

Type of Decision							
Meeting Date	Tuesday, September 11, 2018			Report Date	Wednesday, Sept. 5, 2018		
Council Decision Required	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	Priority	X	High	Low
Complies with Current Policy	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	Creates New Policy	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Aligns with Strategic Plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	Priority in Asset Management Plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Follows Procedure By-law	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	Follows Procurement By-Law	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Aligns with Zoning By-Law	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>	Aligns with previous Council precedent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
As per Provincial Legislation	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>			Provincial Act or Regulation			
Direction	x	Information Only		Type of Meeting	X	Open	Closed
REPORT TITLE - Legal Report and Action Plan							
Report #25/09/2018 - 1102							

Subject: Review of the Report and Action Plan provided to Council at its meeting of July 24, 2018. Deferred to September meeting.

RECOMMENDATION:

That Council adopt the following recommendations.

Resolution #1

WHEREAS Council has received training and authorized staff to provide documentation to Wishart and E4M for review concerning recent Council and Council/Staff Relations;

AND WHEREAS the municipality has recently contracted with Wishart Law Group for legal services and E4M who have been charged with providing advice to facilitate Council moving forward in a cohesive manner;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby accept the resulting report and recommendations and direct staff to implement same as soon as possible;

Resolution #2

WHEREAS Expertise for Municipalities have already spent considerable time reviewing our situation and providing advice for council to follow moving forward;

AND WHEREAS they and Wishart Municipal Law Group have been hired by this municipality to provide legal and various other professional services for the municipality including acting as Integrity Commissioner;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize the Clerk and Mayor to contract with E4M to work with Council and

staff to implement the action plan presented at the July 24th meeting of Council and approved by Council today.

BACKGROUND/EXECUTIVE SUMMARY:

Council has directed staff to have the Integrity Commissioner's firm review a variety of documents in relation to council-staff-public interactions which resulted in a presentation to Council by representatives of Expertise for Municipalities and Wishart Municipal Law Group at a closed meeting of Council held on July 24, 2018.

The resulting report was made public and circulated via electronic and hard copy methods. The resolution presented for council consideration at that meeting was prepared expecting that the report and action plan would have been available for council review prior to the meeting. As it wasn't, Council needed time to review the document in detail prior to making a decision.

This report and resolution is simply bringing that plan back to Council.

Adopting this plan will result in increased costs to the municipality in training and relationship development, conflict resolution etc.

It will bring benefits by having a more productive Council and staff working together for the benefit of the community. Some of these documents exist – they need to be updated, reviewed and training held on them so that Council, the public and employees understand what they mean specifically. Members of the public need to understand that there are some things that Council and staff simply cannot do.

Options/Discussion:

1. Option 1 – Not accept the plan and move forward.

Pros

- time efficient – in the short term

Cons

- nothing changes – the relationships at the Council table, in the municipal office and in the community remain the same
- relationships between council, staff and the public will not change
- continued costs of legal fees with potential for litigation as has occurred in the past 12 months

2. Option 2 – Adopt the plan and begin to take steps to implement the recommendations.

Pros

- Working towards improvements
- More streamlined work process – understanding of each other's' roles
- Improved employee morale
- Improved productivity
- Reduced costs of investigations, reports and legal fees
- Unlimited benefits to the community moving forward

Cons

- Efforts/time required to complete these actions
- Costs of training and new policy implementation

Financial Considerations – Budget Impact:

The impact of training and education will result in increased costs, but so will not taking the training and continuing an adversarial relationship as has been occurring for the past nearly two years.

Others Consulted:

Expertise for Municipalities – Peggy Young-Lovelace
Wishart Municipal Law Group – Paul Cassan

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

Melinda Reith