

REGULAR COUNCIL MINUTES

Meeting #: C-09/2021 Regular Council
Date: Monday, May 17, 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
Bob Lymburner
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Charlotte Tunikaitis
Sarah Leach
Jennifer Stirton

1. Call to Order and Declaration of Quorum

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

2. Approval of Agenda

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the May 17th, 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 COVID-19 Pandemic Update - CEMC

Fire Chief and Community Emergency Management Co-Ordinator presented updated information as it relates to the ongoing worldwide pandemic, COVID-19.

Moved By Bob Hildebrandt

Seconded By Ron Kore

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)

4.1.2 COVID-19 Pandemic Update - CAO

Mr. David Cribbs, CAO, commented the Town of Pelham trail systems are being well used by residents. He further advised staff are cleaning and maintaining the trails daily. In addition, Mr. Cribbs stated staff are experiencing difficulties with enforcement at the skateboard park. He stated this has been a common issue among municipalities.

Moved By Lisa Haun

Seconded By Marianne Stewart

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

4.2.1 Steven Soos - Petition to the House of Commons re Declaration of National Emergency on Mental Health

Mr. Steven Soos stated he was before Council seeking their support and endorsement for a petition to seek a study on the merits of declaring a national emergency for mental health.

Moved By Marianne Stewart

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the delegation from Steven Soos regarding petition E-3351 calling upon the House of Commons to launch a study into the merits of declaring a national emergency on mental health, for information.

Amendment:

Moved By Wayne Olson

Seconded By John Wink

THAT the motion be amended to include:

AND THAT Council support and endorse petition E-3351;

AND THAT Council for the Town of Pelham direct the Town Clerk to circulate the endorsement to Prime Minister Justin Trudeau, Members of the Standing Committee on Health, Premier Doug Ford, Minister of Health Patty Hajdu, MP Dean Allison, MPP Sam Oosterhoff, the Niagara Region and Local Area Municipalities.

	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)		

Main Motion as Amended:

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive the delegation from Steven Soos regarding petition E-3351 calling upon the House of Commons to launch a study into the merits of declaring a national emergency on mental health, for information;

AND THAT Council support and endorse petition E-3351;

AND THAT Council for the Town of Pelham direct the Town Clerk to circulate the endorsement to Prime Minister Justin Trudeau, Members of the Standing Committee on Health, Premier Doug Ford, Minister of Health Patty Hajdu, MP Dean Allison, MPP Sam Oosterhoff, the Niagara Region and Local Area Municipalities.

	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)

4.3 Report of Regional Councillor

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. C-08-2021 - Regular Council Minutes - May 3, 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

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

Councillor Hildebrandt requested item 8.5.6 be lifted for discussion.

8. 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 May 17th, 2021 Council Agenda be received and the recommendations contained therein be approved, save and except item 8.5.6, as applicable:

- 8.4. Action Correspondence of a Routine Nature
 - 8.4.1. Niagara Health System - World Hepatitis Day

BE IT RESOLED THAT the Corporation of the Town of Pelham hereby proclaim July 28, 2021 as World Hepatitis Day.

8.4.2. Pelham Audit and Finance Committee - Recommendation Letter

BE IT RESOLVED that Council receive the Recommendation Letter from the Pelham Audit and Finance Committee dated May 6 2021;

AND THAT Council approve and endorses the recommendations therein, and that:

Council approve the 2020 Town of Pelham Consolidated Financial Statements.

8.5. Information Correspondence Items

8.5.1. Niagara Region Report CSD 23-2021 - 2021 Property Tax Policy, Ratios and Rates

BE IT RESOLVED THAT Council receive the Niagara Region report CSD 23-2021 2021 Property Tax Policy, Ratios and Rates, for information.

8.5.2. City of Welland Resolution - Rescind Approval of the Uptake of Governance for the Transfer of the NCDRA and NDA to the Niagara Region

BE IT RESOLVED THAT Council receive correspondence from the City of Welland dated April 26, 2021, rescinding approval regarding the uptake of governance for the transfer and operating authority of the NCDRA and NDA, for information.

8.5.3. NPCA Board Meeting Highlights

BE IT RESOLVED THAT Council receive the NPCA Board Meeting highlights dated March 19, 2021 and April 16, 2021, for information.

8.5.4. Department of Canadian Heritage - Funding for Canada Day Community Celebrations

BE IT RESOLVED THAT Council receive correspondence from the Department of Canadian Heritage regarding approval of funding in the amount of \$14,650 for Canada Day Community Celebrations in the Town of Pelham, for information.

8.5.5. Save Your Skin Foundation - Thank You Letter

BE IT RESOLVED THAT Council receive a thank you letter from the Save Your Skin Foundation with regard to proclaiming May 2021 as Melanoma Awareness Month in the Town of Pelham, for information.

~~8.5.6. Integrity Commissioner Review Report – IC-12628-0221~~

~~BE IT RESOLVED THAT Council receive for information the Integrity Commissioner correspondence, File IC-12628-0221. (lifted)~~

8.7. Committee Minutes for Information

8.7.1. Pelham Active Transportation Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Active Transportation Committee minutes dated: January 21, 2020, June 16, 2020 and May 12, 2020, for information.

8.7.2. Pelham Seniors Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Seniors Advisory Committee minutes dated February 18, 2021, for information.

8.7.3. Pelham Art Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Art Advisory Committee minutes dated December 16, 2020, for information.

8.7.4. MCC User Group RoundTable Minutes

BE IT RESOLVED THAT Council receive the MCC User Group RoundTable minutes dated November 19, 2020, for information.

8.7.5. Pelham Finance and Audit Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Finance and Audit Committee minutes dated February 10, 2021, 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 Integrity Commissioner Review Report - IC-12628-0221

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive for information the Integrity Commissioner correspondence, File IC-12628-0221.

Amendment:

Moved By Bob Hildebrandt

Seconded By Ron Kore

THAT the motion be amended to include:

AND THAT Council direct staff to prepare a report recommending options to ensure the municipality is provided a copy of any documents or report provided from the Integrity Commissioner to the complainant or elected official requesting advice;

AND THAT staff report back to Council by August 23, 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)

Main Motion as Amended:

Moved By Bob Hildebrandt

Seconded By Ron Kore

BE IT RESOLVED THAT Council receive for information the Integrity Commissioner correspondence, File IC-12628-0221;

AND THAT Council direct staff to prepare a report recommending options to ensure the municipality is provided a copy of any documents or report provided from the Integrity Commissioner to the complainant or elected official requesting advice;

AND THAT staff report back to Council by August 23, 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:

10.1.1 Councillor Olson

Councillor Olson briefly discussed a Climate Change and Asset Management program he attended from AMO.

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Councillor Olson's Report regarding Climate Change and Asset Management be received 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)

10.1.2 Councillor Haun

Councillor Haun indicated attending the Niagara Region Transportation Steering Committee meeting are difficult for her schedule and that Councillor Stewart has agreed to be a replacement. Councillor Stewart stated this was correct.

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Councillor Stewart be and is hereby appointed to the Transportation Steering Committee in replacement of Councillor Haun, effective immediately.

	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 Staff Reports Requiring Action

10.2.1 2020 Year-end Building Department Report, 2021-0084-Corporate Services

Moved By Marianne Stewart

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0084 – 2020 Year-end Building Department 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)

10.2.2 2020 Reserve and Reserve Fund Report, 2021-0087-Corporate Services

Moved By Wayne Olson

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0087-2020 Reserve and Reserve Fund Report, for information;

AND THAT Council direct the 2020 Annual Treasurer’s Statement of Reserve Funds for Development Charges and 2020 Annual Treasurer’s Parkland Dedication Reserve Fund Statement be made available to the public upon request.

	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)		

10.2.3 December 2020 Financial Report, 2021-0080-Corporate Services

Moved By Ron Kore
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0080-Corporate Services, December 2020 Financial 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)		

10.2.4 March 2021 Financial Reports, 2021-0082-Corporate Services

Moved By Lisa Haun
Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2021-0082-Corporate Services, March 2021 Financial Reports, 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)

10.2.5 Meridian Community Centre Spectator Video Streaming, Gymnasiums and Rinks, 2021-0091-Recreation

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0091 Meridian Community Centre Spectator Video Streaming, Arena and Gymnasiums 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)

10.2.6 Traffic Signal Maintenance Agreement with Niagara Region, 2021-0056-Public Works

Moved By Wayne Olson
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0056 Traffic Signal Maintenance Agreement with the Niagara Region, for information;

AND THAT Council APPROVE the Traffic Signal Maintenance Agreement with the Regional Municipality of Niagara;

AND THAT Council AUTHORIZE the renewal of the Traffic Signal Maintenance Agreement with the Regional Municipality of Niagara through the Town of Pelham’s Director of Public Works on an annual basis.

AND THAT the Town Clerk be directed to prepare the necessary by-law in accordance with this 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)

10.2.7 St. Catharines Fish Habitat Compensation Project, 2021-0099-Town Solicitor

Moved By Bob Hildebrandt
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report # 2021-0099 – Request from City of St. Catharines for Town of Pelham Consent to Proceed with Fish Habitat Compensation Project in Twelve Mile Creek, for information;

AND THAT Council consent to the request from the City of St. Catharines to proceed with a fish habitat compensation project in Twelve Mile Creek in the Town of Pelham.

Moved By John Wink
Seconded By Ron Kore

BE IT RESOLVED THAT Council refer the report back to staff for further information with respect to necessary steps for approvals and public consultation;

AND THAT Staff report back to Council by June 7th, 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	5	2

Carried (5 to 2)

10.2.8 Information Report - Second Dwelling Units - What We Heard, 2021-0096-Planning

Moved By John Wink
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0096 – Second Dwelling Units: What We Heard, 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)

10.2.9 Park Place South Draft Plan of Subdivision and Zoning By-law Amendment May 17 2021, 2021-0098-Planning

Moved By Wayne Olson
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0098 Park Place South Draft Plan of Subdivision and Zoning By-law Amendment Supplementary Report, for information as it pertains to File Nos. 26T9-02-20 and AM-08-20;

AND THAT Council ratify the motion approved on March 22nd, 2021 to reconfigure Blocks 35-39 to allow 4 units vs. 8 units with a minimum 3m side yard for the Park Place South Subdivision;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council’s consideration at the next Council meeting;

AND THAT Council approve the Draft Plan of Subdivision and conditions of draft plan approval as contained in Appendix A and B in this report.

Amendment:
Moved By Bob Hildebrandt
Seconded By John Wink

THAT the motion be amended to strike the last 3 paragraphs of the motion and replace with:

AND THAT Council rescind the motion to reconfigure Blocks 35-39 to allow 4 units vs. 8 units with a minimum 3m side yard as approved on March 22, 2021;

AND THAT Council approve a minimum setback of 7.5m for the back to back townhouses;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment as proposed in Report #2021-0052 presented to Council on March 22, 2021 for Council’s consideration at the next meeting;

AND THAT Council approve the Draft Plan of Subdivision and conditions draft plan approval as contained Appendix A and B in Report #2021-0052 presented to Council on March 22, 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)

Main Motion as Amended:

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2021-0098 Park Place South Draft Plan of Subdivision and Zoning By-law Amendment Supplementary Report, for information as it pertains to File Nos. 26T9-02-20 and AM-08-20;

AND THAT Council rescind the motion to reconfigure Blocks 35-39 to allow 4 units vs. 8 units with a minimum 3m side yard as approved on March 22, 2021;

AND THAT Council approve a minimum setback of 7.5m for the back to back townhouses;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment as proposed in Report #2021-0052 presented to Council on March 22, 2021 for Council's consideration at the next meeting;

AND THAT Council approve the Draft Plan of Subdivision and conditions draft plan approval as contained Appendix A and B in Report #2021-0052 presented to Council on March 22, 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)

11. Unfinished Business

12. New Business

Councillor Haun stated Zimmer Air will be using the Niagara Central Dorothy Rungeling Airport for staging in anticipation of the gypsy moth spraying.

13. Presentation and Consideration of By-Laws

Moved By Ron Kore
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. By-law 4348(2021) - Being a by-law to appoint a Town Clerk for the Corporation of the Town of Pelham.**
- 2. By-law 4349(2021) - Being a by-law to appoint Sarah Leach as Deputy Clerk for the Corporation of the Town of Pelham.**

	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

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

WHEREAS the Town of Pelham’s Senior Advisory Committee regularly meets to discuss ongoing issues affecting seniors;
AND WHEREAS the Senior Advisory Committee has identified access to essential services, through electronic means only, as an accessibility issue for seniors and vulnerable populations;
AND WHEREAS the Town of Pelham is committed to working with its Seniors Advisory Committee to ensure all seniors and

vulnerable populations have access to all essential services by means other than digital, as a duty to accommodate accessibility;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham requests the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff support requesting the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario to review, and take action if necessary, whether the changes of digitizing essential services are barring seniors and vulnerable populations from accessing essential services, and to advocate for seniors and vulnerable populations and their rights to access essential services;

AND THAT Council for the Town of Pelham direct the Town Clerk to circulate and request the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff endorse and support this resolution;

AND THAT Council for the Town of Pelham direct the Town Clerk to forward any and all received resolutions supporting this endeavour to the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario for his 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)

- 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 in Camera

18. Rise From In Camera

19. Confirming By-Law

Moved By Lisa Haun
Seconded By John Wink

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

Being a By-law No. 4350(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 17th day of May, 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 June 7, 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

Acting Town Clerk: Holly Willford