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20 Oct 2021

Mayor and Members of Council

Re: Process and Principles for filling vacancies in Ward 6 and Ward 13 – Items #4.1 and 5.1, 17th Report of the Corporate Services Committee

Dear Colleagues,

Last week, we were expecting to debate at Corporate Services Committee how to fill the vacancy in Ward 13 created when Arielle Kayabaga resigned to become the Member of Parliament for London West. At the committee meeting, Phil Squire announced that he had been appointed by the provincial government as a member of the Consent and Capacity Board and was therefore no longer eligible to serve as a member of council, thus creating an additional council vacancy in Ward 6. Corporate Services Committee voted 3-2 to recommend that John Fyfe-Millar be appointed to fill the vacancy in Ward 13 and referred a decision on filling the Ward 6 vacancy to the council meeting on 26 Oct.

We believe it is important that this process be fair, open and transparent, especially if Municipal Council decides to fill these two vacancies by appointment rather than by holding byelections. We also believe it is important that the same process is used to fill both vacancies, and that we act promptly as a council to fill those vacancies at the same time, in the same way. Finally, we believe that incumbency is generally a significant advantage in a municipal election campaign, and that anyone who is appointed to fill one of these two vacancies should commit to not seeking election to the same council seat in the 2022 election.

Because the report from Corporate Services Committee contains different recommendations for the two vacancies, we are seeking support for several related motions. Our intent is to fill both vacancies at the same time, in the same way, at or before our next council meeting on 16 November 2021.

The first motion is to refer the committee recommendation to appoint John Fyfe-Millar to fill the vacancy in Ward 13 to a future committee meeting. This will allow Municipal Council to consider this candidate along with other candidates who apply to fill the vacancy. If the motion to refer is defeated, and the committee recommendation is defeated, that will be a decided matter of council. We would prefer to give Mr. Fyfe-Millar a fair chance alongside any other people who may apply to fill the vacancy in Ward 13.

Therefore, we are seeking support for the following motions related to Items 4.1 and 5.1 of the 17th Report of the Corporate Services Committee.

Item 4.1

That Item 4.1 of the 17th Report of the Corporate Services Committee related to the filling of the vacancy of the Office of Ward 13 BE REFERRED to a special Strategic Priorities and Policy Committee meeting for further discussion.

Item 5.1

That the following actions be taken with respect to Item 5.1 of the 17th Report of the Corporate Services Committee related to the filling of the vacancy of the Office of Ward 6:

- a) the Office of Councillor Ward 6 BE DECLARED vacant; based on the information provided from P. Squire, with respect to his ineligibility to hold municipal office; and
- b) the vacancy of the Office of Ward 6 BE FILLED through an application process in keeping with the proposed application process as outlined in Appendix “A”, as appended to the staff report dated October 12, 2021, subject to the following additional requirements being set out in the process:
 - i) a brief written statement (no more than 250 words) on why they would like to serve for the remainder of the term as the Ward 6 Councillor;
 - ii) a brief written statement (no more than 250 words) on their experience and qualifications;
 - iii) a brief answer to the question: “Do you intend to seek election to the same council seat in the 2022 election?”; it being noted that Municipal Council cannot prevent a person who is eligible from seeking election to Municipal Council, regardless of the statement provided; and,

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- iv) other such information the City Clerk or designate considers necessary;
 - c) filling the Ward 6 vacancy BE CONSIDERED at Strategic Priorities and Policy Committee;
 - d) that the City Clerk BE DIRECTED to utilize the appointment process noted in part b),
- above, to fill all current council vacancies;

it being noted that it will be necessary to expedite the process due to the associated requirements of the Municipal Act.

It is our hope that the process outlined above would result in both vacancies being filled by mid-November.

Sincerely,

Jesse Helmer
Councillor, Ward 4

Maureen Cassidy
Councillor, Ward 5