



Municipality of Port Hope

56 Queen Street
Port Hope, ON
L1A 3Z9

REPORT TO: Corporate Services Committee

FROM: Brian Gilmer, Director, Corporate Services / Clerk

SUBJECT: Council Meeting Format During COVID-19

DATE: November 16, 2021

RECOMMENDATION:

That a resolution be presented to Council in support of one of the options below:

1. That all meetings of Council, Committee of the Whole, and Public Meetings under the Planning Act continue to be held virtually without alteration until such a time that further direction is provided by Council.
(Option 1 – Status Quo)

or

2. That Council, Committee of the Whole, and Public Meetings return to an in-person format beginning January 4, 2021 and that staff be directed to make the necessary arrangements to ensure the safety of those in attendance, in compliance with protocols outlined by relevant public health protocols.
(Option 2 – In-Person)

BACKGROUND:

In early September 2021, Staff provided the Corporate Services Committee with options regarding a potential future return to in-person meetings. In this report, Staff detailed the opportunities and challenges related to implementing hybrid as well as in-person meetings, or continuing on with the status quo of virtual meetings. After consideration, direction was provided to continue with the virtual meetings and staff was further directed to bring a report back for the November 16th meeting with more information on next steps and options for consideration.

Since that time, staff have been closely following the trajectory of the COVID-19 pandemic as well as the Province's Reopening Plan. The Municipality has continued to deliver services to the general public throughout the pandemic and meeting access and participation has been no exception.

As part of the Municipality's response measures Council has amended the procedural by-law several times throughout the COVID-19 pandemic to enable virtual Council, Committee of the Whole, and public meetings under the Planning Act. All meetings have been held virtually since April 2020. This format has been generally well received and has provided ample opportunity for residents to participate in meetings safely.

As the Province is progressing through the reopening stages of getting back to a new normal (currently in Phase Three of the Plan) transmission numbers are unfortunately on an upward trajectory as of the date of this report. Many municipalities, however, have begun to deliberate what exactly this new upwards trend for COVID-19 cases will mean for in-person meetings. There is no one standard or best practice. Many municipalities have decided to continue to deliver meetings virtually and have committed to reassessing at a later date in 2022. Other municipalities have returned to in-person Council meetings and a large percentage have moved to a combination of in-person and virtual meetings.

This report is intended to enable Council to contemplate returning to a more traditional manner of facilitating meetings of the Municipality of Port Hope.

This report and its proposed recommendations do not intend to limit the options available for consideration. With such a wide range of approaches it is impossible to identify every option for consideration. Council can amend or alter the options presented as they see fit. Staff have provided a high-level breakdown of each of the identified options:

Option 1 – Status Quo

The first option for consideration is simply to continue with virtual meetings as they are being delivered today. All meetings of Council, Committee of the Whole, and Public Meetings under the Planning Act would continue to be held virtually using Zoom without alteration until such a time that further direction is provided by Council.

Potential modifications to this option could include Council identifying a date at which the Municipality will reconsider options for returning to in-person meetings.

This is the by far the safest method of delivering meetings while the pandemic continues. No changes would be required. Staff would continue to monitor the situation and provide updates to Council as necessary.

Option 2 – In Person

The second option for consideration is returning to in-person meetings. This option would see meetings moved back to the Council Chambers with Council, staff, delegations, and the general public in attendance.

There are a considerable number of considerations that would need to be made with respect to this option and staff would need some time to ensure that procedures are in place to create a controlled atmosphere subject to current, and constantly shifting, Public Health protocols as well as make any appropriate amendments to procedures required to potentially ensure the safety of in-person meetings

Limiting in-person attendance to municipal meetings is a simple concept that can be easily achieved through administrative and physical controls. But, the impact of limiting attendance calls may potentially call into question as to whether or not the meetings are truly open to the public. Maintaining some level of physical distancing in the chambers would see capacity drastically reduced. Port Hope has routinely conducted meetings at or near council chambers capacity in its recent history.

As previously addressed, public meetings under the Planning Act in particular pose a difficult question about ensuring the participation of the public with this option. Should a public meeting held in a traditional format but with limits on attendance occur and have that attendance exceed the reduced capacity number this could potentially prejudice someone from participating in the planning process and lead to a challenge under planning legislation. A first come first served attendance model at in-person meetings with reduced capacity could also be difficult to manage and not meet the needs of the public.

In-person meetings would continue to be streamed live to the public. The Municipality does not currently have a practical means to facilitate public participation electronically in an effective manner while also having a public audience in attendance in person at the council chambers. Broadcasting to the council chambers speakers for those in attendance and to the live stream at the same time present some additional technological challenges that are still being addressed by staff.

Staff would work with local health authorities to determine the best path forward and give serious consideration to particular aspects of the in-person option including whether or not it is practical for the Municipality to enforce a vaccination requirement for attendees, mandatory masking, and the potential inclusion of physical barriers for members of the public and for council members alike.

Other Options / Hybrid

Understanding that there is a general desire to begin transitioning back to a traditional delivery of meetings, a third option previously explored and identified in the original report in September would be to continue with virtual meetings but have Members back in Council Chambers and deliberating in-person. A number of staff would also be required to be in attendance in person including the Chief Administrative Officer, Clerk, Deputy Clerk and potentially support staff as necessary and determined by the CAO.

The meetings would be streamed live, and members of the public would have the ability to participate virtually much the same as they do currently. The rest of staff and all delegations would continue to participate virtually through the same meeting software utilized since the beginning of the pandemic. Members of the public would continue to participate virtually and continue to be offered the opportunity to ask questions during question period as they have been since meetings transitioned online.

Some administrative and physical controls would be required to ensure that Council and staff are able to meet in this small group safely and in compliance with pandemic health and safety best practices. Adjustments to the audio-visual equipment in Council Chambers would be required depending on how the in-person setup is adjusted.

At this time, Staff are not recommending consideration of a hybrid option for meetings due to the complexity and cost implications of this option. Based on discussions with other Municipalities who have moved to hybrid meetings and the challenges they have experienced, and a preliminary review of resourcing and technical capabilities, it is prudent to either remain virtual (Option 1) or move to in-person meetings (Option 2).

As always, with the above options, Council could choose to defer consideration of this report and this question to a later date to be named. Council, as always, could also choose to refer this topic back to staff and seek additional information as they may require.

Advisory Bodies

At this point in time, it is not advisable to alter the format of Advisory Body meetings (as defined by the Committee By-law 05/2021) and staff recommend virtual meetings continue. As the Municipality looks to return to a more traditional meeting delivery a staged approach to resuming all meetings is advisable. It is anticipated that Advisory Body meetings will follow suit with the decision about Council meetings after a period of time to be determined in alignment with staff resources and practical considerations.

RESOURCE IMPLICATIONS:

Continuing to deliver meetings virtually under the status quo model will result in no additional expenses. The cost of the software license required to hold virtual meetings is nominal and easily accounted for in the regular operating budget.

Should the option to return to in-person meetings be selected staff will need to identify all physical controls required and prepare the Council Chambers accordingly. Plexiglas barriers would likely need to be erected in numerous locations. Other considerations under this option may result in additional expenses that have not been identified at this time. Staff members would likely be required to attend meetings to help facilitate the arrival and exit of members of the public and ensure guidelines are being followed.

It is unlikely that the resource implications associated with the options at hand will be a determining decision factor given the subjectivity of the question. Weighing the factors and seeking a solution that balances public safety with the democratic processes associated with open meeting requirements will ensure a safe and effective start to returning to a new normal.

CONCLUSION:

This report provides for an opportunity for Council to further contemplate how meetings will be safely held given the current public health landscape in Ontario as the pandemic continues. Staff have identified two practical options for consideration. Should Committee wish to provide a different direction other than the options identified, that is their prerogative.

Respectfully submitted,

Brian Gilmer,
Director, Corporate Services / Clerk