

**AGENDA FOR THE ORGANIZATIONAL MEETING OF
THE COUNCIL OF THE TOWN OF ONOWAY
HELD ON THURSDAY, OCTOBER 15, 2020 AT THE ONOWAY CIVIC CENTRE
COMMENCING AT 9:30 A.M.**

1. CALL TO ORDER (by CAO)

2. APPROVAL OF AGENDA

- as is, or with additions or deletions

3. METHOD OF VOTING – (to be by secret ballot, in case of tie vote lowest vote count will be eliminated from the next round of voting)

4. NOMINATIONS FOR MAYOR

(CAO to administer the Oath of Office)

5. NOMINATIONS FOR DEPUTY MAYOR

(CAO to administer the Oath of Office)

6. COUNCILLOR COMMITTEE APPOINTMENTS

a) Appointment to Quasi-Judicial Boards

- **Assessment Review Board** – As per contract with Lac Ste. Anne County, appoint Board members Reanne Kronewitt-Springer, Wayne Borle and Gina Fowler. Appoint Designated Officers (Clerks) Stacey Wagner and Trinity Hindes

- **Subdivision and Development Appeal Board** – As per agreement with Milestone Municipal Services, appoint Board Members Denis Meier, Rainbow Williams, Don Dobing and John Roznicki. Appoint Designated Officers (Clerks) Emily House and Cathy McCartney

b) Appointment to Statutory Committee

- **Municipal Planning Commission** (Council as a Whole)
- **Subdivision Authority** (Council as a Whole)

c) Appointment to Regional Service Commissions

- **Capital Regional Assessment Services Commission** (was St. Hilaire rep, Tonita alt)
- **Highway 43 East Waste Commission** (was St. Hilaire rep, Mickle alt)
- **West Inter Lake District (WILD) Regional Water Services Commission** (was Tracy rep, St. Hilaire alt)

d) Appointments to Regional Boards

- **East End Bus Society** (was Johnson rep, Tonita alt)
- **Yellowhead East Community Futures** (was Tracy rep, Tonita alt)
- **Lac Ste. Anne Foundation** (was St. Hilaire rep)
- **Yellowhead Regional Library Board** (was St. Hilaire rep)
- **Economic Development Committee/Partnership Committee**
(was Johnson and Tonita reps, Tracy alt)
- **Community Policing Advisory Committee (CPAC)** (Johnson rep, Tracy alt)
- **Onoway Regional Medical Clinic/Physician Recruitment Retention Committee** (was Tracy rep, St. Hilaire alt)

- **North Saskatchewan Watershed Alliance** (was Johnson rep, Madge to the technical committee)
- **Regional Emergency Services Committee/Fire Services** (was Tracy rep, St. Hilaire alt, CAO or designate to attend)
- **Emergency Management/Disaster Services Committee** (was Tracy and Tonita reps)
- **Revenue and Cost Sharing Study Committee** (Tracy rep, Tonita alt, CAO or designate to attend)

e) Appointments to Local Boards:

- **Onoway Public Library Board** (was Tonita and St. Hilaire)
- **Region 1 Recreation and FCSS Board** (was Mickle rep, Tonita alt)
- **Onoway and District Chamber of Commerce** (was Tracy rep, Johnson alt)
- **Onoway Beautification Committee** (was St. Hilaire rep, Johnson alt)
- **Onoway & District Agricultural Society (ODAS) – Arena** (was Johnson rep, St. Hilaire alt)
- **Onoway Facility Enhancement Association (OFEA) – Community Hall** (was Johnson rep, Tracy alt)
- **Onoway & District Historical Guild** (was St. Hilaire rep, Johnson alt)
- **Regional Wastewater Line Committee – 2 representatives are now requested (2020)** (was Tonita, Mickle alt)

f) Miscellaneous Council Appointments:

- **Inter Municipal Development Plan Negotiating Committee** (was Mickle rep, St. Hilaire alt)
- **Highway 43 Functional Planning Study – Technical Review Committee** (was St. Hilaire rep, Johnson alt)
- **Onoway Interagency Committee** – (was St. Hilaire rep, Johnson alt)

7. FINANCIAL CONFIRMATION

- a) Signing Authority** – all of Council and CAO and Assistant CAO
- Currently 2 signatures required
 - One signature to be any member of Council
 - One signature to be one of CAO Wendy Wildman or Assistant CAO
- b) Banking Authority** –ATB Financial

8. APPOINTMENT OF AUDITOR (Metrix Group)

9. APPOINTMENT OF ASSESSOR (Capital Regional Assessment Services Commission, with Grant Clark of KCL Consulting Inc. as assessor)

10. APPOINTMENT OF WEED INSPECTOR (Jackie Gamblin)

11. CHIEF ADMINISTRATIVE OFFICER (Wendy Wildman)

12. DEVELOPMENT OFFICER (Tony Sonnleitner)

- 13. INTEGRITY COMMISSIONER** (Victoria Message)

- 14. SOLICITOR CONFIRMATION** (Patriot Law Group Onoway)

- 15. MUNICIPAL PLANNING COMMISSION CONFIRMATION** (All of Council)

- 16. FOIP COORDINATOR CONFIRMATION** (Chief Administrative Officer)

- 17. COMMUNITY PEACE OFFICER (CPO) CONFIRMATION** (As per CPO agreement with Lac Ste. Anne County -Dallas Choma and other officers)

- 18. FIRE CHIEF –** (Chief Dave Ives as per agreement with NWFR)

- 19. MEETING DATES/TIME/LOCATIONS** (1st and 3rd Thursday at 9:30 a.m., Civic Center)

- 20. MUNICIPAL OFFICE LOCATION** (4812 – 51 Street, within the Town of Onoway)

- 21. REQUIREMENT FOR ADVERTISING OF MEETINGS** (Onowaves & website)

22. COUNCIL EXPENSE CLAIMS

Regular Council Meetings:

- Mayor and Councillors \$175.00 per Council meeting
-

Any meeting other than a Regular Council meeting:

- Mayor - \$25.00/hr to a maximum of \$175.00/day
 - additional \$75.00/day when attending 3 or more meetings

- Councillors - \$25.00/hr to a maximum of \$175.00/day

Billable time is to be rounded up to the nearest 30 minute increment. Minimum pay will be 4 hours.

Reimbursement:

Mayor shall receive \$400.00/month as reimbursement for personal cell phone use, personal internet costs and other costs incurred in exercising duties as an elected official, as well as personal time required for the preparation for all of their meetings.

All Councillors shall receive \$250.00 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising their duties as an elected official, as well as personal time required for the preparation for all of their meetings.

Pg 1-4

Policy C-COU-REM 1 – Council Remuneration and Expense Reimbursement Policy – attached for review

Pg 5-18

23. BYLAW 744-18 - COUNCIL CODE OF CONDUCT BYLAW – attached for review

Pg 19-25

BYLAW 763-19 – PROCEDURAL BYLAW – attached for review

24. ADJOURNMENT



Town of Onoway

Council Policy

Number	Title			
C-COU-REM-1 <small>(1.2, 3.1, 3.6)</small>	Council Remuneration and Expense Reimbursement			
Approval	Originally Approved		Last Revised	
<small>(CAO initials)</small>	Resolution No:	312/13	Resolution No:	304/19
	Date:	May 9, 2006	Date:	Oct. 24, 2019

Purpose

To ensure Council Members receive fair compensation for their time and expenses incurred while on Town business.

Policy Statement

Council Members shall be provided with remuneration for their time and reimbursement for the expenses incurred in fulfilling their duties on Town Council.

Standards

1. Remuneration is intended to compensate for official business conducted on behalf of the Council as a whole to benefit the Town of Onoway.
2. Remuneration is not intended to match or replace employment or professional rates that the Councillors or Mayor may expect in their job or profession.
3. Remuneration rates will be adjusted from time to time based upon comparisons, inflation rates, and any other considerations deemed appropriate in a manner agreed upon by Council.
4. Cost of living adjustment will be reviewed by council on an annual basis and may or may not be applied to council base pay and/or meeting rates at the discretion of Council.
5. Remuneration shall be paid in accordance with the amounts and rates shown in Schedule "A".
6. Travel – as per the simplified per kilometer rate for Alberta according to Canada Revenue Agency.
7. Meals – as per the simplified flat rate according to Canada Revenue Agency without receipt, or full reimbursement per receipt, including a maximum gratuity of 15%. No alcoholic beverages shall be paid for by the Town at any time.
8. Other Items – actual receipted cost. May include incidentals such as parking, use of public transportation, etc.



Town of Onoway

Council Policy

9. Lodgings – shall be paid by receipt and Council Members shall use discretion in selecting accommodations. If a Council Member is lodging with a friend or relative, the Council Member shall be paid an honorarium as agreed upon by Council at the time.
10. Communications – shall be provided with a monthly communications allowance to cover expenses related to personal communications (telephone, internet, smart phone, etc.) as shown in Schedule “A”.
11. Schedule “A” shall be reviewed annually.

Legal References:

Cross References:

Revisions:

Resolution Number	MM/DD/YY
077/19	03/21/19
410/18	10/18/18
279/17	06/15/17
171/17	10/05/17
281/16	10/20/16
168/15	05/07/15
005/15	01/15/15
213/13	10/24/13
	12/01/11
	11/17/11
	03/11/11
	01/01/07
	05/19/06



Town of Onoway

Council Policy

Schedule "A" (Approved by Resolution– Oct. 2019 Org. Meeting)

Honorariums

- | | |
|--|--|
| 1. Regular Council Meetings – Mayor & Councillors | \$175.00 |
| 2. All other meetings or activities related to Town business | \$25.00/hour to a
max. \$175.00/day |

Note:

- Expense forms must be filled out and signed by each member of Council prior to reimbursement. Expense forms shall be submitted prior to the last business day of the month.

Billable time is to be rounded up to the nearest 30 minute increment. Minimum pay will be 4 hours.

Accommodation Expense

When travelling on Town business the actual cost of the accommodation may be claimed.

Communications Expense

The Mayor shall receive \$400 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising his/her duties as an elected official, as well as personal time required for the preparation for all of their meetings.

All councillors shall receive \$250 per month as reimbursement for personal cell phone use and personal internet costs incurred in exercising their duties as an elected official, as well as personal time required for the preparation for all of their meetings.



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Town of Onoway

Council Policy

Council and select employees are provided with an iPad for Town business. The Town will pay up to \$20/month towards data usage. Any cost incurred over and above this \$20 will be reimbursed to the Town by the individual using the iPad, unless otherwise authorized by the Chief Administrative Officer

Donations

Annually, in November, Council may consider the donation of \$100 per Council member to the East Lac Ste. Anne Food Bank.



**BYLAW OF THE TOWN OF ONOWAY, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL,
COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE
COUNCIL**

WHEREAS Municipal Councils must, by bylaw, establish a code of conduct governing the conduct of Councillors, pursuant to the *Municipal Government Act, RSA 2000 Chapter M-26* as amended from time to time; and

WHEREAS Municipal Council may establish a code of conduct governing the conduct of members of council committees and other bodies established by the council pursuant to the *Municipal Government Act, R.S.A. 2000 Chapter M-26* as amended from time to time; and

WHEREAS the elected officials of the Town of Onoway recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of Council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them; and

WHEREAS, the Council for the Town of Onoway wishes to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council;

NOW THEREFORE the Council of the Town of Onoway, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. SHORT TITLE

- 1.1. This Bylaw may be cited as the "Code of Conduct Bylaw".

2. DEFINITIONS

- 2.1. "Act" means the *Municipal Government Act, R.S.A. 2000 Chapter M-26*, as amended from time to time.
- 2.2. "Bylaw" means a bylaw of the Town of Onoway.
- 2.3. "Chief Administrative Officer", or "CAO" means the person appointed to the position of Chief Administrative Officer by Council.

- 2.4. "*Code of Conduct*" means the Town of Onoway Code of Conduct for Members of Council, Council Committees and Other Bodies Established by Council.
- 2.5. "*Committee*" means a board, commission, authority, task force or any other public body established by Council.
- 2.6. "*Confidential Information*" means any information that is prohibited from being disclosed under Alberta's Freedom of Information and Protection of Privacy Act (FOIPP) and also includes any information received by a Member in confidence by virtue of their position on Council, a Council Committee or other body established by the Council, as well as matters discussed in meetings that have been closed to the public, unless those matters have subsequently been made public by Council.
- 2.7. "*Council*" means the Council of the Town of Onoway.
- 2.8. "*Integrity Commissioner*" or "*Commissioner*" means the individual appointed by Council to receive, assess, investigate and adjudicate complaints regarding breach of the Code of Conduct.
- 2.9. "*Member*" is intended to include both Members of Council and Members of Council Committees or other bodies established by the Council.
- 2.10. "*Member of Council*" means a duly elected Member of Council and includes the Mayor and Deputy Mayor.
- 2.11. "*Member of Council Committee or other body established by the Council*" means member of a committee, board, authority, task force or other body duly appointed by Council.
- 2.12. "*Town*" means the Town of Onoway.
3. **CODE OF CONDUCT**
- 3.1. That the *Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council* is attached hereto as "Schedule A" and forms part of this bylaw.
4. **PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS**
- 4.1. That the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct*, is attached hereto as "Schedule B" and forms part of this bylaw.

5. **AMENDMENTS**

5.1. That amendments or additions to the *Code of Conduct for members of Council, Council Committees and Other Bodies Established by the Council* (Schedule A) or the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct* (Schedule B) will require an amendment to this Bylaw.

6. **INTERPRETATION**

6.1. Terms which are not defined in the Code of Conduct Bylaw will be given their ordinary meaning.

6.2. Within the text of the Code of Conduct Bylaw:
a) use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
b) use of the singular shall include the plural and the plural shall include the singular as the context requires.

7. **SEVERABILITY**

7.1. It is the intention of the Council of the Town of Onoway that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.

8. **COMING INTO FORCE**

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw.

READ a first time this 21st day of June 2018.

READ a second time this 21st day of June 2018.

UNANIMOUS CONSENT to proceed to third reading this 21st day of June 2018.

READ a third and final time this 21st day of June 2018.

SIGNED this 21st day of June 2018

Mayor, Judy Tracy

Chief Administrative Officer, Wendy Wildman

SCHEDULE A

TOWN OF ONOWAY
CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL
COMMITTEES AND OTHER BODIES ESTABLISHED BY THE
COUNCIL

1. PURPOSE AND PRINCIPLES

- 1.1. The purpose and intent of this Code of Conduct is to establish standards of conduct for Members of Council, Council Committees and other bodies established by the Council so that they may carry out their entrusted duties with diligence and impartiality while maintaining the highest standard of integrity.
- 1.2. The Code is intended to supplement existing superior legislation and municipal by-laws and policies that govern the conduct of Members of Council, Council Committees and other bodies established by the Council.
- 1.3. The key principles underlying this Code of Conduct are as follows:
 - a) The public should have confidence that the elected and appointed officials of the Town of Onoway operate from a basis of integrity, justice, courtesy and propriety and will carry out their duties in a fair, impartial and transparent manner;
 - b) Holding public office is a privilege and responsibility and Members shall put the interests of the residents and rate payers of the municipality as a whole above personal interests;
 - c) Members should demonstrate respect for the law and for the policies, procedures and processes of the Town of Onoway;
 - d) Members have a duty to treat members of the public, representatives from other agencies or municipalities, each other and staff with respect and dignity and without abuse, bullying or intimidation;
 - e) Members of Council, Council Committees and other bodies established by the Council must exercise due care in the treatment of any Confidential Information obtained through their elected or appointed positions.

2. COMPLIANCE WITH CODE OF CONDUCT

- 2.1. This Code of Conduct applies to all Members of Council and Members of Council Committees and other bodies established by the Council and all Members must observe and comply with all provisions of the Code of Conduct as well as other policies and procedures established by Council

which affect the Member.

- 2.2. Members of Council shall sign and agree to comply with the Code of Conduct at or prior to the first meeting of Council after their election to office.
- 2.3. Members of Council Committees or other bodies established by the Town of Onoway of who are not Members of the Town of Onoway Council or the Council of another municipality, shall sign and agree to comply with the Town of Onoway Code of Conduct on or before attending their first committee meeting. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 2.4. Members of Council of the Town of Onoway, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Town of Onoway Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council.
- 2.5. Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 2.6. All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 2.7. No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

3. GENERAL PERSONAL CONDUCT

- 3.1. Members shall strive for excellence in the performance of their duties of Council, Council Committees or other bodies established by the Council.
- 3.2. As representatives of the Town of Onoway, Members will, at all times, conduct themselves in all their affairs with integrity so as to reflect positively on the municipality and promote public confidence.
- 3.3. Members of Council shall carry out their duties with impartiality, putting the interests of the residents and rate payers of the whole municipality above personal interests.

- 3.4. Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.
- 3.5. Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.
- 3.6. Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Town of Onoway Procedural Bylaw (Bylaw 705-11). Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 3.7. Members of Council of the Town of Onoway, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Town of Onoway Code of Conduct for Members of Council, Council Committees and Other Bodies established by the Council.
- 3.8. Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 3.9. All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 3.10. No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

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- 4.4. Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.
- 4.5. Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.
- 4.6. Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Town of Onoway Procedure Bylaw.
- 4.7. The venue for discussions on matters before Council, a Council Committee or other body established by the Council is within their respective meetings. Members shall not engage in debate with each other via public mediums such as letters to the editor, bios or social media.
- 4.8. Members are expected to use good judgement as to what is appropriate use of electronic social media and must not communicate anything that could harm the reputation of the Town of Onoway. Providing personal comments on matters before the Town Council, Council Committees or other bodies established by the Council on social media is inappropriate.
- 4.9. If a difference or conflict between Members is not easily resolved, processes outlined in the Procedure Bylaw and best practices in conflict resolution shall be employed in order to resolve the issue and maintain working relationships among Members.

5. OBLIGATIONS OF MEMBERS

- 5.1. Members must conduct themselves in accordance with the requirements and obligations set out in municipal, provincial and federal legislation or regulations, including but not limited to the following:
 - a) Alberta Human Rights Act;
 - b) Alberta Local Authorities Election Act;
 - c) Canadian Human Rights Act;
 - d) Criminal Code of Canada;
 - e) Freedom of Information and Protection of Privacy Act;
 - f) Town of Onoway Procedural Bylaw;

- g) Municipal Government Act;
- h) Occupational Health and Safety Act, Regulation and Code, including the Town of Onoway Health and Safety Program.

- 5.2. As outlined in the Municipal Government Act, Members of Council have a duty to participate in council meetings, council committee meetings and meetings of other bodies to which they are appointed by Council.
- 5.3. All Members are expected to be suitably prepared for meetings of Council or any Committee or other body established by the Council on which they serve.
- 5.4. All Members must attend orientation or training sessions as offered by the municipality.

6. AVOIDANCE OF CONFLICTS OF INTEREST

- 6.1. Members of Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Council.
- 6.2. Members of a Council Committee or other body established by the Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Committee or other body on which they serve.
- 6.3. Members shall remove themselves from the proceedings regarding any matter in which they have a pecuniary interest.
- 6.4. Members shall not influence or attempt to influence a decision in a matter that they have a pecuniary or personal interest which comes before Council, a Council Committee or other body established by the Council on which they serve.
- 6.5. Members shall not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council.
- 6.6. Members shall not allow their personal interests or connection to volunteer organizations to influence their impartiality with respect to the duties they carry out as Members of Council, a Council Committee or other body established by the Council.

- 6.7. Members shall not engage in any activity that is incompatible with the ethical performance of their official duties in the public interest, as members of Council, as Council Committee or other body established by the Council.

7. USE OF MUNICIPAL ASSETS AND SERVICES

- 7.1. Members shall use municipal assets and services for activities relevant to their role as Members of Council, a Council Committee or other body established by the Council, and in accordance with any applicable municipal policy or procedure.
- 7.2. Members shall use municipal computers, smart phones or other related technology devices or systems, including email and internet, in accordance with the municipality's policies and procedures.
- 7.3. Members of Council shall not use the property, land, facilities, equipment, supplies, services or other resources of the municipality for any election campaign or campaign-related activities, unless otherwise authorized by policy or bylaw.
- 7.4. No Member of Council shall use the services of persons for election-related purposes during hours in which those persons are receiving compensation from the municipality.
- 7.5. No Member shall obtain personal or financial gain or advantage through the use of municipal assets or services or from municipally developed intellectual property.

8. USE OF INFLUENCE OF OFFICE

- 8.1. No Member shall use the influence of his or her position on Council, a Council Committee or other body established by the Council for any purpose other than for the exercise of his or her official duties.
- 8.2. Members shall not use their position to obtain employment or contracts with the municipality for themselves, family members or close associates.

9. ACCEPTANCE OF GIFTS OR BENEFITS

- 9.1. Acceptance of gifts or benefits by a Members shall be in accordance with federal and provincial legislation and must be accepted or reported in accordance with any Summer Village policy or procedure.

- 9.2. Members shall ensure that they do not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council through the acceptance of gifts or benefits.

10. INTERACTIONS WITH MUNICIPAL STAFF

- 10.1. Council's sole employee is the Chief Administrative Officer (CAO); Members of Council will respect the CAO's authority to direct staff.
- 10.2. Members will treat municipal staff with dignity, understanding and respect and will adhere to any of the Town of Onoway policies, procedures or directives in order to ensure that the municipal work environment is free from discrimination, bullying and harassment.
- 10.3. No Member shall use, or attempt to use, their authority for the purpose of influencing any staff member with the intent of interfering in staff's duties.
- 10.4. No Member shall maliciously or falsely impugn or injure the professional or ethical reputation of staff and all Members shall show respect for the professional capacities of the staff of the municipality.
- 10.5. No Members shall compel staff to engage in partisan political activities or subject staff to threat or discrimination for refusing to participate in such activities.

11. INTERACTIONS WITH OTHER AGENCIES OR MUNICIPALITIES AND THE PUBLIC

- 11.1. In the performance of their duties, Members will treat representatives of other agencies or municipalities and members of the public with dignity, understanding and respect and will adhere to any and or all of the Town of Onoway policies, procedures or directives put in place to ensure that workplace environments are free from discrimination, bullying and harassment.

12. CONFIDENTIAL INFORMATION

- 12.1. Personal information collected by the Town of Onoway will only be used for the purpose for which it was collected, and only disclosed if such disclosure complies with Alberta's Freedom of Information and Protection of Privacy Act (FOIPP).

- 12.2. Members are encouraged to acquire an understanding of the principles of FOIPP.
- 12.3. Members shall not release information subject to solicitor-client privilege without express authorization from Council unless required by law to do so.
- 12.4. Members shall not release or divulge any matters discussed while in a closed meeting including any aspect of the closed meeting deliberations to anyone, unless expressly authorized by Council or required by law to do so.
- 12.5. Members who speak or write publicly are responsible for ensuring that they do not divulge Confidential Information.
- 12.6. The responsibility for protecting Confidential Information includes the responsibility for ensuring that documents or digital information are not directly or indirectly made available to unauthorized persons.
- 12.7. No Member shall use Confidential Information for personal gain or benefit, or for the personal gain or benefit of any other person or body.
- 12.8. A Member's responsibility for maintaining confidentiality extends beyond the term of office or the period of appointment.

13. IMPLEMENTATION

- 13.1. The Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council and the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will be adopted by bylaw as required by Section 146.1 of the Municipal Government Act, or as amended from time to time.
- 13.2. Amendments or additions to the Code of Conduct or the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will require an amendment to the Code of Conduct Bylaw.
- 13.3. Council will review the Code of Conduct on an annual basis at the Organizational Meeting to ensure it is current and remains relevant to the day-to-day conduct of Members.
- 13.4. Council will appoint an Integrity Commissioner who will be responsible for accepting, assessing, investigating and adjudicating complaints or requests for investigation regarding breach of the Code of Conduct.

- 13.5.** The process for appointing the Integrity Commissioner will be the same process as for appointments to Council Committees or other bodies established by Council.
- 13.6.** The position of Integrity Commissioner will be a paid contract position, with an appropriate hourly rate of pay or daily per diem, to be established by Council at the time of appointment. The Commissioner may also be reimbursed for expenses approved by the Mayor, or the Deputy Mayor or any 2 members of Council who are not the subject of any complaint under investigation.
- 13.7.** The term for an Integrity Commissioner will be 4 years; a Commissioner may be re-appointed at the end of their first term but may not serve more than two (2) consecutive terms.
- 13.8.** If at any time it is determined by Council that the Integrity Commissioner has conflict of interest or has acted in an unfair or unethical manner, Council may require the Commissioner to relinquish their position.
- 13.9.** Complaints and requests for investigations into allegations that a Member has breached the Code of Conduct will follow the procedure outlined in the *Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct*, Schedule B of the Code of Conduct Bylaw.

SCHEDULE B

TOWN OF ONOWAY
PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS
REGARDING BREACH OF THE CODE OF CONDUCT

Where a member of the public, a Member of Council, a Member of a Council Committee or other body established by the Council, or an employee of the Town of Onoway, has reasonable grounds to believe that a Member has breached this Code, a complaint or request for inquiry may be submitted in confidence to the Integrity Commissioner or to a designated alternate in the absence of the Commissioner.

All complaints or requests for inquiries must be in writing and should include:

- a) the complainant's name and contact information;
- b) the name of the Member(s) to whom the complaint relates;
- c) the nature of the alleged contravention;
- d) the specific provision(s) of the Code allegedly contravened;
- e) names of any witnesses to the alleged contravention;
- f) any other supporting documentation that will assist the Commissioner in evaluating the complaint.

The Commissioner may refuse to undertake an investigation if the complainant fails to provide sufficient documentation to support their complaint.

If after reviewing the complaint, if the Commissioner determines that the complaint is an allegation of a criminal nature consistent with the Criminal Code, the Commissioner will inform the complainant that the allegation must be made through the appropriate police service.

If the complainant is a Member or municipal staff, the Commissioner will review the complaint to determine if it falls under any of the Town of Onoways' harassment or respectful workplace policies, procedures or directives intended to ensure a working environment free of discrimination, bullying and harassment. If it does, the Commissioner will advise the complainant to contact the appropriate party (CAO, Manager or Supervisor) to initiate the process outlined in the applicable policy, procedure or directive.

Formal investigation of any complaint will be at the discretion of the Commissioner. If the Commissioner finds the allegations to be frivolous or unsubstantiated he or she may decline to conduct an investigation and will inform the complainant of this decision.

If it is found that an investigation is warranted, the Member whose conduct is in question will be provided with a copy of the complaint and supporting documentation and be given the opportunity to provide a written response to the allegations being made.

Once the investigation is complete, the Commissioner will submit a written report which may include statements from both the complainant and the Member who is the subject of the complaint as well as a recommendation for appropriate sanctions (if any) to the Council of the Town of Onoway. The report will be discussed at a closed meeting session of Council. Neither the Member who is the subject of the complaint, nor the complainant may attend this closed meeting session but they may submit written statements to the Commissioner for consideration and inclusion in the report to Council, if they choose to do so. Council (excluding the Member who is subject of the complaint) will then determine what sanctions (if any) will be imposed. In the event that all of Council are the subjects of the complaint, it will fall to the Commissioner to determine what sanctions (if any) will be imposed.

The Commissioner may recommend that Council impose any of the following sanctions:

- a) Require a written or verbal public apology;
- b) Require additional training on ethical and/or respectful conduct;
- c) Return of property or reimbursement of its value or of monies spent;
- d) Removal from membership of a Committee; Removal as chair of a Committee;
- e) Reporting the misconduct to Alberta Municipal Affairs or another appropriate authority; or
- f) Other consequences as deemed appropriate and necessary but not including disqualification of a Member of Council.

The results of an investigation by the Commissioner and the imposition (or lack of the imposition) of sanctions by Council or the Commissioner have no appeal mechanism and are to be considered final.

**BYLAW NO. 763-19
TOWN OF ONOWAY**

Being a Bylaw of the Town of Onoway to regulate the proceedings and the conduct of business at Town of Onoway Council and Committee Meetings.

WHEREAS, the Council of the Town of Onoway feels it is expedient to make rules and regulations for calling meetings, governing its proceedings and the conduct of its members;

NOW THEREFORE, the Council of the Town of Onoway in the Province of Alberta, duly assembled enacts as follows:

TITLE: The Bylaw may be cited as the Council Procedure Bylaw.

DEFINITIONS:

1. In this bylaw:

- a) "Acting Mayor" shall mean the member selected by Council to preside at a meeting of Council in the absence of both the Mayor and the Deputy-Mayor;
- b) "Agenda" means the agenda for a regular or special meeting of Council prepared pursuant to the "Agenda" Section of this bylaw;
- c) "Bylaw" means a bylaw of the Town of Onoway;
- d) "CAO" means Chief Administrative Officer or Municipal Manager, or delegate, for the municipality;
- e) "Committee" means a body of members delegated to consider, investigate, take action on or report on some legislative matters;
- f) "Council" means the Mayor and Councillors of the Town of Onoway for the time being elected pursuant to the provisions of the Local Authorities Election Act and Municipal Government Act whose term is unexpired, who have not resigned and who continue to be eligible to hold office under the terms of the related provincial legislation;
- g) "Deputy Mayor" means the member who is elected by Council at the Organizational meeting to hold that position;
- h) "Delegation" means any person that has permission of council to appear before council or a committee of council to provide pertinent information and views about the subject before council or council committee;

- i) "Disruption" means any act meant to impede the proceedings of a meeting whether the source be council members, delegates or public at large;
- j) "Mayor" means the member of council who is elected pursuant to the provisions of the Local Authorities Election Act and Municipal Government Act whose term is unexpired, who has not resigned and who continues to be eligible to hold office under the terms of the related provincial legislation, who serves as chairman of council meetings;
- k) "Member" means a member of Council, duly elected and continuing to hold office or a person at large appointed by council to a committee of council;
- l) "Municipality" means the Municipality of Onoway, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;
- m) "point of order" means a demand that the Chair enforce the rules of procedure;
- n) "point of privilege" means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual councilors and includes the: organization or existence of council, comfort or members or conduct of employees or members of the public in attendance at the meeting;
- o) "postpone" means to delay the consideration of any matter either to definite time when further information is to be obtained or indefinitely;
- p) "Presiding Officer" means the member selected to serve as chairman of that particular committee or council; mayor.
- q) "Quorum" means the majority of the valid members of all the councilors that comprise the Council;
- r) "table" means a motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter;
- s) "Town" means the Town of Onoway;

APPLICABILITY:

1. This bylaw applies to all members attending meetings of council, or committees established by council.

SEVERBILITY:

1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

AGENDA AND ORDER OF BUSINESS:

1. Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all matters to be brought before council. Any member of Council, Town official or any other person wishing to have an item of business placed on the agenda shall make the submission to the CAO no later than 4:00 p.m. on the Thursday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.
2. The agenda for each regular and special meeting shall be prepared by the CAO and submitted, together with copies of all pertinent correspondence, statements and reports, to each member of Council at least 48 hours prior to said meeting.
3. No item of business shall be considered by the Council if the item has not been placed on the agenda unless members of Council present agree to the item being placed on the agenda. The Mayor, any Councillor or the CAO shall be given an opportunity to state why an item shall receive consideration on the agenda because of its emergent nature before the motion is put to a vote.
4. Where the deadlines in section 1 & 2 are not met, the agenda and support materials shall be deemed to be acceptable when the agenda is adopted at the meeting.
5. The business intended to be dealt with shall be stated in the agenda in the following order where applicable:
 1. Call to Order
 2. Adoption of agenda
 3. Adoption of previous minutes
 4. Appointments/Public Hearings
 5. Financial Reports
 6. Policies & Bvlaws

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7. Action Items
 8. Council, Committee & Staff Reports
 9. Information Items
 10. Closed Session
 11. Adjournment
 12. Upcoming Events
6. The order of business at a meeting is the order of the items on the agenda except:
- a) When the same subject matter appears in more than one place on the agenda and council decides, by motion, to deal with all items related to the matter at the same time;
 - b) Council decides not to deal with an item on the agenda and no motion is made about it;
 - c) When altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present, and the vote, upon a matter of priority of business shall be decided without debate.

GENERAL RULES OF COUNCIL

1. The day and time on which the regular meeting of Council should commence, and the location, shall be set by a resolution of Council at the Organizational Meeting.
2. If Standing Committees of Council are established, they may be established by bylaw, and any such bylaw shall state how the Standing Committees shall function.
3. As soon after the hour of the meeting as there shall be a quorum present, the Mayor shall take the chair and call the meeting to order.
4. In a case where the neither the Mayor nor Deputy Mayor are in attendance within fifteen (15) minutes after the hour appointed for a meeting and a quorum is present, the CAO or Municipal Manager shall call the meeting to order and an Acting Mayor shall be chosen by the Councillors present. The Acting Mayor shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
5. If there is no quorum present within half an hour after the time appointed for a regular meeting of Council, the CAO or Municipal Manager shall record the names of the members of Council who are present and the meeting shall be absolutely adjourned until the next regular meeting unless a special meeting has been duly called in the meantime.
6. If a meeting begins with quorum, but a member is unable to continue or in some other manner leaves the meeting and quorum is lost, the incident shall be duly recorded and the meeting shall absolutely adjourn until the next regular meeting unless a special meeting has been duly called in the meantime.

7. The Mayor or Presiding Officer shall preserve order and decorum and shall decide questions of order subject to an appeal to the Council by resolution. Decision of the presiding officer shall be final unless reversed or altered by a majority vote of members present.
8. If order is lost and a disruption occurs, the Mayor or Presiding Officer shall request the offender(s) leave the council chambers at once. If the offender(s) refuse, a recess shall be called and the appropriate law enforcement agency contacted for assistance.
9. When a Mayor or Presiding Officer is called on to decide a point of order or practice, he/she shall do so without argument or comment and shall state the rule of authority applicable to the case.
10. Every member wishing to speak to a question or motion shall address himself/herself to the Mayor or Presiding Officer.
11. The Mayor or Presiding Officer shall have authority to set a time limit and the number of times that a member may speak on the same question or resolution having due regard to the importance of the matter.
12. A motion submitted to Council does not require a seconder.
13. Negative motions may not be accepted by the Presiding Officer nor considered by members.
14. When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except:
 - (1) A motion to refer the main question to some other person or group for consideration;
 - (2) A motion to amend the main question;
 - (3) A motion to table the main question;
 - (4) A motion to postpone the main question to some future time;
 - (5) A motion to adjourn the meeting, provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
15. Where a question under consideration contains distinct propositions, the vote upon such proposition shall be taken separately when any member so requests or when the Mayor or other Presiding Officer so directs.
16. After any question is finally put by the Mayor or other Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or the Presiding Officer as to whether the question has been finally put shall be conclusive.

17. Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the Presiding Officer;
18. Members of the public who constitute the gallery in the Council Chambers during a Council meeting may not address Council without permission of the Council, shall maintain order and quiet, and shall not applaud or otherwise interrupt any speech or action of members of Council.
19. Council shall hear all delegations who have brought their items of business onto the agenda in the order in which they are placed on the agenda or the order may be changed by a majority vote of members present. All rules of Council in this Bylaw shall apply to each and every member of the delegation. Delegations shall have fifteen (15) minutes for presentation.
20. Members shall vote on all motions brought forward in meetings unless a conflict of interest or pecuniary interest has been declared prior to the motion.
21. If any member of the Council shall call for a recorded vote, the names of those who vote for and those who vote against the motion shall be entered in the minutes. A request for a recorded vote must precede the voting on a motion.
22. Council may adjourn from time to time to a fixed future date any regular or special meeting of Council that has been duly convened but not terminated. The object of adjourning is to finish the business that the meeting was called to transact in the first place but which has not been completed.
23. Council and council committees may close all or part of a meeting to the public if a matter to be discussed is one of the exemptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act. When the Mayor or Presiding Officer declares an item "Closed Session", the reason shall be stated and recorded in the minutes, and all attendees except those specifically designated to be in attendance, shall clear the council chambers. A sign indicating "Closed Session" shall be posted on the exterior of the chamber doors and shall remain in place until the item(s) have been dealt with and the session is moved back into the public realm.
24. Any matter of meeting conduct which is not herein provided for shall be determined in accordance with "Roberts Rules of Order";

RECORDING OF MINUTES:

1. The CAO may delegate any duties to a recording secretary but shall accept all responsibilities of the duties.
2. If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.

BYLAWS:

1. Where a bylaw is presented to Council for enactment, the CAO shall cause the number and the short title of the bylaw to appear on the Agenda in the appropriate place.
2. Every bylaw shall have three readings.
3. After a member has made the motion for the first reading of the bylaw Council may:
 - a) debate the substance of the bylaw; and
 - b) propose and consider amendments to the bylaw.
4. Unless the members present at a meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
5. Where required by provincial statute, a bylaw shall be advertised or submitted to the electorate for voting as set out in the relevant statutes.

The Town of Onoway Bylaw No. 745-18 is hereby repealed.

This Bylaw comes into full force and effect upon third and final reading.

Read a first time this 24th day of October, 2019.

Read a second time this 24th day of October, 2019.

Given unanimous consent to proceed to third reading, this 24th day of October, 2019.

Read a third time and final time this 24th day of October, 2019.

Mayor Judy Tracy

**Chief Administrative Officer
Wendy Wildman**

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