



Memo

TO: Mayor and Council

SUBJECT: Council Remuneration Bylaw

DATE: February 23, 2023

FROM: Chief Administrative Officer

BACKGROUND

As it has always been customary, an outgoing council has determined the remuneration and benefits for the incoming new council. For more than two decades a similar review and approval process has been undertaken. An independent review of [Council Remuneration and Benefits](#) was conducted for the incoming council last summer. The report was presented at a Committee of the Whole meeting on September 6th, 2022. Recommendations from the Committee of the Whole were then brought forward to a Special meeting of Council held later that day. Further amendments were subsequently made to the proposed bylaw at first reading. [Bylaw 1077-2022](#) was then reconsidered and adopted by Council on September 27th, 2022. It needs to be noted that all members of Council were present at all the meetings dealing with this subject matter.

The previous council made certain changes to the remuneration and benefits package that would affect the new council:

- Councillor remuneration is to reflect 60% of the mayor's wage, not 55% as suggested in the report;
 - If the tablet provided to council members is lost or stolen, or damaged the elected official is responsible for the cost of the replacement. A tablet would be replaced if proven defective;
 - The provision of a loan to purchase an e-bike was removed; and
 - Car rentals require prior approval of the CAO.

The Council Remuneration Bylaw No. 1077-2022 was reconsidered and adopted at its Regular meeting of Council held on September 27th, 2022.

There was, however, an issue with regards with the remuneration payment schedule and an amended Council Remuneration [Bylaw No. 1084-2022](#) was brought forward to the new council on December 20th, 2022, where it was given three readings. One member of Council was absent at that meeting.

The Council Remuneration Bylaw No. 1084-2022 received first, second and third reading at the Regular meeting of Council held on December 20th, 2022, to deal with just the payment schedule issue and no other changes were made or contemplated.

As this bylaw was being brought forward at the Regular meeting of Council held January 24th, 2023, for reconsideration and adoption concerns were raised with respect to the car rental expenditure and the replacement of tablets items. Third reading of the proposed Council Remuneration Bylaw No. 1084-2022 was then rescinded. Mayor McGonigle referred the amending bylaw for a further review of the affected sections, namely subsections 6(b) and 9(g), to the next meeting.

It must be noted that it has not been the practice for a current council to effectively change the remuneration and benefits that were enacted by a previous council just so its perceived needs may be accommodated. In any case, the new reference to car rentals or tablets in the current remuneration bylaw effectively changes nothing.

Perquisites referred to in the Council Remuneration Bylaw does not imply that a council member has unilateral spending authority given to it. All expenditures must be pre-authorized or failing that approved after the fact before payment can be processed. No one can independently authorize expenditures that exceeds the generally accepted limits of spending. The decision-making authority rests with council not with an individual council member.

Car rentals are not now to assumed to be a de facto local mode of transportation that replaces the other means of public transportation that are more economical. A council member does not have the authority to independently dictate personal expenses on behalf of the Town without its approval.

Even where the prior approval of the CAO is sought for car rentals, that approval can only be given where it is proven to be cost effective or does not cost more the other means of transportation. On the replacement of tablets where there will be added costs the same principle will apply; council will have to authorize it. Public business needs to be conducted, among other requirements, openly.

STAFF RECOMMENDATION

Council may want to consider the following:

Rescind Motion No. R.006/23; and

- Give it third reading as presented;
- Or,

- Only make such amendments to the bylaw while being cognizant of the Council member's covenant with the Town which all council members have subscribed to.



Joseph A. Fernandez