

FRONT PORCH PERSPECTIVE: By-elections

By-elections or Appointments: Some Guidelines are Required

By Stephen Somerville

I have read with interest my fellow columnist Alison Collins-Mrakas' articles about the recent Toronto City Council debate regarding the motion to hold a by-election.

You may recall that this motion was due to Former Toronto Deputy Mayor Doug Holyday's election as a provincial member of the legislature.

Ms. Collins-Mrakas states that while she is no fan of the Ford's, in this case, the Fords are right. The decision was wrong. The Council's vote in favour of appointment is a slap in the face to the residents of Etobicoke.

I agree with Ms. Collins-Mrakas sentiments regarding the decision, but I offer a slightly nuanced approach.

Aurora faced its own by-election/appointment twice in the last number of years and we can learn from these experiences.

Back in 2012, Aurora-King's new Trustee on the York Region District School Board was named.

Peter Adams-Luchowski was appointed by the Board over eighteen other candidates, including Aurora's Dave Williams who finished second in the last Trustee election.

A number of people including yours truly were shaking their heads over why Adams-Luchowski, who resided in Richmond Hill at the time, was appointed to fill a position to represent Aurora-King's interests.

Don't get me wrong, based on what I had read, Adams-Luchowski had an abundance of experience and knowledge of the issues as he was a former trustee in Richmond Hill and he would more than likely serve us well.

However, a by-election should have been called to replace the departing Gord Kerr, who resigned in January 2012. I also concur with Aurora Mayor Dawe's sentiments expressed in this paper at the time when he stated that "The second best thing, in my opinion, would be to appoint the person who was clearly the second place person. Mr. Williams was within 400 votes of winning. Granted, there were only two candidates and he still garnered 6,000 votes."

Sure, a by-election could cost about \$60,000 (my guess). Based on 55,000 Aurora residents and 20,000 King residents, this works out to eighty cents per person; pretty cheap price to pay for democracy.

With the term still having over two years to run, it didn't make sense to appoint someone, even if the appointed individual has served as a Trustee in the past.

If the term had only one year or less to go, then this would be a plausible option. If that were the case, then appointing someone would probably be a good idea, with the proviso that the appointed person would first agree not to run in the subsequent election. While I imagine the learning curve is steep for the first timers, with over two years left to go, there is at least enough time to get in, become comfortable with the responsibilities of the job, and make a contribution before the end of the term.

This reminds me of the situation we had back in 2008 when then first term Aurora councillor Grace Marsh resigned her seat.

A special council meeting was called and Council declared Mrs. Marsh's seat vacant.

At that emergency meeting, town clerk Bob Panizza told Council that they had three options. Councillors could vote to appoint a person to Council, take the next finisher from the last election or call a by-election.

A motion to fill the seat via a by-election was then defeated after a 4-4 vote.

They then appointed John Gallo, who was the runner up from the 2006 election. He finished ninth out of a crowded field of twenty candidates in that election. And he did answer the bell when the election was actually called back then that has to be worth something, you would think.

The other issue here is that there should be some guidelines in place for Board Members and at local Council. As it stands, the Board and Council have a couple of choices when a locally elected Trustee/Councillor resigns or is incapacitated.

I'm not talking about taking the power out of the hands of the Board Trustees or Councillors; they were elected by us to make decisions, but having some guidelines would take the "immediate" short-term politics out of the equation.

These different types of electoral permutations have lead this writer to believe that some guidelines should be put in place.

How about in the circumstance where someone who leaves in the first year of a four-year Trustee or Council mandate, the next place finisher is appointed. For someone who leaves after year one but before year three, a by-election is held. For a resignation in the last year of a four-year term, then appoint someone, with the proviso that this person cannot seek the same office in the next election.

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