

## **Purpose**

The purpose of this policy is to provide a standard set of guidelines concerning the procedures of Council and Town Council meetings. This policy will provide Council, staff and community members with a reference for Council procedures, meeting schedules, and roles and responsibilities of Council members.

All meetings of Council must be held in accordance with the Municipal Government Act.

## **Scope**

The Town Council Policy applies to all members of Town Council, Town staff and any members of the public in attendance or participating in a Town Council meeting and Town Council Committee meetings (except as noted in the Town of Mahone Bay Committees Policy).

## **Terms**

### *Council Appointments and Responsibilities*

1. **Town Council** – Council shall consist of seven elected members; five Councillors, a Deputy Mayor, and a Mayor.
2. **Organization of Council** – At the first meeting of Council after a regular or special election, the Council shall meet and administer the required oaths and appoint one of their number to be Deputy Mayor.
3. **Appointment of Deputy Mayor** – The candidate who received the most votes at the polls of the municipal election shall be appointed Deputy Mayor on their consent to this appointment. If the person appointed as Deputy Mayor ceases to be a member of Council, or if the candidate who received the most votes does not consent to the appointment, then the member of Council who received the next highest number of votes at the most recent election shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment. If those nominated for Council are acclaimed, then the Councillor with the longest service on Council shall be appointed Deputy Mayor, on their consent to this appointment. In the event that this is not possible, the selection will be made by motion of Council. If the person appointed as Deputy Mayor ceases to be a member of Council then the member of Council with the next longest service on Council shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment.

4. **Responsibilities of Council** – Members of Council are expected to review pre-meeting packages provided, attend Council meetings and committee meetings as scheduled, respond to correspondence, and attend special events. Council members are to conduct themselves in accordance with expectations as set forth by the Town of Mahone Bay and the Code of Conduct for Municipal Elected Officials as set forth in the *Municipal Government Act and Regulations*.
5. The Council as a whole provides direction on the administration of the Town to the Chief Administrative Officer (CAO).
6. No individual Council member shall instruct or give direction to an employee of the Town.
7. **Responsibilities of the Deputy Mayor** – The Deputy Mayor will act in the absence or inability of the Mayor or in the event that the office of Mayor becomes vacant.
8. **Responsibilities of Mayor** – The Mayor will preside over meetings of Council. The Mayor will consult with the CAO concerning the meeting agenda prior to the agenda being published. The Mayor may monitor the administration and government of the Town. The Mayor may call a special meeting should an issue arise that requires immediate attention. Where the Mayor determines that there is an emergency, the Council may meet without notice or with such notice as is possible in the circumstances. The Mayor shall also act as a public spokesperson in the media; if required, this can be designated to another member of Council or staff.

#### *Council Meetings*

9. **Regular Council Meetings** – The Council meeting schedule is determined by Council, the CAO, and the Town Clerk (Clerk) on an annual basis. No notice is provided for regular meetings.
10. **Meeting Calendar** – There will be a meeting calendar available to Council and the public by January 2nd of each year, posted at the Town Hall and on the Town website. This calendar will list all regular meetings of the Town council and Council committees.  
Staff will provide electronic invitations to Council members for all regular meetings of Council in a calendar year by January 2<sup>nd</sup> of that year. Council members will receive an automated reminder to submit agenda items one week prior to each meeting.
11. **Special Council Meetings** – The Town Council shall hold special meetings as may be necessary or expedient for the transaction of Town business. Special Council meetings will follow the same procedures as regular Council meetings. The CAO shall give the public three business days notice of special meetings by posting at the Town Hall and on the Town website. Failure to provide public notice does not invalidate the meeting.
12. **Emergency Meetings** – Emergency meetings are special Council meetings held in response to an emergency as determined by the Mayor.
13. **Council Meeting Packages** – The Clerk shall distribute a Council package containing all the relevant documents for each regular or special meeting

including: an agenda, minutes, documents corresponding to presentations or Council items, and staff reports or other necessary materials to the meeting as per the agenda. The Council package will be distributed a minimum of three (3) business days prior to the meeting. For special meetings, these timelines may be reduced. Council meeting packages for regular meetings will be posted on the Town website three (3) days in advance of the Council meeting, and special meeting packages will be posted in advance if possible. Closed session materials that are pre-distributed to Council members or circulated in closed session are deemed confidential information and shall not be released to the public; physical and electronic copies are to be destroyed following the meeting.

14. **Agenda** – Draft agendas for Council meetings are completed through consultation between the Mayor, CAO, and Clerk. Agenda items may be added by Council members, Town staff, and the public as specified in this policy. Council agendas are posted on the Town website and in pre-determined public locations three (3) business days prior to the Council meeting.
15. **Minutes**- At regular Council meets, except when Council resolves to defer the approval minutes, for a maximum of one additional meeting, the minutes of the previous regular meeting and subsequent special meetings will be reviewed. If there are no necessary corrections or amendments to the minutes identified by Council members, the minutes are accepted. If corrections or amendments are required, a Council member may identify those corrections or amendments to be made. A motion is required to direct the changes to the minutes be made. The Council can then defer the minutes to the next Council meeting for approval or make a motion to accept the minutes as amended. To facilitate this, the draft minutes will be circulated five business days prior to each regular meeting and the Clerk will bring an updates version reflecting any suggested corrections to the meeting for approval. The minutes shall be restricted to a record of the date, location, time, absences and regrets, gallery attendance (number of people), Council members and staff present, and outcomes and actions taken on all agenda items. The accepted minutes will be signed by the Clerk (or person who took the minutes) and the Mayor. The original, signed and sealed minutes shall be kept by the Clerk. Within three business days of the acceptance of the minutes, they will be uploaded on the Town website.
16. **Recordings** – Regular Council meetings and special meetings will be recorded and livestreamed to the Town’s video platform for public viewing and information. Recorded content that is threatening, racist, and/or otherwise discriminatory and/or if it pertains to personnel or public safety matters may be redacted from the record by the Clerk. Closed sessions will not be recorded. Presenters will be advised that the meetings are recorded. The approved written meeting minutes, presented to Council by the Clerk, remain the official record of Council meetings.
17. **Staff** – The CAO and the Clerk will generally be in attendance at meetings of Council. The CAO will assist and inform Council. The Clerk (or designate) will keep a

record of the meeting. Other members of staff may be present at the invitation of Council or as directed by the CAO.

18. **Quorum** – As per Section 20 of the *Municipal Government Act* quorum will be achieved by a majority of the maximum number of persons that may be elected to Council. In the case of quorum not being met within 15 minutes of the appointed meeting time, or if quorum is lost during the meeting, the meeting will be adjourned and rescheduled.
19. **Chair** – once quorum is met, the Mayor, if physically in attendance, will chair the meeting. If the Mayor is not expected to be present or is not present within 15 minutes of the meeting's start time, the Deputy Mayor shall take the chair and preside during the meeting or until the arrival of the Mayor. If neither the Mayor or Deputy Mayor is physically in attendance within 15 minutes of the meeting's start time, the CAO shall call the meeting to order, and the Councillors present shall appoint one of the members as the Chair, and they will preside during the meeting or until the arrival of the Mayor or Deputy Mayor.  
The Chair may vote on any motion but may not introduce motions. If the Chair wishes to introduce a motion, they may request that another member of Council temporarily take the Chair; this will be recorded in the minutes.
20. **Breaks** – Once a meeting has exceeded two (2) hours, the Chair will entertain a motion for a 15 minute break.
21. **Order of Business** – Following the offering of a land acknowledgement, the order of business at a regular or special Council meeting shall generally adhere to the following structure:
  - a. Call to Order
  - b. Approval of the Agenda
  - c. Acceptance of the Minutes
  - d. Announcements by Council Members
  - e. Public Input Session
  - f. Presentations from the Public
  - g. Correspondence
  - h. Consideration of Staff Reports
  - i. Motions or items brought forward by Council
  - j. Reports from Council Committees and external boards/commissions with Town membership
  - k. New Business
  - l. Questions/Comments
  - m. Closed Session
  - n. Business Arising from Closed Session
  - o. Adjournment
22. **Call to Order** – Each Council committee meeting will begin with a land acknowledgement followed by the Chair calling the meeting to order to begin the meeting.
23. **Approval of the Agenda** – Council shall adopt the meeting's agenda if there are no additions or amendments required following the call to order. At this time, an item

can be added by a Council member under the *New Business* section of the agenda. If an item is deemed to be of a time-sensitive nature, it may be added under *Motions or Items Brought Forward by Council* with a motion to amend the agenda. If this motion fails, the item may still be added under *New Business*.

24. **Acceptance of the Minutes** – Refer to Section 15

25. **Announcements by Council Members** – Following the acceptance of the minutes, the Chair will call for announcements by Council Members. This is an opportunity for Council members to bring forth announcements of public interest that may or may not be related to the agenda. When possible, Council members can submit announcements to the Clerk to be included on the agenda. These items are for informational purposes only.

26. **Public Input Session** – Fifteen (15) minutes after the announcements by Council Members will be reserved for a public input session. The Chair will announce the public input session and provide information on the rules surrounding public input relating to length of time and appropriate conduct.

Members of the public who have comments to make will be asked to state their name and place of residence (civic address) and will be allotted an equal share of the 15 minutes for public comments. This is a standing agenda item and will be skipped if no citizens attend the meeting to provide input. Council members will not be obliged to respond to questions. Members of Council may seek clarification by directing questions to members of the public following the comments.

The minutes will reflect the name and residence of those who speak as well as the general topic about which they spoke. No motions or decisions shall be introduced by Council at the public information session though Council members may raise items under *New Business* per the provisions of this policy.

No motions may be introduced or decisions made by Council concerning a presenter's requests at the same Council meeting as the public input except for motions to refer an issue to a committee of council or to staff.

27. **Presentations** – Organizations or individuals are able to make presentations in person at Town Council meetings. A maximum of two presentations can be scheduled for anyone meeting of Council unless there is cause to alter the presentation availability as may be necessary or expedient for the transaction of Town business.

Presenters must submit a completed *Presentation Application Form* to the Clerk for approval a minimum of five (5) business days prior to the Council meeting. The Clerk will review the application and approve or deny the application. If the application has missing information, the Clerk will make their best efforts to contact the presenter to complete the application.

Approved presentations are allotted ten (10) minutes to present to Council. If more time is needed for special consideration, a special meeting can be scheduled to receive the presentation.

The Chair shall interrupt the presentation if the ten (10) minute timeframe is exceeded and ask direction from Council on whether the presentation shall continue. If the Chair rules the presentation is concluded, the person or persons

appearing shall withdraw, and the decision of the Chair shall not be subject to challenge.

No motions or decisions shall be introduced by Council concerning a presenter's requests at the same Council meeting as the presentation except for motions to refer an issue to a Council committee or to staff.

A request to be present may be refused if the content is threatening, racist, and/or otherwise discriminatory and/or if it pertains to personnel or public safety matters.

28. **Correspondence** – Correspondence to Council and/or correspondence requiring the attention of Council will be placed on the agenda. Correspondence must include a full name, address or place of residence, and contact information; anonymous correspondence will not be accepted.

For a piece of correspondence to be added to the agenda for an upcoming Council meeting, it must be received by the Clerk no later than five (5) business days before the meeting. The Clerk will provide a receipt of correspondence indicating if the correspondence will be forwarded to Council or appear on a Council agenda.

The Clerk will organize the correspondence prior to placing it on a Council meeting agenda into two categories: *Correspondence not requiring Action* and *Correspondence requiring Action* and place it on the agenda using these subheadings for Council's consideration.

If a piece of correspondence is determined as not requiring action by the Clerk, this does not preclude Council from actioning items within those pieces of correspondence.

29. **Motions or Items from Council** – Any member of Council may bring forward items of business or interest for consideration by Council. To add a Council item to the agenda, Council members must contact the Clerk in writing a minimum of five (5) business days prior to the meeting date with the request to add the item. Council members must provide sufficient background information for inclusion in the meeting package.

Motions can be made during this section of the agenda.

30. **Committee Reports** – Town Council Committee Reports will be presented by one of the Council members who sits on the Town Council committee. The complete draft minutes from each committee meeting will be provided to all of Council for their review in the Council package following their preparation. The Council member will present only the critical highlights of the meetings and motions or items requiring Council action or direction.

31. **New Business** – New Business presents an opportunity for Council members to raise subjects in a Council meeting not previously discussed or included on the meeting agenda. Motions cannot be made during this section of the agenda and prior notice to the Clerk is not required.

Council members can provide Notice(s) of Motion for upcoming meetings of Council during this section of the meeting. The Council member making the Notice of Motion will provide the motion to the Clerk with sufficient time for submission to the Council on the next Council meeting package.

32. **Questions/Comments** – The final ten (10) minutes of a Council meeting, or ten (10) minutes before entering closed session, will be an opportunity for the public in attendance or those viewing online to ask questions of Council. Questions must be related to the meeting’s agenda. Council members are not obliged to answer questions. No motions can be made during this section of the meeting. Members of the public who ask questions during the question period are required to state their name and place of residence whether in person or online. Questions submitted without this information will not be considered.

33. **Closed Session** – The Council may meet in closed session permitted under the *Municipal Government Act* to discuss matters relating to:

- a. Acquisition, sale, lease and security of municipal property
- b. Setting a minimum price to be accepted by the municipality at a tax sale
- c. Personnel matters
- d. Labour relations
- e. Contract negotiations
- f. Litigation or potential litigation
- g. Legal advice eligible for solicitor-client privilege
- h. Public security

No decision shall be made in closed session except on a decision concerning procedural matters or to give direction to staff solicitors of the Town.

The meeting minutes will note the reason Council met in closed session and the duration, but no other information.

34. **Business Arising from Closed Session** – The Council may have discussed items in closed session that warrant public debate/discussion or decision. Council members may make motions on items discussed in closed session at this time.

35. **Adjournment** – Once the agenda is complete, the Mayor may declare the meeting adjourned.

#### *Policy and Bylaw Adoption Processes*

36. **Policy Adoption Process** – Policies proposed for adoption, amendment, or repeal shall be circulated to Council by the CAO and will be presented for discussion at a meeting of Town Council. The policy will then appear on the agenda under Staff Reports, or Committee Reports if appropriate, at a meeting of Council that is held no less than seven (7) days following the date received for consideration.

37. **Bylaw Adoption Process** – Bylaws proposed for adoption, amendment, or repeal shall be presented at a meeting of Council and given first reading by motion. At least fourteen (14) days before a bylaw is read for a section time, notice of Council’s intent to consider the bylaw shall be posted at the Town Hall, the Town’s Facebook page, and on the Town website. The notice shall state the object of the bylaw, the date and time of the hearing provided for public input, and of the meeting at which Council proposed to consider it, and the place where the proposed bylaw may be inspected. Council will schedule a hearing prior to second reading, generally immediately prior to the Council meeting where second reading is on the agenda. Only council members present at the hearing may vote on the motion for section

reading. On receiving section reading, a notice of the bylaw's adoption, amendment, or repeal shall be publicized in a newspaper circulating in Town.

## *Meeting Procedures*

### **38. Motions, Voting and Speaking**

- a. All motions shall be decided by majority vote of those present. An abstention will be considered a vote against the motion. If a motion fails to secure a majority of yes votes, it will be considered to have failed.
- b. A motion may be withdrawn by the mover at any time, with the consent of the seconder, before the Council has voted on it.
- c. Prior to beginning a vote on any motion, a Council member may request a roll-call vote. If a rollcall is so requested the Chair will read each member's name in alphabetical order by surname and the member will reply with a yes or no vote.
- d. When any question is before Council, only the following motions can be made:
  - i. A motion to amend the original motion
  - ii. A motion to refer the question to any committee
  - iii. A motion to defer the consideration of the question to a time specified by motion
  - iv. A motion that the question be put to a vote
- e. A motion that the questions be put to a vote shall be itself be put to a vote without further amendment or debate, but a motion that the question be put to a vote will not itself be put to a vote until every Council member who has not spoken on the question and wishes to speak has been heard.
- f. Once a motion has been defeated, the same motion will not be reintroduced for Council's consideration unless significant new information has been provided to Council. The Council will vote to reconsider a motion prior to the motion itself being put before Council.
- g. Any motion of Council may be rescinded by a majority vote. For a motion to rescind and be introduced, a notice of motion must have been given at a previous meeting. A motion to rescind cannot be introduced if, as a result of the original motion, contracts have been executed or terminated, or something has otherwise been done as a result of the original motion that the Council cannot undo.
- h. A motion must be seconded before it is debated.
- i. When a motion is put to a vote, the Chair will ask "Is Council ready for the question?" and if no Council member speaks, the Chair shall ask for the vote. No Council member is permitted to speak after the Chair asks for the vote.
- j. The following questions will be decided without debate:
  - i. A motion to reconsider
  - ii. A motion to allow any person other than the Council members or CAO to address the Council
  - iii. A motion to adjourn



- k. Every Council member, prior to speaking on any question or motion, will raise their hand and wait to be acknowledged by the Council before speaking. If more than one Council member raised their hand to speak at the same time, the Chair shall decide who will be allowed to speak first.
- l. No Council member may speak more than twice, without the permission of Council, on any motion except to explain a misconception of their remarks. The moved of a motion shall move the right to reply and sum up in closing the debate; this shall be for a maximum of two minutes and shall not count against the limit of two opportunities to speak on a motion.
- m. No Council member shall speak more than two minutes upon any matter at one time without the leave of Council
- n. A Council meeting may adjourn at the conclusion of business without a motion to adjourn.

### **39. Points of Order or Practice**

- a. It shall be the duty of the Chair, and the privilege of Council members, to call any Council member to order who violates any rules contained in this policy. A point of order must be decided before the subject under consideration can proceed.
- b. When a Council member is called to order, the Council member shall remain seated and silent until the point is determined.
- c. A point of order is not debatable amongst other members of Council unless the Chair invites discussion in an effort to assist in making a ruling. If the Chair permits discussion on a point of order, no member of Council is permitted to speak more than once.
- d. Decision of the Chair on points of order or procedure are not debatable but are appealable by any member of Council. When an appeal is made from the decision of the Chair, the Chair shall simply state the question, "Shall the decision of the Chair be sustained?", which shall be voted on without debate.
- e. If a Council member resists the rules of Council, intentionally obstructs the business of Council, or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the member of Council may be ordered by the Chair to leave the Council table provided that a majority vote of Council sustains the expulsion.  
If the Council member refuses to leave the table, the Chair may order the member of Council be expelled and excluded from the Council Chambers. Such member of Council may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and resume participation in Council's business with or without conditions.
- f. If any question arises that is not provided for by applicable legislation or this policy, it shall be decided according to the ruling of the Chair.

### **40. Attendance at Council Meetings**

- a. Persons who are not Council members or employees of the Town of Mahone Bay, who are in attendance during a meeting of Council, shall observe silence

and order in the Council Chambers unless given permission to speak. Any such persons disturbing the proceedings of Council will be called to order by the Chair, and if they fail to comply, will be expelled from Council Chambers by the Chair. A majority vote of Council shall be required to sustain the expulsion. Such members of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers, with or without conditions. An order of the Chair to expel a person from the Council Chambers constitutes a direction from the Town of Mahone Bay to leave the premises.

- b. Persons who are not Council members or employees of the Town of Mahone Bay who are in attendance during a meeting by means of electronic facilities who disturb the proceedings of Council and fail to comply when called to order by the Chair, will be expelled from the electronic meeting by being disconnected and/or ejected from the meeting. Such member of the public may, by vote of Council, be permitted to re-join the meeting, as technology permits, with or without conditions.

### *General*

41. **Professional Conduct** – The Town of Mahone Bay Council has adopted and is bound by the Code of Conduct for Elected Officials as outlined in the *Municipal Government Act* and regulations.

Members of the public are required to maintain professional standards of conduct during all meetings of Town Council and Committees. Abusive language or actions can result in the expulsion of a public member from the meeting, Council Chambers and/or the building. Threatening language, violence, or destruction of property can result in intervention by the RCMP.

42. **Conflict of Interest** – Any Council member with a conflict of interest related to a motion or actions of Council, as per the *Municipal Government Act*, subject to the *Municipal Conflict of Interest Act*, must declare this conflict. If this conflict occurs in open session, the Council member must excuse themselves from the Council table during the time which the topic is under consideration. If this conflict occurs in closed session, the Council member must excuse themselves from the meeting room during the time the topic is under consideration. The Clerk will record the date, Council member's name, and the topic of the conflict to be filed with the Council minutes.

43. **Conducting Meetings by Electronic Facilities**

- a. A Council or committee of Council meeting may be conducted by means of electronic facilities as permitted by the *Municipal Government Act*. When it is the norm that Council meetings are held in person, electronic participation by a member will be permitted for a maximum of two (2) consecutive regular meetings of Council without leave of Council.
- b. A Council member participating by means of an electronic facility is deemed to be present at the meeting, can be counted toward quorum, and can vote, including casting the deciding vote in the event of a tie. If communication is

lost during the meeting and cannot be reconnected, the minutes shall reflect when the Council member left the meeting.

- c. A person can only participate electronically in a closed session if they assure Council they are in a secure location where no other parties can view or hear any part of the closed session. Under no circumstances is any portion of the closed session to be recorded.
- d. While it will generally be the norm that meetings are held in person, a remote meeting may be called as permitted by the *Municipal Government Act*, and in such case, the same expectations of public notice, transparency, and opportunity for public participation as laid out elsewhere in this policy will be maintained as for a physical meeting (via live broadcast on the Town of Mahone Bay's video platform). When a Council meeting will be conducted remotely using electronic facilities, this information will be included on the agenda for public information.

### Repeal

On the effective date of this policy, the *Town Council Policy* dated June 20, 2024 is hereby repealed as well as any and all previous policies held by the Town of Mahone Bay regarding and/or governing Town Council and Town Council meetings.

Clerk's Annotation for Official Policy Book	
Date of notice to Council Members of Intent to Consider [minimum 7 days notice]	_____
Date of Passage of Policy	_____
_____	_____
Town Clerk	Date