

[Guide to Minutes](#)

These Minutes were confirmed by City Council on June 24, 2003

**MINUTES OF A SPECIAL MEETING  
OF THE COUNCIL OF THE  
CITY OF TORONTO**

**THURSDAY, MAY 22, 2003**

City Council met in the Council Chamber, City Hall, Toronto.

**CALL TO ORDER – 5:00 P.M.**

S8.1 Councillor Di Giorgio took the Chair and called the Members to order at 5:00 p.m., immediately recessed the Special meeting and reconvened the Special Meeting at 6:05 p.m.

**S8.2 NOTICE OF SPECIAL MEETING**

Acting Chair Di Giorgio advised the Council that the purpose of this special meeting is to hear from those persons who have consented to accept the office of Councillor - Ward 17 - Davenport, if he/she is appointed by City Council to fill the vacancy as required under the provisions of the Municipal Act, 2001 of the Province of Ontario.

**S8.3 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**S8.4 Appointment of Councillor – Ward 17 – Davenport.**

Council had before it, during consideration of this matter, the following communications:

- (a) (May 6, 2003) from the City Clerk forwarding the recommendation of the Humber York Community Council from its meeting held on May 6, 2003;

- (b) (May 5, 2003) from Louis A. Frapporti, Gowling, Lafleur, Henderson, Barristers and Solicitors;
- (c) (May 14, 2003) from Rev. Ernesto De Ciccio, Pastor, St. Clare Church;
- (d) letters submitted by Mario Silva, Councillor, Ward 18 – Davenport:
  - (April 24, 2003) from Albertino Domingos, President, A.C.D. Wholesale Meats Ltd.;
  - (April 24, 2003) from Ermidio Alves, President, Federation of Portugese Canadian Business and Professionals Inc.;
  - (April 25, 2003) from Peter M. Ferreira, President, Ferreira and Koach;
  - (April 25, 2003) from Antonio Santos, President of the Executive Board, Casa Das Beiras Cultural Community Centre of Toronto;
  - (April 27, 2003) from Joe M. Silva, President, Joe's Grocery;
  - (April 27, 2003) from Jose Tavora, President, Tavora Portugese Sea Products Co. Ltd.;
  - (April 28, 2003) from David J. McGuinty, President and CEO, National Round Table on the Environment and the Economy;
  - (May 5, 2003) from Heather Kilgour;
  - (May 8, 2003) from Antonio B. Belas, Ferma Import and Export;
  - (May 8, 2003) from Suzanna Fernandez;
  - (May 10, 2003) from Mariela Soto;
  - (May 10, 2003) from Manuel Coelho;
  - (May 14, 2003) from Antonella Scali.
  - (May 17, 2003) from Maria Fernandes;
  - form letters:
    - (i) (May 8, 2003) from Cecilia Alves;

- (ii) (May 8, 2003) from Maria G. Sousa;
  - (iii) (May 8, 2003) from Teresa Ferreira;
  - (iv) (May 12, 2003) from Victor Azves;
  - (v) (May 12, 2003) from Alvaro da Costa;
  - (vi) (undated) from Jorge da Silva;
  - (vii) (undated) from Michael McShane;
  - (viii) (undated) from Frank Barbiero;
  - (ix) (undated) from Julio Antao; and
- (e) (May 5, 2003) from Mario Silva, Councillor, Ward 18 – Davenport.

*Advice by Acting Chair:*

Acting Chair Di Giorgio advised the Council that the following persons had submitted nominations prior to this Special Council meeting:

Justin Baichoo  
Alan Burke  
Romolo Cimaroli  
Rob Davis  
Fred Dominelli  
Morris Greenbaum  
Chaitanya Kalevar  
Taras Kulish  
Ana Cristina Marques  
Rosemarie Mulhall  
Roland Ollivier  
Sandra Yvonne Richardson  
Bruce Sinclair

Acting Chair Di Giorgio further advised the Council that the following person had subsequently withdrawn her name from the list of nominees to be considered to fill this vacancy:

Ana Cristina Marques

Acting Chair Di Giorgio called upon a motion from the Council that those persons, who have signified in writing that they are legally qualified to hold the office of Councillor and have consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 17 – Davenport, shall be considered for appointment to fill such vacancy.

*Motion:*

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Holyday**

“**THAT** the following persons who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of City Councillor, Ward 17 - Davenport, shall be considered for appointment to fill such vacancy:

1. Justin Baichoo
2. Alan Burke
3. Romolo Cimaroli
4. Rob Davis
5. Fred Dominelli
6. Morris Greenbaum
7. Chaitanya Kalevar
8. Taras Kulish
9. Rosemarie Mulhall
10. Roland Ollivier
11. Sandra Yvonne Richardson
12. Bruce Sinclair.”

*Vote:*

The motion by Councillor Moscoe, seconded by Councillor Holyday, carried.

*Process for Appointment:*

Acting Chair Di Giorgio advised the Council that Council, at its regular meeting held on April 14, 15 and 16, 2003, by its adoption, as amended, of Motion J(10), had adopted a process for this appointment, as follows:

Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five minutes. The order of speaking will be determined by lot. The Clerk shall place the names of all candidates on equal size pieces of paper in a container and randomly draw each name.

Each Member of Council will be allowed no more than one question to each candidate. Once all candidates have spoken and all questions have been concluded, Members of Council may speak if they so wish, in accordance with the provisions of Chapter 27, Council Procedures.

Following consideration by Council of all submissions, Council will proceed to vote as follows:

- (a) Members of Council will vote by way of ballot. The names of all candidates who have consented to accept the office if appointed, except those who have officially withdrawn, will appear on the ballot, whether they appeared here this evening or not.

Members of Council must print and sign their name on their ballot. The ballots are part of the public record and the results will be recorded in the Minutes of Council.

After the results of the ballot have been tabulated, the Clerk will announce the results.

- (b) if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of Council present and voting.
- (c) where the votes cast are equal for all the candidates:
  - (i) if there are three or more candidates remaining, the Clerk shall by lot select one such candidate to be excluded from the subsequent voting.
  - (ii) if only two candidates remain, the tie shall be broken and the vacancy shall be filled by the candidate selected by lot conducted by the Clerk.

Upon conclusion of the voting, the Clerk will declare to be appointed the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting.

A by-law confirming the appointment shall be enacted by Council appointing the successful candidate to the office for the remainder of the term of the present Council.

*Nominees to Address Council:*

Acting Chair Di Giorgio called upon the nominees present at this meeting to address the Council and the City Clerk determined the order of speaking by lot.

The following nominees addressed the Council and each Member of Council was permitted to ask one question of each candidate, if they so chose:

Chaitanya Kalevar  
Taras Kulish  
Rob Davis  
Roland Ollivier  
Romolo Cimaroli  
Bruce Sinclair  
Fred Dominelli

*Appointment:*

Acting Chair Di Giorgio advised the Council that the appointment of one of the following nominees would now process by way of written ballot:

1. Justin Baichoo
2. Alan Burke
3. Romolo Cimaroli
4. Rob Davis
5. Fred Dominelli
6. Morris Greenbaum
7. Chaitanya Kalevar
8. Taras Kulish
9. Rosemarie Mulhall
10. Roland Ollivier
11. Sandra Yvonne Richardson
12. Bruce Sinclair

Acting Chair Di Giorgio requested Members of Council to indicate their choice on the ballot provided by signing and printing their names.

*Results of First Ballot:*

The City Clerk tallied the results of the first ballot and advised the Council of the results, as follows:

**For Justin Baichoo:**

None

**For Alan Burke:**

None

**For Romolo Cimaroli:**

None

**For Rob Davis:**

Councillors: Ashton, Balkissoon, Duguid, Flint, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Shiner, Soknacki, Sutherland, Tziretas - 12.

**For Fred Dominelli:**

Councillors: Augimeri, Bussin, Chow, Di Giorgio, Ford, Hall, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Walker – 20.

**For Morris Greenbaum:**

None

**For Chaitanya Kalevar:**

None

**For Taras Kulish:**

None

**For Rosemarie Mulhall:**

None

**For Roland Ollivier:**

None

**For Sandra Yvonne Richardson:**

None

**For Bruce Sinclair:**

None

The City Clerk declared that Fred Dominelli, having received more than one-half of the votes of the Members of Council present and voting, is appointed to the Office of City Councillor, Ward 17 - Davenport, for the remainder of this term of Council.

**BILL AND BY-LAW**

S8.5 On May 22, 2003, at 7:19 p.m., Councillor Pantalone, seconded by Councillor Bussin, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 455

By-law No. 361-2003

To confirm the proceedings of the Council at its Special meeting held on the 22nd day of May, 2003,

the vote upon which was taken as follows:

Yes – 26

Councillors:	Ashton, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shiner, Silva, Soknacki, Tziretas
--------------	---



No – 1 Councillor: Minnan-Wong
-----------------------------------

Carried by a majority of 25.

**S8.6 ATTENDANCE**

Councillor Kelly, seconded by Councillor Shaw, moved that the absence of Councillors Feldman and Moeser, be excused from this Special Meeting of Council, which carried.

May 22, 2003	5:00 p.m. to 5:01 p.m.*	Roll Call 6:05 p.m.	6:05 p.m. to 7:20 p.m.*
Lastman	x	-	-
Altobello	x	-	-
Ashton	x	x	x
Augimeri	x	x	x
Balkissoon	x	x	x
Berardinetti	x	-	-
Bussin	x	x	x
Cho	x	x	x
Chow	x	-	x
Di Giorgio	x	x	x
Duguid	x	-	x
Feldman	-	-	-
Filion	x	-	-
Flint	x	x	x
Ford	x	x	x
Hall	x	x	x
Holyday	x	x	x
Johnston	x	x	x
Jones, I.	x	-	-

Minutes of a Special Meeting of the Council of the City of Toronto  
May 22, 2003

---

May 22, 2003	5:00 p.m. to 5:01 p.m.*	Roll Call 6:05 p.m.	6:05 p.m. to 7:20 p.m.*
Jones, L.	x	x	x
Kelly	x	x	x
Korwin-Kuczynski	x	x	x
Li Preti	x	x	x
Lindsay Luby	x	x	x
Mammoliti	x	-	-
McConnell	x	-	-
Mihevc	x	x	x
Milczyn	x	x	x
Miller	x	-	x
Minnan-Wong	x	-	x
Moeser	-	-	-
Moscoe	x	x	x
Nunziata	x	x	x
Ootes	x	-	-
Pantalone	x	x	x
Pitfield	x	x	x
Rae	x	x	x
Shaw	x	x	x
Shiner	x	-	x
Silva	x	x	x
Soknacki	x	x	x
Sutherland	x	x	x
Tziretas	x	x	x
Walker	x	x	x
Total	42	29	34

\* Members were present for some or all of the time period indicated.

**Adjourned: 7:20 p.m.**

**MEL LASTMAN,  
Mayor**

**ULLI S. WATKISS,  
City Clerk**

**ATTACHMENT NO. 1**

Communication dated May 6, 2003, from the City Clerk, Humber York Community Council (See Minute No. S8.4, Page 1):

**Recommendation:**

**The Humber York Community Council recommends that Fred Dominelli be the nominee to fill the vacancy in the Office of Councillor – Ward 17 – Davenport, having advised that if appointed to fill the vacancy, he will not seek election in the 2003 Municipal Election.**

**Background:**

The Humber York Community Council at its meeting held on May 6, 2003, heard deputations from the following eleven (11) persons who have signified in writing that they are legally qualified to hold the office of Councillor and have consented to accept the office if they are appointed to fill the vacancy in the Office of Councillor – Ward 17, Davenport:

Dominelli, Fred  
Greenbaum, Morris  
Mulhall, Rosemarie  
Cimaroli, Romolo  
Marques, Ana Cristina  
Davis, Rob  
Sinclair, Bruce  
Kulish, Taras  
Ollivier, Roland  
Burke, Alan

Kalevar, Chaitanya

The Humber York Community Council had before it the following communications:

- (i) (April 28, 2003) from the City Clerk forwarding copy of Motion (10) adopted by City Council on April 14, 15 and 16, 2003, during consideration of a report dated April 7, 2003 from the City Clerk, entitled “Options for Filling the Vacancy in the Office of Councillor, Ward 17 - Davenport”;
- (ii) (April 30, 2003) from Cesar Palacio, Executive Assistant, Ward 17, Davenport, forwarding copy of a letter sent to the City Clerk and Members of Council regarding appointments to fill vacancies on City Council;
- (iii) (April 9, 2003) from Fred Dominelli to the City Clerk, forwarding copy of a communication (March 18, 2003) with letters of support sent to all Members of Council; and
- (iv) (May 6, 2003) from Rob Davis to Humber York Community Council regarding his application for appointment to fill the vacancy in Ward 17.

(Copies of the foregoing communications are on file in the Office of the City Clerk.)