

REGULAR COUNCIL MINUTES

Meeting #: C-16/2019 - Regular Council
Date: Monday, October 7, 2019
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

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

Regrets Ron Kore

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

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30

2. Singing of National Anthem

The National Anthem was observed by those present.

3. Approval of Agenda

Moved By Mike Ciolfi

Seconded By Lisa Haun

BE IT RESOLVED THAT the agenda for the October 7, 2019 Regular meeting of Council be adopted

_____ As circulated _____ As Amended

Carried

Amendment:

Moved By Mike Ciolfi

Seconded By Lisa Haun

THAT the Agenda be amended to include the following:

- 1. Council Report by Councillor Ciolfi, add Item No. 11.1; and**
- 2. Lawn Signs, add Item No. 13.1 as New Business.**

Carried

Moved By Mike Ciolfi

Seconded By Lisa Haun

**BE IT RESOLVED THAT the agenda for the October 7, 2019
Regular meeting of Council be adopted, as Amended**

Carried

4. Disclosure of Pecuniary Interests and General Nature Thereof

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

5. Hearing of Presentation, Delegations, Regional Report

5.1 Tax Write-Off Under Municipal Act, Section 357 & 358

The owner of 952 Foss Road expressed his disappointment in only receiving a write-off for 2019 wherein the change in his property status occurred in 2017. The Treasurer advised that reductions were provided in previous years for the vacant commercial component of the property and it was suggested that the owner seek independent advice as to whether or not he could appeal to the Municipal Property Assessment Corporation dating back to 2017.

Moved By John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the Taxes Written-Off Report from the Corporate Services Department; and

THAT Council approve the Taxes Written-Off Report in the amount of \$24,882.60 as per the Municipal Act, Sections 357 and 358.

Carried

5.2 Presentations

**5.2.1 Niagara Region - Transportation Services Five Year
Forecast**

This presentation was postponed to November at the request of the Niagara Region.

5.2.2 Budget Impact Presentation - Treasurer T. Quinlin

Moved By Lisa Haun

Seconded By John Wink

BE IT RESOLVED Council receives the Budget Impact Presentation presented by Treasurer T. Quinlin, for information.

Carried

5.3 Delegations

5.3.1 Kristen French Child Advocacy Centre Niagara

Janet Handy presented information regarding the Kristen French Child Advocacy Centre Niagara.

Moved By Mike Ciolfi

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the presentation by Janet Handy, Executive Director of the Fundraising Committee, Kristen French Child Advocacy Centre Niagara , for information.

Carried

5.3.2 Community Beautification Advisory Committee

Ms. Jen Pilzecker, Chair of the Community Beautification Advisory Committee, presented information on the Committee's work to date.

Moved By Mike Ciolfi

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the presentation by the Community Beautification Advisory Committee, for information.

Carried

5.4 Report of Regional Councillor

The Regional Councillor was not in attendance.

6. Adoption of Minutes

Moved By John Wink

Seconded By Lisa Haun

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

- 1. C-15/2019 - Regular Council Minutes September 16, 2019**
- 2. SC-32/2019 - Special Council Minutes September 16, 2019**
- 3. SC-33/2019 - Special Council Minutes September 23, 2019**

Carried

7. Business Arising from Council Minutes

None

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

Councillor Ciolfi lifted Item 9.7.1 - Pelham Public Library Board Minutes

9. Consent Agenda Items to be Considered in Block

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the October 7th, 2019 Council Agenda be received and the recommendations contained therein be approved, as applicable, save and except Item 9.7.1.

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. SCOW -04/2019 - Budget Open House - September 9, 2019**
- 2. COW-06/2019 - Committee of the Whole - September 16, 2019**
- 3. SCOW-05/2019 - Public Meeting - September 10, 2019**

9.2 Minutes Approval – Committee

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

- 1. SCOW -04/2019 - Budget Open House - September 9, 2019**
- 2. COW-06/2019 - Committee of the Whole - September 16, 2019**
- 3. SCOW-05/2019 - Public Meeting - September 10, 2019**

9.3 Staff Reports of a Routine Nature for Information or Action

9.3.1 Pelham New Elevated Tank Class Environmental Assessment Information - 2019-0100-Public Works, 2019-0100-Public Works

BE IT RESOLVED THAT Council receive Report # 2019-0100, Pelham New Elevated Tank and Enhanced Conceptual Design Project Public Information Centre, for information

9.4. Action Correspondence of a Routine Nature

9.4.1 Pelham Appointment to Board of Niagara Peninsula Energy Inc.

BE IT RESOLVED THAT Council receive the correspondence from Niagara Peninsula Energy Inc. regarding the appointment of a Pelham representative to the Board of Directors; and

THAT Staff be directed to advertise for applications so as to permit a nomination for appointment prior to November 29, 2019.

9.5 Information Correspondence Items

9.5.1 Thank-You Letter from Niagara Peninsula Fruit and Vegetable Growers Association

BE IT RESOLVED THAT Council receive a thank you letter from Niagara Peninsula Fruit and Vegetable Growers Association regarding the Emily 911 Project Launch, for information.

9.5.2 Thank-You Letter from the City of St. Catharines

BE IT RESOLVED THAT Council receive a thank you letter from the City of St. Catharines dated August 26, 2019, for support and cooperation during the Pioneer Farms greenhouse fire, for information.

9.7 Committee Minutes for Information

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

- 1. ~~Pelham Public Library Board Minutes - June 26, 2019~~ (lifted for separate consideration)**
- 2. Pelham Public Art Advisory Committee Minutes - August 19, 2019**
- 3. Pelham Utility Sustainability Advisory Committee - July 9, 2019; July 31, 2019; August 13, 2019.**

Carried

10. Items for Separate Consideration, if Any

10.1 Pelham Public Library Board Minutes

June 26, 2019

Ms. Guilmette informed Council that she will provide information to Council regarding the survey results noted in the minutes.

Moved By John Wink
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive the Pelham Public Library Board Minutes dated June 26, 2019 for information.

Carried

11. Presentation & Consideration of Reports

11.1 Reports from Members of Council:

11.1.1 Councillor Ciolfi - Cannabis Control Committee

Councillor Ciolfi provided information from the Cannabis Control Committee and requested Council support as outlined in resolutions provided.

Moved By Mike Ciolfi
Seconded By Lisa Haun

BE IT RESOLVED THAT Council for the Town of Pelham hereby authorizes an expenditure not to exceed \$10,000 for the purpose of obtaining legal advice from Aird and Berlis, LLP, to support the work of the cannabis Control Committee.

Carried

Moved By Mike Ciolfi
Seconded By Lisa Haun

WHEREAS Council for the Town of Pelham, a democratically elected government, has enacted an Interim Control By-law to allow for a review of land use planning policies and regulations pertaining to Cannabis related land uses in the rural areas of the Town, as a reflection of the will of the people;

AND WHEREAS it is recognized that lands under Development Permit Control of the Niagara Escarpment Commission are not regulated by the Town’s Zoning By-Law;

BE IT RESOLVED THAT Council for the Town of Pelham hereby calls upon the Niagara Escarpment Commission to respect the existence of the Interim Control By-law presently in effect in the Town of Pelham, for the duration of the Interim Control By-law; and

**THAT a copy of this resolution be provided to the
Niagara Escarpment Commission forthwith.**

Carried

11.2 Staff Reports Requiring Action

11.2.1 Investing in Canada Infrastructure Program- Community, Culture and Recreation Stream, 2019- 0099-Corporate Services

The Treasurer presented information regarding this grant request and the Acting Library CEO also provided information relating to a potential grant for construction of a library facility.

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report # 2019-0099-Corporate Services ; and Council approve the list of capital projects for the grant submission of the ICIP: Community, Culture and Recreation Stream.

Amendment:

Moved By Bob Hildebrandt

Seconded By John Wink

THAT the capital projects for the grant submission of the ICIP: Community, Culture and Recreation Stream include an flooring cover for the ice surface, and construction of bus shelter(s).

Carried

Amendment:

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report # 2019-0099-Corporate Services ; and Council approve the list of capital projects for the grant submission of the Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream, as amended.

Carried

Moved By Bob Hildebrandt

Seconded By Lisa Haun

BE IT RESOLVED that staff be directed to return to Council by October 28th with a Special Report in support of which Council waives its' publishing deadline and purchasing policy, so that Petroff Partnership Architects and as yet an unidentified third party consultant can examine the feasibility of relocating of the main branch of the Pelham Public Library to the Meridian Community Centre with a budget to not exceed \$30,000.00, to be financed by a budget variance to be offset by supplemental revenues.

Carried

12. Unfinished Business

None

13. New Business

13.1 Sign By-law

The Fire Chief advised that there are signs being posted throughout the municipality relating to cannabis. The sign by-law does not include language for removal of signage of this nature. The Chief sought direction on whether or not to enforce removal of the signs.

Moved By Bob Hildebrandt

Seconded By Marianne Stewart

BE IT RESOLVED That staff be directed to develop enforceable Sign By-law and report back to Council by the end of December 2019

Carried

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 #4161(2019) - Being a by-law to authorize the execution of a site plan agreement for the lands located at 1 Highway 20 West (Regional Road 20).1806183 Ontario Inc. File No. SP-05-19.

2. By-law #4163(2019) - Being a by-law to authorize the execution of an agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario - Community Transportation Grant Program.

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: None

18. Resolution to Move in Camera: No closed session scheduled.

19. Rise From In Camera: Not applicable

20. Confirming By-Law

Moved By John Wink

Seconded By Bob Hildebrandt

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

Being a By-law No. 4164(2019) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 7th day of October, 2019.

Carried

21. Adjournment

Moved By Marianne Stewart

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for 21, 2019 at 5:30 pm.

Carried

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato