

Pilon, Janet

Subject: Vacant Ward 7 Council Seat Appointment

From: John-Paul Danko
Sent: August-14-18 3:36 PM
To: Pilon, Janet <Janet.Pilon@hamilton.ca>
Cc: Paparella, Stephanie <Stephanie.Paparella@hamilton.ca>
Subject: Re: FW: Vacant Ward 7 Council Seat Appointment

Hello Janet,

Looking at the agenda for August 17th's council meeting, I see that Item 5.8 includes the letter from the Minister of Municipal Affairs and Housing (dated July 19th) confirming Council's requirement to fill Donna Skelly's vacant Ward 7 council seat within 60 days of it being declared vacant. According to media reports, this will require Council to appoint a new Councillor to Ward 7 by August 25th in order to fulfill their legal obligations under the Municipal Act.

Therefore the August 17th Council meeting will be the only opportunity to address this issue.

It is my understanding that it is not possible to make a delegation to the full meeting of council scheduled for August 17th (please confirm). In lieu of a delegation, please include the following correspondence regarding Item 5.8 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing...respecting the Ward 7 Vacancy.

**Statement from 2016 Ward 7 By-Election Runner Up John-Paul Danko
Re. Appointment to Ward 7 Vacancy at the Meeting of Council on August 17th, 2018**

Under the legal obligations of the Municipal Act as confirmed by the Honourable Steve Clark, Minister of Municipal Affairs and Housing (Item 5.8 on the Agenda), Hamilton City Council must appoint a new Councillor to fill the vacant Ward 7 seat within 60 days of the declared vacancy (August 25th, 2018).

As there are no meetings scheduled the following week, the only opportunity Council will have to meet this legal obligation is to reach a decision and appoint a new Councillor to Ward 7 at the Council meeting scheduled for August 17th, 2018.

To date there has been no public consultation to seek qualified candidates, no published list of candidates currently under consideration and no engagement of public opinion as to who should be considered to fill the role.

Therefore, I will re-iterate my opinion that the most democratic and transparent option available to Council is to simply appoint the runner-up in the 2016 by-election to fill the seat for the remainder of the term.

As the runner-up in the by-election, I received a strong share of the vote (finishing 92 votes short of Councillor Skelly). I am currently involved and familiar with the issues in the Ward. I am a civil engineer with 20 year's experience making decisions at the executive level, and I am a neutral choice as I am not a part of any political party or connected to any current Councillors, lobbyists or staff.

Given the pending deadline, appointing the runner up would be an effective way to avoid controversy with the perception that Council is simply appointing a hand-picked insider to fill the roll.

Appointing the runner up when a seat is vacated is standard practice for many municipalities across Ontario including: Oshawa City Council, Kitchener Waterloo Regional Council, St. Catharines City Council, Milton Local and Regional Council and Kincardine Town Council.

I understand that Councillors may have reservations that I am currently running for election in Ward 8 and that appointment to Ward 7 would give me an advantage in Ward 8. In response I would point out that Councillors routinely publicly endorse and privately assist candidates, thereby directly providing a significant advantage, so I am not sure why there is concern in one case but not the other.

The residents of Ward 7 should have a say in who is appointed to represent them on Council. Given the looming deadline to fill the seat by August 25th, an open and transparent selection process appears to no longer be possible. The most democratic, uncontroversial and transparent option currently available is to simply appoint the second place finisher in the by-election.

Thank you for your consideration.

John-Paul Danko