

ASSOCIATION OF MANITOBA MUNICIPALITIES

**MUNICIPAL OFFICIALS SEMINAR-BRANDON
APRIL 13 – 14, 2016**

COUNCIL CONDUCT

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OPENING REMARKS

- Thank you for the opportunity
- Changes in municipal legislation (more freedom and opportunities)
- Ability to interpret legislation
- Advantages of more liberal legislation
- Understanding the legislation and your role

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Municipal purposes

- To provide good government;
- To provide services, facilities or other things that, in the opinion of the council of the municipality, are necessary or desirable for all or a part of the municipality; and
- To develop and maintain safe and viable communities.

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COUNCIL'S ROLE

- For developing and evaluating the policies and programs of the municipality;
- For ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
- For carrying out the powers, duties and functions given to the council under The Municipal Act or any other Act

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GENERAL DUTIES OF MEMBERS

- To consider the well-being and interests of the municipality as a whole and to bring to the council's attention anything that would provide the well-being or interests of the municipality;
- To participate generally in developing and evaluating the policies and programs of the municipality;
- To participate in meetings of the council and of council committees to which the member is appointed;
- To keep in confidence a matter that is discussed at a meeting closed to the public and the committee decides to keep confidential until the matter is discussed at a public meeting of council or committee;
- To comply with the code of conduct for members of council;
- To perform any other duty of function imposed on the member by the council

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ROLE OF HEAD OF COUNCIL

- Same powers as member of council (unless provided by council)
- Chief Executive Officer of municipality
- Official representative of municipality
- Let members debate –let all members speak
- Summarize discussion
- Use of gavel
- Recess/adjournment
- Knowledge of legislation/policies/agenda
- Spokesperson for council and municipality

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TOOLS OF THE TRADE

- The Municipal Act
- Procedure and organizational by-laws
- Establishment of policies – long term decisions
- Outside sources of help – Auditors, lawyers, engineers, Municipal Board, Ombudsman, and even municipal advisors!

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AGENDA

- Latin for “things to do”
- Council’s agenda – not CAO’s
- Reviewed by head and CAO prior to release
- How to add issues to agenda
- Limited additions to agenda
- Preparation by members prior to meeting
- Purpose of meeting – Get things done!

IF YOU ARE NOT MAKING MISTAKES, THEN YOU'RE NOT DOING ANYTHING. I'M POSITIVE THAT A DO'ER MAKES MISTAKES "JOHN WOODEN"

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CAO RESPONSIBILITIES AND ADMINISTRATIVE DUTIES (must)

- Administrative head of the municipality
- Responsible to implement policies-programs
- Responsible to advise and inform council
- Responsible for the management and supervision of staff
- List of administrative duties – minutes (without notes or comments), keep records, collect revenues, ensure accounts are paid, provide information to minister.

ONCE YOU REPLACE NEGATIVE THOUGHTS WITH POSITIVE ONES, YOU'LL
START HAVING POSITIVE RESULTS "WILLIE NELSON"

COUNCIL CONDUCT

HOW TO MOVE AWAY FROM TENSION SITUATIONS AND MOVE FORWARD

- Understanding your role and duties and others
- Proper preparation by all members
- Have your “say” and back off!!
- “Call before you dig”
- Short term situation
- Long term situation
- Use of professional advice

IF YOU FOCUS ON RESULTS, YOU WILL NEVER CHANGE. IF YOU FOCUS ON CHANGE, YOU WILL GET RESULTS

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CODE OF CONDUCT LEGISLATION

- A council must establish a code of conduct that applies to the members of council – duty to comply with code.
- Purpose of code of conduct
- The code of conduct is to set guidelines that define the standards and values that the council expects members to meet in their dealings with each other, employees and the public-guideline should be clear on role of staff
- A council may censure (publicly reprimand) a member if it determines that the member has breached the code of conduct
- To be approved, the number of members who must affirm the resolution to censure is the majority of all the members, plus one.
- Conflict of Interest legislation

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CONCLUSION

- Know your role and duties
- Deal in facts – proper research
- Don't rush in decision making – take if need be
- **RESPECT, RESPECT, RESPECT!**