



**TOWN OF AURORA
SPECIAL COUNCIL MEETING MINUTES**

Council Chambers
Aurora Town Hall
Tuesday, July 29, 2014

ATTENDANCE

COUNCIL MEMBERS	Mayor Dawe in the Chair; Councillors Abel, Buck (arrived 3:03 p.m.), Gaertner, Humfryes, Pirri, and Thompson
MEMBERS ABSENT	Councillor Gallo
OTHER ATTENDEES	Director of Legal and Legislative Services/Town Solicitor (Acting Chief Administrative Officer), Town Clerk, Council & Committee Coordinator/Deputy Clerk, and Council/Committee Secretary

Mayor Dawe called the meeting to order at 3:01 p.m.

1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

2. APPROVAL OF THE AGENDA

Moved by Councillor Pirri

Seconded by Councillor Abel

THAT the amended agenda as circulated by Legal and Legislative Services be approved.

CARRIED

3. REVIEW AND AMENDMENT TO THE COUNCIL VACANCY APPOINTMENT PROCEDURE

Mayor Dawe read a short statement advising that the purpose of the Special Council meeting was to appoint an eligible person to fill the vacant Council seat. He noted that Council was required by the *Municipal Act, 2001* to appoint an eligible person.

**Memorandum from the Director of Legal & Legislative Services/Town Solicitor
Re: Council Vacancy – Amendment to the Council Vacancy Appointment Procedure**

Moved by Councillor Humfryes

Seconded by Councillor Abel

THAT the memorandum “Council Vacancy – Amendment to the Council Vacancy Appointment Procedure” be received; and

THAT pursuant to the requirements of section 8.14 of the Procedural By-law Number 5330-11, as amended, Council reconsider the terms of the "Council Vacancy Appointment Procedure".

CARRIED (two-thirds vote)

Moved by Councillor Pirri

Seconded by Councillor Abel

THAT subsection 10(d) of the "Council Vacancy Appointment Procedure" be amended to read as follows:

"d. Each Member of Council will be permitted two (2) questions to each Candidate. Questions should be as concise as possible. Candidates will be permitted no more than one (1) minute to answer each question, and answers should also be as concise as possible."; and

THAT the clauses 10(e)(iv), 10(e)(v), and 10(e)(vi) of the "Council Vacancy Appointment Procedure" be amended to read as follows:

"iv. The Clerk will provide each Member of Council with a voting card, with the Member's name pre-printed on the voting card.

v. The Clerk will ask the Members of Council to cast his or her vote by writing the full name of one (1) Candidate on the voting card. The Member of Council shall then sign the voting card.

vi. The Clerk will collect all marked and signed voting cards, and then read aloud the name of the Member of Council and his or her vote. A Member of Council may not change his or her vote (in that round of voting) after the Clerk has collected the marked and signed voting cards."; and

THAT the following new section be inserted at the end of the "Council Vacancy Appointment Procedure":

"11. Where a situation occurs that is not otherwise accounted for in these procedures, the Clerk shall recommend an alternate process to Council, which Council may adopt with a simple majority vote."

On a recorded vote the motion CARRIED.

YEAS: 6

NAYS: 1

VOTING YEAS: Councillors Abel, Gaertner, Humfryes, Pirri, Thompson and Mayor Dawe

VOTING NAYS: Councillor Buck

ABSENT: Councillor Gallo

4. APPROVAL OF LIST OF CANDIDATES TO FILL THE COUNCIL VACANCY

**Memorandum from the Director of Legal & Legislative Services/Town Solicitor
Re: Council Vacancy – Applications and Personal Statements of the Certified Candidates**

Moved by Councillor Pirri

Seconded by Councillor Humfryes

THAT the memorandum "Council Vacancy – Applications and Personal Statements of the Certified Candidates" be received; and

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:

Name	Address
BOYER, Michele	6 Kerr Lane, Aurora
CONSTABLE, Don	106 Seaton Drive, Aurora
ETWELL, Mark	247 Conover Avenue, Aurora
HARRIS, Marilee	14 Dinsmore Terrace, Aurora
HOWARTH, Jane	68 Stoddart Drive, Aurora
HOYES, James	44 Kitimat Crescent, Aurora
KIM, Harold	46 Nicklaus Drive, Aurora
MARSH, Grace	141 Spruce Street, Aurora
McINTAGGART, Martin	4 Devlin Place, Aurora
McROBERTS, Bob	76 Catherine Avenue, Aurora
MILLER, Gerald	114 Windham Trail, Aurora
RANKEL, Fred	955 Vandorf Sideroad, Aurora
RAO, Srinivas	60 Ostick Street, Aurora
STEPHENS, Linda	138 Wells Street, Aurora
TOPOUZOVA, Svetoslava	224 Tonner Crescent, Aurora
TREMTSIDIS, George	51 Wallwark Street, Aurora
WAQAS, Shumaila	16 Irwin Avenue, Aurora

CARRIED

5. CANDIDATE PRESENTATIONS

The Town Clerk reviewed the procedures that would be followed, in accordance with the Council Vacancy Appointment Procedure, as amended and adopted by Council.

The Town Clerk noted that any candidate who was not present at the calling of their name would not be able to address Council. He drew the name of each candidate by lot to determine the speaking order. The following candidates addressed Council in the order indicated below:

- Grace Marsh
- Shumaila Waqas
- Fred Rankel
- Bob McRoberts
- Michele Boyer
- Gerald Miller
- Linda Stephens
- Marilee Harris
- Don Constable
- Svetoslava Topouzova
- Srinivas Rao
- James Hoyes
- Harold Kim
- Mark Etwell

The following candidates were not present when called and did not address Council:

- Jane Howarth
- Martin McIntaggart
- George Tremtsidis

Moved by Councillor Thompson

Seconded by Councillor Humfryes

THAT the candidate presentations be received for information.

CARRIED

Mayor Dawe expressed appreciation, on behalf of Council, to all candidates for their participation in the appointment process.

6. ELECTION OF A PERSON TO FILL THE COUNCIL VACANCY

The Town Clerk reviewed the voting process and administered the vote in accordance with the Council Vacancy Appointment Procedure, as amended and adopted by Council.

Round 1

The Deputy Clerk distributed the voting cards to the Members of Council. Once all votes had been cast, the Deputy Clerk collected the voting cards.

The Town Clerk read the voting cards individually, a summary of which is presented as follows:

- **For Don Constable:**
Councillor Abel
Councillor Humfryes
Councillor Pirri
- **For Bob McRoberts:**
Councillor Buck
Councillor Thompson
- **For Gerald Miller:**
Mayor Dawe
- **For Linda Stephens:**
Councillor Gaertner

The Town Clerk and Deputy Clerk verified the votes, and the Town Clerk announced the results of the first round as follows:

For Don Constable:	3 votes
For Bob McRoberts:	2 votes
For Gerald Miller:	1 vote
For Linda Stephens:	1 vote

All other candidates received zero votes.

The Town Clerk advised that no candidate had received the votes of more than one-half of the Members of Council present and voting, and a second round of voting would be conducted. He noted that the candidates who received zero votes in the first round of voting would be excluded from the second round of voting.

Round 2

The Town Clerk advised that the candidates for the second round of voting were:

- Don Constable
- Bob McRoberts
- Gerald Miller
- Linda Stephens

The Deputy Clerk distributed the voting cards to the Members of Council. Once all votes had been cast, the Deputy Clerk collected the voting cards.

The Town Clerk read the voting cards individually, a summary of which is presented as follows:

- **For Don Constable:**
Councillor Abel
Councillor Humfryes
Councillor Pirri
Mayor Dawe
- **For Bob McRoberts:**
Councillor Buck
Councillor Thompson
- **For Linda Stephens:**
Councillor Gaertner

The Town Clerk and Deputy Clerk verified the votes, and the Town Clerk announced the results of the second round as follows:

For Don Constable:	4 votes
For Bob McRoberts:	2 votes
For Gerald Miller:	0 votes
For Linda Stephens:	1 vote

As the candidate who received more than one-half of the votes of the Members of Council present and voting, the Town Clerk declared Don Constable appointed to fill the vacant office of Councillor for the remainder of this term of Council.

Mayor Dawe, on behalf of Council, congratulated Don Constable on his appointment.

7. READING OF BY-LAW

Moved by Councillor Pirri

Seconded by Councillor Abel

THAT the following by-law be given first, second, and third readings and enacted:

5647-14 BEING A BY-LAW to appoint Don Constable to fill the vacancy in the office of Councillor for the Town of Aurora.

CARRIED (unanimously)

8. DECLARATION OF OFFICE

The Town Clerk administered the Declaration of Office to Don Constable, as required by subsection 232(1) of the *Municipal Act*, 2001. Following the signing of the Declaration of Office, Councillor Constable took his seat at the Council table at 4:40 p.m.

9. READING OF BY-LAW

Moved by Councillor Constable

Seconded by Councillor Pirri

THAT the following confirming by-law be given first, second, and third readings and enacted:

5648-14 BEING A BY-LAW to Confirm Actions by Council Resulting from Special Council Meeting on July 29, 2014

CARRIED

10. ADJOURNMENT

Moved by Councillor Abel

Seconded by Councillor Pirri

THAT the meeting be adjourned at 4:41 p.m.

CARRIED

GEOFFREY DAWE, MAYOR

STEPHEN M.A. HUYCKE, TOWN CLERK

THE MINUTES OF THE SPECIAL COUNCIL MEETING OF JULY 29, 2014 RECEIVED FINAL APPROVAL BY COUNCIL ON AUGUST 12, 2014.