

**Pilon, Janet**

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**Subject:** Vacant Ward 7 Council Seat Appointment

**From:** JP Danko

**Sent:** June 11, 2018 9:36 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Cc:** Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>; Johnson, Aidan <[Aidan.Johnson@hamilton.ca](mailto:Aidan.Johnson@hamilton.ca)>; Farr, Jason <[Jason.Farr@hamilton.ca](mailto:Jason.Farr@hamilton.ca)>; Green, Matthew <[Matthew.Green@hamilton.ca](mailto:Matthew.Green@hamilton.ca)>; Merulla, Sam <[Sam.Merulla@hamilton.ca](mailto:Sam.Merulla@hamilton.ca)>; Collins, Chad <[Chad.Collins@hamilton.ca](mailto:Chad.Collins@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Skelly, Donna <[Donna.Skelly@hamilton.ca](mailto:Donna.Skelly@hamilton.ca)>; Whitehead, Terry <[Terry.Whitehead@hamilton.ca](mailto:Terry.Whitehead@hamilton.ca)>; Conley, Doug <[Doug.Conley@hamilton.ca](mailto:Doug.Conley@hamilton.ca)>; Pearson, Maria <[Maria.Pearson@hamilton.ca](mailto:Maria.Pearson@hamilton.ca)>; Johnson, Brenda <[Brenda.Johnson@hamilton.ca](mailto:Brenda.Johnson@hamilton.ca)>; Ferguson, Lloyd <[Lloyd.Ferguson@hamilton.ca](mailto:Lloyd.Ferguson@hamilton.ca)>; VanderBeek, Arlene <[Arlene.VanderBeek@hamilton.ca](mailto:Arlene.VanderBeek@hamilton.ca)>; Pasuta, Robert <[robert.pasuta@hamilton.ca](mailto:robert.pasuta@hamilton.ca)>; Partridge, Judi <[Judi.Partridge@hamilton.ca](mailto:Judi.Partridge@hamilton.ca)>

**Subject:** Vacant Ward 7 Council Seat Appointment

Good morning Rose,

It is my understanding that Council is required to fill Councilor Skelly's empty Ward 7 seat within 60 days of it officially being declared vacant.

My preference would be for the seat to remain vacant with Councilors Jackson and Whitehead filling in until the Municipal Election in October (as they did when Scott Duvall was elected MP) - however, it does not appear that this is possible.

As a new by-election is not feasible this close to a full municipal election, I believe that the most democratic option would be for Council to appoint the empty seat to the first runner up in the most recent election - the 2016 Ward 7 by-election.

I do not believe that a vacated council seat should automatically be awarded to the next place finisher - but in this case, the 2016 Ward 7 by-election was a statistical tie (with just 92 votes separating Councilor Skelly and myself), therefore in this situation it makes particular sense for the seat to go to the runner up.

Awarding a vacated council seat to the runner up has recent precedent in many nearby Ontario municipalities including: Oshawa City Council, Kitchener Waterloo Regional Council, St. Catharines City Council, Milton Local and Regional Council and Kincardine Town Council (newspaper links below).

<http://oshawaexpress.ca/new-policy-in-place-for-filling-council-vacancies/>

<http://www.kincardineneews.com/2014/04/22/kincardine-council-takes-preliminary-steps-to-appoint-guy-anderson-to-councillor-at-large-seat-vacated-by-ron-coristine>

<http://www.cbc.ca/news/canada/kitchener-waterloo/elizabeth-cl Clarke-appointed-to-regional-council-1.3197182>

<https://www.stcatharinesstandard.ca/news-story/8176251-laura-ip-appointed-to-st-catharines-council/>

<https://www.insidehalton.com/news-story/4326095-milton-council-appoints-brian-penman-to-vacant-seat/>

I understand that Council may desire avoiding appointing the seat to someone who will run in the upcoming 2018 Municipal election.

However, in my opinion, appointing the seat to the runner up is entirely different than appointing it to a random candidate who would have an advantage in the next election.

In this case, as the runner up in a statistical tie, I have already established a very recent democratic will to represent Ward 7. The situation would be exactly the same as for any incumbent councilor who is running for re-election.

Further, I am committed to running in the 2018 Municipal election in Ward 8, not Ward 7.

Finally, I understand that Council would like to appoint Councilor Skelly's seat to someone who has previous experience on Council. While this may be expedient, I do not believe that experience on Council is a sufficient reason to override a much more democratic option - after all, Candidates do not require experience on Council in order to run.

I do acknowledge that there would be a steep learning curve and that the time frame is short, but as a professional engineer I do have significant experience at an executive level and senior project management of multi-million dollar construction projects.

I request that these points be addressed by the City and included in any report that goes to Council regarding filling the vacancy left by Councilor Skelly.

I further request the opportunity to present these points to Council in person as a delegation, and answer any questions Councilors may have.

Thank you,

John-Paul Danko