

Village of Clive
BY-LAW #520-17

Code of Conduct Bylaw

Being a By-law of the Village of Clive, in the Province of Alberta, pursuant to provisions of the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto, providing standards for Members of Council relating to their roles and obligations, and a procedure for the investigation and enforcement of those standards.

WHEREAS ethics and integrity are at the core of public confidence in municipal government; and

WHEREAS the citizens of the Village of Clive expect high standards of conduct from their municipal government officials. The quality of the Village of Clive’s public administration and governance, as well as its reputation and integrity, depend on the highest standards of conduct from its elected representatives.

NOW THEREFORE, the Municipal Council of the Village of Clive enacts as follows:

PART ONE

INTERPRETATION OF BYLAW

This Bylaw shall be cited as the “Code of Conduct Bylaw”.

Headings in this Bylaw are for reference purposes only.

At no time is it the intent of this Bylaw to create undue strictness of adherence to cause intimidation or limit participation.

The Code of Conduct will apply to Council Members, Council as a whole and Council Committees.

DEFINITIONS:

In this Bylaw, unless the context otherwise requires:

Administration:

means the employees of the Village of Clive.

CAO:

means the Chief Administrative Officer.

Chief Elected Official:

means the person elected or appointed as Mayor under the *Municipal Government Act*.

Committee:

means a Council Committee, board, commission or other body established by Council under the *Municipal Government Act*.

Confidential Information:

includes but is not limited to:

- In the possession of the Village that the Village is either prohibited from disclosing, is required to refuse to disclose or exercises its discretion to refuse to disclose under the FOIP Act or other legislations.
- Concerning matters that have been discussed in an “In Camera” meeting pursuant to the MGA, but not yet made public.

Council:

means the Mayor and Council Members duly elected in the Village of Clive and who continue to hold office.

Council Member:

means a Member duly elected as a Councillor under the *Local Authorities Election Act* who continues to hold office.

FOIP:

means *Freedom of Information and Protection of Privacy Act*.

In Camera:	means a portion of the Meeting which is closed to the public in accordance with the <i>Municipal Government Act</i> and the <i>Freedom of Information and Protection of Privacy Act</i> .
Harassment:	means engaging in a course of vexatious comment or conduct that is known or ought to reasonably be known to be unwelcome. Every person has the right to respect, equality and the right to an environment that is safe and free from harassment and discrimination.
Mayor:	is the Council Member appointed by Council, pursuant to the <i>Municipal Government Act</i> to act as Chief Elected Official.
Member:	means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.
Municipal Government Act:	means <i>Municipal Government Act</i> , R.S.A. 2000, c. M-26 and amendments thereto also known as MGA.
Relative:	means the Council Members' spouse or adult interdependent partner, the Council Members' children, the parents of the Councillor and the parents of the Council Member's spouse or adult interdependent partner and shall include any others who are reasonably perceived by Council, staff or the citizen to be family and includes cousins, uncles, aunts, brothers, sisters, sons- or daughters-in-law.
Spouse:	means the husband or wife of a married person or interdependent partner but does not include a spouse who is living separate and apart from the person if the person and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.
The Village:	means the municipal corporation of the Village of Clive having jurisdiction under the <i>Municipal Government Act</i> and other applicable legislation.
Village:	means the geographic area contained within the boundaries of the municipality of the Village of Clive.

2.

Application:

Council Members shall at all times conduct themselves and commit to ethical, businesslike, and lawful conduct, including the appropriate use of authority vested in them and appropriate decorum when acting as a Council Member.

The Code of Conduct is to:

- a) Set out clear expectations on the behavior of the Council Members.
- b) To provide information to the public as to the behavior they can expect from their Council.
- c) To provide guidance to Members of Council in the conduct of their duties as elected officials; and
- d) To provide a mechanism for responding to alleged breaches of this Code of Conduct.

The key statements of principle that underline the Code of Conduct are as follows:

- a) Members of Council shall serve and be seen to serve their citizens in a conscientious and diligent manner.
- b) Members of Council shall be committed to performing their functions with integrity and recognizing the influence they wield as a Council Member and avoiding the abuse of that influence.
- c) Members of Council are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.
- d) Members of Council shall seek to be stewards of public interest by upholding both the letter and the spirit of the laws of the Federal

Parliament and Alberta Legislature, and the laws and policies adopted by Village Council.

- e) Members of Council shall not discriminate against anyone on the basis of their race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.
- f) Members of Council shall not harass any person.

Council Members will treat fellow Council Members, Village staff, residents, visitors and all other parties which they interact with in the process of carrying out their duties with respect, professionalism and dignity.

PART TWO

ACCOUNTABILITY AND PRINCIPLES

3.

Accountability and Principles:

Council Members shall:

- a) Govern their conduct in accordance with the requirements and obligations set out in the MGA.
- b) Commit to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Council Members.
- c) Council Members shall not take action beyond the powers granted by the MGA without having the necessary authority from Council to do so.
- d) Represent the best interests of the Village.
- e) Participate when appointed as a member of committees or boards and to inform Council as a whole of the activities of that committee or board.
- f) Avoid conflict of interest, by refraining from self-dealing or any conduct of private business or personal services between any Council Members and the Village, except as provided by the *Municipal Government Act*.
- g) Disclose pecuniary interests as outlined in the *Municipal Government Act*.
- h) Disclose their affiliations or interest with an organization that may affect their decision making on matters before Council regarding that organization.
- i) Debate in a manner that is respectful, considerate, and healthy and will be limited to the topic that is directly related to the motion on the table.
- j) Shall take all points of view into account when making decisions.
- k) Will, when interacting with the public and the media, support decisions of Council by way of motions in a positive holistic manner.
- l) Acknowledge that official information related to decisions and resolutions made by Council will normally be communicated to the public and the media by the Mayor as the Chief Elected Officer or the CAO.
- m) Have the option to respectfully disagree with other Members of Council.
- n) When expressing their personal opinion or position shall explicitly state that those opinions do not represent the Council or the Village.
- o) Preserve the integrity and impartiality of Council.
- p) Direct comments or opinions regarding Village staff to the CAO.
- q) Avoid public comments regarding Village staff and the CAO and their performances
- r) Think independently and refrain from forming allegiances or factions within Council.
- s) Partake in the mandatory post-election training for Councillors outlined in the *Municipal Government Act*.

PART THREE

STATUTORY REGULATIONS

4.

Statutory Provisions Regulating the Code of Conduct:

This Code of Conduct operates along with as a supplement to the existing statutes governing the conduct of Council Members. The following Provincial legislation governs the conduct of Members of Council:

- a) The *Municipal Government Act* and amendments thereto;
- b) The Alberta Freedom of Information and Protection of Privacy Act and amendments thereto.

- c) The Local Authorities Election Act and amendments thereto; and
- d) Other Provincial and Federal Legislations as it applies.

5. **Statutory Offences with Penalties:**

Part 5 Division 6 of the *Municipal Government Act* governs the disqualifications of Council Members of a municipality.

Sections 22-23 of the Local Authorities Election Act governs the ineligibility to be nominated.

6. **Statutory Duties of Council Members and the Mayor:**

Part 5 Division 3 of the *Municipal Government Act* governs the duties of Council Members and the Chief Elected Official of a municipality.

PART FOUR

CONFIDENTIAL INFORMATION

7. **Confidential Information:**

In addition to the statutory duties set out in the MGA and FOIP Act, Council Members shall:

- a) Refrain from disclosing or releasing by any means to any member of the public or the media, any confidential information acquired by virtue of their office in either oral, written, or electronic form, except when required by law or authorized by Council to do so.
- b) Refrain from use of confidential information for personal or private gain, or for the gain of relatives or any person or corporation; and
- c) Refrain from accessing or attempting to gain access to confidential information in the custody of the Village unless it is necessary for the performance of their duties and not prohibited by Council policy, bylaw or prevailing legislation.

Particular care should be exercised in ensuring confidentiality of the following:

- a) Information relating to the security of the property of the organization.
- b) Personal matters about an identifiable individual, including municipal employees.
- c) A proposed or pending acquisition or disposition of land by the municipality.
- d) Labor relations or employee negotiations.
- e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.
- f) Advice that is subject to solicitor-client privilege, including communication necessary for that purpose.
- g) Sources of complaints where the identity of the complainant is given in confidence.
- h) Information about suppliers provided for evaluation which is of a proprietary nature or might be useful to other suppliers.
- i) Any information in relation to a tender that has or will be issued but that has not been awarded.
- j) Schedules or prices in contract tenders.

PART FIVE

GIFTS, BENEFITS AND HOSPITALITY

8. **Gifts and Benefits:**

No Member of Council shall accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or gift that is paid to or provided with the Council Member's knowledge to the Council Member's spouse, partner, child or parent that is connected directly or indirectly to the performance of the Council Member's duties is deemed to be a gift to that Council Member.

The following are recognized as exceptions:

- a) Such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$350.00.
- b) A suitable memento from a function honoring a Council Member.
- c) Food, lodging, transportation, event tickets or entertainment provided by provincial, regional and local governments, by the Federal government, foreign government or by the conference, seminar or event organizer where the member is either speaking or attending in an official capacity.
- d) Food and beverages consumed at banquets, receptions, business lunches or similar events, if attendance serves a legitimate business purpose, the person extending the invitation or a representative of the organization is in attendance, and the value is reasonable and the invitations infrequent.

PART SIX

MUNICIPAL ELECTIONS

9.

Actions During Municipal Election Periods:

No member of Council shall use the facilities, equipment, services or other resources of the Village (including Village newsletters, the Village’s website and websites linked through the Village’s website) for any election campaign or campaign-related activities.

Any campaign-related activities that occur in Village buildings or any municipal facility must take place in a location that is normally available for rental to the public and which has been arranged through the normal rental process.

No Council Member shall use the services of municipal staff for election-related purposes during hours in which those municipal staff members receive any compensation from the Village.

For greater clarity and to ensure that Members of Council do not receive any undue benefit by virtue of being an incumbent, during the period between Nomination Day and the date of the election, Council Members shall:

- a) Refrain from using Village postage or other resources for mass mailings of any kind
- b) Refrain from referring to themselves in campaign advertisements as “Councillor X”.
- c) Refrain from organizing activities such as formal openings of facilities or public spaces or similar events.
- d) Strictly adhere to all of the rules that govern candidates in local elections as defined in the Local Authorities Election Act or any other legislation as it relates.

PART SEVEN

LEAVE OF ABSENCE

10.

Leave of Absence:

Occasionally a Council Member will take a leave of absence in order to run for elected office of another level of government. During the period of the leave the Council Member:

- a) Will not receive any confidential agendas, communications or documents from the Village.
- b) Will receive copies of all public information.
- c) Will not be required to return their Village issued material or electronic devices during the period of unpaid leave, but will not use it for any non-municipal purpose.
- d) Will not be reimbursed for any mileage or telephone or similar expenses.
- e) Will not receive Council remuneration during the Leave of Absence.

PART EIGHT**COMPLIANCE**

11. All Council Members shall cooperate in any investigation made pursuant to this Section.

All Council motions on offences and penalties will be resolved with two-thirds (2/3) majority vote of the total number of Councilors in attendance, excluding the offending Council Member.

12. **Statutory Offences with Penalties:**

A complaint under this Section of the Code of Conduct must be in writing and must be made either:

- a) By a Member of Council; or
- b) By the CAO except where the matter relates to Part 5, Division 6 of the *Municipal Government Act* (Pecuniary Interest of Councillors).

Such complaints will relate to alleged breaches of statutory provisions.

The CAO shall forward all complaints, including the name of the complainant, to all Council Members (“in confidence”), including the Council Member(s) about whom the complaint is made.

The Council Member who is subject of complaint is to provide a written response to the complaint, to be provided to Council.

Upon receipt of a complaint under this Section of the Code of Conduct, Council shall meet, “in camera”, excluding the member of Council concerned, review the complaint and written response of the Council Member, and decide whether to proceed to investigate the complaint or not. Council, in its sole discretion, may decide to take no action on the complaint. The Council Member(s) concerned shall be notified of the Council decision.

If Council decides to investigate the complaint, it shall take such steps as it may consider appropriate, which may include hiring an independent investigator, seeking legal advice, etc. All proceedings of Council regarding the investigation shall be “in camera”.

If Council believes, following the investigation, that the Council Member(s) concerned may have breached the statutory regulations, it shall advise the Council Member(s) of this, and give them an opportunity to make oral or written submissions to Council.

If Council concludes that the Council Member(s) concerned has breached the statutory regulations, it may, in its sole discretion, decide to advise the Council Member(s) concerned of its conclusion and approve moving forward with the appropriate proceedings pursuant to the *Municipal Government Act*.

The *Municipal Government Act* provides that a member who is disqualified must resign immediately. If the Council Member(s) does not resign as required, the Council or an elector may apply to a judge of the court for:

- a) An order determining whether the person was never qualified to be or has ceased to be qualified to remain a Member of Council; or
- b) An order declaring the person to be disqualified from Council.

Should the Council Member(s) concerned not resign immediately, Council may, in its sole discretion, take the appropriate proceedings pursuant to the *Municipal Government Act* be commenced against the Council Member(s) who is subject of complaint.

13.

Breach of Confidentiality Regarding the Confidential Information Section of this Bylaw:

Where a Council Member(s) or member of the Village staff has a reason to believe that a breach of confidentiality has occurred, the facts, as they are known, shall be reported in writing to the CAO (“in confidence”) including the name of the complainant. The CAO shall forward all complaint reports including the name of the complainant, to all Council Members including the Council Member(s) about whom the complaint is made.

The Council Member who is subject of complaint is to provide a written response to complaint, to be provided to Council.

If Council decides to investigate the complaint, it may appoint an independent investigator to conduct the investigation. All proceedings of Council regarding the investigation shall be “in camera”.

Upon receipt of the report of the independent investigator, Council shall meet to consider the matter “in camera”. If one or more Council Member(s) are named in the investigative report as being potentially responsible for the breach of confidentiality, that Council Member(s) shall be excluded from the meeting.

If Council concludes that the Council Member(s) named are responsible for a breach of confidentiality, it may, in its sole discretion, decide that sanctions be imposed. The Council Member(s) concerned shall be advised of Council’s conclusion and decisions.

14.

All Other Breaches of this Bylaw:

A complaint under this Section must be in writing and must be made either:

- a) By Council Members; or
- b) By the CAO; or
- c) By municipal employees; or
- d) By the public.

The CAO shall forward all complaints to Council “in confidence” including the Council Member(s) about whom the complaint is made.

The Council Member who is the subject of complaint is to provide a written response to the complaint, to be provided to Council.

Upon receipt of a complaint under this Section, Council shall meet “in camera” excluding the Council Member(s) concerned, and decide whether to proceed to investigate the complaint or not. Council, in its sole discretion, may decide to take no action on the complaint. The Council Member(s) concerned shall be notified of Council’s decision.

If Council decides to investigate the complaint, it may appoint an independent investigator to conduct the investigation. All proceedings of Council regarding the investigation shall be “in camera”.

If, after receipt of the report of the independent investigator, Council believes that the Council Member(s) concerned may have breached a provision of this Policy, it shall advise the Member(s) of this, and give them an opportunity to make oral or written submission to Council.

If Council concludes that the Council Member(s) concerned has breached a provision of this Policy, it may, in its sole discretion, decide the sanctions to be imposed. The Council Member(s) concerned shall be advised by Council of their conclusion and decision.

PART NINE**SANCTIONS**

15.

Sanctions:

If Council determines that a complaint reviewed under this Bylaw is valid then Council, by resolution, may impose one or more of the following sanctions against the offending Councilor:

- a) Written apology from the offender.
- b) Verbal reprimand to be provided by the Mayor or Deputy Mayor if the Mayor is the offender.
- c) Written censure to be provided by the Mayor or Deputy Mayor if the Mayor is the offender.
- d) Termination or suspension to a defined date of the Council Member's appointment to one or more committees or boards.
- e) Restriction of access to electronic devices provided by the Village.
- f) Reduction or suspension of remuneration as defined in section 275.1 of the *Municipal Government Act* corresponding to a reduction in duties, excluding allowance for attendance at council meetings.
- g) Request for an inquiry under Part 14 of the *Municipal Government Act*.
- h) Initiation of legal action under Part 5 Division 8 of the *Municipal Government Act*.
- i) Other measures as determined by Council in order to restore the accountability of Council.

Any costs or inconveniences, legal or otherwise, arising from a breach or sanction imposed are solely at the cost of the offending Council Member.

16.

Complaint Process:

Council Members, CAO, municipal employees or the public that have:

- a) Identified or witnessed any prohibited activity by a Council Member which is prohibited under this Code of Conduct or is a contravention of Legislation or Procedural Bylaw; or
- b) Witnessed or been subject to discriminatory treatment by a Council Member contrary to this Code of Conduct or prevailing legislation; or
- c) Witnessed or been subject to harassment by a Council Member contrary to this Code of Conduct or prevailing legislation;

may address the prohibited conduct or activity as set out in Appendix "1" and "2" of this policy.

Any complaint or disclosure of alleged prohibited conduct or activity that is reported by a Village employee and is identified by the CAO to be knowingly false or vexatious will be reprimanded by the CAO that can be up to and including termination of employment. And, a formal apology from the complainant to the alleged offending Council Member as the CAO deems appropriate.

Any complaint or disclosure of alleged prohibited conduct or activity that is reported by a Council Member and is identified by the Mayor or the CAO to be knowingly false or vexatious will be reprimanded by Council by means of sanctions listed in the Code of Conduct as Council deems appropriate and a formal apology from the complainant to the alleged offending Council Member as Council deems appropriate.

17.

Responsibilities of Council:

If any Council Member becomes aware of breach of this Code of Conduct by, or an allegation of breach of this Code of Conduct against, any other Council Member, it is the Council Member's responsibility to report the breach of this Code of Conduct or the allegation to the Mayor or CAO.

It is the responsibility of the Mayor and CAO to ensure implementation of this Policy with all Members of Council and Council Committees.

Members of Council shall not assume that any unethical activity or activity that is not in the best interest of the County, not covered by or specifically prohibited by this Code of Conduct, or any legislation, are therefore condoned.

18. **Dispute Resolution:**

Council Members will work to resolve conflict between one another, using one or more of the options as outlined in Appendix “3”.

19. **Procedural Bylaw:**

Council Members shall adhere to the Procedural Bylaw #519-17 and amendments thereto and failure to do so may be addressed under this Code of Conduct Bylaw as Council deems necessary.

20. **APPENDICES:**

1. Complaint Process for Municipal Employees and Public
2. Complaint Process for Council Members and Chief Administrative Officer
3. Dispute Resolution Process

SEVERABILITY:

Should any part of this Bylaw be found to have been improperly enacted for any reason, then such part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

This By-law shall take effect on the final passing thereof.

READ a first time this __21st__ day of August, 2017.

READ a second time this __11th__ day of September, 2017.

READ a third and final time this __25th__ day of September, 2017.

Mayor

Chief Administrative Officer

APPENDIX “1”

COMPLAINT PROCESS FOR MUNICIPAL EMPLOYEES AND PUBLIC

Municipal staff and the public are encouraged to utilize the Village’s internal procedures to resolve complaints but may at any time contact the Human Rights Commission or the RCMP depending on the nature of the complaint.

Complaints made by municipal employees of discrimination or harassment by a Council Member;

- a) Shall be made in writing, dated and signed by the person making it; and
- b) Shall contain all of the facts available at the time it is made, including how the complainant became aware of the alleged discrimination or harassment, the nature of the alleged discrimination or harassment, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the CAO in a confidential manner; and
- d) Where a municipal employee makes a complaint of harassment or discriminatory treatment by a Council Member, the Council Member may participate in the resolution and or mediation processes under the Protection of Workers from Workplace Violence Policy – L-11, and the Occupational Health and Safety Act and Code and Alberta Human Rights Act; or
- e) If the Council Member does not participate in these processes or if the complaint is not resolved through these processes, the complainant may lodge a complaint to the Alberta Human Rights Commission.

Other allegations of breach of this Code of Conduct may follow these subsequent steps;

- a) Shall be made in writing, dated and signed by the person making it; and
- b) Shall contain all of the facts available at the time it is made, including how the complainant became aware of the alleged breach of this Code of Conduct, the nature of the alleged breach of this Code of Conduct, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the CAO in a confidential manner.

A complainant may contact the RCMP with respect to an investigation under s.122 of the Criminal Code of Canada, where the allegation is that a Council Member, in a matter connected to the duties of office allegedly commits fraud or a breach of trust; or

A complainant may contact the RCMP with respect to an investigation under s.123 of the Criminal Code of Canada, where the allegation is that a Council Member, in a matter connected to the duties of office, demands, accepts, offers or agrees to accept from any person, a loan, reward, advantage or benefit of any kind; or

A complainant may advise the Council Member verbally or in writing that the alleged activity contravenes this Policy and encourage the Council Member to stop the alleged prohibited activity. A complainant should keep written record of the incidents including dates, times, locations, other persons present, and any other relevant information.

Notwithstanding these procedures, any municipal employee or member of the public may make an allegation of breach of this Code of Conduct against a Council Member(s) directly to the Human Rights Commission, the RCMP, Municipal Affairs or the Court of Queen’s Bench.

APPENDIX “2”
COMPLAINT PROCESS FOR COUNCIL MEMBERS AND THE CHIEF ADMINISTRATIVE OFFICER

Municipal Council or the CAO are encouraged to utilize the Village’s internal procedures to resolve complaints but may at any time contact the Human Rights Commission, RCMP or Municipal Affairs depending on the nature of the complaint or allegation.

In the interest of fairness to all concerned parties, the following procedures are to be followed in reporting of allegations of breach of this Code of Conduct;

- a) An allegation must be made in writing, dated and signed by the person making it; and
- b) An allegation must contain all of the facts available at the time it is made, including how the Council Member or CAO became aware of the alleged breach of this Code of Conduct, the nature of the alleged breach of this Code of Conduct, names of witnesses, and the date, time and location of the alleged breach of this Code of Conduct; and
- c) The written allegation of breach of this Code of Conduct must be delivered, or directed to the Mayor or the CAO of the Village in a confidential manner; and
- d) If the allegation of breach of this Code of Conduct is against the Mayor of the Village, it is to be delivered or directed to the Deputy Mayor or CAO of the Village.

Within thirty (30) days, the Mayor, or Deputy Mayor as the case may be, shall deal with the allegation at a Council meeting as an “in camera” item.

A complainant may contact the RCMP with respect to an investigation under s.122 of the Criminal Code of Canada, where the allegation is that a Council Member, in a matter connected to the duties of office allegedly commits fraud or a breach of trust.

A complainant may contact the RCMP with respect to an investigation under s.123 of the Criminal Code of Canada, where the allegation is that a Council Member, in a matter connected to the duties of office, demands, accepts, offers or agrees to accept from any person, a loan, reward, advantage or benefit of any kind.

APPENDIX “3”
DISPUTE RESOLUTION PROCESS

Council Members will establish and model a respectful workplace where they will not speak disrespectfully about the organization, staff or other Members of Council.

Council Members will work to resolve conflict between one another using one or more of the following options;

- a) Council Members may first attempt to speak directly with the Council Member with whom they perceive to have a conflict/issue;
- b) Council Members may seek assistance from the Mayor or Deputy Mayor or CAO as appropriate. The Mayor or Deputy Mayor or CAO may hold a meeting with those parties directly involved in the conflict/issue to seek resolution.
- c) As a last option, Council Members may document and submit the issue for discussion with the whole of Council. Council shall consider the facts surrounding the conflict/issue, discuss the findings and make recommendations in an “in camera” meeting of Council. If required, a formal motion on the recommendation/decision can be made on the conflict/issue after coming “out of camera”.