

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-10/2021 - Regular Council  
**Date:** Monday, June 7, 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  
Sarah Leach  
Jennifer Stirton  
Brianna Langohr  
Ryan Cook

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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 5:40pm.

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

**Moved By** Wayne Olson

**Seconded By** Ron Kore

**BE IT RESOLVED THAT the agenda for the June 7, 2021 Regular meeting of Council be adopted, as circulated.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	

Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**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.

The Mayor indicated he had some announcements he wished to make.

The Mayor congratulated Ms. Leah Letford, the Town's Special Events and Festivals Programmer and Mr. Marc McDonald, Town's Communications and Public Relations Specialist for winning Link Media Groups 40 professionals under the age of 40 award.

The Mayor congratulated the Town Treasurer and Deputy Treasurer for being the first municipality in Niagara to file its Financial Information Return with the Province.

The Mayor stated the month of June is Pride Month and indicated he had the pleasurer to be joined by members of Pride Niagara and Councillor Olson to raise the pride flag in front of Town Hall.

The Mayor advised June is also Senior's Month and that the senior's flag will be raised later in the week in front of Town Hall. The Mayor further stated there is be a dedication of a flowerbed at the MCC.

The Mayor stated June 7-13 is Ontario Local Food Week and encouraged residences to shop local and support farmers.

### **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** John Wink

**Seconded By** Bob Hildebrandt

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

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

**Carried (7 to 0)**

**4.1.2 COVID-19 Pandemic Update - CAO**

Mr. David Cribbs, CAO, advised Council the Town has 18 picnic tables being lent to various local businesses and advised there are 6 other picnic tables available, first come, first serve.

**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.**

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

**Carried (7 to 0)**

**4.2 Delegations**

**4.2.1 Brian Green, Trout Unlimited Canada**

Mr. Brian Green from Trout Unlimited Canada provided a verbal presentation to Council with respect to why he believes the proposed St. Catharines fish habitat compensation project in the Twelve Mile Creek is important. Mr. Green answered various questions from Council.

**Moved By** Ron Kore

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive the presentation from Brian Green, Trout Unlimited Canada, regarding the Fish Habitat Compensation Project in Twelve Mile Creek, for information.**

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

**Carried (7 to 0)**

**4.3 Report of Regional Councillor**

**5. Adoption of Minutes**

Councillor Wink requested the motion be divided as he did not attend the May 31st, 2021 Special Council Meeting.

**Moved By** Wayne Olson

**Seconded By** Lisa Haun

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

1. C-09-2021 Regular Council Minutes - May 17, 2021; and
2. SC-08-2021 - Special Council Meeting - May 31, 2021

**Moved By** Wayne Olson

**Seconded By** Lisa Haun

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

**1. C-09-2021 Regular Council Minutes - May 17, 2021.**

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

**Carried (7 to 0)**

**Moved By** Wayne Olson

**Seconded By** Lisa Haun

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

**1. SC-08-2021 - Special Council Meeting - May 31, 2021**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink (abstained)		
<b>Results</b>	<b>6</b>	<b>0</b>

**Carried (6 to 0)**

**6. Business Arising from Council Minutes**

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

Councillor Hildebrandt required item 8.5.1 be lifted for discussion.

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

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**BE IT RESOLVED THAT the Consent Agenda items as listed on the June 7, 2021 Council Agenda be received and the recommendations contained therein be approved, save and except item 8.5.1, as applicable:**

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8.3. Staff Reports of a Routine Nature for Information or Action

8.3.1. Tax Write-Off Under Municipal Act, Section 357 & 358

BE IT RESOLVED THAT Council receive the Taxes Written-Off Report from the Corporate Services Department; and

THAT Council approve the Taxes Written-Off Report in the amount of \$8,387.89 as per the Municipal Act, Sections 357 and 358.

8.5. Information Correspondence Items

~~8.5.1. Niagara Region – Niagara Official Plan Consolidated Policy Report PDS 17-2021~~

~~BE IT RESOLVED THAT Council receive the Niagara Official Plan Consolidated Policy Report PDS 17-2021, for information. (lifted)~~

8.5.2. Support for the Township of Archipelago - Road Management Action on Invasive Phragmites

BE IT RESOLVED THAT Council receive resolutions from the Town of Fort Erie and Town of Georgian Bay supporting the Town of Archipelago resolution regarding road management action on invasive phragmites, for information.

8.5.3. NPCA Board Meeting Highlights - May 21, 2021

BE IT RESOLVED THAT Council receive the NPCA Board Meeting Highlights dated May 21, 2021, for information.

8.5.4. Notice of Public Information Centre #2 Municipal Class Environmental Assessment for Merritt Rd (RR 37) and Rice Road (RR 54)

BE IT RESOLVED THAT Council receive the Niagara Region Notice off Public Information Centre #2 Municipal Class Environmental Assessment for Merritt Rd (RR 37) and Rice Road (RR54), for information.

8.5.5. Niagara Regional Housing Q1 2021 Report

BE IT RESOLVED THAT Council receive the Niagara Regional Housing Q1 2021 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 March 24, 2021 and April 7, 2021, for information.

8.7.2. Pelham Active Transportation Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Active Transportation Committee minutes dated: September 16, 2020, November 17, 2020, January 19, 2021, February 23, 2021, March 16, 2021, January 19, 2021, February 23, 2021 and March 16, 2021, for information.

8.7.3. Committee of Adjustment Minutes

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated September 29, 2020 and October 6, 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	
<b>Results</b>	<b>7</b>	<b>0</b>
<b>Carried (7 to 0)</b>		

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

**9.1 Niagara Region - Niagara Official Plan Consolidated Policy Report 17-2021**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**BE IT RESOLVED THAT Council receive the Niagara Official Plan Consolidated Policy Report PDS 17-2021, 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	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

## **10. Presentation & Consideration of Reports**

### **10.1 Reports from Members of Council:**

### **10.2 Staff Reports Requiring Action**

#### **10.2.1 Health and Safety Policy Updates, 2021-0101-Chief Administrator Officer**

**Moved By** Lisa Haun

**Seconded By** Ron Kore

**BE IT RESOLVED THAT Council receive Report #2021-0101;**

**AND THAT Council approve Policies S101-12 and S101-13 as amended;**

**AND THAT Council approve the following new policies:  
Employee Injury, Illness, and Incident Reporting and Employee Accommodation Policy.**

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

**Carried (7 to 0)**

#### **10.2.2 Accommodation Policy Update, 2021-0105-Clerks**

**Moved By** Marianne Stewart

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2021-0105  
Clerks Accommodation Policy Update Report for information;**



**AND THAT Policy S100-13 Accommodation Policy be submitted for Council approval at their next regular meeting;**

**AND THAT Council repeal Policy S201-02 Accessibility Policy to be replaced with Policy S100-13 Accommodation Policy upon approval.**

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

**Carried (7 to 0)**

**10.2.3 Tree Maintenance Policy, 2021-0097-Public Works**

**Moved By** Marianne Stewart

**Seconded By** Wayne Olson

BE IT RESOLVED THAT Council receive Report #2021-0097;

AND THAT Council approve the proposed revisions to Public Works Tree Maintenance Policy S802-01.

**Moved By** Wayne Olson

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED That Council refer the report back to staff;**

**AND THAT staff bring the report back to Council by July 26, 2021.**

	<b>For</b>	<b>Against</b>
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 Meridian Community Centre Arena Advertising rates and fees, 2021-0104-Recreation**

**Moved By** Ron Kore

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2021-0104, Meridian Community Centre Arena Advertising rates;**

**AND THAT the following Arena Advertising fees, effective immediately, be included in the Town of Pelham fee guide:**

**Accipiter Arena**

**On Ice \$750.00 per ice season/year**

**Boards \$1,000.00 per year**

**Duliban Insurance Arena**

**On Ice \$750.00 per ice season/year**

**Boards \$800.00 per year**

**Ice Resurfacer \$2,000.00 per side/year**

**AND THAT Advertisers are solely responsible for payment and supply of Artwork for Boards and Textile Logos that will be placed under the ice.**

**AND THAT existing advertisers which sign new 3 year agreements with the Town of Pelham be provided with a 10 month exemption from fees, due to facility closure due to COVID, (September 2021 – July 2022).**

**AND THAT New advertisers will be granted exemption of fees for the remainder of 2021.**

**AND THAT Staff be directed to amend the Fees and Charges By-law to reflect these new fees.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	

Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

#### **10.2.5 Tax Collection and Registration Process, 2021-0107-Corporate Services**

**Moved By** John Wink

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive Report 2021-0107;**

**AND THAT Council direct staff to resume normal tax collection processes, including registering tax arrears certificates against properties with tax arrears in excess of 2 years.**

	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>6</b>	<b>1</b>

**Carried (6 to 1)**

#### **10.2.6 Fence Variance 151 HWY 20 East, 2021, 2021-0102-Fire Dept**

**Moved By** Wayne Olson

**Seconded By** Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0102;

AND THAT Council approve the requested 15 foot high noise barrier fence variance at 151 Highway 20 East, Town of Pelham.

#### **Amendment:**

**Moved By** John Wink

**Seconded By** Ron Kore

**THAT the motion be amended to include the following paragraphs:**

**AND THAT Council direct staff to provide a staff report with respect to options and implications with respect to the car wash operating hours by August 23, 2021:**

**AND THAT Council direct staff to provide a staff report with respect to amending the Town of Pelham’s Noise By-Law by Q1 in 2022.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson		X
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>6</b>	<b>1</b>
<b>Carried (6 to 1)</b>		

**Main Motion as Amended:**

**Moved By** John Wink

**Seconded By** Ron Kore

**BE IT RESOLVED THAT Council receive Report #2021-0102;**

**AND THAT Council approve the requested 15 foot high noise barrier fence variance at 151 Highway 20 East, Town of Pelham;**

**AND THAT Council direct staff to provide a staff report with respect to options and implications with respect to the car wash operating hours by August 23, 2021:**

**AND THAT Council direct staff to provide a staff report with respect to amending the Town of Pelham’s Noise By-Law by Q1 in 2022.**

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

Ron Kore	X	
Wayne Olson		X
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>6</b>	<b>1</b>

**Carried (6 to 1)**

## **11. Unfinished Business**

### **11.1 St. Catharines Fish Habitat Compensation Project - Supplementary Report, 2021-0106-Town Solicitor**

**Moved By** Bob Hildebrandt

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report # 2021-0106 –  
Supplementary Report: Approval Requirements for City of St.  
Catharines 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.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt		X
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart		X
John Wink	X	
<b>Results</b>	<b>5</b>	<b>2</b>

**Carried (5 to 2)**

## **12. New Business**

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

**Moved By** Lisa Haun

**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 4330(2021) - Being a By-law to Authorize the Mayor and Clerk to enter into an Agreement with the Region of Niagara for Traffic Control Signal Maintenance.**

**2. By-law 4354(2021) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands 1409 Station Street & 0 Summersides Boulevard (north side of Summersides Boulevard east of Station Street), legally described as legally as Part of Lots 7, 8, 9, 13 & 14, Registered Plan 717, Part of Thorold Township; Lot 166 & 167, Geographic Township of Thorold, in the Town of Pelham, from the Agricultural (A) zone to a site specific Residential 2 (R2-306) zone, a site specific Residential Multiple 1 (RM1-307) zone, a site specific Residential Multiple 1 (RM1-308) zone and an East Fonthill Open Space (EF-OS) zone. Mountainview Homes (Niagara) Ltd. File No. AM-08-20**

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

**14. Motions and Notices of Motion**

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

**WHEREAS the Town of Pelham has a Development Charges Bylaw to help ensure that community growth pays for itself;**  
**AND WHEREAS the 2019 update study resulted in an increase of the Development Charge for outdoor recreation from \$1,206 to \$1,884 for a single and semi-detached dwelling,**  
**AND WHEREAS the current Development Charges Bylaw includes a provision of an “indoor recreation capital sheet”**

**which must be updated to reflect the current level of services at MCC,**

**AND WHEREAS plans to update the study with indoor recreation data based on 2020 data were interrupted by the Covid-19 pandemic;**

**AND WHEREAS the cost of a Development Charges Update Study is estimated at \$9,000 - \$11,000, 90% of which can be funded by the Development Charges reserve;**

**NOW THEREFORE staff are to be directed to take all necessary steps to initiate an update study that is limited to the study of eligible “indoor recreation” costs. Provided that costs do not exceed \$11,000, Town staff are authorized to engage in a sole source procurement with Watson & Associates Economists Ltd., since they did the 2018 D.C. Background Study. Engaging Watson & Associates will ensure consistency of approach, philosophical and methodological alignment of work product and is likely to be the most expeditious manner of proceeding. Any unbudgeted costs which cannot be paid from the DC Reserve are to be derived from management-identified savings in the Building Department, Public Works Department or Corporate Services Department, or a combination thereof.**

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

- 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** Ron Kore  
**Seconded By** Wayne Olson

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

**Being a By-law No. 4356(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 07th day of June, 2021.**

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

**Carried (7 to 0)**

**20. 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 June 21, 2021 at 5:30 pm.**

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

**Carried (7 to 0)**



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Mayor: Marvin Junkin

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Town Clerk: Holly Willford