

# **THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

## **STAFF REPORT**

**DATE:** April 23, 2024  
**TO:** Committee of the Whole  
**FROM:** Jeanne Harfield, Clerk & Deputy CAO  
**SUBJECT:** Council Vacancy – Follow up Report

---

### **RECOMMENDATION:**

**THAT the Committee of the Whole recommend Council approve the Council Vacancy Policy.**

### **BACKGROUND:**

As part of the governance review process Council directed staff to review the current Council Vacancy Policy. In March, staff brought forward an information report introducing changes to the policy as well as appointment procedures. Staff requested feedback from members prior to the follow-up report being presented.

### **DISCUSSION:**

The Municipal Act as well as the Municipal Elections Act provides timelines and regulations that must be adhered to when filling a vacancy on Council. Neither Act dictate however, how a vacancy on Council is filled. It is entirely up to the municipality to determine policies and procedures to fill a vacancy with the mandated timeline.

To summarize the previous report the following amendments were proposed to the policy:

- Introduction of timing when a by-election is preferred and when appointment is preferred.
- Requirement of 2/3 majority vote to waive the policy
- Procedures for a by-election and the method of voting will be the same as the previous regular election.
- Two different appointment procedures – one for Head and Deputy Head of Council and one for other Councillors.

Following the presentation of the staff report in March, members of Council provided comments directly to staff. Comments received included:

- Consideration for who chairs special appointment meetings. For example, if the vacancy is for the Head of Council and both the Deputy Mayor and COW Chair are candidates who will be selected as Chair for the meeting.
- Remove specific dates from the policy.
- During appointments, procedural portions should be read by the Clerk and not a Member of Council.

Staff agree with the suggested recommendations provided by Members of Council and have amended the policy and procedures accordingly.

### **OPTIONS:**

Option 1: Approve the Council Vacancy Policy as presented including the two attached Appointment Procedures.

Option 2: Do nothing and keep appointment procedures as they are.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications with this report, however, should a vacancy occur on Council there will be a cost and the cost will vary depending on how the vacancy is filled. Each year, the municipal budget allocates a certain amount to reserves for the regular election. Should Council wish, the amount allocated in future years could be increased to offset any costs associated with a vacancy.

To provide context, on the high end a by-election for the Head or Deputy Head of Council may cost up to \$60,000 whereas appointments would be significantly less and likely only include moderate advertising and administrative costs less than \$10,000.

If a vacancy occurs, staff will prepare a report which will include the estimated cost of holding a by-election.

### **STRATEGIC PLAN**

This report falls under pillar 6 of the Strategic Plan “Accountable and Transparent Governance.” The Vacancy Policy and the appointment procedures outline a clear and transparent method that Council will take if and when a vacancy occurs on Council.

### **PUBLIC ENGAGEMENT**

The public will be informed of the new policy and procedures.

## **SUMMARY:**

The report is a follow up to the previously presented [Council Vacancy report](#) presented to Committee of the Whole in March. Staff received feedback from Members of Council and have incorporated the feedback into the updated policy and procedures. Staff are seeking a recommendation from Committee of the Whole to Council to approve the Council Vacancy Policy and procedure documents as presented.

Respectfully submitted by,

Jeanne Harfield,  
Clerk & Deputy CAO

Reviewed by:

Ken Kelly,  
CAO

## **ATTACHMENTS:**

1. Council Vacancy Policy
2. Appointment Procedure to fill a Vacancy on Council – Office of the Mayor and Deputy Mayor
3. Appointment Procedure to fill a Vacancy on Council – Councillor