



## **NOTICE**

**THE MAYOR HAS CALLED  
A SPECIAL MEETING OF COUNCIL  
AT 5:00 P.M.**

***TUESDAY, APRIL 27, 2021***

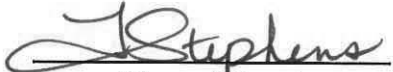
**TO DISCUSS THE FOLLOWING:**

- **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES:**
  - *CUPE Negotiations update.*

**FOLLOWED BY SPECIAL COUNCIL IN OPEN SESSION**

**TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS, IF ANY**

*Due to COVID-19 and the closure of the Civic Square  
All Electronic Meetings can be viewed at:  
City of Welland website: <https://www.welland.ca/Council/LiveStream.asp>*

  
**Tara Stephens,  
City Clerk**



**SPECIAL COUNCIL MEETING**

**Tuesday, April 27, 2021**

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:00 p.m.)**  
**(See yellow tab)**
  - Personal matters about an identifiable individual, including municipal or local board employees:
    - *CUPE Negotiations update.*
  
2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**
  
3. **OPEN SPECIAL COUNCIL MEETING FOLLOWING COMMITTEE-OF-THE-WHOLE (IN-CAMERA).**
  - 3.1 **ADDITIONS/DELETIONS TO AGENDA**
  
  - 3.2 **CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE (IN-CAMERA) TO BE ADDED TO BLOCK**
  
  - 3.3 **DISCLOSURES OF INTEREST**
  
  - 3.4 **COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)**
  
4. **COMMITTEE-OF-THE-WHOLE (OPEN)**  
**(to discuss items removed from Agenda Block)**
  
5. **BY-LAW - NIL**
  
6. **CONFIRMATORY BY-LAW**

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 27<sup>th</sup> day of April, 2021.  
Ref. No. 20-1
  
7. **ADJOURNMENT**



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Page No.

## **AGENDA BLOCK**

1. **BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION:**

**MATTER FROM THE APRIL 20, 2021 COUNCIL MEETING**

- 1 - 4      **CLK-2021-13**    City Clerk, T. Stephens - Ward 3 Vacancy Appointment. Ref. No. 02-160


2. **COMMITTEE AND STAFF REPORTS**

1. **Business Arising from Committee-of-the-Whole (closed)**
2. **General Committee Report to Council - Nil**
3. **Budget Review Committee Report to Council - Nil**
4. **Staff Reports - Nil**

3. **NEW BUSINESS - Nil**

4. **BY-LAWS - Nil**

**SPECIAL COUNCIL**  
**CORPORATE SERVICES**  
**CLERKS DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

**REPORT CLK-2021-13**  
**APRIL 27, 2021**

**SUBJECT: WARD 3 VACANCY APPOINTMENT**

**AUTHORS: TARA STEPHENS, CITY CLERK**

**APPROVING G.M.: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,  
 INTERIM CAO / DIRECTOR OF CORPORATE SERVICES, CHIEF  
 FINANCIAL OFFICER / TREASURER**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information CLK-2021-13: Ward 3 Vacancy Appointment; and further THAT Welland City Council appoints \_\_\_\_\_ to Welland City Council to fill the Ward 3 Vacancy, due to the resignation of Lucas Spinosa.

**ORIGIN AND BACKGROUND:**

On March 2, 2021, Welland City Council declared the Ward 3 seat vacant, which was previously held by Lucas Spinosa.

On March 9, 2021, Welland City Council approved the vacancy be filled by an appointment of a resident from the community.

On April 13, 2021, Welland City Council approved the appointment process included in "Appendix I" of this report.

**COMMENTS AND ANALYSIS:**

Following the discussion at the March 9, 2021 Special Council meeting, each member of council had the opportunity to nominate a resident to be considered to fill the Ward 3 Vacancy. The deadline for members of council to nominate a resident was March 24, 2021 at 4:00 p.m.

The City Clerk has confirmed that of the nominated individuals meet the following qualifications as outlined in the *Municipal Elections Act*, to fill the Ward 3 Vacancy:

- Reside in or be owner/tenant of land in the municipality, or spouse.
- Canadian Citizen.
- At least 18 years of age.

- Not be prohibited from voting under section 17 (3) of *Municipal Elections Act* or otherwise by law.

A list of five (5) nominated individuals was provided to Welland City Council on April 20, 2021. Welland City Council followed the appointment process as outlined in "Appendix 1".

Following the public vote, there were two (2) remaining candidates to be considered to fill the Ward 3 Vacancy. Due to the vote ending in a tie of two (2) candidates the matter was concluded for the evening.

As per "Appendix 1", where the votes cast are equal for the remaining candidates, council will now consider the remaining candidates at the April 27, 2021 Special Council meeting.

The remaining candidates are as follows:

- MASTROIANNI, John
- THOMAS, Doug

Welland City Council will consider the appointment of one of the individuals nominated to fill the Ward 3 Vacancy.

**FINANCIAL CONSIDERATION:**

N/A

**OTHER DEPARTMENT IMPLICATIONS:**

N/A

**SUMMARY AND CONCLUSION:**

This report has been prepared for council to consider and appoint a resident to fill the Ward 3 Vacancy.

**ATTACHMENTS:**

APPENDIX I – Approved Ward 3 Vacancy – Appointment Process

## APPENDIX I

Approved by Welland City  
Council on April 13, 2021.

Ward 3 Vacancy – Appointment Process

- All of the names of the nominated candidates will be communicated to all members of council during the week of April 12, 2021. (These are the candidates nominated by members of council).
  - a. The list will be provided in alphabetical order, by last name.
  - b. Contract information (phone number and email address) will be provided to the members of council.
- Included in the April 20, 2021 Council meeting agenda, the City Clerk will prepare a report which identifies the nominated individuals to be considered to fill the Ward 3 Vacancy.

This item will be automatically removed from block as the recommendation will not be completed as council is required to appoint an individual to fill the Ward 3 Vacancy.

During the In-camera (Closed to the public) portion of the April 20, 2021 Council meeting, members of council will have an opportunity to discuss any related personal matters regarding the nominated candidates.

- Process for considering the matter in open session will be as follows:
  1. The nominated names will be read in alphabetical order by the City Clerk.
  2. Each name will be stated, a public vote will be taken and the number of votes recorded and verbally announced by the City Clerk.
  3. If there is a candidate that receives majority vote based on the members in attendance at the meeting, the discussion is concluded and that individuals name will be added to the appointment recommendation.
  4. If one candidate does not receive majority vote based on the members in attendance at the meeting, the candidate or candidates with the fewest number of votes shall be excluded from consideration.
  5. The vote will be taken again by the City Clerk, and if necessary more than once, excluding in each successive vote the candidate or candidates who receive the fewest number of votes. This shall be repeated until the candidate receiving majority vote based on the members in attendance at the meeting.

**APPENDIX I**

- With presumably 12 votes, there could be a tie of 2 candidates (6-6) or 3 candidates (4-4-4). Where the votes cast are equal for all the candidates:
  1. Council can discuss the matter at a Special Council meeting, which would be scheduled for Tuesday, April 27, 2021.
  2. Council can call a by-election to fill the Ward 3 Vacancy.