



# Town Council Meeting

April 14, 2020

6:30 p.m.

Via – Virtual – Zoom Meeting

## Agenda

---

### Call to Order

- 1. Approval of Agenda**
- 2. Approval of Minutes**
  - a. Special Town Council Meeting, April 7, 2020
- 3. Comments from the Mayor**
- 4. Motions/Recommendations from Committee of the Whole Meeting, March 3, 2020:**
  - a. RFD 006-2020: Signing a Code of Conduct for Elected Municipal Officials Policy
  - b. RFD 007-2020: Employee Conduct Policy – Amendments
- 5. Adjournment to In-Camera under the Municipal Government Act Section 22(2)(a):**
  - a. Land Acquisition
- 6. Adjournment of In-Camera and Regular Meeting**

**REQUEST FOR DECISION 006-2020**

Title: Signing a Code of Conduct for Elected Municipal Officials Policy

Date: 2020-03-03

Department: Office of the CAO

---



## SUMMARY

### Signing a Code of Conduct for Elected Municipal Officials Policy

This Policy requires all elected municipal officials to sign a Code of Conduct document as per the Municipal Elections Act and the Code of Conduct for Elected Officials Regulation.

#### DRAFT MOTION:

That Council approve the attached Policy # 110-011 requiring all elected municipal officials sign a Code of Conduct document.

## REQUEST FOR DECISION 006-2020

Title: Signing a Code of Conduct for Elected Municipal Officials Policy

Date: 2020-03-03

Department: Office of the CAO

---



### 1) CAO COMMENTS

The CAO supports the recommendation of staff.

### 2) LEGISLATIVE AUTHORITY

- Section 147 Municipal Elections Act RSNS 1989, c.300
- The Code of Conduct for Elected Officials Regulation, AR 200/2017 (Regulation)

### 3) STAFF RECOMMENDATION

Staff recommends that Council approve this new Policy #110-011.

### 4) ATTACHMENTS

- Current NSFM Model template Code of Conduct

### 5) DISCUSSION

The Town requires all elected officials to sign a Code of Conduct document. The Code of Conduct document is based on the NSFM model template and used by over 40 municipalities in NS. The Code of Conduct document is currently under review and maybe subject to change; attached is the current version for Council's information.

### 6) FINANCIAL IMPLICATIONS

N/A

### 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This policy is administrative.

### 8) COMMUNICATION REQUIREMENTS

N/A

### 9) ALTERNATIVES

That Council not approve the attached Policy.

# Signing a Code of Conduct For Elected Municipal Officials Policy

<b>Policy Number:</b> 110-011	<b>Supersedes Policy Number:</b> Not Applicable
<b>Effective Date:</b> March 3, 2020	<b>Approval By Council (Motion Number):</b>

## **1.0 Purpose**

To ensure that all elected municipal officials sign and adhere to a Code of Conduct as per legislative requirements.

## **2.0 Scope**

This Policy is applicable to all elected municipal officials.

## **3.0 References**

- Section 147 Municipal Elections Act RSNS 1989, c.300
- The Code of Conduct for Elected Officials Regulation, AR 200/2017 (Regulation)

## **4.0 Policy**

It is the Policy of the Town of Wolfville that all elected municipal officials sign the most current version of the Code of Conduct best practices template endorsed by the Nova Scotia Federation of Municipalities.

---

CAO

---

Date

For information purposes this is the current NSFM Model template:

# CODE OF CONDUCT

## FOR ELECTED MUNICIPAL OFFICIALS

### I. PURPOSE

The public expects the highest standards of professional conduct from Members elected to local government. The purpose of this Code is to establish guidelines for the ethical and interpersonal conduct of Members of Council ("Members"). The Council is answerable to the community through democratic processes and this Code will assist in providing for the good government of the Town of Wolfville.

### II. STANDARDS OF CONDUCT

Members shall uphold the law and at all times:

- (a) Seek to advance the common good of the municipality as a whole while conscientiously representing the communities they serve;
- (b) Perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
  - (i) **Integrity** - giving the municipality's interests absolute priority over private individual interests;
  - (ii) **Honesty** - being truthful and open;
  - (iii) **Objectivity** - making decisions based on a careful and fair analysis of the facts;
  - (iv) **Accountability** - being accountable to each other and the public for decisions taken;
  - (v) **Leadership** - confronting challenges and providing direction on the issues of the day.

- (c) Uphold this Code as a means of promoting the standards of behaviour expected of Members and enhancing the credibility and integrity of Council in the broader community.

### **III. COUNCIL RESPONSIBILITIES**

The Council (or its designated committee) will:

- (a) review the municipality's Code of Conduct as required and make any amendments considered appropriate
- (b) review, consider or take other action concerning any violation of the Code of Conduct which is referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the provincial or federal government, provincial or federal statutes shall take precedence.

### **IV. MEMBER RESPONSIBILITIES**

#### CONDUCT TO BE OBSERVED

Members are agents of the public whose primary objective is to address the needs of the citizens. As such, they're entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable provincial and federal laws. As public servants, Members must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.

#### DEDICATED SERVICE

All Members should faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Members should strive to perform at a level which is expected of those who work in the public's interest.

#### RESPECT FOR DECISION-MAKING PROCESS

All Members recognize the responsibility of the Mayor to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for

the decision-making processes of Council is fostered.

#### CONDUCT AT MEETINGS

Members shall respect the chair, colleagues, staff and members of the public present during Council meetings or other proceedings of the municipality. Meetings shall provide an environment for transparent and healthy debate on matters requiring decision-making.

#### RELEASE OF CONFIDENTIAL INFORMATION PROHIBITED

No Member shall disclose or release to any member of the public any confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the municipality to do so. Nor shall Members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

#### GIFTS AND BENEFITS

No Member shall show favouritism or bias toward any vendor, contractor or others doing business with the municipality. Members are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality personally, or through a family member or friend, which could give rise to a reasonable suspicion of influence to show favour or disadvantage to any individual or organization.

#### USE OF PUBLIC PROPERTY

No Member shall request or permit the use of municipal-owned vehicles, equipment, materials or property for personal convenience or profit, except where such privileges are granted to the general public. Members shall ensure that the business of the municipality is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of municipal resources.

#### OBLIGATIONS TO CITIZENS

No member shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

#### INTERPERSONAL BEHAVIOUR

Members shall treat every person, including other Members, corporate employees, individuals providing services on a contract for service, and the public with dignity,

understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

#### COMMUNITY REPRESENTATION

Members shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

#### COMPLIANCE WITH EXPENSE POLICY AND HOSPITALITY POLICY

Members shall comply with the expense policy and the hospitality policy for the municipality.

### **V. GOOD GOVERNANCE**

Members accept that effective governance of the Town of Wolfville is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the municipality to function as a good corporate citizen.

### **VI. GOVERNMENT RELATIONSHIPS**

Members recognize the importance of working constructively with other levels of government and organizations in Nova Scotia and beyond to achieve the goals of the municipality.

### **VII. CONFLICT OF INTEREST AVOIDANCE**

Members are committed to making decisions impartially and in the best interests of the municipality and recognize the importance of fully observing the requirements of the *Municipal Conflict of Interest Act*, R.S.N.S. 1989, c. 299 with regard to the disclosure and avoidance of conflicts of interest.

### **VIII. REPORTING BREACHES**

Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Member or municipal employee who, acting in good faith, brings forward such information.

### **IX. CORRECTIVE ACTION**

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member may constitute a cause for corrective action. If an investigation finds



a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member.

## **X. COMPLIANCE WITH CODE**

Pursuant to section 23 of the *Municipal Government Act*, S.N.S. 1998, c 18., the code of conduct applies to mayors, wardens, councillors, and positions prescribed by provincial regulations. Every person to whom a code of conduct for a municipality applies shall comply with the code of conduct. Each of these persons is required to sign a "Statement of Commitment to the Code" (Attachment A) within seven (7) days of taking the Councillors' oath pursuant to section 147 of the *Municipal Elections Act*, R.S.N.S. 1989, c. 300.

**ATTACHMENT A**

**STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT**

I, (Full Name) \_\_\_\_\_ declare that as a Councillor of the Town  
of Wolfville I acknowledge and support the Councillors' Code of Conduct.

Signed: \_\_\_\_\_

Declared this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Before me:

\_\_\_\_\_  
Chief Administrative Officer/Town Clerk

**REQUEST FOR DECISION 007-2020**

Title: Employee Conduct Policy Amendments

Date: 2020-03-03

Department: Office of the CAO

---



## **SUMMARY**

### **Employee Conduct Policy # 130-019 - Amendments**

The Town requires all employees to be aware of the above Policy and to ensure clarity, the Policy has been revised.

The main change is that the title of the Policy is now Employee Conduct and Disciplinary Policy and there have been additional changes to clarify what is meant by Corrective Action and Conduct.

These are housekeeping amendments and do not change the substance of the Policy.

#### **DRAFT MOTION:**

That Council approve the revised Employee Conduct and Disciplinary Policy Number 130-019.

## REQUEST FOR DECISION 007-2020

Title: Employee Conduct Policy Amendments

Date: 2020-03-03

Department: Office of the CAO

---



### 1) CAO COMMENTS

The CAO supports the recommendation of staff.

### 2) LEGISLATIVE AUTHORITY

- Section 47 (1) Municipal Government Act.

### 3) STAFF RECOMMENDATION

Staff recommends that Council approve this revised Policy.

### 4) REFERENCES AND ATTACHMENTS

1. Current Employee Conduct Policy
2. Revised draft Employee Conduct and Disciplinary Policy

### 5) DISCUSSION

The Town requires all employees to be aware of the above Policy and to ensure clarity, the Policy has been revised.

The main change is that the title of the Policy is now Employee Conduct and Disciplinary Policy and there have been additional changes to clarify what is meant by Corrective Action and Conduct. These are housekeeping amendments and do not change the substance of the Policy.

### 6) FINANCIAL IMPLICATIONS

N/A

### 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This Policy is administrative.

### 8) COMMUNICATION REQUIREMENTS

The Policy would be communicated to all employees.

### 9) ALTERNATIVES

That Council not approve the revised Policy.

## Original Policy:

<b>Employee Conduct</b>	
<b>Policy Number</b> 130-019	<b>Supersedes Policy Number</b> 8-20
<b>Effective Date</b> 2008-10-20	<b>Approved by Council (Meeting Date)</b> 2008-10-20

### 1.0 Purpose

It is the policy of the Town of Wolfville to promote and ensure appropriate conduct among staff and to facilitate the fair and consistent treatment of all employees.

### 2.0 Scope

This Policy applies to all permanent employees for the Town of Wolfville.

### 3.0 References

- 3.1 Employee Conduct SOP 130-816

### 4.0 Definitions

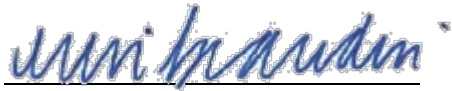
- 4.1 **Corrective Action:** Corrective actions are measures which are applied to an employee in order to address unsatisfactory conduct. This action may consist of:
- a) measures taken in instances where the employee should be aware of the performance and conduct expected of him/her, and/or where the employee has the capacity to meet the performance or conduct expected, but fails to provide satisfactory performance or conduct;
  - b) measures taken in instances where the employee is not aware of the performance standard. This lack of awareness may reflect a lack of communication between the supervisor and the employee and may be considered as a mitigating circumstance in the conduct of investigations and the implementation of corrective actions.

## 5.0 Policy

### 5.1 Specific Objectives

The objectives of this Policy are to:

- a) encourage positive employee/employer relations by providing for the fair and consistent treatment of staff throughout the Town of Wolfville;
- b) encourage the proper conduct of Town of Wolfville employees;
- c) ensure that all employees of the Town of Wolfville are aware of their obligations and the consequences of disregarding those obligations; and
- d) ensure that employee misconduct is dealt with in an appropriate manner.



CAO

2015-12-15

Date

# Employee Conduct & Disciplinary Policy

<b>Policy Number</b> 130-019	<b>Supersedes Policy Number</b> 8-20
<b>Effective Date</b> <del>2008-10-20</del>	<b>Approved by Council (Meeting Date)</b> 2008-10-20

## 1.0 Purpose

It is the policy of the Town of Wolfville to promote and ensure appropriate conduct among staff and to facilitate the fair and consistent discipline of all employees where the need arises.

## 2.0 Scope

This Policy applies to all employees of the Town of Wolfville.

## 3.0 References

3.1 Employee Conduct & Disciplinary SOP 130-816

## 4.0 Definitions

**4.1 Corrective Action:** is the process of communicating with an employee to improve behavior or performance and prevent their recurrence.

**4.2 Conduct:** is personal behavior; the manner in which a person behaves, especially on a particular occasion or in a particular context.

## 5.0 Policy

### 5.1 Specific Objectives

The objectives of this Policy are to:

- a) encourage positive employee/employer relations by providing for the fair and consistent treatment of staff throughout the Town of Wolfville;
- b) encourage the appropriate conduct of Town of Wolfville employees;
- c) ensure that all employees of the Town of Wolfville are aware of their obligations and the consequences of disregarding those obligations; and
- d) ensure that employee poor performance and misconduct is dealt with in an appropriate manner.

---

CAO

---

Date