUCTING THE BUSINESS OF COUNCIL

- 7.1 Every Regular Council and Committee of the Whole meeting shall be chaired by:
 - a) The Mayor, if present;
 - b) The Deputy Mayor, if the Mayor is absent; or
 - If both are absent, Council shall select an Acting Chair to serve as Head of Council.
- 7.2 Every Public Meeting of Council shall be chaired by:
 - a) The Council Service Coordinator who called the Public Meeting, if present;
 - Their alternate, if the Council Service Coordinator who called the Public Meeting is absent; or
 - c) If both are absent, Council shall select an Acting Chair to serve as Chair.
- 7.3 Every Committee meeting shall be chaired by:
 - a) The Chair, if present;
 - b) The Vice Chair, if the Chair is absent; or
 - c) If both are absent, the Committee shall select an Acting Chair to serve as Chair.
- 7.4 If, at any time, the attendance of a Member of the Cobourg Municipal Council is required to perform any corporate responsibility or duty and the Mayor/Head of Council is not available to perform the responsibility, the Deputy Mayor shall be contacted to perform the specific responsibility or duty as required. In the event that both the Mayor/Head of Council and the Deputy Mayor are not available, the Clerk in consultation with the CAO, will

- select a member of the Cobourg Municipal Council to perform the specific responsibility or duty as required.
- 7.5 Council Members in their capacity as Council Service Coordinators, will be responsible to Chair their respective Hearings, Public Meetings and Special Meetings of Council.
- 7.6 The Clerk who is appointed by the Municipality shall be present at all meetings; however, the Clerk may delegate a municipal employee to act in their stead at the meetings of Council or Committees.
- 7.7 Pursuant to Section 228(1)(a) of the Municipal Act, 2001, the Clerk shall provide a written record of all resolutions, decisions and other proceedings of Council, without note or comment.
- 7.8 The Mayor shall be the member appointed to the Upper-Tier Council (County of Northumberland) on behalf of the Town of Cobourg. In the absence of the Mayor, the Deputy Mayor shall act as the alternate member to represent the Town of Cobourg on the Upper-Tier Council.

8.0 CALLING OF THE MEETING TO ORDER AND QUORUM

- 8.1 The Mayor or Presiding Officer shall take the Chair and call the meeting to order as soon after the hour fixed for the holding of the meeting and once a quorum is present.
- 8.2 For Regular Council or Committee of the Whole Meetings, if there is not a quorum present fifteen (15) minutes after the time appointed for the meeting, Council shall stand adjourned until the next scheduled meeting date, unless a Special Meeting is called prior to that date. A majority of the whole number of Members of Council is necessary to form a quorum, unless a two-thirds majority vote is required by statute or law.
- 8.3 Where the Mayor does not attend within fifteen (15) minutes after the time appointed for the meeting, the Deputy Mayor shall call the members to order and, if a quorum is present, preside during the meeting until the arrival of the Mayor at that meeting.
- 8.4 For Committees established by Council, a majority of the total amount of Committee members is necessary to form a quorum. If the Committee is comprised of an equal number, the quorum is one-half of the members of the Committee.
- 8.5 Non-quorum meetings for Committees established by Council shall not be permitted.
- 8.6 For Committees established by Council, if there is not a quorum present within thirty (30) minutes after the time appointed for the meeting, the Secretary shall write the names of the members present and the Committee shall stand adjourned until the next scheduled meeting date.
- 8.7 For the purpose of calculating a vote of two-thirds of the Members present in a Council or Committee meeting, any fraction shall be rounded to the next highest whole number.
- 8.8 If during the course of a Council or Committee meeting a quorum is lost, then the meeting shall stand adjourned and shall only reconvene if a quorum is regained within fifteen (15) minutes.

- 8.9 If a quorum is not present within fifteen (15) minutes from the time the quorum is lost, the Clerk or designate will record the names of the members present and the meeting shall be adjourned and the remaining business on the Agenda for that meeting shall be placed on the Agenda for the next scheduled meeting of the Council or Committee.
- 8.10 Despite any other provision in this section and except for submissions or information in respect of a hearing or public meeting required by statute, Council or a Committee may receive submissions or information from the public or staff on a matter where a quorum is not present and the Clerk or designate shall record notes of the submission and report them back to the next scheduled meeting of the Council or Committee.
- 8.11 The Clerk, or his/her designate, shall for every meeting of Council or Committee note the Members that were present, absent and absent with regret to be recorded in the Minutes of that meeting.

9.0 COMMITTEE OF THE WHOLE MEETINGS

- 9.1 The Committee of the Whole will meet on weeks preceding the Regular Council meeting, in accordance with the annual Council meeting Schedule.
- 9.2 The Committee of the Whole meeting agendas and all related materials will be prepared and circulated ten (10) days in advance of the meeting to provide ample time for Council Members to review the items and to ask questions of various Council Coordinators and Municipal Staff.
- 9.3 The Chair of the Committee of the Whole shall maintain order in Committee and report the proceedings to Council.
- 9.4 The Council Service Coordinator will assume the role of Chair for the portion of the Committee of the Whole meeting pertaining to their respective service area and will be responsible for announcements, presenting the items individually as listed in the agenda, for asking municipal staff to explain the reports, for reading out the motion, for facilitating the discussion, for dealing with amendments, for calling the vote and for announcing the status of the motion being carried, defeated or amended. Each Council Service Coordinator will be assigned a backup Council Member as approved by resolution of Council to fill this role and assume responsibility in their absence.
- 9.5 The rules governing the procedure of Council and the conduct of Members shall be observed in Committee of the Whole so far as they are applicable, provided that:
 - a) A Motion shall not be required to be seconded;
 - b) No vote shall be recorded unless requested;
 - The number of times of speaking shall not be limited unless a Member moves to call the question;
 - No Member shall speak more than once until every Member who desires to speak has spoken, unless approved by the Chair; and
 - e) No Motion to adjourn the meeting shall be permitted.
- 9.6 The Committee of the Whole shall make its recommendations to Council with regard to each report that it considers.
- 9.7 Municipal staff reports are presented to the Committee of the Whole for discussion and recommendations if approved by Council will be included as

a motion in the next available Regular Council meeting for final ratification/resolution.

9.8 COMMITTEE OF THE WHOLE MEETING AGENDA:

- i. Call to Order
- ii. Approval/Agenda Additions
- iii. Declarations of Interest
- iv. Presentations
- v. Delegations
- vi. Delegation Actions
- vii. Notice of Motion
- viii. Co-ordinator and Staff Reports (order at the discretion of the Mayor and Council):
 - 1. Economic Development Services
 - 2. General Government Services
 - 3. Planning and Development Services
 - 4. Public Works Services
 - 5. Parks and Recreation Services
 - 6. Protection Services
 - 7. Community Services
- ix. Unfinished Business
- x. Committee of the Whole Open Forum
- xi. Closed Session Meeting Motion
- xii. Adjournment

10.0 REGULAR COUNCIL MEETING AGENDA

- 10.1 The Clerk, or their designate, shall prepare the Agenda for Regular Council meetings as assigned.
- 10.2 The business of Council shall, in all cases, be taken up in the order in which it appears on the Agenda, unless otherwise directed by Council. Any matter on the Agenda not disposed of by Council shall be placed on the Agenda of the next Regular meeting of Council as 'Unfinished Business'.
- 10.3 As soon as the Agenda is published and circulated electronically to Council Members by the Clerk or his/her designate, the Agenda will be made available to the public on the Municipal Website with the exception of information relating to matters to be considered in Closed Session.
- 10.4 The Clerk, subject to changes as may be appropriate in the circumstances, shall prepare for distribution a Council Agenda with the routine order of business for Regular Council meetings as follows:
 - I. Call to Order
 - II. Moment of Reflection
 - III. Additions to the Agenda
 - IV. Disclosure of Pecuniary (Financial) Interest
 - V. Adoption of Minutes of the Previous Meeting
 - VI. Presentations
 - VII. Delegations
 - VIII. Delegation Actions
 - IX. Reports
 - X. Motions
 - XI. By-laws
 - XII. Petitions
 - XIII. Committee/Board Minutes
 - XIV. Notice of Motion
 - XV. Correspondence

- XVI. Council/Coordinator Announcements
- XVII. Unfinished Business
- XVIII. Closed Session
- XIX. Closed Session Action Item
- XX. Confirmatory By-laws
- XXI. Adjournment

11.0 ADDITIONS TO THE AGENDA

- 11.1 After delivery of the Council Agenda, the Clerk may amend the Agenda by way of an addendum to add or delete matters from the prepared Agenda in consultation with the Mayor and the CAO. In this case, the Clerk shall endeavour to forward additional Agenda material to Council Members and the public by posting same on the Municipal Website prior to the meeting.
- 11.2 The Agenda additions may be presented at the Council meeting and are not subject to the notice requirements.
- 11.3 The addition of addendum items to be added to Council Agendas shall be restricted to time sensitive and emergency matters. All addendum items and items of business not listed on a Council Agenda may only be introduced at a Council meeting with the approval of Council as expressed by Motion.

12.0 DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

- 12.1 In the matter of Declarations of Interest, the onus is on the Member to determine whether he/she has a conflict of interest, and may seek legal advice from the Town appointed Integrity Commissioner respecting their obligations under the Municipal Conflict of Interest Act.
- 12.2 The fees associated with the legal advice as described in Section 12.1 shall be paid by the Municipality for Members of the Municipal Council and Local Boards only.
- 12.3 Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council, Local Board or Committee at which the matter is the subject of consideration, the Member, in accordance with the Municipal Conflict of Interest Act, shall:
 - a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) record the conflict of interest on the prescribed 'Declaration of Pecuniary Interest Form' (Schedule 'A') and provide it to the Clerk;
 - c) shall not take part in the discussion of or vote on any question in respect of the matter;
 - d) shall not attempt in any way either before, during or after the meeting to influence voting on any such question; and
 - e) may ask to be excused from the portion of the meeting the pecuniary matter is to be discussed.
- 12.4 Where the meeting is not open to the public, in addition to complying with the requirements of the Municipal Conflict of Interest Act, the Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration.
- 12.5 Where the interest of a Member has not been disclosed by reason of the Member's absence from a Council or Committee Meeting, the Member shall

- disclose the interest and comply with the requirements listed in Section 12 of this by-law, at the next available meeting at which the matter was considered.
- 12.6 In the event that a Member discovers after the meeting that he/she had a direct or indirect pecuniary interest in the matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the Minutes.
- 12.7 Despite any lack of applicability, the legislated requirements as set out in the Municipal Conflict of Interest Act shall also apply to all Members of Committees established by Council pursuant to the authority of this Procedural By-law.
- 12.8 Every declaration of interest and the general nature thereof shall, where the meeting is open to the public, be recorded in the Minutes, Notes or Report of that Meeting by the Clerk or his/her designate.
- 12.9 Every declaration of interest, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the Minutes, Notes or Report of the next Meeting that is open to the public by the Clerk or his/her designate.

REGISTRY

- 12.10 The Municipal Clerk shall establish and maintain a registry in which shall be kept:
 - a) a copy of each Declaration of Pecuniary Interest Form filed and signed by a Member; and
 - b) a copy of each Declaration recorded in the Minutes, Notes or Reports of the applicable Meeting.
- 12.11 The registry shall be available for public inspection upon request to the Clerk.

13.0 ADOPTION OF MINUTES OF THE PREVIOUS MEETING(S)

- 13.1 Minutes of the previous Regular or Special Meetings of Council will be presented for adoption by the Council.
- 13.2 Minutes shall record:
 - a) the place, date and time of meeting;
 - b) the name of the Chair or Presiding Officer and attendance of Council Members and Senior Municipal Employees;
 - c) the correction of any amendments to, and adoption of, the Minutes of prior meetings. Any corrections made to the draft minutes should merely indicate that the minutes were approved "as corrected" without specifying the corrections;
 - d) each item considered by Council and the decisions of the meeting without note or comment.
- 13.3 The Minutes are a legal record of action that was taken and may be amended to correct errors and omissions. No debate is permitted.
- 13.4 Such Minutes as referred to above may be adopted by Council without having been read at the meeting. However, if requested by a Council

- Member and approved by the Mayor or Presiding Officer, the Minutes or a portion of the Minutes may be read out prior to adoption.
- 13.5 Minutes of all previous Council Meetings shall be adopted by resolution including any amendments as may be noted at the meeting.
- 13.6 Unless otherwise decided by Council, the Minutes of each Regular Council meeting shall be submitted for adoption or amendment to Council at its next Regular Council meeting or as soon thereafter as is reasonably practicable.
- 13.7 Once the Minutes are adopted by Council, they shall be signed by the Mayor and Clerk, or their designate(s).

14.0 PRESENTATIONS

- 14.1 Presentations at all Council Meetings may include:
 - a) presentations by organizations providing information at the request of Council:
 - b) presentations to or from Council recognizing achievements; and
 - c) presentations by Municipal Staff or Town Consultants.
- 14.2 In general, Council will provide fifteen (15) minutes for each presentation with a question and answer period by Council to follow. Any additional time exceeding fifteen (15) minutes shall be granted by the Mayor or Presiding Officer.

15.0 DELEGATIONS

- 15.1 With the exception of Public Meeting matters, persons wishing to present information or make a request of Council or a Committee in person as a Delegation must provide a written request to the Clerk on the prescribed Delegation Request Form (Schedule "B") no later than 1:00 p.m. on the Friday preceding the Council or Committee meeting.
- 15.2 All persons attending Council or a Committee meeting as a Delegation should provide any correspondence, documentation or presentation materials electronically or otherwise to the Clerk no later than 1:00 p.m. on the Friday preceding the Council or Committee meeting in order to have the information included in the Agenda package for distribution to Council in advance of the meeting.
- 15.3 The request by a delegate to the Clerk must provide a detailed synopsis of the request to appear before Council or a Committee, outlining the reasons and the desired resolution.
- 15.4 The request shall be signed, shall include the mailing address and telephone number or email by which the individual or the organization or group may be contacted.
- 15.5 The Clerk may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation, the length of the Agenda in which the Delegation was requested to be included, and the number of delegations already on the Agenda for that meeting.
- 15.6 The Clerk shall advise to the requester the earliest possible date when his or her Delegation may be accommodated.

- 15.7 The Clerk may refuse to place a delegation on the Agenda, a decision which the delegate may appeal to the Municipal Council, Committee or Board, as applicable, if the matter is:
 - a) Not considered to fall within the jurisdiction of the Municipal Council, Committee or Board:
 - b) Considered operational or administrative in nature;
 - c) Considered as previously dealt with or closed by the Municipal Council, Committee or Board; or
 - d) Considered vexatious, spurious, or frivolous.

To appeal a decision by the Clerk as described in this Section, the delegate shall provide a written request to the attention of the Clerk to be considered in the next available Agenda of the Municipal Council, Committee or Board Meeting, as applicable, under an Agenda Addition item.

- 15.8 For Delegations on the Agenda or Delegation additions to the Agenda the Council or Committee may decide by majority vote to:
 - a) Hear the Delegation, notwithstanding non-compliance with the requirements of other relevant sections in this by-law;
 - b) Postpone hearing a Delegation;
 - c) Require as a condition of hearing a Delegation, the filing of a written outline with the Clerk; or
 - d) Not hear the delegation.
- 15.9 Delegation shall be limited to speaking not more than ten (10) minutes when addressing Council, however a Delegation consisting of more than five (5) persons shall be limited to two (2) speakers and limited to speaking not more than fifteen (15) minutes in total when addressing Council.
- 15.10 Council may limit or extend the time allowed for a Delegation by the Chair or by a majority vote by the members present.
- 15.11 An opportunity will be provided for Members to ask questions of clarity immediately following a Delegation. Council Members will be granted permission to ask one (1) question at a time as directed through the Mayor or Presiding Officer, on a rotating basis to ensure that anyone who wishes to ask a question is given the fair opportunity to do so. The question period is a method of seeking clarification on matters presented and is not intended nor shall be entered into as a forum for debate.

16.0 DELEGATION ACTIONS

16.1 Following a Delegation, Council may, by resolution, agree on a specific action in response to the Delegation, such as 'refer to staff for a report', 'receive for information', 'staff response,' refer to the matter to an advisory committee or local board or decide on a direction or action to be taken in response to a request to Council.

17.0 REPORTS

- 17.1 Reports of Committee of the Whole Meetings and verbal or written reports from Members of Council, Co-ordinators and Municipal Employees shall be presented, received and action taken as directed by Council and be expressed by Motion and passed by resolution.
- 17.2 The reports contain recommendations provided by municipal staff including background information and may request authorization for a stated course of action by Council. The reports should succinctly layout the reasons for the request or recommendation and may summarize pertinent report

- sections including the origin, background, analysis or conclusion where this information assists in clarifying or justifying the staff recommendation.
- 17.3 All Municipal Staff Reports to be included in the Council Agenda package shall be prepared using a consistent and prescribed format and headers as provided by the Clerk and are to be prepared by the author and approved by the Manager, Department Director and CAO as the case may be, and will include the following:
 - 1.0 Corporate Strategic Plan Objective
 - 2.0 Recommendation;
 - 3.0 Public Engagement
 - 4.0 Origin and Legislation;
 - 5.0 Background;
 - 6.0 Analysis;
 - 7.0 Financial Implications/Staffing/Budget Impact;
 - 8.0 Conclusion;
 - 9.0 Policies Affecting the Proposal
 - 10.0 Communication Results
 - 11.0 Attachments (if applicable);
 - 12.0 Authorization acknowledgement (Senior Management/CAO).
- 17.4 The recommendations of a Committee or Municipal Staff embodied in a Report to Council are:
 - 1. the main Motion(s) when the clause is called; and
 - 2. deemed to have been adopted by Council without any amendments unless Council decides otherwise.

18.0 MOTIONS - GENERAL

- 18.1 No Member shall introduce any item to Council for its consideration unless:
 - a) the item relates to a matter on the Agenda for that meeting, or
 - b) the matter is of an urgent nature and leave is granted on a two-thirds majority vote.
- 18.2 In Regular Council, a Motion shall be moved and seconded before a Member speaks to the Motion and before the Chair shall put the question and the Motion is recorded in the Minutes of the meeting. Every Motion at a Committee of the Whole or Advisory Committee Meeting requires a mover, but not a seconder.
- 18.3 Except as noted above, all Motions shall be in writing in a form the Clerk approves and signed by the mover and seconder (except in Committee of the Whole or other Advisory Committees where no seconder is required).
- 18.4 Motions respecting the following matters may be introduced orally without written notice and without leave:
 - (1) Point of Order
 - (2) Personal Privilege;
 - (3) a Motion to refer decision on a question;
 - (4) presentation of a Petition;
 - (5) a Motion to refer a matter;
 - (6) a Motion to withdraw a Motion before the Chair;
 - (7) a Motion to recess;
 - (8) a Motion to call the vote on a question;
 - (9) a Motion to divide the question;

- (10) a Motion to request short reading of a Motion which is provided to Council in written format;
- (11) a Motion to continue a Council Meeting beyond 8:00 p.m.;
- (12) a Motion to move into, or out of, Closed Session;
- (13) a Motion to suspend or not to follow a rule of procedure;
- (14) a Motion to change the Order of Business;
- (15) a Motion to Adjourn.
- (16) Motions to postpone temporarily; or
- (17) to lay on the table (tabling)
- 18.5 No Member shall present a Motion on any matter to Council for its consideration unless:
 - 1. The Motion is relevant to a matter that appears on the Agenda for that meeting of the Council; or
 - 2. Leave is granted to deal with a matter not on the agenda; or
 - 3. The Motion relates to a matter which for reasons of emergency health or safety, or legal deadline, cannot be first considered by the appropriate Committee of Council.
- 18.6 After a Motion is moved in Council, it shall be deemed to be in the possession of Council and may only be withdrawn with the leave of Council and only prior to a decision or amendment on such Motion has been rendered by Council.
- 18.7 A Member may move a Motion in order to initiate discussion and debate and that Member may vote in opposition to the Motion. A seconder of a Motion may vote against the Motion.

REQUIREMENT FOR DISPOSITION

18.8 A Motion properly before Council for decision must receive disposition before any other motion can be received for debate, except where a motion on procedure has been made to amend, to refer the matter, to call the vote on the question, or to extend the hour of closing proceedings; or meeting has failed for lack of a quorum.

DISPENSING WITH NOTICE

18.9 Any Motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of the Members present and voting.

PRESENTATION OF MOTION

18.10 All Motions shall be presented in written form to Council and will be provided to the Clerk if not already printed in the Agenda for the meeting and shall be read by the Mover and shall be stated by the Mayor or Presiding Officer before it is debated.

BEYOND JURISDICTION

18.11 A Motion in respect of a matter which is beyond the jurisdiction of the Council shall not be in order.

19.0 TYPES OF MOTIONS

MOTION TO ADJORN

19.1 A Motion to adjourn:

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- i. shall always be in order except as provided by these rules;
- ii. when resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council:
- iii. is not in order when a Member is speaking or during the verification of a vote:
- iv. is not in order immediately following the affirmative resolution of a Motion for the previous question;
- v. Does not require a seconder.

MOTION TO AMEND

- 19.2 A Motion to amend, amends a Motion but cannot directly contradict or negate the effect of the Motion.
- 19.3 A Motion to Amend should be presented in writing and shall:
 - i. receive disposition of Council before a previous amendment or the questions;
 - ii. shall not be further amended more than once provided that further amendment may be made to the main question;
 - iii. shall be relevant to the question to be received;
 - iv. shall not be received proposing a direct negative to the question;
 - v. may propose a separate or distinct disposition of a question.

MOTION TO REFER

- 19.4 A Motion to refer that carries, directs a matter under discussion by Council or a Committee to staff, another Committee or other body for further examination, review or to obtain additional information.
- 19.5 A Motion to refer requires a majority vote, but must receive disposition by Council before the questions, or an amendment to the question, and when made prior thereto, before decision on a Motion for the previous question or postponement. The motion can be made with or without instructions to the staff or a committee, such as when to report back, or to propose an amendment written to accomplish a particular purpose.

MOTION TO DIVIDE

19.6 A Motion containing distinct proposals may be divided by leave of Council.

MOTION TO RECONSIDER

- 19.7 Any substantive Motion may be reconsidered. If a motion has been either adopted or defeated during a meeting, at least one member who voted on the winning side may make the motion to reconsider.
- 19.8 After a substantive Motion has been decided, any Member who voted or is deemed to have voted thereon may at any time prior to adjournment of the meeting at which such substantive Motion was decided give notice in writing for reconsideration of the motion. The Member making the motion to reconsider must declare to the Mayor or Presiding Officer the way they voted so that it is clear that the member is entitled to make the motion to

- reconsider, and the Member who gives the notice may have the privilege of stating the Members reasons for doing so.
- 19.9 Alternatively if the Motion was decided by Council after the adjournment of the meeting where the motion was voted on by Members, it shall only be reconsidered within six (6) months following the decision of Council based on new information and if Council decides to do so by a two-thirds vote, unless a regular election has occurred following the decision.
- 19.10 The Motion to Reconsider may be seconded by any member, no matter how the Member voted.
- 19.11 A Motion to reconsider is debatable.
- 19.12 If the Motion to Reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and debate on the question to be reconsidered shall proceed as though it had never previously been considered.
- 19.13 No question upon which a notice of reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered.
- 19.14 A Resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the Resolution resulting in legally binding commitments that are in place on the date the Motion to Reconsider is considered by Council.
- 19.15 If Council passes a Resolution and adopts the same matter by By-law, only the Resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the By-law will be amended or repealed accordingly.
- 19.16 A Motion to Reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution at a subsequent regular Meeting of Council.

POINT OF ORDER

- 19.17 A Motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.
- 19.18 The Mayor or Presiding Officer shall preserve order and decide points of order and points of privilege.
- 19.19 When a Member rises to a point of order he/she shall ask leave of the Mayor or Presiding Officer to raise a point of order and after leave is granted, the Member shall state the point of order and sit down and remain seated until the Mayor or Presiding Officer has decided and stated the point of order.
- 19.20 Thereafter, a Member shall only address the Mayor or Presiding Officer for the purpose of appealing the Mayor or Presiding Officer's decision to the Council.
- 19.21 If a Member appeals to Council on a point of order, Council shall hear the reason for the appeal from the appellant and the reason for the decision from the Chair, and shall decide the question without debate.

- 19.22 The decision of Council under section 19.21 is final.
- 19.23 If no Member appeals, the decision of the Mayor or Presiding Officer shall be final.

POINT OF PERSONAL PRIVILEGE

- 19.24 A Member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights or integrity of the Member's own person, of another Members or of anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- 19.25 Upon hearing such Point of Personal Privilege, the Mayor or Presiding Officer will decide and state, without debate or appeal, the ruling on the matter
- 19.26 The decision of the Mayor or Presiding Officer is s. 19.25 is final.

RECESS

19.27 A Motion to recess may be made at the call of the Mayor or Presiding Officer to suspend a Meeting for a specific length of time, or as a Point of Privilege by a Member when no question is pending, in order to provide for an intermission in the Council or Committee proceedings. A Motion to recess does not close the meeting and after which business will immediately be resumed at exactly the point where it was interrupted.

19.28 A Motion to recess:

- i. shall specify the length of time of the recess;
- ii. is debatable only as to the length or timing of the recess; and
- iii. can only be amended with respect to the duration of the recess.

RECONVENE

19.29 The motion to reconvene is made after the Member(s) have had a short recess of the Municipal Council's proceedings. Once reconvened, business resumes at exactly the point where it was recessed. Time of reconvening shall be noted in the Minutes of the Meeting.

TABLING

- 19.30 A Motion to table that carries, postpones a matter without setting a definite date for future discussion for the matter.
- 19.31 A Motion to lay on the table,
 - may be applied to main Motions, to appeals, to reconsideration and to Motions that arise out of questions of privilege;
 - ii. is in order when a Motion to close debate is pending or has been carried;
 - iii. cannot be debated or amended;
 - iv. cannot apply to any subsidiary Motion and cannot have any subsidiary Motion applied to it; and
 - v. must be voted on.

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19.32 If the Motion to table carries, the matter may not be discussed until a vote to lift the matter from the table is taken. A vote to lift a matter from the table is not amendable or debatable.

TAKE FROM THE TABLE

- 19.33 A Motion to take from the table,
 - Shall not be in order when another Motion is before the Meeting;
 - ii. Shall not be debatable or amendable:
 - iii. When resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council: and
 - iv. When resolved in the affirmative, the Motion shall become immediately pending.

WITHDRAWAL

- 19.34 A request to withdraw a Motion,
 - i. Shall only be made by the mover of the Motion;
 - ii. May be made without the consent of the seconder of the Motion; and
 - iii. Shall be in order up until the vote on the Motion is taken.
- 19.35 If a Member objects to withdrawal of a Motion, a withdrawal Motion may be entertained and becomes a main Motion, requires a seconder and a Majority Vote to adopt. If no Member objects to the withdrawal of the Motion, the Motion shall be considered withdrawn without the necessity of a seconder and that a vote be taken.

SUSPENSION OF RULES

- 19.36 The Rules of Procedure in this by-law may be suspended by a two-thirds majority vote (2/3) of the Members of Council present and eligible to vote.
- 19.37 Upon suspension, the new procedure to be followed shall be determined by a majority vote of the Members present.
- 19.38 A suspension shall only apply for the stated purpose and only during the meeting in which such motion was introduced.
- 19.39 The following rules shall not be suspended:
 - i. Majority of the whole of Members required for Quorum;
 - ii. Contractual Agreements binding the Town; and
 - iii. Any statutory requirements with respect to proceedings.

20.0 NOTICE OF MOTION

- 20.1 A Member desiring to introduce a Motion at a Meeting regarding a matter that would not otherwise be considered by the Council at such Meeting, shall deliver to the Clerk, a written copy of the Motion prior to the Agenda being published for the regular meeting at which the notice of Motion is to be given.
- 20.2 Upon receipt of a notice of Motion request, the Clerk shall print the Motion in full in the agenda for the next regular meeting of Council or for each

- succeeding regular meeting until the motion is considered or otherwise disposed of.
- 20.3 A Motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to Committee of the Whole.
- 20.4 A notice of Motion shall be otherwise considered or disposed of by the Council at the Regular Meeting or Committee of the Whole Meeting at which it is first introduced, unless a Member objects by a vote to its consideration, in which case it shall be considered at the next Committee of the Whole Meeting of the Council.
- 20.5 In introducing a Notice of Motion to Council, a Member shall be permitted the opportunity of providing material and information in support of the Resolution.
- 20.6 No delegations shall be permitted to speak on a Notice of Motion.
- 20.7 Motions for which notice has been given and appeared on the Committee of the Whole Meeting shall be listed on the next Regular Council agenda as a Motion for Council consideration.

21.0 PRECEDENCE OF MOTIONS

PRIVILEGED MOTIONS

- 21.1 Privileged Motions do not relate to the pending business of Council, but have to do with special matters of immediate and overriding importance which shall not be debated and shall interrupt the consideration of anything else:
 - 1. Question of Privilege;
 - 2. Adjourn; and
 - 3. Recess.

SUBSIDIARY MOTIONS

- 21.2 Subsidiary Motions assists with Municipal Council in treating or disposing of a main motion (and sometimes other motions):
 - 1. Table;
 - 2. Call the Question;
 - 3. Limit or Extend Limits of Debate;
 - 4. Motions to Postpone Temporarily;
 - 5. Refer;
 - 6. Amend;
 - 7. Postpone Indefinitely;
 - 8. Main Motion;
 - 9. Take from the Table; and
 - 10. Reconsideration.

INCIDENTAL MOTIONS

- 21.3 Incidental Motions relate, in different ways, to the pending business of Council or to business otherwise at hand:
 - Appeal;
 - 2. Point of Order:
 - Withdrawal;

- 4. Suspension or Rules; and
- 5. Motion to Divide.

22.0 RULES OF DEBATE

- 22.1 Every Member prior to speaking to any question or Motion shall raise their hand and must be recognized first by the Mayor or the Presiding Officer before addressing Council.
- 22.2 When two or more Members raise their hand at the same time, the Mayor or Presiding Officer shall designate the Member who in the opinion of the Mayor or Presiding Officer, was first to be acknowledged.
- 22.3 When the Mayor or Presiding Officer calls for the vote on a Motion, each Member shall be seated and shall remain seated until the result of the vote has been declared by the Mayor or Presiding Officer, and during such time no Member shall walk across the room to speak to any Member or make any noise or disturb the meeting in any manner or cause a disturbance and no Members shall speak to the Motion nor shall any other motion be made until after the vote is taken and the result has been announced.
- 22.4 When a Member is speaking, no other Member shall pass between the Member and the Mayor or Presiding Officer, or interrupt the Member except to raise a question of privilege, appeal from the decision of the Mayor or Presiding Officer, raise a point of order, lay on the table, or move for reconsideration.
- 22.5 Any Member may require a Motion under discussion and debate to be read out by the Mayor or Presiding Officer, or Clerk at any time during the debate but not so as to interrupt a Member while speaking.
- 22.6 No Member shall speak to the same Motion, or in reply, for longer than five (5) minutes without leave by the Mayor or Presiding Officer.
- 22.7 A Member may ask a question solely for the purpose of obtaining information relating to the Motion under discussion and such question must be stated concisely and be asked through the Mayor or Presiding Officer.
- 22.8 If the Mayor or Presiding Officer desires a Member to preside over a portion of the Meeting for the purpose of taking part in the debate or otherwise, the Mayor or Presiding Officer shall designate the Deputy Mayor or the Vice-Chair, if present, or in the case the Deputy Mayor or the Vice-Chair is not present, any other Member who will preside over the meeting or a specific section of the agenda.
- 22.9 When a Member is called to order the Member shall cease speaking unless the Mayor or Presiding Officer grants permission for the Member to explain, and the ruling of the Mayor or Presiding Officer shall be obeyed, subject to appeal to the Council, but without debate.
- 22.10 If a Member commits a slight breach of order such as addressing another Member instead of the Mayor or Presiding Officer in debate, or, in a single instance, fail to confine remarks to the merits of the pending question, the Mayor or Presiding Officer simply raps lightly, points out the fault, and advises the Member to correct the action. The Member can then continue speaking if he commits no further breaches of order.
- 22.11 If a Member repeatedly questions the motives of other Members and mentions them by first name, or persists in speaking on irrelevant matters in debate, the Mayor or Presiding Officer should first, if desirable to do so,

warn the Member. With or without such warning the Mayor or Presiding Officer, or any Member, can call the Member to order by declaring a Point of Order. The Mayor or Presiding Officer should clearly state the breach involved and put the question as to whether the Member should be allowed to continue speaking.

23.0 VOTING ON MOTIONS

- 23.1 The manner of determining the decision of the Municipal Council on a Motion shall be by show of hands unless a recorded vote is requested. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect, unless stated by a provision of the Municipal Act, 2001.
- 23.2 No Member can be compelled to vote. As a result, every Member has the right to abstain. If the vote required is a majority or two thirds of the members present, an abstention will have the same effect as a "no" vote.
- 23.3 Where a vote is required to be recorded, by law or by request of a Member immediately prior or subsequent to the taking of a vote, each Member that is both present and qualified to vote, shall announce his/her vote openly, and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote in alphabetical order.
- 23.4 When a Member present requests a recorded vote, all Members present at the Council or Committee meeting must vote in alphabetical order, unless otherwise provided by statute. The names of those who voted for and the names of those who voted against shall be noted in the Minutes of the applicable meeting. The Mayor or Presiding Officer shall announce the results.
- 23.5 If a Member disagrees with the announced result of any vote, except a recorded vote, the Member must object immediately following the announced results of the vote to require that the vote be taken again.
- 23.6 Unless provided otherwise, any question having an equal number of votes shall be deemed to be lost.
- 23.7 Every Member of the Council has the right to vote on all questions, unless such Member has declared a conflict of interest in writing pursuant to the Municipal Conflict of Interest Act.

QUESTIONS STATED

23.8 Immediately preceding the taking of the vote, the Mayor or Presiding Officer may state or require the Clerk to state the question in the form introduced and shall do so if required by a Member except when a Motion for the previous question has been resolved in the affirmative. The Mayor or Presiding Officer or the Municipal Clerk shall state the question in the precise form in which it will be recorded in the Minutes.

NO INTERRUPTION AFTER QUESTION

23.9 After a question is finally put by the Mayor or Presiding Officer no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the results have been declared.

DIVISION OF QUESTION

23.10 When a question has been divided with leave of Council, debate shall be restricted to each proposal in its turn. A separate vote shall be taken upon each proposal contained in a question divided with leave of the Council.

VOTE NOT ALLOWED

- 23.11 A Member not present before the result of the division on a question shall not be entitled to vote on that question.
- 23.12 The Mayor or Presiding Officer may vote with the other Members on all questions, except where otherwise expressly provided and except where they are prohibited from voting by statute.

24.0 BY-LAWS

- 24.1 Every by-law enacted by Council shall be numbered, dated and signed by the Mayor and Clerk, or their designate. The corporate seal shall be affixed to the by-law and deposited by the Clerk for safekeeping.
- 24.2 No by-law shall be presented to Council unless the subject matter thereof has been considered and approved by the Committee of the Whole or unless the Mayor, CAO and/or Clerk determines that the matter is of sufficient urgency, needs to be dealt with in the best interests of the Municipality, or is of a routine nature.
- 24.3 The Clerk shall submit to Council a summary of all by-laws proposed for adoption, including the by-law number and title.
- 24.4 Unless otherwise requested or separated, all by-laws proposed for adoption shall be passed in one single Motion, duly moved and seconded.
- 24.5 The Clerk shall be responsible for their correctness should they require to be amended at the Council Meeting.
- 24.6 Every by-law, when introduced, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act and shall be complete with the exception of the number and date thereof.
- 24.7 Any by-law(s) may be discussed or voted on individually upon request by a Council Member.
- 24.8 Amendments to by-laws being approved by Council shall be deemed to be incorporated into the by-law. If the by-law is enacted by Council, the amendments shall be inserted by the Clerk.
- 24.9 A by-law shall be deemed to have been read at the time that the title or heading thereof has been read or taken as read unless a Member of Council requires the by-law or any portion thereof to be read in full.
- 24.10 In proceedings of the Committee of the Whole, when dealing with by-laws, each section must be considered in its proper order, inclusive of the title and recitals.
- 24.11 All amendments made in Committee of the Whole shall be reported by the Chair to the Council which shall receive the same forthwith. After the report has been received, presented or debated a by-law shall be open to debate and amendment.

25.0 CORRESPONDENCE

- 25.1 Every communication that is intended to be presented to Council or a Committee must include the author's full name and current contact information including, at a minimum, the author's residence address and telephone number or e-mail address. For all communication items submitted there shall be a designated contact person to whom the Clerk can communicate on behalf of Council or a Committee.
- 25.2 The Clerk will neither respond to nor place on an agenda any correspondence which, in the Clerk's determination, is anonymous, vexatious, illegible or that contains any disrespectful or offensive language nor will such correspondence be considered by Council or a Committee.
- 25.3 Any communication within the jurisdiction of a Council Service Co-ordinator or Committee shall first be referred by the Clerk to the appropriate Committee unless the communication relates to a subject or report scheduled to be considered by Council at a Regular meeting.

25.4 CORRESPONDENCE – REQUIRING ACTION/RELATED TO AN ITEM OF BUSINESS

- 25.5 Subject to correspondence submitted conforming to section 30 of this bylaw and the Clerk's agenda publishing deadlines, the Clerk will place correspondence requiring action by Council or Committee or related to an item of business before Council or Committee on the agenda that the Clerk determines is appropriate in relation to the subject matter of the correspondence.
- 25.6 Correspondence related to an item of business before Council or Committee received after the Clerk's agenda publishing deadlines, may at the Clerk's discretion, be distributed as an additional agenda item.
- 25.7 Correspondence unrelated to an item of business before Council or Committee received after the Clerk's agenda publishing deadlines may, at the Clerk's discretion, be included in a subsequent Meeting agenda.
- 25.8 Communications/correspondence items listed on the Agenda that contain a request for action on the part of Council shall not be acted upon without Council first receiving a report from municipal staff or the appropriate Committee unless the action is of a routine or congratulatory nature.
- 25.9 All communications received from other Municipalities requesting endorsement or consideration of their resolution shall be forwarded to General Government Services for consideration, and may be added to the appropriate Council Agenda by the Coordinator or to a Committee Agenda or be received for information purposes or be sent to the Association of Municipalities of Ontario.
- 25.10 Any Member of Council, at any time prior to the preparation of the Agenda, may file in writing an item for inclusion in the Agenda.
- 25.11 During a meeting of Council, the Clerk shall read the substance of the correspondence thereof and any Member may request the reading of part of all the correspondence to read to Council.
- 25.12 For correspondence on the Agenda, or correspondence additions to the Agenda, the Council or Committee may decide by majority vote:
 - a) Hear the correspondence, notwithstanding non-compliance with the requirements of other relevant sections in this by-law; or

b) Postpone hearing the correspondence.

26.0 PETITIONS

- 26.1 Petitions shall include a statement or position that the signatories are supporting, and include legible names and legible addresses, and shall not contain any obscene, incorrect, vexatious or improper matter or language.
- 26.2 The individual or group initiating the petition, or submitting the petition to the Clerk, must provide a key contact name, mailing address, and telephone contact information to the Clerk.
- 26.3 The signatory's names and personal information will be redacted from the information published in the agenda. Council or Committee Members will be advised of the number of signatories only.
- 26.4 The Town is not accountable for the accuracy or reliability of Petitions that are submitted.

27.0 COUNCIL COORDINATOR ANNOUNCEMENTS

- 27.1 Council/Coordinator Announcements are added to the Agenda for the sole purpose of informing other Members of Council and the general public on items of interest in each Council Member/Coordinator's respective portfolio. It also provides Council an opportunity to ask questions of clarification only relating to items in a Council Member/Coordinator's portfolio.
- 27.2 The Coordinator Announcement section in the Agenda does not allow for debate and, therefore, issues that have been previously considered by Council should not be brought forward under Co-ordinator Reports and no notes will be taken by the Clerk under this section unless directed by the Mayor or Presiding Officer to do so.

28.0 UNFINISHED BUSINESS

- 28.1 Any Agenda items not dealt with at a meeting will be carried over to the next meeting as Unfinished Business.
- 28.2 Items which have been considered by Council and referred to municipal employees or Advisory Committees for a report under Unfinished Business will be listed with the date of their first appearance noted and repeated on each subsequent Agenda until disposed of by Council or unless removed from the Agenda by leave of Council.
- 28.3 Every new term of Council will have the opportunity to review unfinished business items from the previous term of Council through a written report from the Clerk, and will reserve the decision, through a successful majority vote, to accept or dispose the unfinished business items.

29.0 CLOSED SESSIONS

- 29.1 Meetings or a part of a meeting may be closed to the public by a Motion, and with at least forty-eight (48) hours of advance notice, if the subject matter being considered falls under an exemption listed in Section 239 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;

- 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; and
- g) A matter in respect of which a Council, board or 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:
- 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.
- 29.2 A meeting of the Regular Council or of a Committee 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; and
 - At the meeting, no Member discusses or otherwise deals with any matter in any way that materially advances the business or decisionmaking of the Council, board or Committee, in accordance with the Municipal Act, 2001.
- 29.3 Public Statement Required for Closed Sessions:

Prior to holding a meeting or part of a meeting that is to be closed to the public the Head of Council or Presiding Officer shall state by resolution:

- a) The fact of the holding of the Closed Session;
- b) The general nature of the matter to be considered at the Closed Session
- The specific provision of the Municipal Act, 2001 under which meeting in Closed Session is permitted; and
- d) Where the purpose is for education or training that the meeting is to be held in private session, in accordance with the Municipal Act, 2001.
- 29.4 Whenever it shall be moved and carried that the Council or Committee of the Whole convenes in Closed Session, the Chair shall preside over the meeting.
- 29.5 A meeting shall not be closed to the public during the taking of a vote, however, a meeting may be closed to the public during a vote if:
 - a) Section 239(2) of the Municipal Act, 2001 permits or requires a meeting to be closed to the public; and

- b) The vote is for a procedural matter or for giving directions or instructions to officials, employees or agents of the Municipality or persons retained under contract by the Municipality.
- 29.6 The Clerk shall prepare a record of each Closed Session held in Council or Committee, indicating:
 - a) the matter discussed;
 - b) the specific provision of the Act under which the meeting in Closed Session is held;
 - c) the Members in attendance;
 - d) the disposition of the matter;
 - e) the starting and concluding times for the Closed Session; and
 - f) any other proceedings.
- 29.7 All information, documentation or deliberations received, reviewed or taken in a Closed Session are confidential including notes and records. Agendas, reports or any items from a Closed Session for consideration by Council shall not be released to the public or media.
- 29.8 No Member or Administration shall release or make public any information considered at a Closed Session or discuss the content of such a meeting with persons other than Members of Council, Committee or relevant municipal employees.
- 29.9 All information, or documentation or deliberation received, reviewed, presented or discussed in a legitimate Closed Session of Council and its Committee's is confidential and if disclosed, the person or person's disclosing the information may be disciplined in accordance with the Town of Cobourg Code of Conduct for Council Members and the Code of Conduct for Municipal Staff Policies.
- 29.10 Subject to the provision of Section 239 of the Municipal Act, 2001, an incamera item that requires a final decision shall be done by Council resolution or by-law at a future public meeting of Council. However, discussion that took place during a closed session, shall remain confidential.

30.0 CONFIRMATORY BY-LAW

- 30.1 The Confirmatory By-Law is presented at each Regular Council Meeting to confirm the proceedings of Council at that meeting in respect of each motion, resolution and other action taken.
- 30.2 The proceedings of every meeting of Regular Council shall be confirmed by by-law so that every decision of Council and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
- 30.3 Unless otherwise requested or separated, all Confirmatory By-laws proposed for adoption shall be passed in one single Motion, duly moved and seconded, without debate or question.
- 30.4 With the adoption of the Confirmatory By-Law, the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to said actions or to obtain approvals where required, and except where otherwise provided, the Clerk and Mayor are

- authorized and directed to execute all documents necessary and to affix the corporate seal of the Town to all such documents.
- 30.5 Passage of a Confirmatory By-law does not in any way remove, and is not a substitute for, the requirement of a specific by-law authorizing the execution of any agreements.

31.0 ADJOURNMENT

- 31.1 A Motion to adjourn may be made by a Member who has the floor, requires no seconder and need not be in writing. However, no Motion to adjourn may be made during the taking of a vote on any Motion.
- 31.2 A Motion to adjourn may not be amended.
- 31.3 Where a Motion to adjourn and any item of business or any by-law then before Council is left undisposed of, such item of business or by-law may be considered at the appropriate place in the order of procedure at the next meeting.
- 31.4 Where a Motion to adjourn is lost no second Motion to the same effect may be made until the matter under consideration is disposed of.
- 31.5 On a Motion to adjourn, no Member shall leave their seat until the Chair, Mayor or Presiding Officer has declared the meeting adjourned.
- 31.6 No item of business may be dealt with at a Council meeting after 8:00 p.m unless the time for adjournment is extended by resolution of Council passed by unanimous vote. In such case, the extension shall provide for an additional thirty (30) minutes to deal with the business of Council.

32.0 COUNCIL STATUTORY PLANNING MEETINGS

- 32.1 The rules and procedures contained within this by-law shall apply with necessary changes. Council Planning shall consider matters where a public Meeting is required to hear applications under the Planning Act.
- 32.2 Municipal staff shall give legislated notice of items on any agenda in accordance with the applicable legislation.
- 32.3 Council Planning Meetings shall meet in the Council Chambers of Victoria Hall, unless with adequate public notice, as required, the Council selects an alternate Meeting location, date, or time. In the event a Regular Meeting date falls on a public holiday, the Council or Committee shall meet at the same hour on the next available business day not being a public holiday.
- 32.4 Council Planning Meetings shall be held at 6:00 p.m.
- 32.5 The Clerk, in consultation with the Mayor and Planning Staff, shall have discretion to prepare for the use of Members, an agenda containing the following:
 - I. Call to order
 - II. Introduction
 - III. Declaration of Pecuniary Interest
 - IV. Notification Procedure
 - V. Explanation
 - VI. Advisory Committee Comments/Motions
 - VII. Public Submissions
 - VIII. Future Notice

IX. Adjournment

- 32.6 The time limitation for Presentations, Delegations and Public Submissions at a public Meeting to hear applications under the Planning Act, shall not exceed ten (10) minutes. Council may extend the ten (10) minute time period by a Majority vote of the Council Members present without debate.
- 32.7 Council may ask questions of staff after a staff presentation and prior to Delegates addressing Council.
- 32.8 Once all registered presentations by Staff and Applicants have spoken, the Mayor or Chair shall ask if anyone present wishes to speak. Such individuals shall be permitted to speak without advance notice pursuant the Planning Act and as per Section 6.4 (a).

33.0 COMMITTEE OF THE WHOLE OPEN FORUM

- 33.1 Open Forum shall occur following every Committee of the Whole Meeting, to allow any individual to address Council to make informal inquiries or to comment on matters of municipal business. Persons speaking at the Open Forum are required to sign the Open Forum Register held by the Clerk prior to being permitted to address Council, and shall be limited to a maximum of five (5) minutes each.
- 33.2 Open Forum will not be included in the Meeting minutes, however it will be a part of the live streaming of the Meeting.
- 33.3 Speakers at Open Forum are require to follow the Rules of Conduct for Members as outlined in section 38.0 of this by-law.

34.0 COMMITTEES - GENERAL (ADIVISORY COMMITTEES AND LOCAL BOARDS)

- 34.1 Council shall determine by vote the appropriate number of Committees, their membership, mandates, purposes, terms of reference and reporting practices.
- 34.2 Council shall direct the Clerk to advertise for Committee applications after each election, to fill any vacancies, or expired terms of office on an annual basis, or as vacancies occur throughout the term of Council.
- 34.3 Applicants interested in applying for Committees or Boards in which the Clerk advertises for may apply through the prescribed 'Advisory Committee and Local Board Application Form' (Schedule C) prior to the allocated deadline that the Clerk determines is appropriate.
- 34.4 References used in the 'Advisory Committee and Local Board Application Form' cannot be current members of Council.
- 34.5 Council Service Coordinators will review the applications under their assigned respective service area of responsibility and will make recommendations for prospective Committee Members from applications received in closed session for appointment by motion at a Regular Council Meeting for their areas of responsibility after each municipal election for any vacancies or expired terms of office or on an as needed basis.
- 34.6 The role of Committees shall generally be to:
 - a) Make recommendations to Council on matters which are in their area of jurisdiction that are referred to the Committee by Council or that are in

- accordance with the Committee mandate, purpose and terms of reference;
- b) Guide and request municipal employees, through the CAO, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and
- c) Receive public delegations and establish mechanisms to receive further input on vital public policy matters related to their Committee's specific terms of reference.
- 34.7 The rules governing the procedure of Council and the conduct of Members at Council shall be observed in all Committees so far as they are applicable, and, subject to the specific rules for Committees set out in this section, including:
 - a) A Motion shall not be required to be seconded;
 - b) No recorded votes shall be taken;
 - c) The number of times of speaking on any question shall not be limited;
 - d) No Members shall speak more than once until every Member who desires to speak has spoken, unless approved by Chair;
 - e) A majority shall be required to decide any matter before the Committee;
 - f) The Committee Chair or Acting Chair may vote on all Motions; and
 - g) The rules relating to the introduction of new business shall be the same as those of Council.
- 34.8 The Mayor shall be an ex-officio Member of each Committee, shall be counted for quorum purposes and is entitled to vote at such meetings.
- 34.9 The Mayor shall not be eligible to be the Chair or Vice-Chair of a Advisory Committee.
- 34.10 In the absence of a decision by the Council to the contrary or to terminate an appointment, Members shall be appointed to Committees and local board by Council for the term of Council or for the term set out in such appointment, and, until their successors are appointed, unless otherwise provided by by-law.
- 34.11 Council Members who are not Members of a specific Committee may attend meetings of that Committee and may, with the consent of the Chair of the Committee, take part in the discussion, but shall not be counted in the quorum or be entitled to make Motions or to vote at these meetings.
- 34.12 Each Committee shall, at the first meeting of the Committee in the first term of Council, choose from its Members a Committee Chair and Vice-Chair to serve in those positions for the calendar year or until their successors are appointed.
- 34.13 In the second, third and fourth year of the term of Council, each Committee shall choose from its number a Committee Chair and a Committee Vice-Chair to serve in those positions for that calendar year or until their successors are appointed.
- 34.14 A Member of the Committee, who has served as Committee Chair or Committee Vice-Chair in the first, second and/or third annual term of the Committee during the term of Council, is not prohibited from serving in the same position during the annual term in the second, third and/or fourth years of the term of the Council.

- 34.15 In the event that the Chair of a Committee does not attend the Committee meeting at which he/she is to preside within fifteen (15) minutes after the time appointed for the commencement of the meeting, the Vice-Chair shall call the meeting to order and preside until the arrival of the Committee Chair. Should the Committee Vice-Chair not be in attendance at the meeting, then those Members in attendance shall appoint one of the Members to act in the place and stead of the Committee Chair and Committee Vice-Chair for the meeting. Such Members shall then call the Members to order and shall preside until the arrival of the Committee Chair or Vice-Chair.
- 34.16 Committees shall not hold or schedule meetings while Council is in session.
- 34.17 The Clerk or designate may cancel or reschedule a meeting in consultation with the Chair of a Committee and the Senior Manager or CAO.
- 34.18 Committee meetings shall be held in a consistent location, date and time unless a decision is made by the Senior Manager or CAO in consultation with the Chair and with approval of the Committee Members. Any change in venue, date or time will be published in advance to ensure all Members, Staff and the general public are advised. This should only be done under special or emergency circumstances.
- 34.19 A Committee Chair may, after consultation with the Senior Manager or CAO, at any time summon a Special Meeting of the Committee by providing written direction to the Secretary to issue a Notice of Special Meeting. Upon receipt of a petition of the majority of Members of a Committee, the Clerk or Committee Secretary shall summon a Special Meeting for the purpose and at the time noted in the petition.
- 34.20 The Clerk, or designate, subject to such changes as may be appropriate in the circumstances, shall prepare for distribution, Committee Agendas with the order of business for regular meetings of Committees as follows:
 - i. Call to Order
 - ii. Approval/Additions to Agenda
 - iii. Adoption of Minutes
 - iv. Declarations of Interest
 - v. Presentations/Delegations
 - vi. Communications/Correspondence
 - vii. Reports
 - viii. New Business
 - ix. Unfinished Business
 - x. Adjournment
- 34.21 Any matter which is within the Committee's Terms of Reference and which is not on the Committee Agenda or does not relate to a matter on the Agenda may be considered by the Committee if it agrees to consider it by a majority vote.
- 34.22 Any communication to a Committee, received prior to a meeting but not in sufficient time to be included in its Agenda, shall be reviewed by the Committee Chair, Senior Staff advisor and Committee Secretary, and;
 - a) If the communication is deemed by the Committee to pertain to a matter listed on the Agenda, it shall be submitted as a supplementary item for that meeting.
 - b) If the communication is deemed by the Committee Chair or Secretary not to pertain to a matter listed on the Agenda or their Committee's mandate, purpose or terms of reference, it shall be not be included on the Agenda or, if it does relate to their Committee, it may be referred to a subsequent meeting, unless the Committee Chair directs that it be

- submitted as an additional item at the meeting for which it was submitted, in which case, the Committee shall determine whether or not it will be considered at that meeting or be postponed or referred to a subsequent meeting.
- c) If the communication is deemed by the Committee Chair or Secretary to require a special study by the Committee, or one or more reports from any Municipal official, it shall be placed on the Agenda for a subsequent regular meeting of the Committee, unless the Committee Chair is of the opinion that urgency requires that the communication be dealt with at the meeting for which it was submitted as an additional item.
- 34.23 No meeting of a Committee shall be held in Closed Session except under specific circumstances and in accordance with Section 239 of the Municipal Act, 2001 and this procedural by-law, and with advice from the Clerk.
- 34.24 A quorum shall be calculated on the basis of a majority of Members of the Committee unless the Committee is comprised of an equal number, in which case the quorum is one-half of the Members of the Committee.
- 34.25 If no quorum is present fifteen (15) minutes after the time appointed for the meeting, the Secretary shall record the names of the Members present, the meeting shall stand adjourned until the next meeting and all business will be postponed until that meeting.
- 34.26 Notwithstanding the lack of a quorum, a Committee may receive submissions or information from the public or municipal employees on a matter when a quorum is not present as long as they are not with regard to a public hearing or meeting required by statute.
- 34.27 The Chair of a Committee has the right to expel or exclude any person from any meeting for improper conduct.
- 34.28 All items considered by a Committee and requiring Council approval shall be forwarded to the Council in the form of a Committee Report, and only Motions that have been carried shall be reported in the Committee recommendations. The Secretary will prepare a separate memo for each individual motion passed by the Committee as a recommendation to Council and forward it to the Clerk for inclusion the Council meeting agenda.
- 34.29 All Committee Minutes, when approved, are to be sent to the Clerk for record keeping purposes and to be included in the next scheduled Regular Council meeting for information purposes.
- 34.30 Members shall be appointed to Committees of Council for the term of Council or for the term set out in such appointment and until their successors are appointed.
- 34.31 All Members shall receive all notices and corresponding Agendas for Committees within forty-eight (48) hours of the meeting where possible.
- 34.32 Should a meeting be adjourned for lack of quorum and there are matters of business that are deemed urgent by the Chair or CAO, these matters may be placed on the Council Agenda as a report by the Council Service Coordinator representative or by the Committee acting without a quorum. A report of a Committee acting without a quorum shall not contain any recommendations by the Committee. Otherwise, the items of business will be scheduled to be considered at the next meeting of the Committee.

35.0 AD HOC COMMITTEES (SPECIAL AND TASK FORCES)

- 35.1 Council may constitute an Ad Hoc Committee, which, at the option of Council may be termed a Special Committee, to consider and report on a specific subject, project or undertaking. When a Special Committee has been appointed by Council, the Members will be appointed by resolution or Council by-law. When a Special Committee has completed its work and made its final report to Council, the Special Committee shall be deemed to be discharged.
- 35.2 The Mayor shall be an ex-officio Member of all Special Committees and shall be eligible to vote at these Special Committees.
- 35.3 Where a question has been referred or a task assigned to a Special Committee and the Special Committee has not yet made its final report to Council and a Member desires to take the matter out of the Committee's hands, either to permit Council itself to consider or act on the matter or so that the matter may no longer be considered, such action may be proposed by means of a Notice of Motion to Discharge the Committee.
- 35.4 Each Special Committee shall be given a clear mandate and well defined Terms of Reference that shall include:
 - a) the mandate:
 - b) the composition, including the applicable municipal employees;
 - c) the reporting relationships;
 - d) the municipal employees and other resources to be made available;
 - e) when the matters will be reported on;
 - f) a start and finish date; and
 - g) consider any budget implications.
- 35.5 Special Committees for special projects may be established by Council when necessary upon a recommendation and with justification to the Committee of the Whole.
- 35.6 Prior to the establishment of a Special Committee which Council has determined will include members of the public, the Clerk shall be directed to place an advertisement in a local newspaper and on the Municipal Website inviting members of the public to apply to be a member of the Committee.
- 35.7 Council Members who are not Members of a specific Committee may attend meetings of that Committee and may, with consent of the Chair of that Committee, take part in the discussion but shall not be counted in the quorum or be entitled to vote at these meetings.
- 35.8 A Special Committee may be appointed by the Council to investigate and report on matters provided that:
 - a) The Special Committee, in all cases, reports directly to the Council, and;
 - b) The established Special Committee does not have the power to appoint sub-Committees, nor shall it add to its Membership without permission from the Council.
- 35.9 The Clerk shall be the Secretary of all Special Committees of Council but may assign their duties as Secretary of any Committee to an alternate municipal employee.
- 35.10 A copy of the Minutes of each Special Committee meeting shall be forwarded to the Council.

- 35.11 It shall be the duty of the Secretary to give notice of each meeting of the Special Committee together with an Agenda of the matter to be considered so that such notice and Agenda will reach the Members at their addresses as recorded in the Municipal records not later than forty-eight (48) hours preceding the day of the meeting where possible.
- 35.12 The procedural rules of governing meetings of Council as set out in this bylaw shall apply with necessary modification to any meeting of a Special Committee insofar as they are applicable.

36.0 DISBANDING - AD HOC OR SUB-COMMITTEES

- 36.1 Unless otherwise directed by the Council, an Ad Hoc Committee shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.
- 36.2 Unless otherwise directed by the Council, a Subcommittee shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.

37.0 THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL

37.1 It shall be the duty of the Head of Council, Chair, or other Presiding Officer to preside over the conduct of the meeting, including preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.

The Head or Council, Chair or Presiding Officer's duties are:

- a) To open the meeting of Council by taking the Chair and calling the Members to order;
- b) To ask Members to make a declaration of any interest of either a potential conflict or pecuniary interest;
- c) To announce the business before the Council in the order in which it is to be acted upon:
- d) To receive and submit, in the proper manner, all Motions presented by the Members of Council;
- e) To put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results of the vote on any Motions presented for a vote;
- f) To decline to put to vote Motions which infringe the rules of procedure;
- g) To restrain the Members, within the rules of order, when engaged in debate;
- h) To maintain order and preserve the decorum of the meeting;
- To call by name any Member persisting in breach of the rules of order of the Council, thereby ordering them to vacate the Council Chamber;
- To receive all messages and other communications and announce them to the Council;
- K) To authenticate, by his/her signature when necessary, all by-laws, and Minutes of the Council;
- To inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;

- m) To represent and support the Council, declaring it will, and implicitly obeying its decisions in all things;
- n) To ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- Close the meeting when business is concluded or recess the meeting as required;
- p) To adjourn the meeting without the question put in the case of grave disorder arising in the Council Chamber;
- q) Rule on all procedural matters without debate or comment;
- r) Receive and submit to a vote all Motions presented by the Members that do not contravene the rules of procedure;
- s) Decline to put to a vote Motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council;
- t) Expel or exclude from the meeting any person whom the Municipality feels has exhibited improper conduct at the meeting.
- 37.2 The Presiding Officer may appoint another Member of the Committee to act as Committee Chair while they are speaking to a question or while they are temporarily absent from the meeting.
- 37.3 The Presiding Officer shall maintain order in the Committee of the Whole and report the proceedings to the Council.
- 37.4 The rules governing the procedure of the Council and the conduct of Members in Council shall be observed in Committee of the Whole so far as they are applicable, except that:
 - i. Motions may be moved orally except where the Presiding Officer requests that the Motion be in written form; and
 - ii. A seconder shall not be required on Motions.

38.0 RULES OF CONDUCT FOR MEMBERS

- 38.1 A Member shall not:
 - a) Speak disrespectfully of any Member of the Royal Family, the Governor General, the Lieutenant Governor, Member of Parliament, any other Council Member or any official or employee of the Municipality;
 - b) Disturb the Council by a disorderly deportment;
 - Use profane or offensive words or insulting expressions or unparliamentary language;
 - d) Disobey the rules of the Council or a decision of the Mayor or the Council on points of order or on the interpretation of the rules of procedure of Council:
 - e) Leave his/her seat or make any noise or disturbance while a vote is being taken or until the results are declared;
 - f) Interrupt a Member who is speaking, except to raise a point of order or question of privilege;
 - g) Speak on any subject other than the subject in debate. Remarks and arguments must be relevant to the question being considered. The Chair is the judge of relevancy and can interrupt the speaker who is deviating unduly from the main thread of the discussion. Otherwise, a speaker has the right to be heard without interruption, unless committing a breach of order or contravening the rules of the meeting. In this case,

- any Member may interject and the speaker must cease until the matter has been dealt with and subject to a ruling by the Chair;
- h) Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- i) Disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council and in case a Member persists in any such disobedience after having been called to order by the Chair, the Chair may forthwith order the Member to leave his/her seat for the duration of the meeting of Council; or
- j) Engage in private conversation while in the Council meeting or use electronic devices including cellular phones, pagers and computers, in a manner which interrupts the proceedings of the Council.
- 38.2 The Council approved Town of Cobourg 'Code of Conduct for Council Members' also applies to Council and Committee meetings.
- 38.3 All matters not covered by this by-law shall be decided by the Chair who may call upon the Municipal Clerk to provide advice regarding procedure. The Clerk shall provide this advice following which the Chair shall announce his/her ruling.
- 38.4 If a Member disagrees with the ruling of the Chair the Member may appeal the ruling. The Chair, in response, shall call a vote on the question of sustaining the ruling of the Chair. The Chair may provide further explanation of the ruling prior to the calling of the vote.
- 38.5 Should an appeal of the Chair's decision be put, the Chair shall immediately put the question, no amendment, adjournment or debate being allowed. A Motion is required and shall state "that such Member be allowed to retain his/her seat for the duration of the meeting of Council". A two-thirds vote of the Members of Council present and voting is required to overturn the Chair's Ruling that the Member be expelled.

DISORDERLY CONDUCT - PROGRESSIVE STEPS

38.6 The Chair, after three warnings, shall call by name any Member persisting in breaching the rules of procedure and, subject to a majority vote of the Members present, order the Member to vacate their seat and leave the meeting.

DISORDERLY CONDUCT - APOLOGY

38.7 If the Member apologizes, the Chair may permit the Member to resume their seat.

DISORDERLY CONDUCT - MEMBER TO BE REMOVED

- 38.8 In the event that a Member persists in a breach of the rules after having been called to order by the Chair, the Chair may put the question: "Shall the Member be ordered to leave his/her seat for the duration of the meeting?" and such question is not debatable. If the Council decides the question of removing a Member in the affirmative, by a two-thirds vote of the Members present, the Chair shall order the Member to leave his/her seat for the duration of the meeting.
- 38.9 If the Member apologizes, the Chair, with the approval of a simple majority of the Council, may permit him/her to resume his/her seat.

FAILURE TO LEAVE SEAT

38.10 If a Member does not leave his/her seat after being ordered to do so by the Chair in accordance with this by-law and if the Member does not apologize in accordance with the above section, then the Chair shall seek the appropriate assistance.

POWERS TO EXPEL PERSONS OTHER THAN MEMBERS OF COUNCIL

38.11 The Head of Council or Chair may expel any person for improper conduct at a meeting.

SPEAKING TO THE SUBJECT

38.12 When any Member is about to speak in debate, or on any subject in Council he/she may rise in his/her place and respectfully address the Chair and shall confine himself/herself to the question under consideration; he/she shall strictly avoid all personalities and shall sit down as soon as he/she has concluded.

38.13 CALLING THE QUESTION

- a) When the Chair is putting a question, no Member may walk out of the room;
- b) When a Member is speaking, no other Member shall hold discourse which may interrupt the speaker;
- c) If any Member is speaking or otherwise transgressing the rules of Council, the Chair shall call such Member to order, in which case the Member so called to order shall immediately comply with the call to order, unless permitted to explain and the Council, if appealed to, shall decide on the Member's appeal but without debate. A simple majority is required; and
- d) A Member shall not leave his/her seat or make any noise or disturbance while a vote is being taken or until the result is declared.

38.14 LEAVING SEAT WITHOUT CONSENT OF THE CHAIR

- a) The Members of Council shall not leave their places without permission of the Chair and on adjournment until the Chair leaves the Chair; and
- b) A Member shall not leave the meeting when he/she does not intend to return without first advising the Chair and/or the Municipal Clerk.

39.0 RULES OF CONDUCT FOR MEMBERS OF THE PUBLIC ATTENDING COUNCIL AND COMMITTEE MEETINGS

- 39.1 Members of the public present during a Council or Committee meeting shall maintain order and quiet and shall not address Council or the Committee except with the permission of Chair or presiding Officer.
 - No person shall display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of Council or the Committee.
 - ii. No person shall bring into the Council Chamber or Committee meeting room food or drinks, or cellular telephones, pagers or other electronic devices which emit a sound unless such devices are turned off or silenced.

- iii. When invited to address Council or a Committee, no person shall use indecent, offensive or insulting language or speak disrespectfully of any Member of the Royal Family, the Governor General, the Lieutenant Governor, Member of Parliament, any other Council Member or any official or employee of the Municipality;
- iv. Persons invited to address the Council or Committee shall only speak on the subject in debate and shall not speak on any other subject, unless otherwise granted by the Chair or Council.
- v. Any person, not being a member of Council, who contravenes any provision of this section, may be expelled from the Meeting by the Chair.
- 39.2 Persons attending Council and/or Committee meetings as observers and who are in the audience in the Council Chamber during a Council Meeting will maintain order and quiet and may not:
 - i. address Council without the permission of the Council;
 - ii. interrupt any speech or action of the Members of Council or any other person addressing Council; or
 - iii. display or have in their possession picket signs or placards in the Council Chambers or Meeting Rooms.
- 39.3 All persons attending a Council meeting shall observe the rules of Council with respect to decorum and conduct.
- 39.4 No person except Members and Officers of the Council shall be allowed to come within the dais during the sittings of Council without permission of the Presiding Officer or the Council upon reference.
- 39.5 No person shall:
 - i. Use offensive words or unparliamentarily language in or against the Council or against any Member of Council or municipal employee;
 - ii. Speak on any subject other than the subject in debate;
 - iii. Criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - iv. Disobey the rules of the Council or a decision of the Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the rules of the Council and in the case a person persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such person be ordered to leave his seat for the duration of the meeting of the Council" but if the person apologizes he may, by vote of the Council, be permitted to retake his seat.
 - v. When the Chair is putting the question no person shall leave or make a disturbance.

40.0 ORGANIZATIONAL STRUCTURE

40.1 No Member of Council or Committee Member shall have the authority to direct or interfere with the performance of any work for the Town; and the officer in charge shall be subject only to the persons Manager/Director as established in the formal organizational structure of the Town of Cobourg.

40.2 No Committee shall have departmental jurisdiction.

41.0 AMENDMENT

41.1 No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular meeting of Council in accordance with the Town's Public Notice Policy.

42.0 STATUTORY REQUIREMENTS

42.1 All provisions of this by-law which are statutory requirements under the Municipal Act, 2001, are so noted with reference to the relevant section of the Act. Amendments made to these statutory provisions by the Province of Ontario shall take precedence over the provisions contained herein and this by-law shall be deemed to be so amended to conform to the same.

43.0 MUNICIPAL CLERK'S DUTIES - DELEGATION OF CLERK'S DUTIES

- 43.1 The Municipal Clerk shall be the Secretary of all Committees of the Council and may delegate any such duties as Secretary of any Committee to a Municipal Employee in the Town of Cobourg in consultation with the CAO and Division Directors.
- 43.2 The Municipal Clerk may delegate to any employee in the Town of Cobourg, the Clerk's duties related to the giving of notice and the recording of the proceedings of meetings of Council and its Committees.
- 43.3 Every by-law, upon enactment, shall be signed by the Mayor or the Acting Mayor, and, the Clerk or Deputy Clerk, with the date of enactment thereof entered and the Corporate Seal of The Corporation of the Town of Cobourg affixed thereto.

44.0 MUNICIPAL SOLICITOR

- 44.1 The Municipal Solicitor is authorized to commence or to defend any proceeding appeal, or other form of action in a court or before an administrative tribunal to meet statutory or regulatory time limits and to seek costs where appropriate in accordance with the rules of the Court or Tribunal.
- 44.2 The Municipal Solicitor shall report to Council at the first available opportunity on such any action taken, and Council shall determine whether the matter should be continued or discontinued.

45.0 GENDER/NUMBER

45.1 This by-law shall be read with all changes of gender or number as are required by the context or the circumstances.

46.0 SEVERABILITY

46.1 If a court or tribunal of competent jurisdiction declares any portion of this bylaw to be illegal or unenforceable, that portion of this by-law will be considered to be severed from the balance of the by-law, which will continue to operate in full force.

47.0 EFFECTIVE DATE

THIS by-law shall become effective on February ##, 2019.

48.0 REPEAL OF EXISTING BY-LAWS

MAYOR

That By-law No. 079-2017 is hereby repealed.

READ a first time in Open Council on January 7, 2019.

READ a second and third time and finally passed in Open Council this ## day of February 2019.

MUNICIPAL CLERK

O 黎 O	THE CORPORATION OF THE TOWN OF COBOURG	
	STA	FF REPORT
COBOURG TO:	Mayor and Council	
FROM: TITLE:	Terry Hoekstra Manager of Engineering a	and Capital Projects
DATE OF MEETING:	January 14, 2019	1317
TITLE / SUBJECT:	53/55 Albert Street (Millstone Bread), Transfer of Property Title	
REPORT DATE:	January 10, 2019	File #:

1.0 <u>STRATEGIC PLAN</u> N/A

2.0 PUBLIC ENGAGEMENT N/A

3.0 RECOMMENDATION

It is recommended that Council authorize the Mayor and Municipal Clerk to enter into an agreement for the Transfer of Lands from the Owners of 53/55 Albert Street to the Town of Cobourg.

4.0 ORIGIN

During the Albert Street Reconstruction project completed in 2009, it was determined an area of property (approx. 3.05m x 14.4m) known as Part 2 on Plan 39R-12127 lands are not owned by Town of Cobourg. Part 2 area now consists of public accessed concrete sidewalk and brick paver boulevard adjacent to the roadway.

5.0 BACKGROUND

In May 2018, the Owners of Millstone Bread contacted Town staff to follow up on previous discussions held with the Town in 2009 regarding the transfer of property to the Town of Cobourg. Discussions in 2009 included the provision of two (2) free fifteen (15) minute parking stalls in front of 53/55 Albert Street in lieu of financial compensation for the land transfer. Currently there are two (2)

paid parking meters in front of 53/55 Albert Street.

Templeman Menninga have prepared documentation to facilitate the Transfer of Lands, including the provision of two (2) free fifteen (15) minute parking stalls which will terminate when the property is sold in the future. The documentation has been executed by the Owners of 53/55 Albert Street.

6.0 ANALYSIS

In summary, the proposed Transfer of Lands of the Part 2 parcel to the Town of Cobourg will designate the parcel as Municipal owned lands.

7 0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

By executing the Transfer of Lands the Town agrees to pay for the following services and associated estimate of costs:

Transfer Transaction Cost \$ 2.00
Town Legal Fees (Est.) \$ 1,400.00
Two (2) Free Parking Signs \$ 400.00

Estimated Total \$ 1,802.00

The cost associated with the legal fees will be charged to Legal Expenses under the operating budget.

The cost associated with parking signs will be charged to Public Works parking budget.

Estimated loss of revenue by removing two (2) paid parking meters and replacing with free parking would be approximately \$5,400 annually.

8.0 CONCLUSION

It is recommended that the Town duly execute the property transfer documentation to proceed with the Transfer of Lands to Town of Cobourg, as lands are being used for public usage.

Approved By:

Department: Public Works

Laurie Wills, Deputy Director of Public Works Publi Stephen Peacock, Chief Administrative Officer CAO



Royal Bank of Canada

Resolution Regarding Banking

For use by Cities, Towns, Villages, Muncipalities, Hospitals, Regional Health Authorities, School Districts, Divisions and Regional Divisions

SRF No.: 762365526

Legal Name: THE CORPORATION OF THE TOWN OF COBOURG

Address: 55 KING ST W COBOURG ONTARIO K9A2M2

(the "Customer")

RESOLVED:

1. THAT ROYAL BANK OF CANADA ("Royal Bank") is appointed banker for the Customer.

2. THAT Two signatures required among Mayor, Deputy Mayor, CAO, Treasurer

are authorized on behalf of the Customer from time to time:

- (a) to withdraw or order transfers of funds from the Customer's accounts by any means including the making, drawing, accepting, endorsing or signing of cheques, promissory notes, bills of exchange, other orders for the payment of money or other instruments or the giving of other instructions;
- (b) to sign any agreements or other documents or instruments with or in favour of Royal Bank, including agreements and contracts relating to products or services provided by Royal Bank to the Customer; and
- (c) to do, or to authorize any person or persons to do, any one or more of the following:
 - (i) to receive from Royal Bank any cash or any securities, instruments or other property of the Customer held by Royal Bank, whether for safekeeping or as security, or to give instructions to Royal Bank for the delivery or other transfer of any such cash, securities, instruments or other property to any person named in those instructions;
 - (ii) to deposit with or negotiate or transfer to Royal Bank, for the credit of the Customer, cash or any security, instrument or other property, and for those purposes to endorse (by rubber stamp or otherwise) the name of the Customer, or any other name under which the Customer carries on business, on any security or instrument;
 - (iii) to instruct Royal Bank, by any means, to debit the accounts of third parties for deposit to the credit of the Customer; and
 - (iv) to receive statements, instruments and other items (including paid cheques) and documents relating to the Customer's accounts with or any service of Royal Bank, and to settle and certify the Customer's accounts with Royal Bank.
- 3. That all instruments, instructions, agreements (including contracts relating to products or services provided by Royal Bank) and documents made, drawn, accepted, endorsed or signed (under the corporate seal or otherwise) as provided in this Resolution and delivered to Royal Bank by any person, shall be valid and binding on the Customer, and Royal Bank is hereby authorized to act on them and give effect to them.

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/ TM Trademark(s) of Royal Bank of Canada.



E-Form 380 (2014/10)

PAGE 1 / 2

- 4. That Royal Bank be furnished with:
 - (a) a copy of this Resolution; and
 - (b) a list of the names of the persons authorized by this Resolution to act on behalf of the Customer, and with written notice of any changes which may take place in such list from time to time, and with specimens of the signatures of all such persons;

and (2) Treasurer		of the Customer; and
(c) in writing, any authorization	made under paragr	aph 2(c) of this Resolution.
5. That any document furnished to Roy	al Bank as provide	d for in paragraph 4 of this Resolution shall be binding upor
the Customer until a new document rep	ealing or replacing t	he previous one has been received and duly acknowledged in
writing by the branch or agency of Roya	al Bank where the C	ustomer has its account.
	CERTI	FICATE
We hereby certify that the above is a tro	ue copy of a resolut	ion passed at a meeting of the
Council		of the
	(Council, Board or Board	
Customer duly convened and regularly h	eld in accordance v	vith the law governing the Customer on
Y Y Y Y M M D D.		
(SEAL)	(1)	
		Authorized Person's Signature
		Authorized Person's Name: John Henderson
		Authorized Ferson's Name. John Henderson
		Authorized Person's Title: Mayor
	(2)	1
		Authorized Person's Signature
		Authorized Person's Name: Ian Davey

Please do not write in this area

PAGE 2 / 2 E-Form 380 (2014/10)



Moved By Last Name Printed	Resolution No.:
Seconded By	Council Date:
Last Name Printed	January 14, 2019

WHEREAS the Committee of the Whole considered a Report from the Municipal Clerk/Manager of Legislative Services, regarding the appointment of the Town of Cobourg Municipal Integrity Commissioner, Municipal Ombudsman, and Closed Meeting Investigator;

NOW THEREFORE BE IT RESOLVED THAT Council direct Staff to proceed with three (3) separate Request for Proposals (RFP) in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg; and

FURTHER THAT the Town extend the appointment of John Ewart, Ewart O'Dwyer Barristers and Solicitors as the Town of Cobourg Integrity Commissioner, Ombudsman and Closed Meeting Investigator to conclude any final on-going investigations that remains with his office and report back to Council upon their conclusion pursuant to the Town of Cobourg Ombudsman Complaint Protocol Policy; and

FURTHER THAT Council direct Staff to bring forward a report to Council for decision to provide an overview and recommendation for the appointment of a Integrity Commissioner, Ombudsman and Closed Meeting Investigator for the Town of Cobourg; and

FURTHER THAT Staff look at the option of having three (3) different individuals forming each position of Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator separately or having one (1) individual preform all three roles.



Moved By Last Name Printed	Resolution No.:
Seconded By Last Name Printed	Council Date: January 14, 2019

WHEREAS the Committee of the Whole considered a Report from the Municipal Clerk/Manager of Legislative Services, regarding Unfinished Business/Referred Items from the 2014-2018 Council Term;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the following list of Unfinished and Referred Business Items to be added to the Unfinished Business Item heading of the Committee of Whole and Regular Council Agenda;

08-21-17	Traffic Study Lower Division Street/Esplanade Area (Public
	Works)
10-10-17	Traffic/Parking Concerns Condo. Corp.#58- 148 Third
	Street(Public Works)
04-30-18	Public notification, meeting and engagement procedures
	pertaining to applications submitted under the Planning
	Act(Planning and Development)
08-13-18	Petition excessive vehicular traffic and speeding on Monroe
	Street, Cobourg (Public Works)
09-24-18	Delegation Action, regarding a community proposal to revitalize
	waterfront waste disposal bins.
09-24-18	Cobourg Planning and Sustainability Advisory Committee Motion,
	regarding the future management of sustainability in the Town of
	Cobourg
11-26-18	Memo from John Ewart, Town of Cobourg Municipal Ombudsman,
	regarding a Town of Cobourg Ombudsman Complaint 1-2018.



Moved By Last Name Printed	Resolution No.:
Seconded By Last Name Printed	Council Date: January 14, 2019

WHEREAS the Committee of the Whole considered a Report from the Municipal Clerk/Manager of Legislative Services, regarding Cannabis Retail Establishments in the Town of Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council direct the Municipal Clerk/Manager of Legislative Services to notify the Alcohol and Gaming Commission of Ontario (AGCO) that the Town of Cobourg will permit private cannabis retail stores in the Town of Cobourg; and

FURTHER THAT Council delegate authority to the Municipal Clerk/Manager of Legislative Services to develop a process and draft a Municipal Cannabis Policy Statement in order to identify the staff and reasons required to submit the Town of Cobourg's formal response to a cannabis retail site application(s) to the AGCO, and including in the response indication of:

- 1. Protecting public health and safety;
- 2. Protecting youth and restricting their access to cannabis;
- 3. Preventing illicit activities in relation to cannabis;

FURTHER THAT Council direct the Municipal Clerk/Manager of Legislative Services that the Town's formal responses to the AGCO be posted to the Town of Cobourg's Municipal website for accountability and transparency.



Moved By	Resolution No.:
Last Name Printed	_
Seconded By	Council Date:
Last Name Printed	January 14, 2019
WHEREAS the Committee of the Whole considere positions on the Cobourg Heritage Advisory C Adjustment/Property Standards Committee, the Cobour Cobourg Downtown Business Improvement Area Board	Committee, the Committee of irg Police Services Board, and the
NOW THEREFORE BE IT RESOLVED that the Cobo following members to the Cobourg Heritage Advisor Adjustment/Property Standards Committee, the Cobour Cobourg Downtown Business Improvement Area Board	ry Committee, the Committee of rg Police Services Board, and the
ADVISORY COMMITTI	EE
Cobourg Heritage Advisory C	Committee
Councillor Nicole Beatty	
Loren Turner	
Felicity Pope	
Jolinka Burnie	
Graham Andrews	
Kenneth Bagshaw	
Catherine Richards	
QUASI-JUDICIAL COMMIT	TTEES
Committee of Adjustment/Property Sta	andards Committee
Robert Marr	
Peter Delanty	
Astrid Hudson	
Barry Gutteridge	
Allan Smelko	

LOCAL BOARDS

	Cobourg Police Services Board
Mayor John Henderson	
Councillor Aaron Burchat	
Dean Pepper	

Downtown Cobourg Business Improvement Area – Board of Management (DBI	A)
Councillor Adam Bureau	
manda Da Silva	
enna Fitzgerald	
oan Greaves	
ulie Dreyer	
ulie McCuaig	
ou Trozzolo	
Rino Ferreri	



Moved By	Resolution No.:
Woved by	Resolution No
Last Name Printed	
Seconded By	Council Date:
Last Name Printed	January 14, 2019

WHEREAS the Committee of the Whole considered a delegation from Bruce Moore, citizen of Cobourg, requesting the move of Christmas Magic to Victoria Park in 2019;

NOW THEREFORE BE IT RESOLVED THAT Council establish an Ad Hoc Committee regarding the location of Christmas Magic in Cobourg for 2019 with Staff involvement, and to include the item of moving Christmas Magic to Victoria Park in the 2019 Budget deliberations.



Moved By Last Name Printed	Resolution No.:
Seconded By Last Name Printed	Council Date: January 14, 2019

WHEREAS the duly elected 2018 – 2022 Municipal Council of the Town of Cobourg will be assigned various Coordinator responsibilities and will also represent the Council on various Advisory Committees, Local Boards and Staff Working Groups;

NOW THEREFORE BE IT RESOLVED that the Cobourg Municipal Council Coordinator Appointments from the December 3, 2018 Inaugural Council Meeting be amended to adopt the following revisions to the Council Coordinator Appointments; and

FURTHER THAT Council appoint the following Council representatives to various Committees, Boards and Staff Working Groups, and make further Advisory Committee appointments at a later date following the review and recommendations of Municipal Staff on the potential creation, amendment or dissolution of Advisory Committees;

COUNCIL COORDINATOR APPOINTMENTS AND ALTERNATES

Mayor John Henderson

Alternate: General Government Services, Deputy Mayor Suzanne Séguin

GENERAL GOVERNMENT SERVICES – Deputy Mayor Suzanne Séguin

Alternate: Mayor John Henderson

PLANNING SERVICES COORDINATOR – Councillor Nicole Beatty

Alternate: Protection Services, Councillor Aaron Burchat

PROTECTION SERVICES COORDINATOR - Councillor Aaron Burchat

Alternate: Arts, Culture and Tourism Services, Councillor Adam Bureau

ARTS, CULTURE AND TOURISM SERVICES COORDINATOR - Councillor Adam Bureau

Alternate: Parks and Recreation Services, Councillor Emily Chorley

PARKS AND RECREATION SERVICES COORDINATOR - Councillor Emily Chorley

Alternate: Public Works Services, Councillor Brian Darling

PUBLIC WORKS SERVICES COORDINATOR – Councillor Brian Darling

Alternate: Planning Services, Councillor Nicole Beatty

COUNCIL APPOINTMENTS TO COMMITTEES, BOARDS AND WORKING GROUPS

MAYORNorthumberland County CouncilJOHN HENDERSONTown of Cobourg Holdings Inc.

Cobourg Community and Civic Awards Committee

Northam Industrial Park

Cobourg Police Services Board

Northumberland Central Chamber of Commerce

Audit Committee

The Ex Officio Member of all Council Committees

DEPUTY MAYOR
SUZANNE SÉGUIN

Northumberland County Council (Alternate)

Northam Industrial Park

GENERAL GOVERNMENT SERVICES COORDINATOR

Cobourg Downtown Business Improvement Area Board

Audit Committee By-law Review Team

Community Physician and Recruitment & Retention

Committee

COUNCILLOR NICOLE BEATTY PLANNING

SERVICES COORDINATOR

Cobourg Heritage Advisory Committee

Water Quality Accountability Liaison Committee Ganaraska Region Conservation Authority

COUNCILLOR AARON BURCHAT

PROTECTION SERVICES COORDINATOR

Cobourg Police Services Board

Joint Animal Control Board of Management

Community Emergency Management Program Committee

By-law Review Team

COUNCILLOR ADAM BUREAU

ARTS, CULTURE AND TOURISM SERVICES COORDINATOR

Cobourg Public Library Board Art Gallery of Northumberland Board

Cobourg Downtown Business Improvement Area Board

Cobourg Farmers' Market (Liaison)

COUNCILLOR
BRIAN DARLING
PUBLIC WORKS

SERVICES COORDINATOR

Water Quality Accountability Liaison Committee Ganaraska Region Conservation Authority



Moved By Last Name Printed	Resolution No.:
Seconded By Last Name Printed	Council Date: January 14, 2019

WHEREAS the Committee of the Whole considered applications to fill the vacant positions on the Cobourg Public Library Board;

NOW THEREFORE BE IT RESOLVED that the Cobourg Municipal Council appoint the following members to the Cobourg Public Library Board;

	Cobourg Public Library Board
Councillor Adam Bureau	
Councillor Pat McCourt	(Hamilton Township)
Diana Cleland	
Kevin Caldwell	
Jennifer Gillard	
Joanne Hearst	
Denise Manchee	
Simon Chorley	

COBOURG

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER <u>001-2019</u>

A BY-LAW TO ENTER INTO AN AGREEMENT WITH 1978327 ONTARIO LTD. (LOADSTAR TRAILERS) AND THE CORPORATION OF THE TOWN OF COBOURG (DODGE STREET, COBOURG).

WHEREAS Section 9 of the *Municipal Act, 2001* S.O. c. 25, as amended (herein referred to as the "Municipal Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

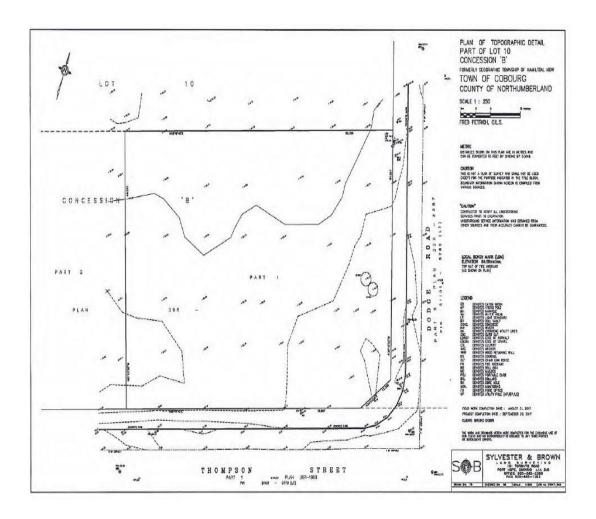
AND WHEREAS pursuant to the General Powers contained in Part II of the Municipal Act, the Council of every Municipality has the authority to sell land;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT the Mayor and Municipal Clerk are hereby authorized and directed to execute on behalf of the Corporation a Sale of Land Agreement with 1978327 Ontario Ltd. (Loadstar Trailers) at Dodge Street, Cobourg, as generally described in Schedule "A" and Schedule "B", including any required extensions or minor amendments to the Agreement of Sale and all other necessary or ancillary documentation for the purpose of completing such transaction to carry out the purpose of this By-law.
- 2. THAT this By-law shall come into force and effect upon the date of passing.

By-law read and passed in Oper	n Council on this 14 th day of January, 2	2019.
MAYOR	MUNICIPAL CLERK	 -

SCHEDULE "A"



SCHEDULE "B"



COBOURG

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER <u>002-2019</u>

A BY-LAW TO ENTER INTO AN AGREEMENT WITH 2364574 ONTARIO LTD. (VANCOR) AND THE CORPORATION OF THE TOWN OF COBOURG. (THOMPSON AND DODGE STREET, COBOURG).

WHEREAS Section 9 of the *Municipal Act, 2001* S.O. c. 25, as amended (herein referred to as the "Municipal Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

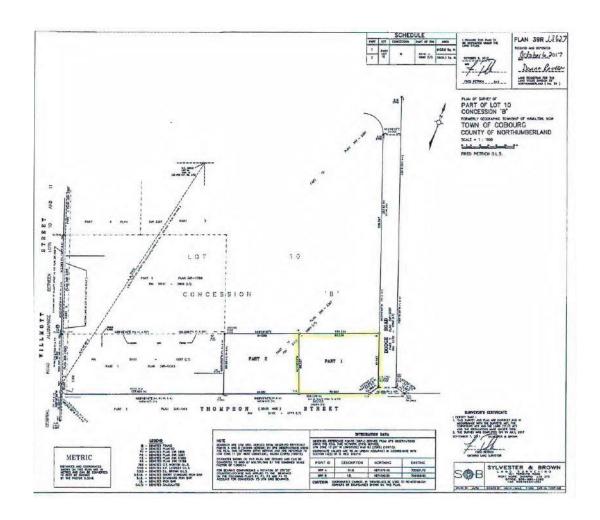
AND WHEREAS pursuant to the General Powers contained in Part II of the Municipal Act, the Council of every Municipality has the authority to sell land;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT the Mayor and Municipal Clerk are hereby authorized and directed to execute on behalf of the Corporation an Sale of Land Agreement with 2364574 Ontario Ltd. (Vancor) at the South East corner of Thompson Street and Dodge Street, Cobourg, as generally described in Schedule "A" and Schedule "B", including any required extensions or minor amendments to the Agreement of Sale and all other necessary or ancillary documentation for the purpose of completing such transaction to carry out the purpose of this By-law.
- 2. THAT this By-law shall come into force and effect upon the date of passing.

By-law read and passed in Op-	en Council on this 14 th day of January, 2	2019
MAYOR	MUNICIPAL CLERK	

SCHEDULE "A"



SCHEDULE "B"





THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER

A BY-LAW TO AUTHORIZE AN INTERIM TAX LEVY AND TO PROVIDE FOR THE COLLECTION OF TAXES AND PENALTY AND INTEREST CHARGES.

WHEREAS the Municipal Act, 2001, Section 317(1) provides that the council of a local municipality may in 2018 before the adoption of the estimate of the year, pass a by-law to levy on the whole of the assessment for real property according to the last revised assessment roll, a sum not to exceed that which would be produced by applying 50% of the total 2017 tax rate to residential, farm assessment and pipelines;

WHEREAS the Municipal Act, 2001, Section 317(1) provides that the council of a local municipality may in 2018 before the adoption of the estimate for the year, pass a by-law to levy on the whole assessment for real property according to the last revised assessment roll, a sum not to exceed that which would be produced by applying 50% of the notional tax rates that the municipality is required to calculate to commercial, industrial and multi-residential assessment and the assessment that relates to railways, hydro corridors, airports and other such unique properties, and;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT the following interim tax is hereby levied for the year 2019.
 - a) A levy on the whole of the assessment for real property in the residential, farm and pipeline classes according to the last revised assessment roll and applying a tax rate equal to 33 1/3 percent of the 2018 tax rate.
 - b) A levy on the whole of the assessment for real property according to the last revised assessment roll and applying a tax rate equal to 50 percent of the 2018 tax rate in the commercial / industrial and multi-residential classes.
 - c) A special charge in respect of the Cobourg Downtown Business Improvement Area upon persons in the area assessed as commercial taxable sufficient to provide a sum of 50 percent of the 2018 levy.
- 2. THAT the said interim tax levy for residential farm and pipeline properties shall become due and payable on the 1st of March, 2019.
- 3. THAT the said interim levy for all other properties shall become due and payable 50 percent on March 1st, 2019 and 50 percent on May 31st, 2019.
- 4. THAT a percentage charge is hereby imposed and the Treasurer is authorized to impose the percentage charge as a penalty for non-payment of taxes in accordance with the provision of By-Law Numbers 20-83 and 21-83.
- 5. THAT penalties and interest added on all taxes of the interim tax levy in default shall become due and payable collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.

By-law No. 003-2019

- 6. THAT the collector may mail or cause the same to be mailed to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.
- 7. THAT taxes are payable into the office of the Tax Collector of the Town of Cobourg.

8. THAT this by-law shall come into force upon the final passing hereof.

By-law read and passed in Open Council this 14 th day of January, 2019.				
MAYOR	MUNICIPAL CLERK			



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 004-2019

A BY-LAW TO AUTHORIZE BORROWING FROM TIME TO TIME TO MEET CURRENT EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019.

WHEREAS the Municipal Act, 2001, Section 407, provides authority for a Council by by-law to authorize the head of Council and the Treasurer to borrow from time to time, by way of promissory note or banker's acceptance, such sums as the council considers necessary to meet, until taxes are collected and other revenues received, the current expenditures of the Corporation for the year; and

WHEREAS the total amount which may be borrowed from all sources at any one time to meet the current expenditures of the Corporation, except with the approval of the Municipal Board, is limited by Section 407 of the Municipal Act;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT Head of Council and the Treasurer are hereby authorized to borrow from time to time by way of promissory note or banker's acceptance during the year 2018 (hereinafter referred to as the current year) such sums as may be necessary to meet, until the taxes are collected and other revenues received, the current expenditures of the Corporation and the other amounts that are set out in Section 407 (1) of the Municipal Act.
- 2. THAT the lender(s) from whom amounts may be borrowed under authority of this by-law shall be the Royal Bank of Canada and such other lender(s) as may be determined from time to time by resolution of Council.
- 3. THAT the total amount which may be borrowed at any one time under this bylaw, together with the total of any similar borrowing that have not been repaid, shall not exceed from January 1st to September 30th of the current year, 50 percent of the total, and from October 1st to December 31st of the current year, 25 per cent of the total of the estimated revenues of the Corporation as set forth in the estimates adopted for the current year or \$6,000,000.00, whichever is less.
- 4. THAT the Treasurer shall, at the time when any amount is borrowed under this by-law, ensure that the lender is or has been furnished with a certified copy of this by-law, (a certified copy of the resolution mentioned in Section 2 determining the lender) if applicable, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any other amounts borrowed from any and all sources under authority of Section 407 of the Municipal Act that have not been repaid.
- a) THAT if the estimates for the current year have not been adopted at the time an amount is borrowed under this by-law, the limitation on total borrowing, as set out in Section 3 of this by-law, shall be calculated for the time being

By-law No.004-2019

upon the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year.

- b) THAT if the estimates for the current year have not been adopted at the time an amount is borrowed under this by-law, the statement furnished under Section 4 shall show the nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the current preceding year and the nature and amount of the received for and on account of the current year.
- 6. THAT all or any sums borrowed under this by-law shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for any preceding years as and when such revenues are received; provided that such charge does not defeat or affect and is subject to any prior charge then subsisting in favour of any other lender.
- 7. THAT the Treasurer is hereby authorized and directed to apply in payment of all or any sums borrowed under this by-law, together with interest thereon, all or any of the moneys hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and preceding years or from any other source, which may lawfully be applied for such purpose.
- 8. THAT Promissory Notes or banker's acceptances made under Section 1 shall be signed by the Treasurer and the head of council or by such other person as is authorized by by-law to sign it.

By-law read and passed in Open Council this 14 th day of January,				
DEPUTY MAYOR	MUNICIPAL CLERK			

9. THAT this by-law shall take effect upon third reading thereof.

Borrowing Bylaw 2019 By-law No.004–2019

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 005-2019

A BY-LAW TO DEDICATE THE LANDS PART 2, OF PLAN 39R-13825 (KNOWN AS 100 UNIVERSITY AVENUE EAST, COBOURG) AS A PUBLIC HIGHWAY WITHIN THE TOWN OF COBOURG.

WHEREAS pursuant to Section 11(3) of the *Municipal Act, 2001* S.O. 25, as amended (herein referred to as the "Municipal Act"), authorizes Municipalities to pass by-laws respecting jurisdiction over highways;

AND WHEREAS pursuant to Section 27(1) of the Municipal Act a Municipality may enact by-laws regarding highways it has jurisdiction over;

AND WHEREAS pursuant to Section 31(2) of the Municipal Act, which provides that a Municipality may pass a by-law to establish and lay out a highway;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg desires to accept and dedicate certain portions of land as a public highway;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT the Town of Cobourg dedicate the following Part 2, of Plan 39R-13825 (known as 100 University Avenue East, Cobourg) as a Public Highway within the Town of Cobourg.
- 2. THAT Part 2 of Registered Plan 39R-13825 as noted on Schedule "A", in the Town of Cobourg, County of Northumberland is hereby established as a public highway; and
- 3. THAT this By-law shall be registered on title in the Registry Office of the Land Registry Division of the County of Northumberland (No. 39).

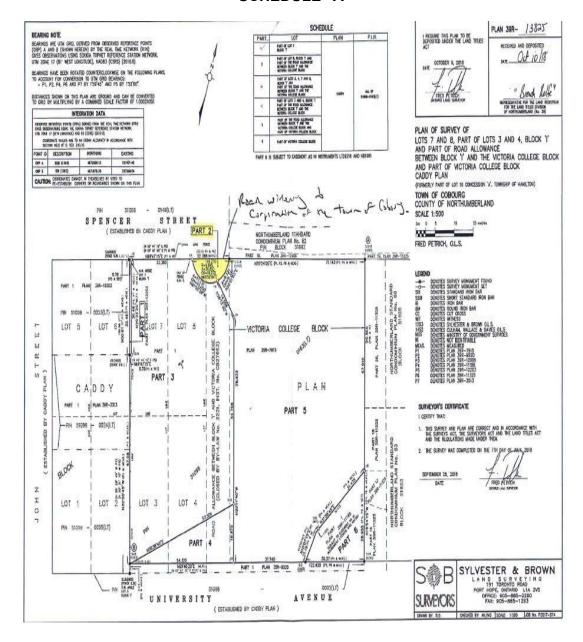
MUNICIPAL CLERK

By-law read and passed in Open Council on this 14th day of January, 2019.

MAYOR

BY-LAW NUMBER 005-2019

SCHEDULE "A"



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 006-2019

A BY-LAW TO DEDICATE THE LANDS, PART 2 ON REGISTERED PLAN 39R12127 (KNOWN AS 53 AND 55 ALBERT STREET, COBOURG) AS A PUBLIC HIGHWAY WITHIN THE TOWN OF COBOURG.

WHEREAS pursuant to Section 11(3) of the *Municipal Act, 2001* S.O. 25, as amended (herein referred to as the "Municipal Act"), authorizes Municipalities to pass by-laws respecting jurisdiction over highways;

AND WHEREAS pursuant to Section 27(1) of the Municipal Act, a Municipality may enact by-laws regarding highways it has jurisdiction over;

AND WHEREAS pursuant to Section 31(2) of the Municipal Act, which provides that a Municipality may pass a by-law to establish and lay out a highway;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg desires to accept and dedicate certain portions of land as a public highway;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

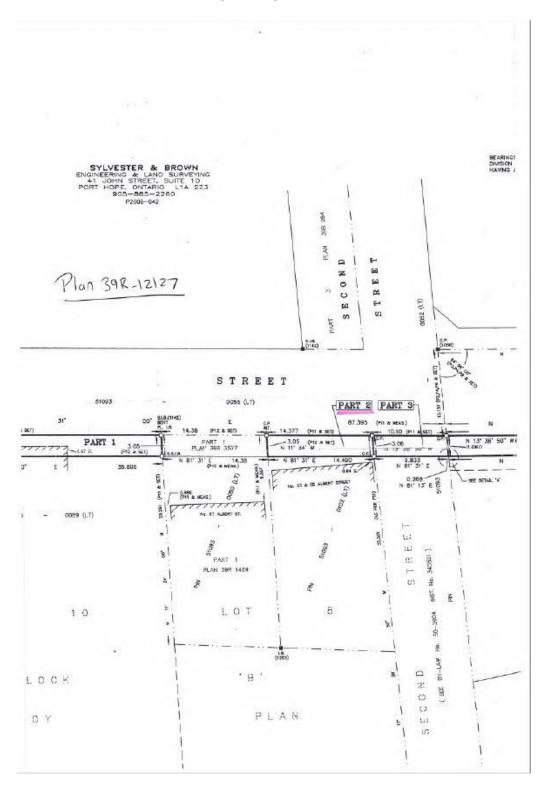
- 1. THAT the Town of Cobourg dedicate the following; Part 2 on Registered Plan 39R12127 (known as 53 and 55 Albert Street, Cobourg) as a Public Highway within the Town of Cobourg.
- 2. THAT Part 2 on Registered Plan 39R12127 as noted on Schedule "A", in the Town of Cobourg, County of Northumberland is hereby established as a public highway; and
- 3. THAT this By-law shall be registered on title in the Registry Office of the Land Registry Division of the County of Northumberland (No. 39).

By-law read	l and passed	l in Onen	Council on	this 14th	day of January	2019

MAYOR	MUNICIPAL CLEDIZ	-
MAYOR	MUNICIPAL CLERK	

BY-LAW NUMBER 006-2019

SCHEDULE "A"



Nov 1 2018

To whom it May Concern

My name is Debbie Davis. I am a grandmother of a 6 year old at Terry Fox school. I drop off my grandson everyday and pick him up everyday.

As you know the parking on Riddell St. Is No parking from 7:00 to 9:00 and No parking from 2:00 to 4:00. School hours are from 9:20 to 3:40 therefore we cannot park in front of the school to pick up our children having to park way around the corner on either Rayner or Tillison.

Having spoken to the Principal Mrs. Fitzgerald and Vice Principal Mrs. Jansen-Forbes found that they are both ok with asking to have a by-law change to the parking hours for all of Riddell and the end of White St.

Mrs. Jansen-Forbes suggested that we keep the first parking spot open (no parking) at the corner of Riddell and Tillison by the cross walk.

Hoping this matter can be look into as soon as possible.

Find enclosed signatures from concerned parents.

Thank you

Debbie Davis



aw change for Parkers Hours Oct 251



Printed Name:

SUZANNE SEGUIN

Notice of Motion Form

Hereby files a Notice of Motion to be included meeting of Council.	led in the next available Agenda for the
Subject:	
FLOATING PLAYGROUND AT VICTORIA PARK	
Which Notice of Motion reads as follows:	
WHEREAS the Council of Cobourg passed a motion on April 9, 20 Distributing for two (2) years to operate a Floating Playground plus mutually agreed to by both parties; and	
FURTHER that no contract was ever signed and no playground was	as installed in the summer of 2018;
This NOTICE OF MOTION is filed to have staff investigate this prosafety concerns and legal impacts to Council before any further probeyond.	
Sódin	January 9, 2019
Council Member Signature	Date
CLERK'S USE ONLY	
Date and Time Received on: January	9th Zola at 1:00 P.M
Date and Time Received on: January For the Regular Meeting M	eeting on January 14, 2019
9	
20.0 NOTICES OF MOTION – Any Member of Council the Member will introduce a Motion at the next or subset of Motion requires no seconder and is not at that time of	equent meeting of Council. The giving of a Notice

GANARASKA REGION CONSERVATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS

November 29, 2018

GRCA 07/18

1. Welcome and Call to Order

The Chair called the Ganaraska Region Conservation Authority Board of Directors meeting to order at 7:15 p.m.

MEMBERS PRESENT:

je 1 _ je

Wendy Partner, Chair - Municipality of Clarington Raymond Benns - Township of Alnwick/Haldimand

Brian Darling - Town of Cobourg

Jeff Lees, Vice-Chair - Municipality of Port Hope John Fallis - Township of Cavan Monaghan Louise Ferrie-Blecher - Municipality of Port Hope

Mark Lovshin - Township of Hamilton Forrest Rowden - Town of Cobourg Heather Stauble - City of Kawartha Lakes Willie Woo - Municipality of Clarington

ALSO PRESENT:

Linda Laliberte, CAO/Secretary-Treasurer
Ken Thajer, Planning and Regulations Coordinator

Steve McMullen, Forest Recreation Technician Jay Sherwin, Chair, Recreation User Committee

Melissa Spearing, Seed Program Coordinator, Forest Gene

Conservation Association

ABSENT WITH REGRETS:

ALSO ABSENT:

2. Disclosure of Pecuniary Interest

None

3. Minutes of Last Meeting

GRCA 37/18

MOVED BY: Forrest Rowden SECONDED BY: Mark Lovshin

THAT the Ganaraska Region Conservation Authority approve the minutes of the October 18, 2018 meeting.

CARRIED.

Adoption of the Agenda

GRCA 38/18

MOVED BY:

Jeff Lees

SECONDED BY:

John Fallis

THAT the Ganaraska Region Conservation Authority adopt the agenda as presented. **CARRIED.**

5. Delegations

None

6. Presentations

a) Ganaraska Forest Recreational Users Committee (RUC) Annual Report Jay Sherwin, Chair of the RUC, updated Board of Directors on committee's 2018 activities. Mr. Sherwin highlighted that the recommendations of the Ganaraska Forest Plan and in particular, the synopsis report (by Planning Solutions), has been at the forefront of this year's committee discussions. Issues such as, invasive species (e.g. dog strangling vine), trail maintenance, enforcement, mapping, and forest signage have been recognized. The RUC requested that Forest Memberships and timber sales be returned to the forest. Staff clarified that membership sales along with a portion of timber sales do returns to the forest. Discussion followed.

GRCA 39/18

MOVED BY:

Brian Darling

SECONDED BY:

John Fallis

THAT the Ganaraska Region Conservation Authority approve the presentation for information.

CARRIED.

b) Closure of Ontario Seed Tree Plant - Melissa Spearing

Melissa Spearing addressed the Board of Directors on the recent activities around the closure of the Ontario Seed Plant. She provided a background of the seed plant and the stages of the closing.

GRCA 40/18

MOVED BY:

Heather Stauble

SECONDED BY:

John Fallis

THAT the Ganaraska Region Conservation Authority direct the Chair to put on the floor, at the next Conservation Ontario meeting, concerns with the closing of the Ontario Seed Plant and:

FURTHER THAT Conservation Ontario be requested to do a report in consultation with the Forest Gene Conservation Association and other stakeholders on the impact of closing the plant.

Willie Woo asked for a recorded vote.

Ray Benns - Township of Alnwick/Haldimand	- Yes
Brian Darling - Town of Cobourg	- Yes
Jeff Lees - Municipality of Port Hope	- Yes
Mark Lovshin - Township of Hamilton	- Yes
Wendy Partner - Municipality of Clarington	- Yes
Forrest Rowden - Town of Cobourg	- Yes
Heather Stauble - City of Kawartha Lakes	- Yes
Willie Woo - Municipality of Clarington	- Yes
CARRIED.	

7. Business Arising from Minutes

a) 2019 Levy

The CAO/Secretary-Treasurer explained the weighted vote procedure to the Board of Directors and answered questions

GRCA 41/18

MOVED BY: Forrest Rowden SECONDED BY: Willie Woo

THAT the Ganaraska Region Conservation Authority approve the staff report that includes the 2019 levy in the amount of \$983,386.75 and 2019 capital assets levy of \$150,088.00.

Ray Benns - Township of Alnwick/Haldimand (0.9444%)	- Yes
Brian Darling - Town of Cobourg (11.0296%)	- Yes
Jeff Lees - Municipality of Port Hope (8.65965%)	- Yes
Mark Lovshin - Township of Hamilton (11.1763%)	- Yes
Wendy Partner - Municipality of Clarington (24.11135%)	
Forrest Rowden - Town of Cobourg (11.0296%)	
Heather Stauble - City of Kawartha Lakes (0.0916%)	- Yes
Willie Woo - Municipality of Clarington (24.11135%)	- Yes

The total percentage present to vote was 91.34%. To carry the motion, 51% total of those present or 46.583% is required and cannot be from a single municipality. The vote was carried at 100%.

CARRIED.

8. Correspondence

None

9. Applications under Ontario Regulation 168/06:

Permits approved by Executive:

GRCA 42/18

MOVED BY: Forrest Rowden SECONDED BY: Ray Benns

THAT the Ganaraska Region Conservation Authority receive the permits for information. **CARRIED.**

Permit Application requiring Ganaraska Region Conservation Authority Board of Directors discussion:

None

F-1

10. Committee Reports:

a) Ganaraska Forest Recreation Users Committee Minutes - November 1, 2018

GRCA 43/18

MOVED BY:

Brian Darling

SECONDED BY:

Jeff Lees

THAT the Ganaraska Region Conservation Authority receive the Ganaraska Forest Recreation Users Committee minutes from November 1, 2018 for information. **CARRIED.**

11. New Business:

None

12. Other Business

a) 2019 Economic Adjustment and Proposed Compensation Plan

GRCA 44/18

MOVED BY:

Forrest Rowden

SECONDED BY:

Mark Loshin

THAT the Ganaraska Region Conservation Authority approve the 2019 Economic Adjustment and the proposed Compensation Plan. **CARRIED.**

13. In Camera

None

14. Adjourn

The meeting adjourned at 8:30 p.m. on a motion by Forrest Rowden.

CHAIR	CAO/SECRETARY-TREASURER	

Robyn Bonneau

From:

Brent Larmer

Sent:

Wednesday, December 5, 2018 2:25 PM

To:

Robyn Bonneau

Subject:

Fw:Thank you from Northumberland Hills Hospital

Attachments:

20181128_144002_resized_1.jpg

Sent from my Huawei Mobile

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

Subject: Fwd: Thank you from Northumberland Hills Hospital

From: John Henderson To: Brent Larmer

CC:

Brent could you please add to the Council agenda to receive for information purposes. A good news story.

Thanks John

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Linda Davis

Date: 2018-12-05 1:42 PM (GMT-05:00)
To: John Henderson jhenderson@cobourg.ca

Subject: Thank you from Northumberland Hills Hospital

Good Afternoon Mayor Henderson (John):

I would like to take this opportunity to sincerely thank the Town of Cobourg for once again supplying Northumberland Hills Hospital will a large number of beautiful poinsettias. The plants have been distributed to patient care area, waiting rooms, our front lobby and the Bistro. They bring color and beauty to our facility and I know that patients and staff are enjoying seeing them around the Hospital. I have attached a picture that was taken as the plants arrived at the NHH.

Please let Council know that these are greatly appreciated.

Regards Linda Davis

Linda Davis President and CEO Northumberland Hills Hospital



December 4, 2018

Linda MacDonald

36 Park St.

Cobourg, ON

K9A 2C9

To whom it may concern:

As you already know, on November 29, 2018, I was served with papers from the town, requesting me to downsize my doggie family from 4 to 2. I realize this is my third offence, but I will explain this to the best of my ability. It's not an excuse, just an explanation for my actions.

The first time I was served, the animal control officer told me that there wouldn't be a problem as long as I continued to reduce my numbers at their deaths. He didn't have a problem because we took very good care of our pets and he had much worse problems to deal with. I guess it gave me a false sense of security.

The second time I got served, I of course panicked, but decided to face the music and went out to the then, Shelter of Hope to talk to the Animal Control Officer. He was not there to speak with, but after much discussion with the staff, one of them suggested that I might reregister my dogs, but put two in my name and ask a friend to claim two of them as theirs. Which is what we did.

Now again, because of a disgruntled tenant in our building, who didn't like to be asked to follow the rules, I am served for the third time.

My husband and I have no children. We have a 14 1/2 year old senior dog who will not be around much longer. She's failing daily. We have a 9 year old who fought Heartworm disease for 3 years before she was cleared, only to be left with

grade 4 out of 5 heart disease and kidney/liver disease. With medication and several visits a year to her Vet, we are keeping her as comfortable as we can. She will not have a long life. Therefore, we are also in possession of 2 four year olds, which we got so that we would have the dogs we wanted when the other two passed away. Our friend who breeds them is retiring her kennel and we had to get these dogs while they were still available or risk losing them. Several months ago, the female 4 year old, who only weighs 3 lbs., had a bad reaction to flea drops on her neck, resulting in partial paralysis and tremors. We have been taking her to the Vet and a local doggie chiropractor each week to help readjust her neck and pelvis. It's expensive but seems to be helping. Anything for our babies.

They are all retired Toy Fox Terriers ranging in size from 3 lbs. to 7 lbs. They are all spayed and neutered. They are walked outside on leash, and picked up after, five times a day. They are up to date on all of their vaccinations, as we always take them with us when we travel, even over the border. They eat the best premium dog food. Get the best veterinary care from Pine Ridge Veterinary Clinic. They live in a clean, comfortable home where we cater to their every need. And we don't allow them to bother anyone. As I said, we don't have human children. We have fur babies. They are our family and are very dear to us. They give us great comfort and we them.

We have been given many offers from real friends to claim that 2 of them, again, belong to one of them. I don't want to play that game anymore. I have been very ill since being served this time. Not eating or sleeping much. Feeling like I've got a snake pit in my stomach most of the time. Terrified that we are going to lose 2 of our children. And how do you choose which two? I'm heartbroken.

I know there is no one to blame but myself, for what I'm feeling, and the consequences to my family. I did break the bylaw. But I am asking, in light of my being up front and honest with you now, to allow me to keep my babies, until they pass naturally, which sadly, will probably not be long for at least 2 of them. If someone checks up every once in a while to make sure I'm keeping my promise, I have no issues

As the older, sicker ones pass on, they will not be replaced. My husband and I are getting on in years (71 and 67) and the younger two will probably be our last companions.

If, after reading this, and going over everything, you still decide we have to get rid of two of them, so be it. I will do what I have to do.

Thank you for listening.

Linda MacDonald

PS: Please find enclosed, letters of support from fellow tenants and neighbours at 36 Park St. in Cobourg, and pictures of our fur babies.

INTERCON REALTY INC.

586 EGLINTON AVENUE EAST • SUITE 706 • TORONTO, ONTARIO M4P 1P2 • CANADA TELEPHONE (416) 483-1101 FAX (416) 483-4135 e-mail address: intercon@idirect.com

A. WM. SEIPEL BROKER OF RECORD / PRESIDENT

December 5, 2018

James & Linda MacDonald 36 Park Street.

Dear Linda:

Re: Pets in Apartment 36 Park Street, Cobourg ON

Given your circumstances, Michael Scheer the owner of 36 Park Street in Cobourg, ON, provided his approval of having the current four (4) dogs in your apartment, as long as you lower their numbers to legal limits of two (2) when the older/sick ones pass, and keep the numbers to the town's allowed two. Also, as long as the bark control monitor is in used in the apartment and dogs are kept on leash when outside of the apartment.

Yours very truly, INTERCON REALTY INC. Property Management Division

Christine F. Trestiza Senior Property Accountant

REAL ESTATE BROKERAGE • PROPERTY MANAGEMENT

Cathy Krentz 26 Park Street Cobourg, ON K9A 2C9

December 4, 2018

TO WHOM IT MAY CONCERN:

REFERENCE: Pet Issue - . - 26 Park Street, Cobourg

I understand that there has been a concern raised about the pets that Linda and Jim MacDonald have in apartment of this building.

My apartment shares a common wall with apartment . Our doors are adjacent to each other. I have had no problems whatsoever with their dogs. There is no noise violations or odors from this apartment. I only know they have dogs in the apartment because I see them take them outside on a regular basis. My apartment is the closest apartment to Apartment and if I have no issue with the pets; I'm not sure how or why the pets would be a concern to any other resident in the building.

Jim and Linda are the superintendents of the building and therefore responsible for the day to day operations of the building. They are required to enforce Fire Safety Regulations and parking rules to ensure that emergency vehicles have appropriate access to the building. It is my opinion that perhaps the complaint was registered with the Town in retaliation of another matter that has no connection to the pets whatsoever.

I have no personal relationship with any other tenant in the building and I think this letter is submit without bias to any party involved.

Sincerely

Cathy Krentz

We are writing this latter to support Linder & fin about their dogs. We have lived on the same floor as Lind & fine for the past Ligteen yours. ille have never had a publin with their days and have never heard any complaints. If we meet them when they are coming into the Building with their days they don't Bake and art not aggraine when we meet there Car & Carole Mray

Dec. 4, 2018

I am writing this note in

support of Linda & Jim. I feel
their love of their dogs, shows
up everyday. Since living in
this building in Apt. next
door and know in Apt. a
down the hall of I have mo
problems with the dogs or
conceins with their care.

Thanks Rose McLaun.

December 4th, 2018

R. M. Toope, 36 Park Street, Cobourg, Ont. K9A 2C0

To whom it may concern,

My wife and I have been tenants at 36 Park Street, Cobourg, Ontario for approximately the past eight (8) years and during our tenancy James and Linda MacDonald have been 'Superintendents' and, as of this date, remain so. Over these past eight years, and for some years prior to our tenancy, Linda and James have owned small dogs (a special breed of dogs which I cannot recall the name off) but I have witnessed the care and attention these pets have receive from Linda and James. These dogs are quiet by nature and neither my wife nor I have never heard barking, growling or any other dog sounds from any of them other that a small yip while they are being walked.

I am also aware that two of these pets are in advanced stages of their life (one over 14 years and one over 9 years) with the youngest one receiving veterinary care for heart, kidney and liver deceases. It seems to me that the needless taking of these two pets from Linda and James, pets that will be subjected to euthanasia due to their age and/or poor health, would be the most unconscionable act that I have witnessed in my many years of travel in Canada. Pets that I have witnessed being treated better than I have seen some people treat their children.

To my mind any action by the "elected" officials of The Town of Cobourg to wantonly destroy these beautiful dogs would demonstrate a callowness beyond comprehension.



Our living room where they snuggle on the couch with us



Faith & Gracie wearing there winter coats I Knit them.



Tessa-14 byrs + Tornie - 4yrs



Faith - Tyrs Gracie - Hisyrs Tonnie Hyrs Snuggling on the couch.



316 - 4yr old Gracie