

REGULAR COUNCIL MINUTES

Meeting #: C-12/2021 - Regular Council
Date: Monday, July 26, 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: Bob Lymburner (part time)
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay (part time)
Barbara Wiens
Holly Willford
Sarah Leach
Ryan Cook

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 Ron Kore

BE IT RESOLVED THAT the agenda for the July 26, 2021 Regular meeting of Council be adopted.

Amendment: **Moved By** Bob Hildebrandt

Seconded By Marianne Stewart

THAT the agenda be amended to include the addendum item number 13.1 - Additional Presentation and Consideration of By-Laws;

AND THAT the agenda be amended to include an item as 14.1 - Notice of Motion for Councillor Hildebrandt.

	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 Marianne Stewart

BE IT RESOLVED THAT the agenda for the July 26, 2021 Regular meeting of Council be adopted as amended.

	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

The Mayor announced Pelham youngster Emmett Gervason would be receiving his surgery this Thursday. On behalf of Council and the Town of Pelham the Mayor wished the family well.

3.1 Ron Kore - Requirements for Hoop Houses, 2021-0126-Planning

Councillor Kore declared a conflict with respect to item 8.3.4 as he indicated his business purchases directly from the principle of the company bringing the hoop house issue forward.

3.2 Marvin Junkin - Requirements for Hoop Houses, 2021-0126-Planning

The Mayor declared a conflict with respect to item 8.3.4. as he indicated he had received campaign donations from the principle of the company bringing the hoop house issue forward.

3.3 Marianne Stewart - Presentation and Consideration of By-Laws

Councillor Stewart declared a conflict with respect to item 13 re: By-Law No. 4361(2021) as she sews a number of face masks for donation to various community members, friends and family as well as selling a small number of masks to offset the costs of materials.

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 COVID-19 Pandemic Update - CEMC

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)

4.2 Delegations

4.2.1 Jocelyn Baker representing Niagara Chapter of Trout Unlimited

Ms. Jocelyn Baker representing Niagara Chapter of Trout Unlimited provided Council an up-date presentation on the Upper Twelve Mile Creek Action Plan. A copy of the said presentation is on file with the Town Clerk.

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive the presentation and correspondence from Jocelyn Baker, JLB Environmental, regarding Upper Twelve Mile Creek, 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)

4.2.2 Pathstone - Mental Health Clinic

Ms. Kim Rossi, Director of Philanthropy and PR for Pathstone Foundation provided Council an overview presentation of what Pathstone Mental Health Clinic's are and how they can help youth. A copy of the said presentation is on file with the Town Clerk.

Moved By Ron Kore

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive the presentation Kim Rossi, regarding Pathstone - Mental Health Clinic, 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)

4.3 Report of Regional Councillor

5. Adoption of Minutes

Moved By Marianne Stewart

Seconded By Wayne Olson

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

**1. SC-10/2021 - Special Meeting of Council - June 21, 2021;
and**

2. C-11/2021 - Regular Council Meeting - June 21, 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 8.3.3 and 8.5.16 be lifted for discussion.

Councillor Wink requested item 8.3.4 and 8.5.13 be lifted for discussion.

The Mayor requested item 8.5.19 be lifted for discussion.

8. Consent Agenda Items to be Considered in Block

Moved By John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT the Consent Agenda items as listed on the July 26, 2021 Council Agenda be received and the recommendations contained therein be approved, save and except items: 8.3.3, 8.3.4, 8.5.13, 8.5.16 and 8.5.19:

8.1. Presentation of Recommendations Arising from COW or P&P, for Council Approval

8.2. Minutes Approval – Committee

BE IT RESOLVED THAT Council receive the following minutes for information:

PCOW-04/2021 Public Meeting Under Planning Act - June 14, 2021

PCOW-05/2021 Public Meeting Under Planning Act - July 12, 2021

8.2.1. PCOW-04/2021 - Public Meeting under the Planning Act - June ,14 2021

8.2.2. PCOW-05/2021 - Public Meeting Under the Planning Act - July 12, 2021

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

8.3.1. May 2021 Financial Report, 2021-0121-Corporate Services

BE IT RESOLVED THAT Council receive Report #2021-0121-Corporate Services, May 2021 Financial Reports, for information.

8.3.2. Canada Community Revitalization Fund, 2021-0129-Corporate Services

BE IT RESOLVED THAT Council receive Report # 2021- 0129- Corporate Services- Canada Community Revitalization Fund; for the resurfacing of the tennis courts at Centennial Park and for the new Community Event Space at Peace Park;
AND THAT Council receive this report for information.

~~8.3.3. Recommendation Report – Second Dwelling Units, 2021-0115- Planning~~

~~BE IT RESOLVED THAT Council receive Report 2021-0115 as it pertains to Second Dwelling Units Official Plan and Zoning By-law Amendments (file OP-AM-01-2020 and AM-04-2020);~~

~~AND THAT Council declare the revisions made to the Official Plan and Zoning by-law amendments are minor in nature and that no further public meeting is required;~~

~~AND THAT Council direct staff to bring the amendments to the Official Plan and Zoning By-law for Second Dwelling Units for adoption at the next Regular Council meeting. (lifted)~~

~~8.3.4. Requirements for Hoop Houses, 2021-0126- Planning~~

~~BE IT RESOLVED THAT Council receive Report #2021-0126— Requirements for Hoop Houses, for information. (lifted)~~

8.3.5. Q2 2021 Corporate Services COW Report, 2021-0095-Corporate Services

BE IT RESOLVED THAT Council receive the Q2/2021 2001-0095- Corporate Services Department Report, for information.

8.3.6. Quarter 2 - Planning and Development COW Report, 2021-0118-Planning

BE IT RESOLVED THAT Council receive the Q2/2021 Community Planning and Development Department Report, for information.

8.3.7. Q2 2021 Clerks COW Report, 2021-0072-Clerks

BE IT RESOLVED THAT Council receive the Q2/2021 Clerk's Department Report, for information.

8.3.8. Q2 2021 COW Report - Recreation Culture and Wellness, 2021-0120-Recreation

BE IT RESOLVED THAT Council receive the Q2/2021 Recreation, Culture and Wellness Department Report 2021-0120-Recreation, for information.

8.3.9. Public Works Cow Report July 2021, 2021-0132-Public Works

BE IT RESOLVED THAT Council receive the Q2/2021 Public Works Department Report, for information.

8.3.10. Fire By-Law department COW report, second quarter 2021, 2021-0123-Fire Dept

BE IT RESOLVED THAT Council receive the Q2/2021 Fire and By-law Enforcement Department Report, for information.

8.4. Action Correspondence of a Routine Nature

8.4.1. Request for Noise By-law Exemption - 220 Victoria Avenue, Fenwick

BE IT RESOLVED THAT Council receive a request for an exemption of Noise By-law #3130(2010), for information;

AND THAT Council approve the Noise By-law exemption at 220 Victoria Avenue, Fenwick on October 2, 2021, from 7:00pm to 1:00am.

8.5. Information Correspondence Items

8.5.1. 2020 End of Year Growth Report and 5 Year Growth Trend, PDS 23-2021

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding 2020 End of Year Growth Report and 5 Year Growth Trend PDS 23-2021, for information.

8.5.2. Niagara Regional Report LNTC-C-3-2021 Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Consultation

BE IT RESOLVED THAT Council receive the Niagara Regional Report LNTC-C-3-2021 Niagara Transit Governance, Revised Strategies Reflecting Phase 1 Consultation, for information.

8.5.3. Development Applications Monitoring Report PDS 24-2021 - 2020 Year End

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Development Applications Monitoring Report PDS 24-2021 - 2020 Year End, for information.

8.5.4. Resolution re: Niagara Central Dorothy Rungeling Airport

BE IT RESOLVED THAT Council receive correspondence from the Town of Wainfleet regarding the governance of the Niagara Central Dorothy Rungeling Airport, for information.

8.5.5. NPCA 2020 Annual Report

BE IT RESOLVED THAT Council receive the NPCA 2020 Annual Report, for information.

8.5.6. Ombudsman Annual Report 2020/2021

BE IT RESOLVED THAT Council receive the 2020-2021 Ombudsman Annual Report, for information.

8.5.7. Congratulatory Letter from the AMCTO re: E.A. Danby Award, Awarded to the Town of Pelham

BE IT RESOLVED THAT Council receive a congratulatory letter from the AMCTO regarding the E.A Danby Award awarded to the Town of Pelham, for information.

8.5.8. NPCA Conservation Authorities Act Phase 1 Regulations Guide

BE IT RESOLVED THAT Council receive correspondence from NPCA regarding Conservation Authorities Act Phase 1 Regulations Guide, for information.

8.5.9. Vineland Research and Innovation Centre re: Greening the Landscape Research Consortium

BE IT RESOLVED THAT Council receive correspondence from the Vineland Research and Innovation Centre regarding the Greening the Landscape Research Consortium, for information.

8.5.10. Niagara Watershed Plan - Draft for Consultation PDS 30-2021

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Niagara Watershed Plan - Draft for Consultation PDS 30-2021, for information.

8.5.11. Support for Town of Pelham Resolution - Accessibility Issues for Seniors

BE IT RESOLVED THAT Council receive correspondence from the Town of West Lincoln, supporting the Town of Pelham resolution regarding Accessibility Issues for Seniors, for information.

8.5.12. Planning Act Timelines

BE IT RESOLVED THAT Council receive correspondence from Lanark Highlands regarding Planning Act Timelines, for information.

~~8.5.13. Capital Gains Tax on Primary Residence~~

~~BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie, Township of Perry, Municipality of Chatham Kent, City of Welland, County of Frontenac, Town of Scugog, Town of Plympton-Wyoming and City of Port Colborne regarding Capital Gains Tax on Primary Residence, for information.-(lifted)~~

8.5.14. Request Niagara Region to Delay Official Plan Update

BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie regarding Request Niagara Region to Delay Official Plan Update, for information.

8.5.15. Elimination of LPAT

BE IT RESOLVED THAT Council receive correspondence from Town of Halton Hills regarding the Elimination of LPAT, for information.

~~8.5.16. Licensing of Cannabis Operations—Previously Operating Illegally~~

~~BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie regarding Licensing of Cannabis Operations, Previously Operating Illegally, for information. (lifted)~~

8.5.17. Ministry of Municipal Affairs and Housing re Funding through the Municipal Modernization Program

BE IT RESOLVED THAT Council receive two items of correspondence from the Ministry of Municipal Affairs and Housing dated June 30, 2021 regarding funding through the Municipal Modernization Program, for information.

8.5.18. Letter from the Honourable Sylvia Jones, Solicitor General re: Animals Left in Motor Vehicles

BE IT RESOLVED THAT Council receive correspondence from the Honourable Sylvia Jones, Solicitor General regarding Animals Left in Motor Vehicles, for information.

~~8.5.19. David Nicholson—ICAN International Cities Appeal~~

~~BE IT RESOLVED THAT Council receive correspondence from Dr. Dave Nicholson regarding the International Campaign to Abolish Nuclear Weapons Cities Appeal, for information.(lifted)~~

8.5.20. Request and Petition from Niagara Chapter Trout Unlimited Canada to Integrate Green Infrastructure and Low Impact Development Policy

BE IT RESOLVED THAT Council receive the petition from Niagara Chapter Trout Unlimited Canada requesting the integration of green infrastructure and low impact development in Town policy, for information;

AND THAT the correspondence be referred to Public Works Staff for report.

8.5.21. Pelham Tree Conservation Society (PTCS) Proposed Revisions to the Draft Tree Maintenance Policy

BE IT RESOLVED THAT Council receive correspondence from the Pelham Tree Conservation Society regarding Proposed Revisions to the Draft Tree Maintenance Policy, for information.

8.5.22. Wally Braun Letter re: Tree Maintenance Policy

BE IT RESOLVED THAT Council receive correspondence from Wally Braun regarding the proposed Tree Maintenance Policy, 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 Recommendation Report - Second Dwelling Units, 2021-0115-Planning

Moved By John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report 2021-0115 as it pertains to Second Dwelling Units Official Plan and Zoning By-law Amendments (file OP-AM-01-2020 and AM-04-2020);

AND THAT Council declare the revisions made to the Official Plan and Zoning by-law amendments are minor in nature and that no further public meeting is required;

AND THAT Council direct staff to bring the amendments to the Official Plan and Zoning By-law for Second Dwelling Units for adoption at the next Regular Council 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)

9.2 Requirements for Hoop Houses, 2021-0126-Planning

The Mayor vacated Council Chambers and Councillor Kore vacated the electronic zoom meeting by turning off his camera and muting himself during the debate and discussion of this matter.

Deputy Mayor Stewart chaired this portion of the meeting.

BE IT RESOLVED THAT Council receive Report #2021-0126 – Requirements for Hoop Houses, for information.

	For	Against
Marvin Junkin (conflict)		
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore (conflict)		
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0

Carried (5 to 0)

9.3 Capital Gains Tax on Primary Residence

The Mayor and Councillor Kore returned to the meeting.

Moved By John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie, Township of Perry, Municipality of Chatham-Kent, City of Welland, County of Frontenac, Town of Scugog, Town of Plympton-Wyoming and City of Port Colborne regarding Capital Gains Tax on Primary Residence, for information.

Amendment: **Moved By** John Wink

Seconded By Lisa Haun

THAT The Motion be amended to include:

AND THAT Council for the Corporation of the Town of Pelham endorse and support the resolutions from Town of Fort Erie, Township of Perry, Municipality of Chatham-Kent, City of Welland, County of Frontenac, Town of Scugog, Town of Plympton-Wyoming and City of Port Colborne regarding Capital Gains Tax on Primary Residence;

AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to The Right Honourable Justin Trudeau, The

Honourable Dog Ford, Premier of Ontario, Local MPPs and MPs and Local Area Clerks.

	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 John Wink
Seconded By Lisa Haun**

BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie, Township of Perry, Municipality of Chatham-Kent, City of Welland, County of Frontenac, Town of Scugog, Town of Plympton-Wyoming and City of Port Colborne regarding Capital Gains Tax on Primary Residence, for information;

AND THAT Council for the Corporation of the Town of Pelham endorse and support the resolutions from Town of Fort Erie, Township of Perry, Municipality of Chatham-Kent, City of Welland, County of Frontenac, Town of Scugog, Town of Plympton-Wyoming and City of Port Colborne regarding Capital Gains Tax on Primary Residence;

AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to The Right Honourable Justin Trudeau, The Honourable Dog Ford, Premier of Ontario, Local MPPs and MPs and Local Area Clerks.

	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)

9.4 Licensing of Cannabis Operations - Previously Operating Illegally

Moved By John Wink
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive correspondence from Town of Fort Erie regarding Licensing of Cannabis Operations, Previously Operating Illegally, for information.

Amendment: **Moved By** Bob Hildebrandt
Seconded By Ron Kore

THAT The Motion be amended to include:

AND THAT Council for the Corporation of the Town of Pelham endorse and support the resolutions from Town of Fort Erie;

AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to The Honourable Patty Hajdu, Minister of Health Canada, Local MPs, Chief of Police, Bryan MacCulloch, Niagara Regional Police Services, Commissioner Brenda Lucki, RMCP, Federation of Canadian Municipalities and Local Area Clerks.

	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 correspondence from Town of Fort Erie regarding Licensing of Cannabis Operations, Previously Operating Illegally, for information;

AND THAT Council for the Corporation of the Town of Pelham endorse and support the resolutions from Town of Fort Erie;

AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to The Honourable Patty Hajdu, Minister of Health Canada, Local MPs, Chief of Police, Bryan MacCulloch, Niagara Regional Police Services, Commissioner Brenda Lucki, RMCP, Federation of Canadian Municipalities and Local Area Clerks.

	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)

9.5 David Nicholson - ICAN International Cities Appeal

The Mayor vacated his seat and Deputy Mayor Stewart chaired this portion of the meeting.

Moved By Wayne Olson

Seconded By Ron Kore

BE IT RESOLVED THAT Council receive correspondence from Dr. Dave Nicholson regarding the International Campaign to Abolish Nuclear Weapons Cities Appeal, for information.

Amendment: **Moved By** Marvin Junkin

Seconded By Wayne Olson

THAT The Motion be amended to include:

AND THAT Council for the Corporation of the Town of Pelham supports the ICAN International Cities Appeals;

AND THAT the Clerk be directed to circulate a copy of this resolution to the Minister of Federal Foreign Affairs and the International Campaign to Abolish Nuclear Weapons.

	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 Marvin Junkin
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive correspondence from Dr. Dave Nicholson regarding the International Campaign to Abolish Nuclear Weapons Cities Appeal, for information;

AND THAT Council for the Corporation of the Town of Pelham supports the ICAN International Cities Appeals;

AND THAT the Clerk be directed to circulate a copy of this resolution to the Minister of Federal Foreign Affairs and the International Campaign to Abolish Nuclear Weapons.

	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

Moved By Lisa Haun
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Councillor Olson's Report regarding participating on provincial consultation call re: strengthening Accountability for Municipal Council Members, 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 Stewart

Moved By John Wink
Seconded By Lisa Haun

BE IT RESOLVED THAT Councillor Stewart's Report regarding Parking at MCC, 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)

10.2 Staff Reports Requiring Action

10.2.1 Update on the Erosion Mitigation Project at the Storm Water Outlet at Rice Rd and Hwy 20, 2021-0125-Public Works

Moved By Ron Kore
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2021-0125 – Update on the Erosion Mitigation Project at the Storm Water Outlet at Rice Road and Hwy 20, for information;

AND THAT Council direct staff to proceed with the project using a design, bid, build procurement strategy;

AND THAT Council approve \$70,000 to complete the necessary engineering and detailed design for the project out of the 2021 Capital Budget Reserves;

AND THAT Council direct staff to include the cost for constructing the project for consideration as part of the 2022 Capital Budget.

Amendment: Moved By Bob Hildebrandt
Seconded By Lisa Haun

THAT the motion be amended to include:

The paragraph: "And that Council direct staff to complete further engineering studies including an updated erosion survey study of the pond outlet including the cause of the erosion including but limited to the pond outlet design" as paragraph 3;

AND to include a final paragraph: "And that Staff provide regular update reports to council on the project".

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

Carried (6 to 1)

Main Motion as Amended: Moved By Bob Hildebrandt
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0125 – Update on the Erosion Mitigation Project at the Storm Water Outlet at Rice Road and Hwy 20, for information;

AND THAT Council direct staff to proceed with the project using a design, bid, build procurement strategy;

AND THAT Council direct staff to complete further engineering studies including an updated erosion survey study of the pond outlet including the cause of the erosion including but limited to the pond outlet design .

AND THAT Council approve \$70,000 to complete the necessary engineering and detailed design for the project out of the 2021 Capital Budget Reserves;

AND THAT Council direct staff to include the cost for constructing the project for consideration as part of the 2022 Capital Budget.

AND THAT Staff provide regular update reports to council on the project.

	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 Niagara Transit Governance Report - July 2021, 2021-0127-Chief Administrator Officer

Moved By Lisa Haun

Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0127 – Niagara Transit Governance 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)

10.2.3 Proposed Pelham Mental Health Walk in Clinic for youth, 2021-0130-Recreation

Moved By Wayne Olson

Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0130 – Proposed Pelham Mental Health Walk-in Clinic for Youth;

AND THAT Council approve a Pathstone Mental Health Walk-In

Clinic for Youth and direct staff to establish said clinic at the Meridian Community Centre in partnership with the Fenwick Lions Club, Fonthill Lions Club, the Kinsmen Club and the Pelham Library commencing September 2021;

AND THAT Council direct Staff to work with local Service Clubs; private donations and fundraising for annual support to sustain the said Clinic;

AND THAT Council direct any shortfall be a considered in the 2022 Operations Budget deliberations.

	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 Public Works Policy for Tree Maintenance , 2021-0128-Public Works

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2021-0128;

AND THAT Council approve the proposed Public Works Tree Maintenance Policy S802-01;

AND THAT Council direct staff to become founding members and collaborative partners with the Vineland Research and Innovation Centre’s Greening the Landscape Research Consortium in 2022;

AND THAT Council direct staff to explore the option of delegating the authority to the Niagara Region to enforce the Regional Municipal By-law No. 2020-79 on properties less than one (1) hectare in the Town of Pelham.

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED THAT Council refer the report back to staff to review and consider the information provided by the Pelham Tree Conservation Society and late public submission;

AND THAT Staff provide a cost breakdown with respect to the said recommendations;

AND THAT Staff report back to Council by September 20, 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)

12. New Business

13. Presentation and Consideration of By-Laws

Councillor Stewart requested the motion be divided to consider By-Law 4361(2021) separately.

Councillor Stewart vacated the electronic zoom meeting during consideration of By-Law 4361(2021) by turning off her camera and muting herself. Councillor Stewart returned to the meeting once voting has concluded.

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 4361(2021) - Being a by-law to amend By-law No. 4270(2020), as amended, being a By-law to Require the Wearing of Face Coverings in Enclosed Public Places and in Enclosed Common areas of Multi-unit, Residential Private Buildings During the COVID-19 Pandemic, to extend until the revocation, repeal or removal of requirements related to the wearing of face coverings as may be prescribed by orders issued pursuant to the Reopening Ontario Act, 2020, S.O. 2020.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart (conflict)		
John Wink	X	
Results	6	0
		Carried (6 to 0)

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 4362(2021) - Being a by-law to amend By-law No. 4107(2019), as amended, and By-law No. 4107(2019, as amended, being by-laws 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 Meeting Participation for the Council of the Town of Pelham, the Committee of Adjustment and Advisory Committees.

2. By-law 4363(2021) - Being a by-law to exempt Blocks 43 & 44 on Plan 59M-471, municipally known as 58, 60, 62, 64, 66, 68, 70 & 72 Summersides Boulevard, from part lot control. River Estates Phase 2 Subdivision. (River Realty Development (1976) Inc.). File No. PLC 03-2021

3. By-law 4364(2021) - Being a by-law to exempt Blocks 29 & 35 on Plan 59M-476, municipally known as 48, 50, 52, 54 & 56 and 53, 55, 57 and 59 Lymburner Street, from part lot control. Saffron Meadows Phase 2 Subdivision (Hert Inc.) File No. PLC 02-2021

	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)

13.1 Additional Presentation and Consideration of By-Laws

Moved By Marianne Stewart

Seconded By Wayne Olson

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 4367 (2021) - Being a by-law authorizing the Mayor and Clerk or designate to enter into an agreement with Her Majesty The Queen in Right of the Province of Ontario as represented by the Minister of Infrastructure for the purpose of Investing in Canada Infrastructure Program (ICIP): COVID-19 Resilience Infrastructure Stream – Local Government Intake Stream Projects

	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 Notice of Motion - Councillor Hildebrandt re Hoop Houses

Councillor Hildebrandt provided notice of a motion he intends to bring forward to Council on August 23rd, 2021 with respect to Hoop Houses.

14.2 Motion Re: Rescind Previous Decision - Transfer of Operating Authority Niagara Central Dorothy Rungeling Airport and Niagara District Airport

Motion to Waive Curfew

Moved By Marianne Stewart

Seconded By Ron Kore

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 meeting curfew be waived until Council has concluded the item on the floor;

AND THAT Council refer all other matters to the August 23rd, 2021 Council 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)

Councillor Haun indicated she wished to make a minor amendment to her motion and explained the said amendment. Council consented to the minor amendment as a friendly amendment.

Moved By Lisa Haun

Seconded By Marianne Stewart

WHEREAS Town of Pelham Council approved a motion on July 20th, 2015 supporting the common position resolution regarding the uptake of governance and the transfer of operating authority of the Niagara Central Dorothy Rungeling Airport (NCDRA) and Niagara District Airport (NDA); and

WHEREAS the NCDRA Commission can be self-sustaining under proper management;

THEREFORE BE IT RESOLVED THAT the Council of the Town of Pelham rescinds the approved motion of council regarding the

uptake of governance for the transfer and operating authority of the NCDRA and NDA to the Niagara Region;

AND THAT Town of Pelham Council approves retaining the governance and ownership of NCDRA;

AND THAT a copy of this resolution be forwarded to the City of Welland, City of Port Colborne and Township of Wainfleet, our three municipal partners who have all already supported and approved this motion;

AND FURTHER THAT a copy of this resolution be forwarded to the Niagara Region and Niagara Municipalities for support.

	For	Against
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson		X
Marianne Stewart	X	
John Wink		X
Results	4	3

Carried (4 to 3)

14.3 Motion - Unflood Ontario

This item was referred to the August 23rd, 2021 Council meeting.

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

This item was referred to the August 23rd, 2021 Council meeting.

18. Rise From In Camera

19. Confirming By-Law

Moved By Lisa Haun

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. 4366(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 26th day of July, 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 John Wink
Seconded By Ron Kore

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for August 23, 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: Holly Willford