



## Special Council Meeting

### Minutes

**C#38-21**

**Wednesday, September 29, 2021, 9:30 a.m.**

**(Electronic Meeting pursuant to Section 238(3.3) of the *Municipal Act, 2001*)**

An electronic hybrid Special Council meeting, pursuant to Section 238(3.3) of the *Municipal Act, 2001*, of the Council of the City of Richmond Hill was held on Wednesday, September 29, 2021 at 9:30 a.m. in Council Chambers via videoconference.

Council Members present in Council Chambers:

Acting Mayor DiPaola  
Regional and Local Councillor Perrelli  
Councillor Beros  
Councillor West

Council Members present via videoconference:

Councillor Muench  
Councillor Liu  
Councillor Cilevitz  
Councillor Chan

Staff Members present via videoconference:

M. Dempster, City Manager  
S. Adams, Commissioner of Corporate and Financial Services  
D. Joslin, Commissioner of Community Services  
K. Kwan, Commissioner of Planning and Infrastructure  
A. Dimilta, City Solicitor  
D. Flaherty, Chief of Staff  
D. Dexter, Director, Financial Services and Treasurer  
K. Graver, Manager, Strategic Communications

Staff Members present in Council Chambers:

S. Huycke, City Clerk  
R. Ban, Deputy City Clerk  
K. Hurley, Council/Committee Coordinator  
L. Sampogna, Council/Committee Coordinator

**1. Adoption of Agenda**

Moved by: Councillor West  
Seconded by: Councillor Liu

That the agenda be adopted as distributed by the Clerk.

Carried

**2. Disclosures of Pecuniary Interest and General Nature Thereof**

There were no members of the public who addressed Council during the Public Forum.

**3. Delegations**

**3.1 Wilhelm Bleek, 136 Centre Street West, regarding Options to fill the Vacancy in the Office of Mayor - (refer to Item 4.2)**

Wilhelm Bleek, 136 Centre Street West, shared his opinion with respect to the role of a Mayor and elaborated on the qualities and characteristics that are vital in a good Mayor. Mr. Bleek requested that Council consider the profile which he characterized of a good Mayor of Richmond Hill, whether by appointment or By-election, and stated that any individual wanting to run as a Mayoral candidate, reflect on their capabilities of a good Mayor to represent the City of Richmond Hill.

**3.2 Wei Hua, 14 Tentone Court, regarding Options to fill the Vacancy in the Office of Mayor - (refer to Item 4.2)**

Wei Hua, 14 Tentone Court, expressed his support to fill the vacancy of the Office of the Mayor by By-election, noting that it was warranted as the next municipal election was over a year away. Mr. Hua advised that running a By-election was the democratic way of dealing with the vacancy, stated that the costs associated to run a municipal By-election would be minimal compared to the recent Federal election, and expressed his support for internet voting.

**3.3 Marj Andre, 2 Lucy Drive, regarding Options to fill the Vacancy in the Office of the Mayor - (refer to Item 4.2)**

Marj Andre, 2 Lucy Drive, expressed her concerns with Council's behavior at Council meetings, and shared her belief that the residents of Richmond Hill should give the new Mayor a mandate. She requested Council promote good governance and choose the option of By-election to fill the vacancy in the Office of the Mayor, and highlighted important issues in Richmond Hill. Ms. Andre advised of her support for internet voting, and noted the cost effectiveness and advantages to making the option available to residents.

**3.4 John Li, 206 Brookside Road, regarding Options to fill the Vacancy in the Office of the Mayor - (refer to Item 4.2)**

John Li, 206 Brookside Road, shared his opinion on the cost of running a By-election to fill the vacancy of the Office of the Mayor, and advised of current issues in Richmond Hill. Mr. Li requested Council promote democracy and support the option of By-election to fill the vacancy in the Office of the Mayor, and allow internet voting.

**3.5 Mary Ann Colin, 63 Bayswater Avenue, regarding Options to fill the Vacancy in the Office of the Mayor - (refer to Item 4.2)**

Mary Ann Colin, 63 Bayswater Avenue, advised that she opposed a By-election, as there was only one year remaining of the term. She expressed her preference to appoint Acting Mayor DiPaola as Mayor, and noted his qualifications for the Mayoral position. Ms. Colin advised that in her opinion, being in a pandemic, the City did not have the money to spend on a By-election, and noted her desire for the City to save the money. She expressed her disappointment with Council's behavior at meetings and reminded Council they were elected by the people in Richmond Hill and should follow the professional decorum of Council. Ms. Colin concluded by advising why she was opposed to internet voting.

**4. Scheduled Business**

**4.1 SRCFS 21.054 - Public Consultation Options for Vacancy in the Office of Mayor**

Moved by: Councillor Cilevitz  
Seconded by: Councillor Muench

Whereas the City Clerk has advised a by-election to determine a new Mayor will cost approximately \$600,000;

And whereas a by-election may result in another vacancy on Council with additional costs;

And whereas the Clerk has advised us that the earliest a by-election and newly appointed Mayor would be seated is January 2022, serving for less than four months before the next municipal election campaign process begins;

And whereas the cost of engaging a reputable, independent survey firm to poll residents on their preferences for filling the Mayor's role will be far less than the cost of a by-election and less than \$20,000;

And whereas it is important to ensure Council's direction on the process for determining a new mayor is based on an accurate, independent assessment of the views of our residents;

Therefore be it resolved that Council directs staff to engage an independent, reputable polling firm to survey residents on their preferences about how to fill the vacant Mayor's position and that staff report back to Council on the results of this survey at the October 13, 2021 Council meeting.

That the City Manager be authorized, where necessary to enter into a sole-source contract with a reputable polling firm, the cost of which is to be funded from the Election Budget and, where necessary, the Elections Reserve.

The wording for this robocall survey be as follows and subject to adjustments that may be required to comply with CRTC regulations:

*"Hello,*

*I am Mary Anne Dempster, Richmond Hill's City manager. I can be reached at (905) 771-2497*

*Email: [Maryanne.dempster@richmondhill.ca](mailto:Maryanne.dempster@richmondhill.ca)*

*I'm calling to inform you that the Mayor of Richmond Hill – Dave Barrow has resigned and I have been instructed by our Council to get your input on your preference of how we fill his temporary vacancy prior to the Municipal election period which begins in May 2022 (6 months from now) with the election date of Monday October 24, 2022*

*The Mayor is*

- 1. The representative of our City Council,*
- 2. The lead for our city at VIVA and Toronto Regional Conservation Authority (TRCA) and*
- 3. Our ambassador.*

*To fill the Vacancy of the Mayor, we have to decide if*

- 1. An immediate interim temporary election (by-election) should be held in January or February 2022 at a cost of \$ 650,000 or*
- 2. Appoint a person to fill the mayor position on a short term basis (no cost).*

*Please note, if a by-election were chosen and a current elected Richmond Hill Councillor Fills the role - another by-election or appointment to fill the council position immediately.*

*If you feel we should*

- 1. have a by-election to fill the Council position of Mayor at a cost of \$ 650,000 for less than a year please hit 1*
- 2. have an appointment (either a Richmond Hill elected Councillor or a Richmond Hill resident to fill the Mayor position at no cost for less than a year please hit 2*

*Please call me Mary Anne Dempster if you have any questions or email the Richmond Hill City Manager office at (905) 771-2497 or*

*Email: [Maryanne.dempster@richmondhill.ca](mailto:Maryanne.dempster@richmondhill.ca)*

*Thank you."*

**An Amendment was:**

Moved by: Councillor West  
Seconded by: Councillor Chan

That the main motion be amended to add the words "or best practices in survey questions as determined by the polling firm", immediately after the words "CRTC regulations".

A recorded vote was taken:

In favour: (6): Acting Mayor DiPaola, Councillor Muench, Councillor Liu, Councillor West, Councillor Cilevitz, and Councillor Chan

Opposed: (2): Regional and Local Councillor Perrelli, and Councillor Beros

Motion to Amend Carried (6 to 2)

**Main Motion as Amended:**

Moved by: Councillor Cilevitz  
Seconded by: Councillor Muench

Whereas the City Clerk has advised a by-election to determine a new Mayor will cost approximately \$600,000;

And whereas a by-election may result in another vacancy on Council with additional costs;

And whereas the Clerk has advised us that the earliest a by-election and newly appointed Mayor would be seated is January 2022, serving for less than four months before the next municipal election campaign process begins;

And whereas the cost of engaging a reputable, independent survey firm to poll residents on their preferences for filling the Mayor's role will be far less than the cost of a by-election and less than \$20,000;

And whereas it is important to ensure Council's direction on the process for determining a new mayor is based on an accurate, independent assessment of the views of our residents;

Therefore be it resolved that Council directs staff to engage an independent, reputable polling firm to survey residents on their preferences about how to fill the vacant Mayor's position and that staff report back to Council on the results of this survey at the October 13, 2021 Council meeting.

That the City Manager be authorized, where necessary to enter into a sole-source contract with a reputable polling firm, the cost of which is to be funded from the Election Budget and, where necessary, the Elections Reserve.

The wording for this robocall survey be as follows and subject to adjustments that may be required to comply with CRTC regulations or best practices in survey questions as determined by the polling firm:

*"Hello,*

*I am Mary Anne Dempster, Richmond Hill's City manager. I can be reached at (905) 771-2497*

*Email: [Maryanne.dempster@richmondhill.ca](mailto:Maryanne.dempster@richmondhill.ca)*

*I'm calling to inform you that the Mayor of Richmond Hill – Dave Barrow has resigned and I have been instructed by our Council to get your input on your preference of how we fill his temporary vacancy prior to the Municipal election period which begins in May 2022 (6 months from now) with the election date of Monday October 24, 2022*

*The Mayor is*

- 1. The representative of our City Council,*
- 2. The lead for our city at VIVA and Toronto Regional Conservation Authority (TRCA) and*
- 3. Our ambassador.*

*To fill the Vacancy of the Mayor, we have to decide if*

- 1. An immediate interim temporary election (by-election) should be held in January or February 2022 at a cost of \$ 650,000 or*
- 2. Appoint a person to fill the mayor position on a short term basis (no cost).*

*Please note, if a by-election were chosen and a current elected Richmond Hill Councillor Fills the role - another by-election or appointment to fill the council position immediately.*

*If you feel we should*

- 1. have a by-election to fill the Council position of Mayor at a cost of \$ 650,000 for less than a year please hit 1*
- 2. have an appointment (either a Richmond Hill elected Councillor or a Richmond Hill resident to fill the Mayor position at no cost for less than a year please hit 2*

*Please call me Mary Anne Dempster if you have any questions or email the Richmond Hill City Manager office at (905) 771-2497 or*

*Email: [Maryanne.dempster@richmondhill.ca](mailto:Maryanne.dempster@richmondhill.ca)*

*Thank you."*

A recorded vote was taken:

In favour: (4): Acting Mayor DiPaola, Councillor Muench, Councillor Liu, and Councillor Cilevitz

Opposed: (4): Regional and Local Councillor Perrelli, Councillor Beros, Councillor West, and Councillor Chan

Motion Failed to Carry on a Tie Vote (4 to 4)

Council consented to recess the meeting between 12:04 p.m. to 12:30 p.m.

#### **4.2 SRCFS.21.055 - Options to fill the Vacancy in the Office of Mayor**

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor Beros

a) That the Clerk be directed to place a By-law requiring a By-election to be held to fill the vacancy in the Office of Mayor on the October 13, 2021 Council agenda for enactment;

b) That the draft By-law requiring a By-election include the following provisions:

i) That the costs incurred by the Clerk to conduct the By-election to fill the vacancy in the Office of Mayor, including any post-election costs, be fully funded from the Tax Rate Stabilization Reserve;

ii) That notwithstanding anything in the Procurement By-law No. 113-16, as amended, and the Financial Control By-law No. 114-16, as amended, to the contrary, the Clerk be authorized to acquire any goods or services, and to enter into and execute any contracts which the Clerk deems necessary for the purpose of conducting a By-election to fill the vacancy in the Office of Mayor;

iii) That notwithstanding anything in the Procedure By-law No. 74-12, as amended, to the contrary, the Clerk be authorized to amend the 2021 and 2022 Council/Committee Meeting calendars, by cancelling or adding meetings to accommodate the By-election as determined by the Clerk;

iv) That if, as a result of the cancellation of meetings by the Clerk in accordance with paragraph "b) iii)" of this resolution, no regular Council meetings shall be held for four or more consecutive weeks, the definition of "Recess Period" in By-law 86-20, a By-law to delegate certain powers and duties during a recess of Council of the Corporation of the City of Richmond Hill, as amended, is deemed to

include those days between the last regular Council meeting held prior to the By-election and ending on the day prior to the first regular Council meeting following the By-election.

c) That the Clerk be directed to place a By-law authorizing the use of internet voting as an additional voting method for the By-election to fill the vacancy in the Office of Mayor on the October 13, 2021 Council agenda for consideration and enactment.

A recorded vote was taken:

In favour: (5): Regional and Local Councillor Perrelli, Councillor Beros, Councillor Liu, Councillor West, and Councillor Chan

Opposed: (3): Acting Mayor DiPaola, Councillor Muench, and Councillor Cilevitz

Carried (5 to 3)

Moved by: Councillor West

Seconded by: Regional and Local Councillor Perrelli

a) That Council appoints Ward 6 Councillor, Godwin Chan as an alternate member of Regional Council pursuant to Subsection 267(2) of the *Municipal Act, 2001*, to act as an alternative Member of Regional Council until the vacancy in the Office of Mayor of Richmond Hill is filled permanently;

b) That the Clerk be directed to notify the Regional Clerk of the appointment of Ward 6 Councillor, Godwin Chan as an alternate member of Regional Council pursuant to Subsection 267(2) of the *Municipal Act, 2001*.

A recorded vote was taken:

In favour: (6): Regional and Local Councillor Perrelli, Councillor Beros, Councillor Liu, Councillor West, Councillor Cilevitz, and Councillor Chan

Opposed: (2): Acting Mayor DiPaola, and Councillor Muench

Carried (6 to 2)

#### **4.2.1 Correspondence regarding Options to fill the Vacancy in the Office of Mayor**

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor West

That the correspondence regarding Options to fill the Vacancy in the Office of Mayor be received as follows:

- a) John Rays, 103 Church Street, dated September 21, 2021;
- b) Trisha Kent, 5 Aloe Avenue, dated September 22, 2021;
- c) Anne Crosby, 16 Queensway Drive, dated September 23, 2021;
- d) Anna and Ralph Caporiccio, 161 Oxford Street, dated September 23, 2021;
- e) John Li, on behalf of the Richmond Hill Umbrella Residents Group, dated September 23, 2021;
- f) Geoff Green, 297 Church Street South, dated September 23, 2021;
- g) Susan Raifman, 117-39 Oneida Crescent, dated September 23, 2021;
- h) Magda Strzelecka, 20 Harding Boulevard West, dated September 23, 2021;
- i) Pat and Marney Pollock, 67 Drumern Crescent, dated September 24, 2021;
- j) David Crowley, 48 Greenbelt Crescent, dated September 24, 2021;
- k) Tracy Wixon, 17 Wood Rim Drive, dated September 24, 2021;
- l) Chris Herriott, 3 Sanderson Crescent, dated September 24, 2021;
- m) Greg Gardiner, 11 Carousel Crescent, dated September 24, 2021;
- n) Reza Moridi, 32 Clarendon Drive, dated September 26, 2021;
- o) Sam Pooya, 319 Fern Avenue, dated September 27, 2021;
- p) Mike Gurski, 159 Avenue Road, dated September 27, 2021;
- q) Robert and Tina Jakma, 70 Manorheights Street, dated September 27, 2022;
- r) Yoke Wong, 53 Summitcrest Drive, dated September 27, 2021;
- s) Peter Leung, 4 Miriam Crescent, dated September 27, 2021;

- t) Virginia DiMonte, 147 Duncan Road, dated September 27, 2021;
- u) Anne-Marie McWilliams, 53 Drumern Crescent, dated September 27, 2021;
- v) Minna Schmidt and Tom Schmidt, 78 Shaftsbury Avenue, dated September 27, 2021;
- w) Eugene Dankewich and Susan Schillemore, 65 Castle Rock Drive, dated September 27, 2021;
- x) Donna Jewell, 310-5 Weldrick Road West, dated September 27, 2021;
- y) Sandra Loughton, 1 Marylebone Crescent, dated September 27, 2021;
- z) Peter Dennis, 7 Ashdown Crescent, dated September 27, 2021;
- aa) *Faith G. Archer, 201 - 20 Harding Blvd. West, dated September 28, 2021;*
- bb) John and Carol Ann Sparkes, 3 Stephenson Gate, dated September 28, 2021;
- cc) Dr. D.J. McCready, 306-50 Baif Blvd., dated September 28, 2021;
- dd) Sean and Samantha Cisterna, 33 Craigleith Crescent, dated September 28, 2021;
- ee) Mary-Lou Montgrain, 31 Rathfon Crescent, dated September 28, 2021;
- ff) Kidambi Raj, 59 Chadwick Crescent, dated September 28, 2021, dated September 28, 2021;
- gg) Rose Hirano, 88-190 Harding Blvd West, dated September 28, 2021;
- hh) Aline Strong, 34 Woodriver Street, dated September 28, 2021;
- ii) John and Marcia Cannell, 44 Neighbourly Lane, dated September 28, 2021;
- jj) Mitchell Brooks, 47 Mack Clement Lane, dated September 28, 2021;

kk) Aaron Brown, 54 Rocksprings Avenue, dated September 28, 2021;

ll) Sarah Palter, 63 Hunt Avenue, dated September 28, 2021;

mm) Ted Leider, 68 Ellsworth Avenue, dated September 28, 2021.

Carried

**5. By-law to Confirm the Proceedings of Council at this Meeting**

**5.1 By-law 140-21**

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor West

That By-law 140-21, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

**6. Adjournment**

Moved by: Councillor Beros

Seconded by: Councillor West

That the meeting be adjourned.

Carried

The meeting was adjourned at 1:15 p.m.

---

Joe DiPaola, Acting Mayor

---

Stephen M.A. Huycke, City Clerk