

Mayor McKean noted that in accordance with the Corporate Provision of Notice and manner of Giving Notice to the Public Policy, Council is required to consult with the public on the amendment of Council policies under the Municipal Act. The proposed updates are included in Staff Report FAF.16.78 "Proposed Update to Code of Conduct for Members of Council Policy, Policy No. POL.COR.07.07" and is posted to the Town's website.

Mayor McKean noted that all interested parties are invited to attend the Public Meeting.

Mayor McKean noted that any person may attend the Public Meeting and make written or verbal representation either in support of or in opposition to the proposed changes to the Code of Conduct for Members of Council Policy, POL.COR.07.07. Written submissions are invited and should be directed to the Town Clerk.

Notice is hereby given that the Council of The Corporation of the Town of The Blue Mountains at a Special Meeting of Council on Monday, August 22, 2016 intends to consider the comments from the public, and consider the adoption of the revised Code of Conduct for Members of Council.

The Town Clerk then spoke noting that notice of the Public Meeting was given in accordance with the Town's Notice Policy, and that in response comments were received from Ron Hartlen, Duncan McKinlay and Rosemary Gosselin.

Rosemary Gosselin, resident on Napier Street, Thornbury, spoke noting that she fully supports the appointment of an Integrity Commissioner for the Town of The Blue Mountains. Rosemary noted that since the restructuring of the library in March, that public trust in our government has been compromised. Rosemary noted that it is appropriate for our Mayor and Council to be proactive in trying to heal this breach, not by taking over, but by following due process, lending a receptive ear to the legitimate concerns of our community, engaging and offering creative solutions.

Rosemary noted that reasonable requests from constituents should be acknowledged and responded to. Rosemary noted that constituents ought not to be scolded for asking questions regarding the accountability of those elected to serve us. Rosemary urged the Town to be proactive in promoting a culture of communication and engagement with the public.

Janis Burton, resident at 150 Brooker Boulevard, spoke noting this is an important issue and noted that she read the Municipal Act, 2001 sections 224 and 227 which sets out the roles and duties of Members of Council as well as members of municipal staff, further noting that each has very distinct roles.

Janis noted that the government amended the Municipal Act in 2006 and that at that time the optional role of the Integrity Commissioner was introduced. Janis noted that it makes sense to have a neutral, independent Integrity Commissioner to oversee the compliance of the Code of Conduct, arbitrate issues, and promote public confidence. Janis noted that members of Council and Local Boards should be able to consult the Integrity Commissioner to provide confidential advice about how best to meet these standards. Janis noted further that any individual should be able to ask the Integrity Commissioner to resolve or adjudicate disputes about allegations that the standards have been contravened. Janis noted that this person would also be able to provide policy advice and educational programs to Council and Local Boards on issues of ethics and integrity. Janis confirmed that she supports the appointment of an integrity commissioner.

Janis noted that she has reviewed the Codes of Conduct of other municipalities and noted that Collingwood and Barrie have revised their policies and asked that reference in The Blue Mountain's policy regarding gifts and benefits, confidentiality, improper use of influence, and interpretation also be revised.

Janis noted that the “complaint protocol” in the current policy is brief and should include a formal and informal complaint process. Janis noted that the role of the Integrity Commissioner and his or her duties should be explained including how requests for advice will be handled, and that a complaint form should be attached to the policy. Janis noted that the draft should be further reviewed and revision made before adopting the revisions to the policy.

Betty Wallace, resident on Drake’s Path, spoke noting she agrees with the recommendations made by the previous speakers, and that she supports the appointment of an Integrity Commissioner to implement a revised Code of Conduct. Betty noted that the focus of this Code should be on conflict resolution to enhance the Council’s operation and promote public confidence in Council.

Betty asked that Council consider four points in the review of the Council Code of Conduct, being that precedents should be used from other municipalities to draft a Code of Conduct. Betty recommended Barrie and Collingwood’s Code of Conducts be reviewed, and that the Grey County Code of Conduct be adhered to so that no conflicts occur.

Betty suggested that greater detail is required, including a definitions section and a more detailed complaint protocol. Betty noted that the current policy references the Town’s internal HR policies and asked that these policies be included in the draft or posted on the website so that the public may access them. Betty noted that policies regarding the conduct of staff in their dealings with Town Council, individual Councillors, each other, business representatives and community members should be readily available to the public, preferably on the Town’s website. Betty then questioned if the former policy will be replaced with this new policy, and noted that the review cycle should coincide with the term of Council. Betty noted that residents would like to see more transparency and greater detail with regard to the Code of Conduct and the processes used by Council and staff to deal with harassment, discrimination, lobbyists, and business relations issues.

Alar Soever, 203 Sunset Boulevard spoke noting that he supports the appointment of the Integrity Commissioner. Alar noted that the Town’s Policy is brief compared to others. Alar noted that the policy refers to other policies, but noted he is unable to locate the policies referenced. Alar questioned if there is a staff code of conduct, further noting that this should be a public document so that the public are aware. Alar then questioned if the Integrity Commissioner’s role should be expanded to include relations between the public and staff. Alar noted that the responsibilities of staff are not referenced in the Code of Conduct as to staff’s responsibilities when they respond to the public, Council and Boards and Committees. Alar noted that review of this policy was not identified as a priority in the election, and questioned why is it being reviewed now. Manager of Human Resources Jennifer Moreau spoke noting that currently policies are not posted to the website, but noted that policies could be posted to the updated website, once rolled out. Jennifer noted that three staff policies are being combined into one policy, and will be rolled out.

Betty noted that staff’s relationships with developers should be the same as referenced in the Council Code of Conduct, referring to gifts, etc.

Mike Stoneham, resident at 131 Bayview Avenue, spoke noting that he agrees with the comments made, and questioned if the Integrity Commissioner would be a new staff person, and questioned if the Mayor is having trouble filling his role responding to Code of Conduct complaints. Mr. Stoneham questioned why is the Code of Conduct being revised at this time. Mayor McKean spoke noting that no additional staff will be hired, and that the Integrity Commissioner will be a completely neutral party. Mike then questioned how many Council Code of Conduct complaints are received. Jennifer Moreau noted that the Integrity Commissioner would be appointed by Council, and that in the last ten years there have been minimal complaints received. Jennifer noted that it is not appropriate for the Mayor to handle the complaints. Mike then questioned why Councillor Seguin declared a pecuniary interest. Jennifer noted that any complaint matter is confidential until the Integrity Commissioner investigates and reports back to Council in an open session.

Deputy Mayor Gail Ardiel spoke noting the Association of Municipalities of Ontario have been reviewing the Municipal Act for the past two years and that the Province wants to ensure that all municipalities have an Integrity Commissioner appointed. Gail noted that it is good timing to appoint an Integrity Commissioner

Viv Alper , resident on Alice Street West, spoke questioning if, in the interests of transparency, if the public can be a part of the selection process for an Integrity Commissioner.

Mayor McKean declared the public meeting closed as no one else wished to speak.

Councillor Michael Martin then stated that the essential purpose of the change is to bring the existing process of a complaint against a councillor in conformity with the **Municipal Act**, which requires the utilization of an **Integrity Commissioner (IC)**. The purpose of the IC from the Province's point of view is to **provide a due process** and not a kangaroo court. The IC having all the powers of a **Commissioner** under the **Public Inquiries Act** is in the best position to review the complaint, test the evidence, ensure that the councillor knows the specifics of each complaint and has a right speak and have legal counsel (in this it would be foolish for any councillor accused not to hire Counsel). The IC can require cross examination, award costs against either party impose penalties etc. The Process is very formal in significant complaints and expensive at tax payers costs, in all instances. I do support the formality as people's reputation within their community is a stake. Councillors are not elected to be pilloried by people (other Councillors, staff and public) angry with decisions. I do believe in an appropriate code of conduct provided the criteria of each conduct requirement is clear and specific. This particular code lacks those two elements in its provisions and incorporates by reference of conduct within other Town policies and practises.

As no one further wished to speak, Mayor McKean declared this public meeting to be closed.

C. Reports

C.1 Craigeith Wastewater Treatment Plant Filter Media Replacement and Valve Repair/Replacement Budget, CSPW.16.111

Moved by: Joe Halos

Seconded by: Michael Martin

THAT Council receive Staff Report CSPW. 16.111, entitled "Craigeith Wastewater Treatment Plant Filter Media Replacement and Valve Repair/Replacement Budget Increase and Award";

AND THAT Council approve increasing the project's budget by \$17,500 from \$91,000 to \$108,500 excluding HST with this increase funded from the Wastewater Asset Replacement Reserve Fund;

AND THAT Council award Tender for Contract 2016-22-T-IPW Filter Media Replacement and Valve Repair/Replacement at Craigeith Wastewater Treatment Plant to W.A. Stephenson Mechanical Contractors Ltd. for \$108,500 excluding HST;

AND THAT the Mayor and Clerk be authorized to execute the contract between Town of The Blue Mountains and W.A. Stephenson Mechanical Contractors, Carried.

D. Adjournment

Moved by: Michael Martin

Seconded by: R. J. Gamble

THAT this Council does now adjourn at 10:16 a.m. to meet again at the call of the Chair,
Carried.

John McKean, Mayor

Corrina Giles, Town Clerk