

REGULAR COUNCIL MINUTES

Meeting #: C-13/2021 - Regular Council
Date: Monday, August 23, 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
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Sarah Leach
Brianna Langohr

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 6:15pm. The Mayor apologized to the viewing public for having started the meeting late.

The Mayor further called for a moment of silence to honour the memory of Former Mayor Ron Leavens.

2. Approval of Agenda

Moved By Wayne Olson

Seconded By Ron Kore

BE IT RESOLVED THAT the agenda for the August 23rd, 2021 Regular meeting of Council be adopted.

Amendment: **Moved By** John Wink

Seconded By Wayne Olson

THAT the Agenda be amended to move item 17, being a Resolution to Move in Camera before item 5 being Adoption of Minutes.

| | 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) | | |

Amendment: Moved By Wayne Olson
Seconded By John Wink

THAT the Agenda be amended to remove item 14.1 Notice of Motion from Councillor Olson.

| | 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 Ron Kore

BE IT RESOLVED THAT the agenda for the August 23rd, 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

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. The Fire Chief further announced it is anticipated Town Hall will reopen to the public on September 7th.

Moved By Marianne Stewart

Seconded By John Wink

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, provided further information on the anticipation of Town Hall reopening September 7th to the public. He

advised there would be a controlled entrance, screening and other safety precautions.

Moved By Lisa Haun

Seconded By Bob Hildebrandt

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 Niagara Region - Transit Governance - Revised Strategies Reflecting Phase 1 Municipal Consultation

Matt Robinson, Scott Fraser and Heather Talbot provided Council a presentation with respect to the proposed Niagara Region Transit Governance program. The presenters indicated they are looking for Council feedback and consultation. A copy of the presentation is on file with the Clerk.

Council Members asked various questions and provided feedback.

Moved By Ron Kore

Seconded By John Wink

BE IT RESOLVED THAT Council receive the presentation from The Niagara Region with respect to Niagara Transit Governance – Revised Strategies Reflecting Phase 1 Municipal Consultation, for information;

AND THAT Council direct staff to provide any additional municipal feedback on the revised Financial Strategy, Board Composition Model and Service Standards Strategy, by no later than August 25, 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) |

4.3 Report of Regional Councillor

5. Resolution to Move in Camera

Moved By Lisa Haun
Seconded By Wayne Olson

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:

- (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 item); and**
- (b) - personal matters about an identifiable individual, including municipal employees and (d) - labour relations or employee negotiations (2 item)**

| | | |
|------------------|------------|-------------------------|
| | 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. Rise From In Camera

Moved By Lisa Haun
Seconded By Marianne Stewart

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, Town Clerk and Human Resource Coordinator be and is hereby authorized to undertake the directions provided during the In Camera meeting of 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) | | |

7. Adoption of Minutes

Moved By Bob Hildebrandt

Seconded By Wayne Olson

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

- 1. SC-11/2021 - Special Council Meeting - July 26, 2021;**
- 2. C-12/2021 - Regular Council Meeting - July 26, 2021; and**

3. SC-12/2021 - Special Council Meeting - August 9, 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) | | |

The Mayor advised Council waived curfew until 9:30pm while in Closed Session. The Mayor requested the CAO advise which outstanding items on the agenda are critical for consideration. In consultation with Treasurer, the CAO suggested Council to consider items 8.4.1, 10.2.2 and 10.2.4.

Moved By Ron Kore

Seconded By Wayne Olson

BE IT RESOLVED THAT Council amend the agenda to consider items 8.4.1, 10.2.2 and 10.2.4, in this order.

| | 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) | | |

8. Business Arising from Council Minutes

9. Pelham Finance and Audit Committee Recommendation Letter re: Auditors for December 31, 2021 to December 31, 2025

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED that Council receive the Recommendation Letter from the Pelham Finance and Committee dated August 5, 2021;

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

- Council approve and appoint Deloitte as the external Auditors for the Town of Pelham for the years ended December 31, 2021 to December 31, 2025

Moved By Marianne Stewart

Seconded By Lisa Haun

BE IT RESOLVED that Council defer this item to the next Regular Council Meeting being September 7, 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 | 3 | 4 |
| | | Defeated (3 to 4) |

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED that Council receive the Recommendation Letter from the Pelham Finance and Committee dated August 5, 2021;

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

- **Council approve and appoint Deloitte as the external Auditors for the Town of Pelham for the years ended December 31, 2021 to December 31, 2025**

| | 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) |

Moved By John Wink
Seconded By Wayne Olson

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 9:30 p.m. be and is hereby waived until the conclusion of items 10.2.2 and 10.2.4;

AND THAT Council defer all other matters to the September 7, 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 | 6 | 1 |
| | | Carried (6 to 1) |

10. Request for New Engineering Complement, 2021-0146-Chief Administrator Officer

Moved By John Wink
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0146 – Request for New Engineering Complement;
AND THAT Council approve one additional full-time complement in the Engineering Department.

| | 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. Investing in Canada Infrastructure Program Green Infrastructure Stream 2021 Intake Grant, 2021-0139-Corporate Services

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0139- Investing in Canada Infrastructure: Green Stream Intake 2021;

AND THAT Council approve the list of capital projects for the grant submission of the ICIP: Green Stream Intake 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. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration

13. Consent Agenda Items to be Considered in Block

This item was deferred to the September 7, 2021 Council meeting.

~~13.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval~~

~~13.2 Minutes Approval – Committee~~

~~13.3 Staff Reports of a Routine Nature for Information or Action~~

- ~~13.3.1 June 2021 Financial Reports, 2021-0143 Corporate Services~~
- ~~13.3.2 2021 LDD Moth Program Summary Report, 2021-0135 Public Works~~
- ~~13.3.3 Information Regarding Niagara Region's Proposed Elevated Water Tank in the Town of Pelham, 2021-0145 Public Works~~
- ~~13.3.4 Update on Foss Road and Church Street Sanitary Sewer Replacement Projects, 2021-0144 Public Works~~
- ~~13.3.5 Data Sharing Agreement with Region of Niagara, 2021-0141 Planning~~
- ~~13.3.6 Execution of Subdivision Agreement for Saffron Meadows 3 (Phase 2) File no. 26T19-02-18, 2021-0136 Planning~~
- ~~13.3.7 Recommendation Report for Revision to Draft Plan of Subdivision and Zoning By-law Amendment 155 Port Robinson Road, 2021-0138 Planning~~
- ~~13.3.8 Information Report – Comprehensive Zoning By-law Update, 2021-0137 Planning~~
- ~~13.4 Action Correspondence of a Routine Nature~~
- ~~13.5 Information Correspondence Items~~
 - ~~13.5.1 Correspondence re: Draft Plan of Subdivision and Zoning By-law Amendment Forest Park and Kunda Park~~
 - ~~13.5.2 Tim Henley's Comments re Single Dwelling Unit By-Law~~
 - ~~13.5.3 Minister of Heritage, Sport, Tourism and Culture Letter re 2021 Reconnect Festival and Event Program~~
 - ~~13.5.4 Niagara Region – PDS 29-2021 Northwest Welland Secondary Plan (OPA 29)~~
 - ~~13.5.5 Niagara Region – 16 Days of Activism Against Gender-Based Violence~~
 - ~~13.5.6 Niagara Region Notice of Public Information Center No. 2 – Pelham Elevated Tank Municipal Class Environmental Assessment and Enhanced Conceptual Design~~
 - ~~13.5.7 2020 NPCA Water Quality Summary Report~~
 - ~~13.5.8 NPCA Meeting Highlights~~
 - ~~13.5.9 NPCA Advancing the Use of Native Pollinator Plant Species to Promote Pollinator Habitats~~
 - ~~13.5.10 NPCA Compliance & Enforcement 2021 Q2 Statistics Report~~

13.6 Regional Municipality of Niagara - Action Items

13.7 Committee Minutes for Information

14. Items for Separate Consideration, if Any

15. Presentation & Consideration of Reports

15.1 Reports from Members of Council:

15.1.1 Councillor Haun

This item was deferred to the September 7, 2021 Council meeting.

15.2 Staff Reports Requiring Action

15.2.1 Integrity Commissioner, 2021-0133-Clerks

This item was deferred to the September 7, 2021 Council meeting.

15.2.2 Chief Administrative Officer Annual Performance Review , 2021-0134-Chief Administrator Officer

This item was deferred to the September 7, 2021 Council meeting.

15.2.3 New Corporate Services Department Fees, 2021-0131-Corporate Services

This item was deferred to the September 7, 2021 Council meeting.

16. Unfinished Business

16.1 Motion - Unflood Ontario

This item was deferred to the September 7, 2021 Council meeting.

17. New Business

18. Presentation and Consideration of By-Laws

This item was deferred to the September 7, 2021 Council meeting.

19. Motions and Notices of Motion

19.1 Notice of Motion: Councillor Olson

This item was withdrawn and removed from the agenda.

20. Matters for Committee of the Whole or Policy and Priorities Committee

21. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee

22. Confirming By-Law

Moved By Marianne Stewart

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. 43762021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 23rd day of August, 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) |

23. **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 September 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

Town Clerk: Holly Willford