



Municipality of Mississippi Mills

SPECIAL COUNCIL AGENDA

Thursday, March 28, 2019

6:00 p.m.

Auditorium, Almonte Old Town Hall

PLEASE REMEMBER TO SET YOUR CELL PHONE TO SILENT AND THAT NO RECORDING DEVICES ARE PERMITTED.

- A. CALL TO ORDER (6:00 p.m.)**
- B. O CANADA**
- C. ATTENDANCE**
- D. APPROVAL OF AGENDA**
- E. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
- F. SELECTION OF A PERSON TO FILL THE COUNCIL VACANCY**

Members of Council will vote for a candidate to fill the Council vacancy in accordance with the Council Vacancy Appointment Procedure

Appointment Policy to Fill Vacancy on Council

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- G. APPOINTMENT BY-LAW**

By-law 19-31 Appointment to Fill Council Vacancy – Office of Deputy Mayor Page 6

- H. DECLARATION OF OFFICE AND OATH OF ALLEGIANCE**

The Clerk will administer the Declaration of Office, as required by subsection 232(1) of the Municipal Act, 2001, to the newly appointed Deputy Mayor

- I. CONFIRMATORY BY-LAW – 19-32**

- J. ADJOURNMENT**



APPOINTMENT POLICY TO FILL VACANCY ON COUNCIL

General

1. The Municipal Clerk, or designate, shall be responsible for interpreting and, where appropriate, facilitating the appointment application process. The Clerk has the authority to make minor technical amendments to this procedure as may be required from time to time.
2. Any individual filling the vacancy must be an Eligible Elector under the *Municipal Elections Act*.

Appointment Procedure

Notice

3. The Clerk will post a Council Vacancy notice on the Municipal website and in the local newspaper for two (2) consecutive weeks after the vacancy is declared. The notice will outline the application process.

Application

4. Any individual wishing to be considered for appointment to fill the Council vacancy will complete and sign the Council Vacancy Application form and a Declaration of Qualification form approved by the Clerk, and will submit the forms to the Clerk in person by the date and time established by the Clerk.
5. Any individual wishing to be considered for appointment to fill the Council vacancy will be required to provide identification to prove his or her identity and qualifying address to the satisfaction of the Clerk.
6. Candidate(s) may submit a personal statement of qualification for consideration of Council. Personal statements will be typewritten in a 12 point (or greater) font on letter size (8 ½" x 11") paper, shall not exceed one (1) page in length, and will include the candidate(s) name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda, or provided to Council by the Clerk. The Clerk will advise candidate(s) of the deadline for submission of a personal statement.
7. It is the candidate(s) sole responsibility to meet any deadline or otherwise comply with any requirement of this procedure.
8. The Clerk will create a list of all candidates.

Council Meeting – Part 1: Interviews

9. A vote to fill a vacancy on Council by appointment will occur at an open Council meeting.
10. Notwithstanding the requirements of the Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a candidate.
11. At the meeting, the Chair will make a short statement for the purpose of the meeting and the general order of proceedings to be followed.
12. The Clerk will provide to the Chair a list of the names of qualified applicants and the Chair will call for a motion from Council in the following form:

“That the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the Council vacancy, be considered for appointment to fill such vacancy.”
13. Each of the candidates will be asked the five (5) questions approved by Council. The questions will be asked by the CAO for consistency purposes. The order of speaking will be determined by lot. The Clerk will place the names of all candidates in a container and randomly draw the names.
14. Fifteen (15) minutes will be allotted for each interview to ensure a fair, effective and efficient process. The Clerk will stand after twelve (12) minutes to indicate that there are three (3) minutes left and again at fifteen (15) minutes if the interview is still in progress.
15. Upon hearing all candidate submissions, Council will adjourn and a decision on who to appoint will be made at the next Council meeting.

Council Meeting – Part 2: Selection

16. At the next Council meeting, Council will proceed to vote, by way of a public ballot vote, in rounds of voting as follows:
 - a. Each of the pieces of paper to be used as either ballots or to be used by the Clerk to draw names will be equal in size and type;
 - b. Only the Clerk or designate may handle the papers, ballots and container referenced in this procedure, save and except the members being permitted to mark their ballots;
 - c. Ballots will be provided to members of Council on which to indicate their choice of candidate(s) in writing; and all ballots shall be of identical size, paper quality and colour and shall be pre-printed with the member's name and a place to be signed by the member;

- d. The first round of voting will be to short list the candidates. In the case of four (4) or more candidates, members will select the top three (3) candidates of their preference; in the case of three (3) or less candidates, members will select the top two (2) candidates of their preference.
- e. The first round ballots will contain the name of each candidate, in alphabetical order by surname and have a box immediately preceding the surname in which the member of Council may mark an "X" beside the name of the candidates of their preference as provided in 16(d).
- f. The top three (3) candidates, or top two (2) as the case may be, who receive the most votes will continue to the next round of voting. All other candidates will be removed from further consideration.
- g. Any round one ballot marked with more than the prescribed "X" as provided in 16(d), or any subsequent round ballot that is not legibly printed, or any ballot that does not contain the authentication signature of the member of Council shall be considered a spoiled ballot and shall not be included in the tally;
- h. All subsequent ballots shall be in the form described in (c) above but will not contain any candidate names in a pre-printed format;
- i. The Clerk will ask members of Council to vote by clearly printing the name of their preferred candidate on the ballot, signing the ballot for authentication purposes, folding the ballot and returning it directly to the Clerk or designate;
- j. The Clerk will read aloud the member's name and selected candidate and announce the tallies of all votes;
- k. If the candidate receiving the greatest number of votes cast does not receive more than one-half the votes of all voting members of Council, all candidates who did not receive any votes or the candidate who received the fewest number of votes shall be excluded from consideration;
- l. The process shall be repeated until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting members of Council;
- m. In the event the votes cast are equal for all candidates:
 - i. If there are three candidates remaining, the Clerk shall by lot select one such candidate to be excluded from subsequent voting;
 - ii. If only two candidates remain, the tie shall be broken and vacancy shall be filled by the candidate selected by lot, as conducted by the Clerk, wherein the first name drawn shall be declared the successful candidate;

- n. Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of voting Members, or as provided in 16(m)(ii);
- o. A by-law confirming the appointment shall be enacted by Council to appoint the successful candidate to the office for the remainder of the term and the Clerk will administer the Oath of Office to the successful candidate;
- p. The minutes of the Council meeting shall include a full disclosure of all voting results.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 19-31

BEING a by-law to appoint _____ to fill the vacancy in the office of Deputy Mayor for the Municipality of Mississippi Mills.

WHEREAS on February 5, 2019, the Council of the Corporation of the Municipality of Mississippi Mills declared the seat of the late Deputy Mayor John Levi to be vacant;

AND WHEREAS paragraph 263(1)(a) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended (the "Act") states that if a vacancy occurs in the office of a member of council, the municipality shall, subject to this section, fill the vacancy by appointing a person who has consented to accept the office if appointed;

AND WHEREAS paragraph 263(5)(1) of the Act states that within sixty (60) days after the day a declaration of vacancy is made with respect to the vacancy under section 262 of the Act, the Municipality shall appoint a person to fill the vacancy under subsection 263(1) of the Act;

AND WHEREAS section 264 of the Act states that a person appointed or elected to fill a vacancy under section 263 of the Act shall hold office for the remainder of the current Council term;

AND WHEREAS the Council of the Municipality deems it necessary and expedient to appoint a person to fill the vacancy in the office of Deputy Mayor for the remainder of the current Council term;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **THAT** _____ be and is hereby appointed to fill the vacancy in the office of Deputy Mayor for the Municipality, for the remainder of the current Council term.
2. **THAT** this by-law shall come into full force and effect on the date of its passing.

BY-LAW READ, passed, signed and sealed in open Council this 28th day of March, 2019.

Christa Lowry, Mayor

Jeanne Harfield, Acting Clerk