

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-08/2020 - Regular Council  
**Date:** Monday, May 4, 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  
Nancy Bozzato  
Bob Lymburner  
Jason Marr  
Teresa Quinlin  
Vickie vanRavenswaay  
Barbara Wiens  
Holly Willford

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### **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. Attendance by all Members of Council and Staff was electronic, save and except the Deputy Clerk.

The Mayor congratulated the Town of Pelham Minor Hockey Club for being awarded the title "co-champions" for the season, which was cut short due to the COVID 19 pandemic.

### **2. Approval of Agenda**

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

BE IT RESOLVED THAT the agenda for the May 4th, 2020 Regular meeting of Council be adopted.

**Amendment:**

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

**THAT the Agenda be amended to include items 5.1 and 5.2 -  
Adoption of Minutes**

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

**Amendment:**

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the agenda for the May 4th, 2020 Regular meeting of Council be adopted, as amended.**

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

**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 update regarding COVID-19 numbers nationally and province wide along with a community update. He indicated the Senior Leadership Team is working on how the Town will be able to reopen to the public and the measures that will need to be in place to protect the public and staff.

Chief Lymburner indicated the Province has provided guidelines for reopening businesses and discussed some businesses, which are reopening, such as construction.

Chief Lymburner stated he believes we are moving in the right direction and if numbers continue to decline the

Province will slowly open up business and activities. Furthermore, he indicated if we follow the suggestions (wash your hands, do not touch your face, social distance, etc.) we will get back to normal business soon.

**Moved By** Bob Hildebrandt  
**Seconded By** John Wink

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

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

**Moved By** John Wink  
**Seconded By** Marianne Stewart

**BE IT RESOLVED that Council waives the interest and penalties for water, wastewater and property taxes to June 30, 2020.**

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>4</b>	<b>1</b>
		<b>Carried (4 to 1)</b>

**4.1.1.1 Events and Festivals Update, 2020-0064-Recreation**

**Moved By** Bob Hildebrandt  
**Seconded By** Lisa Haun

BE IT RESOLVED THAT Council receive Report #2020 - 0064; and that recommendations within be accepted.

**Moved By** Bob Hildebrandt  
**Seconded By** Marianne Stewart

**THAT the motion be amended by adding the following:**

**WHEREAS the Events and Festivals Report notes that the Shorthills Strawberry Festival has been cancelled by the Fire Fighters,**

**AND WHEREAS the report further recommends that additional events also be cancelled, save and except the Farmers’ Market,**

**THAT effective immediately until September 30, 2020, including but not limited to the Canada Day event which is a virtual celebration and remain encouraged, Council endorse the following:**

**THAT Pelham Summerfest, the Bandshell Concert Series be cancelled, and the Pelham Supper Market is hereby also to be cancelled subject to the new health regulations or directions from Senior Government;**

**AND THAT staff be directed to return with an appropriate report and recommendations regarding the Supper Market in the event that the public health guidelines are issued prior to the expiration of the traditional Pelham Supper Market season.**

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Marianne Stewart	X	

John Wink		X
<b>Results</b>	<b>3</b>	<b>2</b>

**Carried (3 to 2)**

**Moved By** Bob Hildebrandt  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT** Council receive Report #2020 - 0064; and that recommendations within be accepted; and **WHEREAS** the Events and Festivals Report notes that the Shorthills Strawberry Festival has been cancelled by the Fire Fighters,

**AND WHEREAS** the report further recommends that additional events also be cancelled, save and except the Farmers’ Market,

**THAT** effective immediately until September 30, 2020, including but not limited to the Canada Day event which is a virtual celebration and remain encouraged, Council endorse the following:

**THAT** Pelham Summerfest, the Bandshell Concert Series be cancelled, and the Pelham Supper Market is hereby also to be cancelled subject to the new health regulations or directions from Senior Government;

**AND THAT** staff be directed to return with an appropriate report and recommendations regarding the Supper Market in the event that the public health guidelines are issued prior to the expiration of the traditional Pelham Supper Market season.

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	

Marianne Stewart	X	
John Wink		X
<b>Results</b>	<b>3</b>	<b>2</b>
<b>Carried (3 to 2)</b>		

#### 4.1.1.2 Town of Pelham Business Continuity Plan Update 2, 2020-0066-Chief Administrator Officer

**Moved By** Lisa Haun

**Seconded By** John Wink

**BE IT RESOLVED THAT Council receive Report #2020-0066-CAO, for information.**

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

## 4.2 Delegations

### 4.2.1 Cannabis Control Committee

Mr. Tim Nohara, Chair of the Cannabis Control Committee and Mr. Nick McDonald, Planner at Meridian Planning Consultants made a verbal presentation to Council and provided response to all questions.

**Moved By** Marianne Stewart

**Seconded By** John Wink

**BE IT RESOLVED that Council received the delegation from Tim Nohara, Chair of the Cannabis Control Committee and Nick McDonald, Meridian Planning Consultants, for information; and**

**THAT that Council receive for information the :**

**1. Regulating Cannabis in Pelham report prepared by Meridian Planning Consultants, dated April 14th, 2020;**

**2. Draft Official Plan Amendment; and**

**3. Draft Zoning By-Law Amendment; and**

**THAT Council consider passing the draft by-laws at a future Council Meeting.**

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

#### **4.3 Report of Regional Councillor – No Report**

#### **5. Adoption of Minutes**

**Moved By** Lisa Haun

**Seconded By** Bob Hildebrandt

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

**1. C07-2020 Regular Council Minutes of April 27, 2020; and**

**2. Special Council Minutes of April 27, 2020.**

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

#### **6. Business Arising from Council Minutes - None**

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

None.

#### **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 May 4th, 2020 Council Agenda be received and the recommendations contained therein be approved, as applicable.**

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8.4 Action Correspondence of a Routine Nature

8.4.1 Town of Fort Erie - Resolution regarding Canada/US Border Crossing - Essential Traffic - COVID-19

BE IT RESOLVED that the Town of Fort Erie resolution regarding Canada and US Border Crossing for Essential Traffic during the COVID-19 pandemic be received and that Council endorse and support the resolution.

8.5 Information Correspondence Items

8.5.1 Niagara Region - Optional Tax on Vacant Residential Units

BE IT RESOLVED THAT Council receive the correspondence from the Niagara Region dated April 24, 2020 regarding the Optional Tax on Vacant Residential Units Report, for information.

8.5.2 Niagara Region - COVID-19 Preliminary Overview of Financial Impacts

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 24, 2020 regarding the COVID-19 Preliminary Overview of Financial Impact Report, for information.

8.5.3 Niagara Region - 2019 End of Year Growth Report

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 24, 2020 regarding the 2019 End of Year Growth Report, for information.

8.5.4 Niagara Region - 2019 Reserve Water and Wastewater Treatment Capacities

BE IT RESOLVED THAT Council receive correspondence from the Niagara Region dated April 24, 2020, regarding the 2019 Reserve Water and Wastewater Treatment Capacities Report, for information.

8.7. Committee Minutes for Information

8.7.1 Cannabis Control Committee Minutes

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated February 5, 2020, February 12, 2020, February 26, 2020, March 5, 2020 and March 11, 2020, for information.

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

**9. Items for Separate Consideration, if Any**

**10. Presentation & Consideration of Reports**

**10.1 Reports from Members of Council:**

**10.2 Staff Reports Requiring Action**

**10.2.1 2020 Council Vacancy, 2020-0060-Clerks**

**Moved By** John Wink

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2020-0060-Clerks;**

**AND THAT Council of the Town of Pelham, in accordance with section 262 of the *Municipal Act, 2001*, S.O. 2001, c. 25, hereby declares one Ward One Councillor seat for the Town of Pelham to be vacant, effective immediately;**

**AND THAT such vacancy be filled through Option # 2, being the By-Election Option, as detailed herein.**

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

**10.2.2 Proposed MCC Energy Saving Ice Technology installation, 2020-0061-Recreation**

**Moved By** Marianne Stewart

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive Report #2020-0061; and that Council support the installation of Magnavitalis energy saving ice technology at the Meridian Community Centre.**

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

**11. Unfinished Business**

**12. New Business**

**12.1 Appointment of Member of Council to Town Advisory Committees**

**Moved By** Bob Hildebrandt  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT** the following Members of Council be appointed to Town of Pelham Advisory Committees, effective immediately:

- Cannabis Control Committee, Councillor Hildebrandt
- Meridian Community Centre User Group Committee, Councillor Stewart
- Meridian Community Centre Hospitality Committee, Councillor Wink
- Town of Pelham Beautification Committee, Mayor Junkin

**AND THAT** Council authorize all Town of Pelham Advisory Committees that are desirous of convening meetings through electronic means to do so, to be administered through the Town staff liaison representative.

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

**13. Presentation and Consideration of By-Laws**

**Moved By** John Wink  
**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 #4231(2020) - Being a by-law to amend By-law No. 4107(2019), as Amended by By-Law 4217 (2020) being a by-law to govern the proceedings of the Town of Pelham Council, its Committees, the conduct of its members and the calling of meetings, to provide for Electronic Meetings During a Declared Emergency for the Conduct of Committee of Adjustment Meetings.**
- 2. By-law #4199(2020)- Being 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).**
- 3. By-law #4232(2020) - Being a By-law to amend by-law #4223(2020) known as the Town of Pelham Open Air Burning By-law to incorporate an Administrative Municipal Penalty System (AMPS) in regard to Offences and Penalties.**
- 4. By-law #4233(2020) - Being a by-law to amend by-law #97-2010 known as the Town of Pelham Dog Control By-law to incorporate an Administrative Municipal Penalty System (AMPS) in regard to Offences.**

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

- 14. Motions and Notices of Motion**
- 15. Matters for Committee of the Whole or Policy and Priorities Committee**
- 16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee**
- 17. Resolution to Move to In Camera**  
**Moved By** Bob Hildebrandt  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider a matter under Section 239 (2) of the Municipal Act, as follows:**

**(d) - labour relations or employee negotiations;**

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

**18. Rise From In Camera**

**Moved By** Lisa Haun  
**Seconded By** John Wink

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

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

**Moved By** Marianne Stewart  
**Seconded By** Bob Hildebrandt

**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 4th, 2020.**

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

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. 4235(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 4th day of May, 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 Marianne Stewart  
Seconded By Lisa Haun

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 19th, 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)		

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Mayor: Marvin Junkin

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Deputy Clerk: Holly Willford