
City Council

Motion without Notice

MM52.38	ACTION			Ward:All
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Authorizing the City Clerk to process the anticipated vacancy in Ward 5 - by Deputy Mayor Norman Kelly, seconded by Councillor Michelle Berardinetti

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Deputy Mayor Norman Kelly, seconded by Councillor Michelle Berardinetti, recommends that:

1. City Council authorize the City Clerk to seek applications from interested persons for appointment to the office of Councillor for Ward 5 concurrent with the process for Ward 20 as separately authorized by Council.
2. If City Council is in a position to declare the office of Ward 5 vacant on or before the day of the meeting scheduled to appoint a Ward 20 Councillor, Council consider the candidates and fill the vacancy for Ward 5 at the same meeting using the same rules and process.

Summary

Councillor Peter Milczyn was elected to the Legislative Assembly of Ontario in the Ontario General Election on June 12, 2014. Unless he resigns sooner, Councillor Milczyn remains a Member of Council until the election results appear in the Ontario Gazette sometime later in June or early July.

Until then City Council cannot declare the Ward 5 seat vacant and take steps to fill the office by appointment. As with the vacancy in Ward 20, Council will have no option but to appoint a qualified elector to fill the vacancy.

However, if Council waits until July to approve an appointment process, it could take until August to fill the vacancy by appointment. The August meeting is the last scheduled meeting of the term for City Council and as a result the appointed Councillor would have little opportunity to carry out the legislative duties.

An alternative approach would be for City Council at this meeting to authorize the City Clerk to add the anticipated Ward 5 vacancy to the call for interested persons for the Ward 20 vacancy, and if the sequence of events permits, to consider applicants for the anticipated Ward

5 vacancy at the same meeting it considers the Ward 20 candidates. In this way Council could fill both vacancies in July.

Should the election results not be confirmed in the Ontario Gazette in time, City Council would not proceed to fill the vacancy until it was possible to do so and the City Clerk would advise on next steps.

City Council should consider this Motion on an urgent basis to ensure that the anticipated vacancy in Ward 5 is filled as soon as possible.

(Submitted to City Council on June 10, 11, 12 and 13,2014 as MM52.38)

Background Information (City Council)

Member Motion MM52.38