

Monday, January 18, 2016 at 9:00 AM
Council Chambers

For consideration by Council
on January 18, 2016

The meeting of the Special Committee of the Whole was held on Monday, January 18, 2016 in Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Deputy Mayor & Regional Councillor Taylor
Councillor Vegh
Councillor Kerwin
Councillor Twinney
Councillor Hempen
Councillor Sponga
Councillor Broome-Plumley
Councillor Bisanz

Staff Present: R.N. Shelton, Chief Administrative Officer
A. Moore, Commissioner of Corporate Services
I. McDougall, Commissioner of Community Services
P. Noehammer, Commissioner of Development and
Infrastructure Services
A. Brouwer, Director of Legislative Services/Town Clerk
L. Lyons, Deputy Clerk
C. Finnerty, Council/Committee Coordinator

Guest: David Nitkin, EthicScan

The meeting was called to order at 9:04 a.m.

Mayor Van Bynen in the Chair.

Declarations of Pecuniary Interests

None.

Presentation

1. The Chief Administrative Officer introduced the Director of Legislative Services/Town Clerk, who provided a brief overview of the purpose of the meeting, being to review the draft Council Code of Conduct and receive direction from Members of Council. He also provided background information on the current Code of Conduct. The Deputy Clerk addressed the Committee with a

PowerPoint presentation regarding the Code's consultation and review phases, which ultimately led to the preparation of the draft Code. She further provided a high level overview of some of the new and refined additions to the Code, future considerations and next steps, being inclusion of Council and public feedback into a revised document to be considered at the February 22, 2016 Committee of the Whole meeting and amendments to any identified corporate policies related to the code in Q2, 2016.

Mr. David Nitkin, EthicScan, provided a brief overview related to the consultation and review phases and expressed his satisfaction with the revised Code.

Deputations

2. Mr. John Blommestein, addressed the Committee and commented that the revised Code and the process had many holes and, in his opinion, will not address public cynicism. He further commented that the document does not address written apologies and should include additional regulations to ensure that the Code provides the public with the ability to monitor the behaviour of Council. He advised that detailed comments will be provided by e-mail to staff for consideration and expressed disappointment that the process has taken so much time and resulted in a backlog of conduct related complaints.

Moved by: Councillor Kerwin

Seconded by: Councillor Vegh

THAT the deputation by Mr. John Blommestein regarding the Draft Council Code of Conduct be received.

Carried

Members of Council requested clarification on the current Code complaint process and the number of complaints currently held in abeyance.

Discussion ensued regarding the sections of the draft Code of Conduct related to definitions of gifts and removal of the provision for cash gifts, inclusion of a definition of community groups, obligations with respect to confidentiality and the enforcement of such, undue use of influence and which influences, if any, would be precluded, clarity around what would be considered criticism of staff, reduction in the market value of a gift accepted by any Member of Council, clarity on use of official titles and when approval of Council shall be sought, inclusion of social media guidelines and the complaint process as it relates to election periods. Further refinements were recommended to ensure clarity, particularly in areas of the Code where compliance with other legislation is required, and discussion ensued regarding permitting a Member of

Council to file a complaint regarding the conduct of another Member of Council and annual reporting mechanisms.

Items

2. Corporate Services Report - Legislative Services 2016-01 dated January 14, 2016 regarding 'Draft Code of Conduct for Members of Council'.

Moved by: Councillor Vegh

Seconded by: Councillor Broome-Plumley

- a) THAT the PowerPoint presentation by the Deputy Clerk regarding the Draft Code of Conduct for Members of Council be received.

Carried

An alternate motion was presented and discussion ensued.

Moved by: Councillor Twinney

Seconded by: Councillor Bisanz

- a) THAT Corporate Services Report – Legislative Services 2016-01 dated January 14, 2016 regarding 'Draft Code of Conduct for Members of Council' be received and the following recommendations be adopted:

- i) THAT Council comments on the draft Code of Conduct be received and referred to staff;

- ii) AND THAT a final draft Code of Conduct for Members of Council be considered at a future Committee of the Whole meeting;

- iii) AND THAT in addition to general public notice, individuals who previously provided input on the Code, and where contact information is available, be notified directly.

Carried

Closed Session

3. Chief Administrative Officer (Closed Session) Report 2016-01 dated January 13, 2016 regarding a pending acquisition of land in Aurora by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001.

The Chief Administrative Officer introduced Mr. Al Downey, Director, Parks and Recreation Services, Town of Aurora and advised that he would be in attendance at the Closed Session to respond to any questions that Council may have with respect to the land acquisition matter being considered.

Moved by: Deputy Mayor & Regional Councillor Taylor
Seconded by: Councillor Twinney

THAT the meeting convene into Closed Session regarding Chief Administrative Officer (Closed Session) Report 2016-01 dated January 13, 2016 regarding a pending acquisition of land in Aurora by the municipality as per Section 239 (2) (c) of the Municipal Act, 2001.

Carried

The Special Committee of the Whole resolved into Closed Session at 11:33 a.m.

The Special Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Special Committee of the Whole resumed into Open Session at 12:45 p.m.

Adjournment

Moved by: Councillor Twinney
Seconded by: Councillor Kerwin

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 12:45 p.m.

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk