

REGULAR COUNCIL MINUTES

Meeting #: C-03/2021
Date: Tuesday, February 16, 2021
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
Ron Kore
Wayne Olson
Marianne Stewart
John Wink

Staff Present: David Cribbs
Nancy Bozzato
Ryan Cook
Bob Lymburner
Jason Marr
Teresa Quinlin
Barbara Wiens
Sarah Leach
Jennifer Stirton

Other: Matt Robinson, Scott Fraser, Heather Talbot,
Brendan McIlhone and Eric Gillespie, Agenda Item
4.1.1

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:32 p.m.

2. Approval of Agenda

The Mayor noted that beginning March 1, 2021 he will more strictly enforce the 10-minute delegation time limit for delegations and presentations to Council, in an effort toward improving meeting efficiencies.

Moved By Wayne Olson

Seconded By Ron Kore

BE IT RESOLVED THAT the agenda for the February 16th, 2021 Regular meeting of Council be adopted.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 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 Report LNTC-C 4-2020 - Niagara Region Transit Governance Study

Representatives from the project team or the Niagara Region Transit Governance Study presented information relating to the initial study findings and were available to answer questions by Council.

Moved By Bob Hildebrandt

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the presentation from Matt Robinson from the Region of Niagara Transit Project Team, regarding the Niagara Region Transit Governance Study, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	

Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

4.1.2 COVID-19 Pandemic Update Report

The Chief Emergency Management Co-Ordinator, Fire Chief Lymburner provided a COVID-19 pandemic update relating to statistical information, hospital admissions and the recent changes in lockdown status as well as vaccination statistics across Ontario.

Moved By John Wink

Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from B. Lymburner, Fire Chief and Community Emergency Management Co-Ordinator, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

4.1.3 COVID-19 Pandemic Update Report - Administration

The Chief Administrative Officer provided an update on the Town's continued administration during the ongoing pandemic.

Moved By Marianne Stewart

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from D. Cribbs, Chief Administrative Officer, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

4.2 Delegations: None

4.3 Report of Regional Councillor: No Report

5. Adoption of Minutes

Moved By Ron Kore

Seconded By John Wink

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

1. SC-01/2021 Special Council Minutes - January 25, 2021

2. C-02/2021 Regular Council Minutes - February 1, 2021

3. SC-02/2021 Special Council Minutes - February 1, 2021

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

6. **Business Arising from Council Minutes:** None
7. **Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**

The following items were lifted for separate consideration:

Item 8.3.1 - 2020 Pelham Distribution System Summary Report

Item 8.5.2 - Niagara Chapter Trout Unlimited Canada Correspondence

8. **Consent Agenda Items to be Considered in Block**

Moved By Wayne Olson

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the February 16, 2021 Council Agenda be received and the recommendations contained therein be approved, as applicable.

8.3 Staff Reports of a Routine Nature for Information of Action

~~8.3.1 2020 Pelham Distribution System Summary Report, 2021-0013-Public Works~~

~~BE IT RESOLVED THAT Council receive Report # 2021-0013 Pelham Water Distribution System Summary Report for information (lifted)~~

8.3.2 Operational Challenges Resulting From Critical Fleet Breakdown , 2021-0045-Public Works

BE IT RESOLVED THAT Council receive Report #2021-0045, Operational Challenges Resulting from Critical Fleet Breakdown, for information.

8.5 Information Correspondence Items

8.5.1 City of St. Catharines re: Town of Pelham Motion 988 Crisis Line

BE IT RESOLVED THAT Council receive correspondence from the City of St. Catharines supporting the Town of Pelham Motion regarding the 988 Crisis Line Initiative, for information.

~~8.5.2 Letter from Niagara Chapter Trout Unlimited Canada re: Rice Road Stormwater Pond Erosion~~

~~BE IT RESOLVED THAT Council receive correspondence from Niagara Chapter Trout Unlimited Canada dated January 30, 2021, regarding Rice Road Stormwater Pond Erosion, for information;~~

~~AND THAT the correspondence be referred to staff for consideration in preparation of the staff report on this matter. (lifted)~~

8.5.3 Letter from Fonthill Lions Club re: Rice Road Stormwater Pond Erosion

BE IT RESOLVED THAT Council receive correspondence from the Fonthill Lions Club dated February 2, 2021, regarding Rice Road

Stormwater Pond Erosion, for information;

AND THAT the correspondence be referred to staff for consideration in preparation of the staff report on this matter.

8.5.4 Mike Jones, Pelham Tree Conservation Society re Steve Bauer Trail

BE IT RESOLVED THAT Council receive the correspondence, video and petition submitted by Mike Jones, Pelham Tree Conservation Society, regarding the Steve Bauer Trail, for information.

8.6 Regional Municipality of Niagara - Action Items

8.6.1 Regional Niagara Recommendations for Consideration from Linking Niagara Transit Committee

BE IT RESOLVED THAT the Council receive the correspondence from the Regional Municipality of Niagara dated November 23, 2020 regarding the recommendations for consideration from the Linking Niagara Transit Committee meeting of October 21, 2020;

AND THAT the associated Report LNTC-C-4-2020 be directed to staff for analysis;

AND THAT staff provide a report to Council for the special meeting scheduled February 25, 2021.

8.7 Committee Minutes for Information

8.7.1 Committee of Adjustment Minutes (as amended)

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated December 1, 2020 and January 21, 2021, for information.

8.7.2 Pelham Library Board Minutes

BE IT RESOLVED that Council receive the Pelham Library Board minutes dated December 9, 2020, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

9. Items for Separate Consideration, if Any

9.1 2020 Pelham Distribution System Summary Report, 2021-0013-Public Works

Moved By Wayne Olson

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report # 2021-0013 Pelham Water Distribution System Summary Report for information

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

9.2 Letter from Niagara Chapter Trout Unlimited Canada re: Rice Road Stormwater Pond Erosion

Moved By Wayne Olson

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive correspondence from Niagara Chapter Trout Unlimited Canada dated January 30, 2021, regarding Rice Road Stormwater Pond Erosion, for information;

AND THAT the correspondence be referred to staff for consideration in preparation of the staff report on this matter.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	

Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

Moved By Bob Hildebrandt
Seconded By John Wink

THAT Staff be directed to prepare a report detailing the Town's future approach relating to the fencing of stormwater management ponds, which report shall explore and include a range of options, with the report to be submitted for Council consideration by the Summer of 2021.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

No reports.

10.2 Staff Reports Requiring Action

10.2.1 AMPS parking bylaw amendment 2021, 2021-0042-Fire Dept

Moved By John Wink
Seconded By Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2021-0042;
AND THAT Council approve the partial repeal and replacement
of AMPS bylaw 3505(2014), as amended, as included on the
February 16, 2021 Council agenda.**

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

**10.2.2 Zoning By-law Amendment (AM-09-2020) 3 Hurricane Rd
- Recommendation Report, 2021-0041-Planning**

Questions regarding fencing, drainage and trees were discussed.

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2021-0041 as it
pertains to 3 Hurricane Road (file no. AM-09-2020); and
AND THAT Council adopt the site specific Zoning By-law
amendment, attached hereto as Appendix C, amending the
zoning for 3 Hurricane Road at its next regular meeting.**

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

11. Unfinished Business

11.1 Assumption of Residences at Lookout Subdivision, 2021-0028-
Public Works

Moved By Lisa Haun
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2020-0028,
Assumption of Residences at Lookout Subdivision;

AND THAT Council assume the municipal services in Residences
at Lookout subdivision and open the streets within the
subdivision as ‘public highways’ by by-law in accordance with
the Subdivision Agreement.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

11.2 Pelham Succession Management Policy and Plan, 2021-0025-
Chief Administrator Officer

The Chief Administrative Officer presented the Pelham Succession
Management Policy and Plan and provided background information as
to the development of the documents.

Moved By Ron Kore
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0025 –
Chief Administrative Officer; and THAT Council Receive this
Report for Information Purposes;

AND THAT Council approve the attached Succession
Management Policy, S600-25;

AND THAT Policy S600-25 approved in 2013 be repealed and replaced.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

12. New Business

None.

13. Presentation and Consideration of By-Laws

Moved By John Wink
Seconded By Bob Hildebrandt

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. 4317(2021) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the west side of Rice Road south of Walker Road, legally described as Part of Lot 171, Geographic Township of Thorold, Town of Pelham, Regional Municipality of Niagara, from the Agricultural (A) zone to a site specific Residential Multiple 1 (RM1-300) zone. Town of Pelham. File No. AM-06-20**
- 2. 4318(2021) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 11. 1304 Rice Road. Saffron Valley Phase 2**

3. 4319(2021) - Being a By-law to Repeal and Replace By-law #3505(2014) as amended being a By-law to establish an Administrative Municipal Penalty System (AMPS) in respect to the enforcement of traffic, parking, standing or stopping of vehicles.

4.4321(2021) - Being a by-law to accept one foot reserves being Parts 1 and 2, Plan 59R-16879, Part of Block 2 on Plan 59M-481 pursuant to the subdivision agreement for Phase 1 of Saffron Meadows Phase 3. (File No. 26T19-02-2018)

5. 4322(2021) - Being a by-law to assume the subdivision known as Residences at Lookout Subdivision and to designate the streets as shown on Registered Plan 59M-403 as public highways and to name the streets accordingly.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

14. Motions and Notices of Motion

14.1 Public Consultation Process

Moved By Marianne Stewart
Seconded By Lisa Haun

Moved by Councillor Stewart; Seconded by Councillor Haun

WHEREAS Council for the Town of Pelham requested that Staff undertake a review of the City of Burlington’s public participation process for development applications and report back to Council;

AND WHEREAS Report #2021-0027, Review of the City of Burlington’s Public Participation Process – Development Applications was received for information by Council at their regular meeting of February 1, 2021;

AND WHEREAS said report outlines generally the Pre-Application Community Meeting Protocol used by the City of Burlington;

AND WHEREAS said report identifies that implementation of a similar protocol will require further analysis regarding implementation requirements, staff and meeting room resources, a policy amendment given that the Pre-Application Meeting has no legislative authority, and consultation with the development community, as well as implications on staff work load and resources;

NOW BE IT RESOLVED THAT Council directs staff to continue the analysis as it pertains to implementation requirements for a Pre-Application Community Meeting Protocol and report back to Council by the end of May 2021 with a recommended implementation plan.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

14.2 Ciolfi Dedication Project

Moved By Lisa Haun
Seconded By Marianne Stewart

WHEREAS on October 19, 2020 a Notice of Motion was presented outlining the notion of the formation of a Working Group to explore options to honor the late Councillor, Mike Ciolfi;

AND WHEREAS at a regular meeting of November 2, 2020, Council endorsed the establishment of a limited duration working group for the Councillor Ciolfi Dedication Project to be located in the serverly / bar area on the second floor of the Meridian Community Centre;

AND WHEREAS the Working Group has had initial meetings and created a concept that they believe to be appropriate in scope, scale and content to honor Councillor Ciolfi by including elements that are representative of activities that were important to him;

NOW THEREFORE BE IT RESOLVED that the Town provide a mixed operating and capital budget of \$5,000 to provide seed money to the Working Group to create the memorial;

AND FURTHER that the memorial be created using local labour, local artistic talent and include images of both accomplished Pelham athletes and way-finding signage/interactive mapping of the Town and its hiking trails, parks and cycling routes;

AND FURTHER that members of the Councillor Ciolfi Dedication Project Working Group be authorized to approach appropriate parties on behalf of the Town to inform them of the specifics of the memorial and explain options for involvement, including donations, for which the Town of Pelham will issue charitable tax receipts for donations exceeding \$20.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 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 Ron Kore

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:

(i) - a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

18. Rise From In Camera

During the closed session portion, a procedural motion was passed to extend the curfew for the meeting.

Moved By John Wink
Seconded By Marianne Stewart

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 9:00 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 Wayne Olson
Seconded By Ron Kore

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

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

Moved By Bob Hildebrandt
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 February 16, 2021.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

19. Confirming By-Law

Moved By Marianne Stewart
Seconded By Lisa Haun

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

Being a By-law No. 4323(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 16th day of February, 2021.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

20. 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 March 1, 2021 at 5:30 pm.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	

John Wink

X

Results

7

0

Carried (7 to 0)

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato