

Meeting #: C-08/2019 - Regular Council
Date: Monday, May 6, 2019
Time: 6:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Mike Ciolfi
Lisa Haun
Bob Hildebrandt
Ron Kore
Marianne Stewart
John Wink

Staff Present: Nancy Bozzato
Bob Lymburner
Marc MacDonald
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Charlotte Tunikaitis

Others Present Members of the Berkhout Family
Players and Coaches - Hockey Team
Interested Citizens
Media

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 6:52 p.m.

2. Singing of National Anthem

The National Anthem was sung by those present to officially open the meeting.

3. Approval of Agenda

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the May 6th, 2019 Regular meeting of Council be adopted

Amendment:

Moved By John Wink

Seconded By Bob Hildebrandt

THAT the Agenda be reordered to consider Correspondence Item 9.5.1 following Item 11.2.2.

Carried

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT THE agenda for the May 6th, 2019 Regular meeting of Council be adopted, as amended.

Carried

4. Disclosure of Pecuniary Interests and General Nature Thereof

There were no disclosures of pecuniary interest disclosed by any of the members present.

5. Hearing of Presentation, Delegations, Regional Report

5.1 Presentations

1. Pelham Minor Hockey Association Powell Drywall Midget AE OMHA Champions

The team members and coaching personnel were congratulated on their recent Ontario Minor Hockey Association Midget AE3-5 Championship win. The Mayor and Deputy Mayor presented each team member and their coaches with certificates of honour to commemorate this achievement.

- | | |
|---------------------|---------------------|
| • Brock Pellow | • Carson Stolk |
| • Harmon Narbonne | • Tyler Britton |
| • Luca DeChellis | • Derian Free |
| • Joshua Major | • Myles Stolk |
| • Quentin Annuziata | • Antonio DeChellis |
| • Owen Warren | • Cameron Crysler |
| • Nicholas Longo | • Joshua Powell |
| • Zachary Kuhn | |
| • Hayden Stewart | |
| • Ethan Hawkins | |

Coaching Team: Harry Powell, Stu Wright, Sean Stewart, Randy Crysler, Anthony DeChellis

2. Dedication of Memorial Plaque in Honour of Gerry Berkhout, former Member of Council

The Mayor provided some background information on former Councillor Gerry Berkhout and dedicated the bronze plaque placed in the Council Chamber in his honour, welcoming the family of Mr. Berkhout.

5.2 Delegations

There were no delegations scheduled.

5.3 Report of Regional Councillor

Regional Councillor Huson was not present.

6. Adoption of Minutes

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:

1. SC-13/2019 - Special Council Minutes April 15, 2019

2. C-07/2019 Regular Council Minutes April 15, 2019

3. SC-14/2019 - Special Council Minutes April 23, 2019

4. SC-15/2019 - Special Council Minutes April 23, 2019

5. SC-16/2019 - Special Council Minutes April 29, 2019 - Muzzle Order

6. SC-17/2019 - Special Council Minutes April 29, 2019

Carried

7. Business Arising from Council Minutes: None

8. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration

Councillor Kore lifted Item 9.5.6

Councillor Hildebrandt Lifted Policy and Priorities Committee Recommendation #9

9. Consent Agenda Items to be Considered in Block

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT the following Consent Agenda items be received and the recommendations contained therein be approved, as applicable:

9.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval

BE IT RESOLVED THAT COUNCIL HEREBY approves the Recommendations Resulting from the following:

- 1. P & P 03/2019 - Recommendations of April 15, 2019 save and except Recommendation #9.**

9.2 Minutes Approval – Committee

BE IT RESOLVED THAT Council receive the P&P-03/2019 Policy and Priorities Committee Minutes minutes, dated April 15, 2019 for information.

9.3 Staff Reports of a Routine Nature for Information or Action

9.3.1 Site Plan Approval Report - 1651 Centre Street (SP 04-19)

BE IT RESOLVED THAT Council receives this Department of Community Planning & Development Report for information as it pertains to application File No. SP 04-19, 1651 Centre Street; AND THAT, Council approve the by-law and authorize the Mayor and Clerk to enter into a site plan agreement between the Town and Joseph & Teresa Hozjan.

9.4 Action Correspondence of a Routine Nature

9.4.1 National Denim Day - May 14, 2019

BE IT RESEOLVED THAT the Corporation of the Town of Pelham does hereby proclaim May 14, 2019 as National Denim Day in recognition of breast cancer awareness.

9.5 Information Correspondence Items

~~9.5.1 Letter to the Mayor and Town Council Re: Pelham Arches~~

~~BE IT RESOLVED THAT Council receive the letter from Frank Adamson and Bill Gibson dated April 22, 2019, regarding the Pelham Arches, for information. (moved for consideration after Item 11.2.2)~~

9.5.2 Township of Tudor and Cashel re: Hydro One Delivery Fees

BE IT RESOLVED THAT Council receive the letter from the Township of Tudor and Cashel dated April 2, 2019, regarding Hydro One Delivery Fees, for information.

9.5.3 Niagara Peninsula Conservation Authority re: Board of Directors

BE IT RESOLVED THAT Council receive the letter from the NPCA dated April 23, 2019, regarding the Board of Directors, for information.

9.5.4 Correspondence from City of Welland

BE IT RESOLVED THAT Council receive the following correspondence from the City of Welland, for information:

- 1. Letter dated April 18, 2019 receiving the Region of Niagara's Report PDS 9-2019: New Official Plan Consultation Timeline Framework;**
- 2. Letter dated April 18, 2019 receiving the Region of Niagara's Report PDS 5-2019: Statutory Public Meeting for Draft Regional Official Plan Amendment 15 - Exemption Policies;**
- 3. Letter dated April 18, 2019 receiving and endorsing the updated Memorandum of Understanding for Planning Function and Services between the Niagara Region and Local Area Municipalities; and**
- 4. Letter dated April 18, 2019 receiving and supporting the Report PHD 06-2019: Mutual Assistance Agreement for Emergency Management.**

9.5.5 Peninsula West Power Inc. - Notice of Annual General Meeting of Shareholders

BE IT RESOLVED THAT Council receive the Peninsula West Power Inc. - Notice of Annual General Meeting of Shareholders, for information.

~~9.5.6 Region of Niagara – 2019 Property Tax Policy, Ratios and Rates~~

~~BE IT RESOLVED THAT Council receive, for information, Regional Report CSD 16-2019 and associated correspondence regarding the Regional 2019 Property Tax Policy, Ratios and Rates. (lifted for separate consideration)~~

9.6 Regional Municipality of Niagara - Action Items

9.6.1 Bill 142 - Construction Lien Amendment Act, 2017

BE IT RESOLVED THAT Council Receive the Region of Niagara Correspondence of April 29, 2019 re Bill 142 - Construction Lien Amendment Act; and

THAT Council of the Town of Pelham endorse and support the associated Regional Report CSD 29-2019 and recommendations therein contained.

9.7 Committee Minutes for Information

BE IT RESOLVED THAT Council receive the following Committee minutes for information:

- 1. Mayors Youth Advisory Council minutes from December 18, 2018, January 22, 2019, February 26, 2019, and March 26, 2019;**
- 2. Community Beautification Committee minutes dated March 27, 2019;**
- 3. Summerfest Committee minutes from March 27, 2019, and April 10, 2019;**
- 4. MCC User Group Roundtable Committee minutes dated April 9, 2019**

Carried

10. Items for Separate Consideration, if Any

10.1 Region of Niagara - 2019 Property Tax Policy, Ratios and Rates

The Treasurer advised that this report will be incorporated into a report to be presented to Council May 21st to explain the blended rate.

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive, for information, Regional Report CSD 16-2019 and associated correspondence regarding the Regional 2019 Property Tax Policy, Ratios and Rates.

Carried

10.2 Policy and Priorities Committee Recommendation #9

Moved By Bob Hildebrandt

Seconded By John Wink

THAT the report, Update to Town of Pelham Procedural By-law - Proposed Amendments, as amended, be received; and

THAT Committee recommend that the proposed by-law amendments, as amended, be presented to Council for First and Second Reading at their next regular meeting; and

THAT the Clerk be directed to provide Notice in accordance with the Town's Notice Policy prior to presentation of the By-law for Third Reading and Adoption.

Amendments:

- Section 33 - remove "and should be vetted through the Town's Public Relations and Marketing Specialist"
- Section 33 - add "Prior to a press release being issued, Council shall be notified at a minimum of 12 hours in advance, except in an emergency situation."

Moved By Bob Hildebrandt

Seconded By Ron Kore

THAT the proposed procedural by-law be further amended as follows:

THAT meeting Start Time of 6:30pm be removed and replaced with Start Time of 5:30pm

Carried

Moved By Bob Hildebrandt

Seconded By Lisa Haun

THAT the proposed procedural by-law be further amended as follows:

THAT Item 15 - Curfew of 10:00 pm be removed and replaced with Curfew Time of 9:00pm

Carried

Moved By Bob Hildebrandt

Seconded By Mike Ciolfi

THAT the proposed procedural by-law be further amended as follows:

THAT an item regarding Council Correspondence from other municipalities be included in the by-law stating:

THAT Council correspondence from other municipalities be compiled and circulated to all members of Council; and

THAT if a member of Council wishes the correspondence be included as an Agenda item, that member of Council shall notify the Clerk immediately; and

THAT the Clerk shall include that correspondence on the next available Regular Council meeting.

Carried

Moved By Bob Hildebrandt

Seconded By John Wink

THAT the report, Update to Town of Pelham Procedural By-law - Proposed Amendments, as twice amended, be received; and

THAT Committee recommend that the proposed by-law amendments, as twice amended, be presented to Council for First and Second Reading at their next regular meeting; and

THAT the Clerk be directed to provide Notice in accordance with the Town's Notice Policy prior to presentation of the By-law for Third Reading and Adoption.

Amendments:

- **Section 33 - remove "and should be vetted through the Town's Public Relations and Marketing Specialist"**
- **Section 33 - add "Prior to a press release being issued, Council shall be notified at a minimum of 12 hours in advance, except in an emergency situation."**
- **Meeting start times to be changed from 6:30pm to 5:30pm**
- **Curfew time to be changed from 10:00pm to 9:00pm**
- **Clerk to prepare correspondence from other municipalities as a listing circulated to Council, and Councillors will request additions to agenda.**

Carried

11. Presentation & Consideration of Reports

11.1 Reports from Members of Council:

11.1.1 Mayor's Report May 6, 2019

Moved By Lisa Haun

Seconded By Mike Ciolfi

BE IT RESOLVED THAT Mayor Junkin's Report dated May 6, 2019, be received for information.

Carried

11.2 Staff Reports Requiring Action

11.2.1 2018-2022 Town of Pelham Strategic Plan

Moved By Ron Kore
Seconded By Mike Ciolfi

BE IT RESOLVED THAT Council receive the 2018-2022 Strategic Plan and Town of Pelham Strategy Map; and

THAT Council endorse and adopt the Strategic Plan as presented herein; and

THAT the Chief Administrative Officer be and is hereby directed to take the necessary steps to implement the Strategic Plan; and

THAT the Chief Administrative Officer be and is hereby directed to annually measure accomplishments against the Plan and report to Council and subsequently report back to the community in this regard; and

THAT Council hereby adopts the following Vision Statement:

Our Vision: Working together with the community to strengthen trust, enhance the quality of life and economic well-being for today and for the future; and

THAT Council further adopts the following Values to demonstrate leadership and commitment:

- *Honesty*
- *Caring*
- *Respect*
- *Transparency*
- *Trustworthiness*
- *Teamwork*

Amendment:

Moved By Bob Hildebrandt
Seconded By Mike Ciolfi

THAT the Strategic Plan be amended to move "Finalize East Fenwick Secondary Plan" for completion in 2020 rather than 2019.

Carried

Moved By Ron Kore
Seconded By Mike Ciolfi

BE IT RESOLVED THAT Council receive the 2018-2022 Strategic Plan, as amended and Town of Pelham Strategy Map; and

THAT Council endorse and adopt the Strategic Plan, as presented herein as amended; and

THAT the Chief Administrative Officer be and is hereby directed to take the necessary steps to implement the Strategic Plan; and

THAT the Chief Administrative Officer be and is hereby directed to annually measure accomplishments against the Plan and report to Council and subsequently report back to the community in this regard; and

THAT Council hereby adopts the following Vision Statement:

Our Vision: Working together with the community to strengthen trust, enhance the quality of life and economic well-being for today and for the future; and

THAT Council further adopts the following Values to demonstrate leadership and commitment:

**Honesty
Caring
Respect
Transparency
Trustworthiness
Teamwork**

Carried

11.2.2 Initiative to Replace Arches over Pelham Town Square

Moved By Mike Ciolfi
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive the report, "Initiative to Replace the Arches Over Pelham Town Square"; and

THAT Council endorse the plan to receive submissions from the Pelham community for proposals to replace the arches, that are self-funded and sustainable; and

THAT Staff be directed to proceed with the plan to launch the invitation to participate in this initiative to the community, as outlined in the report.

Amendment:

Moved By John Wink
Seconded By Mike Ciolfi

THAT the motion be amended by replacing Paragraphs 2 and 3 with the following:

THAT COUNCIL accept the proposal to reconstruct the arches as presented by the Fonthill Rotary Club and the Pelham Summerfest Committee, subject to the following conditions:

1. receipt of an engineering report to the satisfaction of the Director of Public Works and subject to Council approval; and
2. The Fonthill Rotary Club and the Pelham Summerfest Committee will undertake to do the entire fundraising for the cost to construct the arches and that no Town funds will be contributed toward the cost of construction; and
3. A reserve fund will be established by the Fonthill Rotary Club and the Pelham Summerfest Committee to contribute annually a minimum of \$2,000 per year for the ongoing maintenance of the arches.

Defeated

Moved By John Wink
Seconded By Bob Hildebrandt

THAT the date individuals and/or groups submit their delegation requests be amended from June 12, 2019 to May 29, 2019.

Carried

Amendment:

Moved By Lisa Haun
Seconded By Bob Hildebrandt

THAT staff be directed to amend the communication plan to adjust any dates/deadlines to meet an amended Council presentation date of June 3, 2019.

Carried

Moved By Mike Ciolfi
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive the report, "Initiative to Replace the Arches Over Pelham Town Square", as amended; and

THAT Council endorse the amended plan to receive submissions from the Pelham community for proposals to replace the arches, that are self-funded and sustainable; and

THAT Staff be directed to proceed with the amended plan to launch the invitation to participate in this initiative to the community, as outlined in the report.

Carried

11.2.3 Letter to the Mayor and Town Council Re: Pelham Arches

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive the letter from Frank Adamson and Bill Gibson dated April 22, 2019, regarding the Pelham Arches, for information.

Carried

12. Unfinished Business: None

13. New Business: None

14. Presentation and Consideration of By-Laws

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws do now read a first, second and third time and do pass same, and

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-laws:

1. By-law #4104(2019) - Being a by-law to adopt a Code of Conduct for Council and Local Boards

2. By-law #4105(2019) - Being a by-law to authorize the execution of a site plan agreement for the lands located at 1651 Centre Street.

~~3. By-law #4106(2019) — Being a by-law respecting the gypsy
moth~~ Motion divided - separate consideration.

~~4. By-law #4107(2019) — Being a by-law to govern the proceedings of
the Town of Pelham Council and Committees, the conduct of its
members, and the calling of meetings, and to repeal and replace By-
law #3293(2012). First and Second Reading~~ Motion divided -
separate consideration

Carried

Moved By Bob Hildebrandt

Seconded By Ron Kore

**THAT consideration of First and Second Reading for the
proposed amendments to the Procedural By-law be deferred to
May 21, 2019, due to the amendments previously adopted at
this May 6, 2019 meeting of Council.**

Carried

Moved By Bob Hildebrandt

Seconded By John Wink

**BE IT RESOLVED THAT the Council of the Town of Pelham,
having given due consideration to the following By-law do now
read a first, second and third time and do pass same; and**

**THAT the Mayor and Clerk be and are hereby authorized to
sign and seal the by-law:**

**By-law #4106(2019) - Being a by-law respecting the gypsy
moth**

Carried

15. Motions and Notices of Motion: None

**16. Matters for Committee of the Whole or Policy and Priorities
Committee: None**

**17. Matters Arising Out of Committee of the Whole or Policy and
Priorities Committee**

17.1 Assante sign variance revised

Moved By Marianne Stewart

Seconded By John Wink

**BE IT RESOLVED THAT Council receive the Report entitled
Assante Sign Variance"; and**

THAT Council approves the requested variance to the Sign By-law, as outlined in the Report to permit an electronic sign.

Carried

18. Resolution to Move in Camera

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT Council recess the In Camera portion of the meeting and reconvene immediately following the Committee meeting scheduled for this evening.

Carried

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the regular Council meeting of May 6th, 2019 do now reconvene to complete the agenda.

Carried

Moved By Bob Hildebrandt

Seconded By Ron Kore

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;

AND THAT the specified meeting curfew time of 10:00 p.m. be and is hereby waived;

AND THAT the remainder of the business listed on the agenda for this meeting continue to be considered until all matter have been concluded.

Carried

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following:

- 1. Section 239(2)(c) - proposed or pending acquisition or disposition of land by the municipality - File L07-2018-07-S**
- 2. Section 239(2)(b) - personal matters about an identifiable individuals including municipal or local board employees**

Carried

19. Rise From In Camera

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise: With Report

Carried

Moved By Lisa Haun

Seconded By John Wink

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of May 6, 2019.

Carried

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED THAT the Town of Pelham declare the lands described as part of Lot 14, Plan 717, being Part 1 on Plan 59R-16233, PIN 64063-0455 (LT) Town of Pelham, as surplus to the needs of the Town; and

THAT Council hereby directs the Clerk to prepare the necessary by-law for Council consideration at the next regular meeting of Council; and

THAT Staff be and are hereby authorized to proceed with the sale of said lands, subject to Council approval of the final Offer of Purchase and Sale.

Carried

Moved By Lisa Haun

Seconded By John Wink

BE IT RESOLVED that the following individuals be appointed to the following Pelham Advisory Committee's:

Cannabis Control Committee:

- 1. Carla Baxter**
- 2. Louis Damm**
- 3. Bill Heska**
- 4. Jim Jeffs**
- 5. John Langendoen**
- 6. Tim Nohara**

7. Jim Steele

Summerfest Committee:

- 1. Remo Battista**

Utility Sustainability Advisory Committee:

- 1. Dave Cano**

Meridian Community Centre Hospitality Committee:

- 1. Bill Huisman**
- 2. Patricia Shannon**

AND THAT the Clerk prepare the necessary by-law for consideration at the next regular meeting.

Carried

20. Confirming By-Law

Moved By Mike Ciolfi

Seconded By Ron Kore

BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:

Being a By-law No. 4108(2019) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 6th day of May, 2019.

Carried

21. Adjournment

Moved By Ron Kore

Seconded By Mike Ciolfi

BE IT RESOLVED THAT this Regular Meeting of May 6th, 2019 be adjourned until the next regular meeting scheduled for May 21st, 2019 at 6:30 pm.

Carried

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato