

REGULAR COUNCIL MINUTES

Meeting #: C-02/2020
Date: Monday, February 3, 2020
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: David Cribbs
Nancy Bozzato
Bob Lymburner
Jason Marr
Marc MacDonald
Teresa Quinlin
Barbara Wiens
Holly Willford

Other: T. Nohara, Item 5.2.1
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 5:30 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 Mike Ciolfi
Seconded By John Wink

BE IT RESOLVED THAT the agenda for the February 3rd, 2020 Regular meeting of Council be adopted.

Amendment:
Moved By Mike Ciolfi

Councillor Ciolfi requested that item 5.2.1 Delegation of Tim Nohara, Chair of the Cannabis Control Committee be referred to the Policy and Priorities Committee agenda for February 3rd, 2020, for consideration.

Carried

Amendment:
Moved By Marianne Stewart

Councillor Stewart requested that Council dispense with the Rules of Procedure as they relate to a Notice of Motion, so as to allow Council to consider a new Motion, at Agenda Item #15, relating to parking within the downtown core area of Fenwick.

Carried

Amendment:
Moved By Lisa Haun

Councillor Haun requested that the agenda be amended to allow for the introduction of a Notice of Motion relating to the Niagara Central Dorothy Rungeling Airport, at Agenda Item 15.

Carried

Moved By Mike Ciolfi
Seconded By John Wink

BE IT RESOLVED THAT the agenda for the February 3rd, 2020 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 Presentations

5.2 Delegations

5.2.1 Tim Nohara - Chair of Cannabis Control Committee

This item was referred to the Policy and Priorities Committee agenda.

5.3 Report of Regional Councillor: No Report.

6. Adoption of Minutes

Moved By John Wink

Seconded By Marianne Stewart

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

1. SC-01/2020 Special Council Minutes January 13, 2020

2. C-01/2020 Regular Council Minutes January 13, 2020

Carried

7. Business Arising from Council Minutes

None

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

Councillor Ciolfi requested that Item 9.3.1 - Sign By-law 2020 Update be lifted for separate consideration.

9. Consent Agenda Items to be Considered in Block

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the February 3rd, 2020 Council Agenda be received and the recommendations contained therein be approved, as applicable.

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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. COW-01/2020 - Committee of the Whole - January 13 2020

9.2 Minutes Approval – Committee

9.2.1 COW-01/2020 Committee of the Whole Minutes January 13, 2020

BE IT RESOLVED THAT Council receive the COW-01/2020 Committee of the Whole minutes, dated January, 2020 for information.

9.3 Staff Reports of a Routine Nature for Information of Action

~~9.3.1 BE IT RESOLVED THAT Council receive Report #2020-0010 ; and Council consider approval of the sign by-law forming part of February 3rd 2020 Council agenda (lifted)~~

9.4 Action Correspondence of a Routine Nature

9.4.1 John Reiter, LIPA Park, Request for Community Festivals & Special Occasion Permits

BE IT RESOLVED THAT Council receive the correspondence from John Reiter, LIPA Park, being a request for Community Festivals & Special Occasion Permits; and

THAT Council approve the request to hold Community Festivals on the following dates:

May 18, 2020 - Slovenian Open House, part of Niagara Folk Art Festival; July 5, 2020 Summerfest; August 9, 2020 - Music-in-the-Park Festival; and

THAT the festivals outlined therein be and are hereby designated as Community events of Municipal Significance; and

THAT the Clerk be directed to advise LIPA Park.

9.4.2 Pelham Active Transportation Committee Comments re: Neighbourhood Traffic Management

BE IT RESOLVED THAT Council receive the comments submitted by the Pelham Active Transportation Committee (PATC) as they relate to proposed revisions to Policy S801-02 - neighbourhood Traffic Management; and

THAT the PATC comments be forwarded to Staff for consideration in the preparation of a recommendation report to Council.

9.4.3 Pelham Active Transportation Committee Comments re: Pedestrian Crossing on Pelham Street

BE IT RESOLVED THAT Council receive the comments submitted by the Pelham Active Transportation Committee (PATC) as they relate to the Pedestrian Crossing at Pelham Street and Church Hill; and

THAT the comments be forwarded to staff for consideration in the preparation of a recommendation report to Council.

9.5 Information Correspondence Items

9.5.1 Minister of Municipal Affairs and Housing Funding Announcements for Pelham Initiatives

BE IT RESOLVED THAT Council receive for information the following correspondence items from Minister of Municipal Affairs and Housing, Steve Clark:

- 1. Award of Funding for Shared Services Review of Four Municipalities, Municipal Modernization Program re Pelham, Port Colborne, Wainfleet and Welland**
- 2. Award of Funding for Shared Services Review of IT Services in Pelham and Wainfleet**

9.5.2 Funding Announcement - Ontario Community Infrastructure Fund - MPP Oosterhoff

BE IT RESOLVED THAT Council receive for information the Ontario Community Infrastructure Fund Announcement that the Town of Pelham will receive \$485,112, as provided by MPP Oosterhoff

9.5.3 Region of Niagara Report CSD 71-2019 - Water and Wastewater Operating Budget Rate Setting and Requisition

BE IT RESOLVED THAT Regional Report CSD 71-2019 - Budget - Water and Wastewater Operating Budget, Rate Setting and Requisition be received for information.

9.5.4 Region of Niagara Report CSD 70-2019 Revised - Waste Management Services Operating Budget and Requisition

BE IT RESOLVED THAT Council receive Regional Niagara Report CSD 70-2019 Revised - Waste Management Services Operating Budget and Requisition, for information.

9.5.5 Pelham Public Library Board Resolution

BE IT RESOLVED THAT Council receive the correspondence from the Pelham Public Library Board regarding the appointment of an Interim Acting Library Chief Executive Officer, for information.

9.7 Committee Minutes for Information

9.7.1 Cannabis Control Committee Meeting

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated November 6, 2019, November 13, 2019 and November 27, 2019, for information.

Carried

10. Items for Separate Consideration, if Any

10.1 Sign Bylaw 2020 Update, 2020-0010-Fire Dept

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2020-0010 ; and Council consider approval of the sign by-law forming part of February 3rd 2020 Council agenda.

Moved By Mike Ciolfi

Seconded By Lisa Haun

THAT consideration of Report 2020-0010 regarding the sign by-law be postponed until April 6, 2020.

Carried

11. Presentation & Consideration of Reports

11.1 Reports from Members of Council:

No Reports.

11.2 Staff Reports Requiring Action

No Reports.

12. Unfinished Business

None.

13. New Business

None.

14. Presentation and Consideration of By-Laws

On a request by Councillor Ciolfi, the proposed sign by-law was divided for separate consideration.

Moved By Marianne Stewart

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 4191(2020) - Being a by-law to authorize the execution of a Site Plan Agreement for the lands located at 730 Tice Road. 1825115 Ontario Inc. (Greenfield Gardens). File No. SP-07-19

2. By-law 4192(2020) - Being a by-law to authorize the execution of a Site Plan Agreement for the lands located at 1361 Maple Street. Slappendel Greenhouses Inc. File No. SP-08-19

3. By-law 4193(2020) - Being a by-law to authorize the execution of a Site Plan Agreement for the lands located at 1010 Canboro Road. Slappendel Greenhouses Inc. File No. SP-09-19

4. By-law 4194(2020) - Being a by-law to authorize the execution of a Development Agreement for the lands located at 997 Canboro Road. Jonathan & Amy Sinke. File No. DA-02-19

5. By-law 4195(2020) - Being a by-law to authorize the sale of Town-owned lands to Fonthill Gardens Incl., or successors in title, the lands being described on Schedules A and B appended hereto; and to authorize the Mayor and Clerk to execute all necessary documents to complete the transaction; and to authorize the Mayor and clerk to enter into an Agreement with Fonthill Gardens Inc. for the burying of hydro service, hydro transmission lines and all other utilities along Regional Road 20 (Highway 20) as detailed in Schedule Be to the Agreement of Purchase and Sale dated January 13th, 2020; and to repeal and replace By-law #4167(2019)

6. By-law 4196(2020) - Being a by-law to authorize the execution of an Encroachment Agreement for the lands located at 1423 Pelham Street. Barber Family Holdings. File No. D16-01-19

7. By-law 4197(2020) - Being a by-law to remove the Holding (H) Provision executed by By-laws Nos. 3810 (2016) & 4074(2019) for the lands located on the south side of Acacia Road in the Saffron Phase 2 Subdivision; legally described as Parts 10, 12 & 13, Plan 59R-16039. Hert Inc. File No. AM-10-19

8. By-law 4198(2020) - Being a by-law to authorize the execution of a subdivision agreement with Hert Inc. and the Corporation of the Town of Pelham— Saffron Meadows Phase 2

Subdivision. Hert Inc. and the Corporation of the Town of Pelham. File No. 26T19-02014

~~9. By-law 4199 (2020) A By-law prohibiting and regulating Signs, and regulating the placing of Signs upon highways and Buildings, and to Repeal and Replace By-law 3310(2012) as amended by 3548(2014) and 3884(2017) divided~~

10. By-law 4200(2020) Being a by-law authorizing the borrowing of money to meet current expenditures of the Council of the Corporation of the Town of Pelham; And to repeal and replace By-law #4122(2019), being a by-law authorizing borrowing.

Carried

Moved By Mike Ciolfi
Seconded By John Wink

THAT consideration of proposed By-law #4199(2020), being a by-law prohibiting and regulating signs, be postponed until the Council meeting scheduled for April 6, 2020.

Carried

15. Motions and Notices of Motion

15.1 Motion re Downtown Fenwick Parking

Moved By Marianne Stewart
Seconded By John Wink

BE IT RESOLVED THAT Staff be instructed to investigate the potential to acquire real property within the vicinity of the Fenwick Downtown Core with a goal toward development of increased parking availability in the Fenwick Downtown, and report back to Council by the last Regular Council meeting in March, 2020 with options to be considered.

Carried

15.2 Notice of Motion re NCDRA - Haun

Councillor Haun provided Notice that she will bring forward a Motion at the next regular meeting scheduled for February 18, 2020 regarding a potential grant opportunity to seek funding for the installation of automatic gasoline dispensing or pay at the pump gasoline equipment at the Niagara Central Dorothy Rungeling Airport in order to derive increased revenues and

reduce reliance on the municipal tax base as it relates to this airport.

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

Moved By Mike Ciolfi

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

Following the recess, the Mayor called the meeting to reconvene at 6:40 p.m.

Moved By Lisa Haun

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:

Pursuant to the Municipal Act, Sections 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees and (f) advice subject to solicitor-client privilege, including communications necessary for that purpose (1 item)

Carried

19. Rise From In Camera

Moved By Lisa Haun

Seconded By Bob Hildebrandt

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

Carried

Moved By John Wink
Seconded By Bob Hildebrandt

BE IT RESOLVED that the Chief Administrative Officer and the Clerk be and are hereby instructed to formally reach out to the Pelham Public Library board to negotiate a mutually agreeable evening meeting to be held at the Meridian Community Centre for the purpose of discussing issues relating to Library operations, such meeting to occur prior to the end of March, 2020.

Carried

Moved By Mike Ciolfi
Seconded By Lisa Haun

WHEREAS the Town of Pelham officially wishes to achieve savings in the administrative costs of operating the Pelham Public Library system; and further

WHEREAS the Town of Pelham intends to seek solutions to increase the hours of Library operations and is not supportive of any reduction in front-line staff hours, other than Administrative staff hours, at this time;

NOW THEREFORE BE IT RESOLVED THAT any cost-savings achieved by this endeavour will be reinvested in Library operations or capital needs in support of the Library system.

Carried

20. Confirming By-Law

Moved By John Wink
Seconded By Marianne Stewart

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

Being a By-law No. 4201(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 3rd day of February, 2020.

Carried

21. Adjournment

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for February 18, 2020 at 5:30 pm.

Carried

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato