

REGULAR COUNCIL MINUTES

Meeting #: C-07/2020 - Regular Council
Date: Monday, April 27, 2020
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

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

Regrets Ron Kore

Staff Present: David Cribbs
Bob Lymburner
Marc MacDonald
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay
Barbara Wiens
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 5:42 pm. All members and staff attended via electronic means.

The Mayor read remarks into the record regarding the sudden and untimely death of Councillor Mike Ciolfi.

The Mayor further mentioned the terrible loss of life in Nova Scotia.

2. Approval of Agenda

Moved By Bob Hildebrandt

Seconded By Marianne Stewart

BE IT RESOLVED THAT the agenda for the April 27, 2020 Regular meeting of Council be adopted.

Amendment:

Moved By Bob Hildebrandt

Seconded By Lisa Haun

THAT an item of new business be added to the agenda relating to Pelham Communications.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

Amendment:
Moved By Lisa Haun
Seconded By Bob Hildebrandt

THAT an item of new business be added to the agenda relating to the Town's Emergency Management Plan.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

Moved By Bob Hildebrandt
Seconded By Marianne Stewart

BE IT RESOLVED THAT the agenda for the April 27, 2020 Regular meeting of Council be adopted as amended.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

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

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 COVID-19 Update

Fire Chief Lymburner provided Council a verbal up-date regarding the COVID 19 pandemic numbers and how the Niagara Region and the Town of Pelham are coping.

The Fire Chief indicated the Town has now entered the third stage of this pandemic event, being the respond stage and will be eventually moving into the fourth stage being the recovery stage. He indicated the Town's Senior Leadership Team is working on what the recovery stage will look like for the Town.

The Fire Chief indicated an updated Business Continuity Plan would be coming to Council in the near future.

The Fire Chief further indicated the Town has recently received a shipping of PPE (personal protective equipment) therefore we have a good stock of masks.

He further reported there have been mental health issues in the Province being report as individuals are isolating and staying home, the Chief indicated Canadians are doing a good job staying home and encouraged people to exercise, eat health and stay in touch with family and friends.

Moved By Lisa Haun

Seconded By John Wink

BE IT RESOLVED that Council receive the COVID-19 Up-date presentation from Town staff, for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

4.2 Delegations

4.3 Report of Regional Councillor

5. 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. C-06 Regular Council Minutes - April 6, 2020

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

6. Business Arising from Council Minutes

None

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

The Mayor lifted items 8.5.2 and 8.5.6. No other items were lifted.

8. Consent Agenda Items to be Considered in Block

Moved By Lisa Haun

Seconded By Marianne Stewart

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 27th, 2020 Council Agenda be received and the recommendations contained therein be approved, as applicable, save and except Items 8.5.2 and 8.5.6

8.3 Staff Reports of a Routine Nature for Information or Action

8.3.1 First Quarter 2020 Departmental Update Reports

8.3.1.1 Public Works Monthly Report, 2020-0057-Public Works

BE IT RESOLVED Council receives Public Works Monthly Report, 2020-0057 for information.

8.3.1.2 Fire & By-Law Services Monthly Report, 2020-0058-Fire Dept

BE IT RESOLVED Council receives Fire & By-Law Services Monthly Report, 2020-0058 for information.

8.3.1.3 Recreation, Culture & Wellness Monthly Report, 2020-0059-Recreation

BE IT RESOLVED Council receives Recreation, Culture & Wellness Monthly Report, 2020-0059 for information.

8.3.1.4 Corporate Services Monthly Report, 2020-0056-Corporate Services

BE IT RESOLVED Council receives Corporate Services Monthly Report, 2020-0056 for information.

8.3.1.5 Clerk's Department Monthly Report, 2020-0019-Clerks

BE IT RESOLVED Council receives Clerk's Department Monthly Report, 2020-0019 for information.

8.3.1.6 Community Planning & Development Monthly Report, 2020-0051-Planning

BE IT RESOLVED Council receives the Community Planning and Development Monthly Report, 2020-0051 for information.

8.3.2 2020 Gypsy Moth Management Program Information, 2020-0050-Public Works

8.4 Action Correspondence of a Routine Nature

8.4.1 Rett Syndrome Awareness Month - Proclamation Request

BE IT RESOLVED THAT Council receive the proclamation request submitted by the Ontario Rett Syndrome Association; and

THAT Council proclaim October 2020 as Rett Syndrome Awareness Month.

8.4.2 National Day of Mourning - Proclamation Request

BE IT RESOLVED THAT Council receive the proclamation request submitted by Niagara Regional Labour Council;

AND THAT Council proclaim April 28, 2020 as National Day of Mourning;

AND THAT flags be lowered to half-mast to honour the lives that have been forever changed or lost as a result of work-related incident.

8.5 Information Correspondence Items

8.5.1 Niagara Region - Considerations of City of Niagara Falls Withdrawing from Regional Waste Management Services

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 3, 2020, regarding the City of Niagara Falls withdrawal from Regional Waste Management Services, for information.

8.5.2 Niagara Region - Niagara Official Plan, Consultation Details and Revised Framework

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 3, 2020, regarding the Niagara Official Plan, for information.

~~8.5.3 Niagara Region – Development Applications Monitoring Report, 2019 Year End~~

~~BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 3, 2020 regarding the 2019 Year End Development Applications Monitoring Report, for information.— (Lifted)~~

8.5.4 Niagara Region - 2019 Employment Inventory Results Report

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 3, 2020 regarding the 2019 Employment Inventory Results Report, for information.

8.5.5 Message from Ministry of Municipal Affairs and Housing re Suspension of Timelines Associated with Land Use Planning Matters

BE IT RESOLVED THAT Council receive correspondence from the Ministry of Municipal Affairs and Housing regarding the suspension of timelines associated with land use planning matters during the COVID-19 pandemic, for information.

~~8.5.6 Integrity Commissioner Annual Report~~

~~BE IT RESOLVED THAT Council receive the 2019 Annual Report provided by ADR Chambers, Integrity Commissioner Office.— (lifted)~~

8.5.7 Message from Ministry of Municipal Affairs and Housing re Labour Deployment

BE IT RESOLVED THAT Council receive correspondence from the Ministry of Municipal Affairs and Housing regarding labour deployment for municipalities during the COVID 19 pandemic, for information.

8.5.8 Niagara Region - Recent Changes to Niagara Region's Waste Management Service and Programs During COVID-19 Pandemic

BE IT RESOLVED THAT Council receive, for information, correspondence from the Region of Niagara relating to recent changes to Niagara Region's Waste Management Services and Programs during the COVID-19 Pandemic.

8.5.9 Email re: Open in Niagara Business Mapping Tool

BE IT RESOLVED THAT Council receive the email from Kelly Provost regarding the Open in Niagara Business Mapping Tool, for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	

Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

9. Items for Separate Consideration, if Any

9.1 Niagara Region - Niagara Official Plan, Consultation Details and Revised Framework

The Mayor stated the Niagara Region will be updating their Official Plan and stated this means the Town will have to wait to see how this may impact the Town's Official Plan. The Mayor asked if Ms. Wiens, Director of Community and Planning would like to comment. In response, Ms. Wiens indicated the Mayor is correct the Town will have to wait and see how the Region's Official Plan will affect the Town's. Ms. Wien's did indicate she and the Niagara Regional Planners do meet regularly and are given information and updates at their meetings.

Moved By Lisa Haun

Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 3, 2020, regarding the Niagara Official Plan, for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

9.2 Integrity Commissioner Annual Report

The Mayor indicated the Integrity Commission has offered to speak to Council and the Mayor would like a session convened with the Integrity Commissioner in the Fall of 2020.

Moved By Lisa Haun

Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive the 2019 Annual Report provided by ADR Chambers, Integrity Commissioner Office.

Amendment:
Moved By Lisa Haun
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive the 2019 Annual Report provided by ADR Chambers, Integrity Commissioner Office; and
THAT staff be directed to convene a session with Mr. McDermott in the Fall of 2020.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Establishment of Municipal Heritage Committee, 2020-0055-Planning

Moved By Bob Hildebrandt
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2020-055;
and

THAT Council approve the Terms of Reference for the establishment of a Municipal Heritage Advisory Committee attached to this report; and

THAT Council direct staff to proceed with the advertisement for community members to apply for the Municipal Heritage Advisory Committee; and

THAT the appointment of community members to the Municipal Heritage Advisory Committee occur after the temporary provincial and municipal coronavirus COVID-19 pandemic restrictions on meetings of advisory committees has been lifted.

Moved By Bob Hildebrandt
Seconded By Lisa Haun

THAT Consideration of this report be deferred for consideration following the Novel Coronavirus COVID-19 pandemic.

Recorded	For	Against
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink		X
Results	3	2
		Carried (3 to 2)

10.2.2 Short Term Accommodations - April 20, 2020, 2020-0049-Planning

Moved By Lisa Haun
Seconded By John Wink

THAT Council receive Report 2020-0049 as it pertains to Short Term Accommodations Policies and Regulations (file No. AM-12-18);

THAT the revisions made to the Official Plan and Zoning By-law since the public meeting was held are minor in nature and no further public meeting is required;

THAT Council approve the amendments to the Official Plan and Zoning By-law as well as the Licencing By-law for Bed and Breakfast Establishments and Short Term Accommodations.

Amendment:
Moved By Lisa Haun
Seconded By Bob Hildebrandt

THAT this report be receive this report and that consideration be referred to a future Council meeting for consideration

Recorded	For	Against
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink		X
Results	3	2

Carried (3 to 2)

11. Unfinished Business

12. New Business

12.1 Pelham Communication

Added to the agenda as an item of new business, the following motion was presented.

Moved By Bob Hildebrandt
Seconded By Lisa Haun

BE IT RESOLVED THAT the Chief Administrative Officer be appointed as the sole spokesperson for the Town of Pelham, save and except Chief Lymburner's unfettered capacity to provide public safety information, for the duration of this pandemic and/or as decided by Council;

AND THAT Council must be notified of all statements made on behalf of the Town of Pelham, within 24 hours;

AND THAT statements made on the Town's behalf other than those on the Town's official website or by the Chief Administrative Officer or Fire Chief do not represent the Town's or this Council's official position.

Recorded	For	Against
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink		X
Results	3	2

Carried (3 to 2)

12.2 Town Emergency Management Plan

Moved By Lisa Haun
Seconded By Bob Hildebrandt

THAT following a municipal and regional debrief of the response to the COVID-19 Pandemic, that the Town of Pelham engage an independent Emergency Management Consultant to conduct a comprehensive program and plan review of the Town's Emergency Management Business Continuity and Crisis Communication Capacity including the actions and decisions of the Town's Emergency Control Group in response to the public health emergency. The purpose of this is to assure that the

Town's planning response and recovery plans are integrated and robust, taking into consideration Provincial best practices and areas for improvement; and that the report be available to the public;

AND FURTHER that a budget be considered for such purposes, recognizing that this may be referred to the 2021 Budget depending on the timing of the end of the Pandemic.

Moved By John Wink
Seconded By Bob Hildebrandt

THAT consideration of this motion be referred to the 2021 Budget Discussions.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

12.3: While not added to the agenda, Councillor Haun questioned if Council will be provided opportunity to review further the waiving of interest and penalties for tax and water payments to extend until the end of June. While a motion put by the Councillor to this effect, there was no second.

13. Presentation and Consideration of By-Laws

Moved By Bob Hildebrandt
Seconded By Marianne Stewart

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 4219(2020) - Being a by-law to authorize the sale of Town-owned lands to 2494557 Ontario Inc. 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.**
- 2. By-law 4225(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 #4200 (2020), being a by-law authorizing borrowing.

3. By-law 4226(2020) - Being a By-law to Provide for Council Remuneration and Benefits for Members of Council and to Repeal and Replace Council Remuneration By-law 4062(2019).

4. By-law 4227(2020) - Being a by-law to authorize the execution of a site plan agreement for the lands located at Part 5 on RP 59R-16105. Summerside Blvd Inc. File No. SP-03-19

5. By-law 4228(2020) - A By-law to Promote and Regulate Physical Distancing during the COVID-19 Emergency and Establish a System of Administrative Penalties

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

14. Motions and Notices of Motion

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Staff be directed to prepare a report for Council consideration by September 2020, to identify a range of parking options, choices and requirements that are detailed in other Niagara Official Plan documents, specifically as they pertain to new construction and infill development or intensification of use developments.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

15. Matters for Committee of the Whole or Policy and Priorities Committee

None

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

None

17. Resolution to Move in Camera

Moved By John Wink
Seconded By Lisa Haun

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

Pursuant to *Municipal Act, 2001*, Section 239(2)(d) - labour relations and employee negotiations

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

18. Rise From In Camera

Moved By Marianne Stewart
Seconded By John Wink

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise With No Report.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

Moved By Lisa Haun
Seconded By Marianne Stewart

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of April 27th, 2020.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

19. 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. 4230(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 27th day of April, 2020.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

20. Adjournment

Moved By Lisa Haun
Seconded By John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 4, 2020 at 5:30 pm.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
		Carried (5 to 0)

Mayor: Marvin Junkin

Deputy Clerk: Holly Willford