

REGULAR COUNCIL MINUTES

Meeting #: C-15/2021 - Regular Council
Date: Monday, September 20, 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
Brianna Langohr
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 6:00pm.

1.1 Land Recognition Statement

The Mayor read the Pelham Land Recognition Statement into the record.

2. Approval of Agenda

Moved By Wayne Olson

Seconded By Ron Kore

BE IT RESOLVED THAT the agenda for the September 20, 2021 Regular meeting of Council be adopted.

Amendment: **Moved By** Lisa Haun

Seconded By Bob Hildebrandt

THAT Council amend the agenda to move item 4.2.2 – Niagara Central Dorothy Rungeling Airport to be considered after item 4.2.3, Marianne Love, ML Consulting Delegation;

AND THAT Council further amend the agenda to move item 14.1 – Councillor Haun’s Motion – Niagara Central Dorothy Rungeling Airport – Support Capital Financing Strategy to be considered immediately after the Airport’s Delegation.

	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 Lisa Haun
Seconded By Bob Hildebrandt

THAT the agenda for the September 20th regular Council meeting 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.

Moved By Lisa Haun
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, stated the Town of Pelham’s EOC team finalized the Town’s Mandatory Vaccination Policy with respect to COVID-19. He stated an information report would be brought to Council at the next upcoming meeting.

Moved By Bob Hildebrandt
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 Beautification Committee re Legacy Project Initiatives

Ms. Jennifer Pilzecker, Chair of the Beautification Committee provided Council a presentation with respect to potential legacy project initiatives that could be implemented by the Town of Pelham. A copy of the said presentation is on file with the Clerk.

Moved By Ron Kore
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the presentation from Jennifer Pilzecker, Chair of the Beautification Committee, regarding legacy project initiatives, 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 Marianne Love, ML Consulting

Ms. Love indicated a related staff report was on the agenda for Council consideration. Ms. Love answered questions of Council.

Moved By Marianne Stewart
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the presentation from Marianne Love, ML Consulting, regarding elected official compensation, 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)		

4.2.3 Niagara Central Dorothy Rungeling Airport

Councillor Haun introduced Mr. John MacLellan, Wainfleet Councillor and Chair of the NCDRA.

Chair MacLellan provided Council an overview of the proposed loan from the City of Welland to the NCDRA to construct 10 hangers. Chair MacLellan answered various questions of Council.

Moved By John Wink
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the presentation from Wainfleet Councillor and Chair of the NCDRA, John MacLellan regarding the NCDRA Commissions capital financing strategy, 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 Councillor Haun - Niagara Central Dorothy Rungeling Airport - Support Capital Financing Strategy

Throughout Council discussion various Councillor’s called Points of Orders with respect to being able to ask questions or comments which were made. In response, the Mayor allowed all members of Council to ask questions prior to calling the vote.

Moved By Lisa Haun
Seconded By Ron Kore

WHEREAS the municipalities of Port Colborne, Wainfleet, Welland and Pelham have all reaffirmed their support in maintaining and operating the Niagara Central Dorothy Rungeling Airport, also known as NCDRA;

AND WHEREAS the NCDRA Commission has created a realistic plan to grow the airport’s revenue and utilization by way of constructing a hangar with ten rental units;

AND WHEREAS the NCDRA Commission has an historic opportunity to provide services to a larger number of potential clients and to take advantage of the increased demand for plane storage by building a hangar;

AND WHEREAS the provision of a home base to more planes will logically lead to an increase in fuel sales, from which the airport will also profit;

AND WHEREAS the new rental units at the hangar will be subject to taxation and thereby create additional future revenue for the Town of Pelham;

NOW THEREFORE BE IT RESOLVED that the Town of Pelham Council receive and support the capital financing proposal (up to \$600,000) as approved by the Niagara Central Dorothy Rungeling Airport Commission, on the terms established by the City of Welland in its CAO report on this issue dated September 7, 2021, for the construction of a hangar at the Niagara Central Dorothy Rungeling Airport.

	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)

4.4 Report of Regional Councillor

5. Adoption of Minutes

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

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

- 1. SC-14/2021 - Special Council Meeting - September 7, 2021;**
- 2. C-14/2021 - Regular Council Meeting - September 7, 2021; and**
- 3. SCOW-06/2021 - Budget Open House Special Committee of the Whole.**

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

Moved By Lisa Haun
Seconded By Wayne Olson

BE IT RESOLVED THAT the Consent Agenda items as listed on the September 20, 2021 Council Agenda be received and the recommendations contained therein be approved:

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

1. SCOW-06/2021 - Budget Open House - Special Committee of the Whole - September 13, 2021

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 \$1,431.34 as per the Municipal Act, Sections 357 and 358.

8.5. Information Correspondence Items

8.5.1. Peninsula West Power Inc. - Notice of Annual General Meeting of Shareholders

BE IT RESOLVED THAT Council receive the Peninsula West Power Inc. - Notice of Annual General Meeting of Shareholders, for information.

8.5.2. Niagara Region Correspondence

8.5.2.1. COVID-19 Vaccination Policy Update

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding COVID-19 Vaccination Policy Update for information.

8.5.2.2. Update on Niagara Official Plan - Further Draft Policy Development

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Niagara Official Plan - Further Draft Policy Development for information.

8.5.2.3. Proposed Land Use Compatibility Guideline

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Proposed Land Use Compatibility Guideline, for information.

8.5.2.4. Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update, for information.

8.5.3. Pelham Tree Conversation Society re: Tree Policy

BE IT RESOLVED THAT Council receive the correspondence from Pelham Tree Conversation Society, regarding the proposed Tree Policy, for information.

8.7. Committee Minutes for Information

8.7.1. Committee of Adjustment Minutes

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated March 2, 2021 and March 16, 2021, for information.

8.7.2. Pelham Seniors Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Seniors Advisory Committee minutes dated April 15, 2021 and May 13, 2021, for information.

8.7.3. Pelham Library Board Minutes

BE IT RESOLVED THAT Council receive the Pelham Library Board minutes dated March 24, 2021 and April 28, 2021, for information.

8.7.4. Pelham Art Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Art Advisory Committee minutes dated May 19, 2021, for information.

8.7.5. Cannabis Control Committee Minutes

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated May 5, 2021 and May 26, 2021, for information.

8.7.6. MCC User Group Roundtable Minutes

BE IT RESOLVED THAT Council receive the MCC User Group Roundtable Committee minutes dated January 21, 2021, for information.

8.7.7. Pelham Finance and Audit Committee

BE IT RESOLVED THAT Council receive the June 9, 2021 Pelham Finance and Audit Committee minutes, 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

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Accommodation Policy S100-13 Update, 2021-0155-Clerks

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2021-0155-Clerks – Accommodation Policy S100-13 Update;

AND THAT Council approve Accommodation Policy S100-13, 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)

10.2.2 Proposed 2022 Council Meeting Schedule , 2021-0122- Clerks

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2021-0122 – Clerks - Proposed 2022 Council Meeting Schedule;

AND THAT the appended Tuesday 2022 Council Meeting Schedule be submitted for Council approval at Council’s next regular meeting;

AND THAT Council approve and direct the decommissioning of Policies and Priorities Committee;

AND THAT Council approve and direct the agenda structure to include Committee of the Whole within all Regular Council Meetings;

AND THAT the Clerk be directed to present the necessary By-law to amend the Town’s Procedural By-Law to:

1. Call for Tuesday Regular Council and Public Meetings under the *Planning Act*;
2. Include the addition of a third meeting within the summer schedule, to be determined by staff and approved by Council in advance;
3. Decommission the Policies and Priorities Committee; and
4. Establish a Committee of the Whole standing agenda item within the Regular Council Agenda;

AND THAT the By-Law be presented at the next Regular Meeting of Council being October 4, 2021 for Council consideration.

Moved By Ron Kore

Seconded By John Wink

BE IT RESOLVED THAT Council refer the report back to staff;

AND THAT Staff report back to Council by June 2022.

	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)

10.2.3 Dedication Program Report, 2021-0140-Public Works

Moved By Marianne Stewart

Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0140;

AND THAT Council approve the following Public Works costs of dedication items, effective immediately, to be included in the Town of Pelham User Fees and Charges By-Law:

Wheel Chair Accessible Picnic Table - \$4,000

6-Foot 'Pelham Bench' - \$3,000

Pride Bench - \$3,000

Bike Rack - \$1,000

Bike Repair Station - \$4,500

Concrete Ping Pong Table - \$10,500

Chess/Checkers Games Table - \$4,000

Tree Dedication - \$750

AND THAT Council direct staff to amend the Fees and Charges By-Law to reflect these new fees.

	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 Ontario Trillium Foundation Community Building Grant, 2021-0158-Corporate Services

Moved By John Wink

Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report # 2021-0158-Corporate Services;

AND THAT Council approve the grant application for Ontario Trillium Foundation's Community Building Fund-Capital stream for Pickleball Courts at Centennial Park.

	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 Council Compensation Review, 2021-0161-Chief Administrator Officer

Moved By Lisa Haun

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0161 – Council Compensation Review for information; and

FURTHER BE IT RESOLVED THAT Council approve the proposed salary increases for elected officials; and

FURTHER BE IT RESOLVED THAT Council direct the proposed salary increases to occur in the manner endorsed by Option #_____(1 or 2) contained in the Finance Section of this report.

Moved By Bob Hildebrandt

Seconded By Marianne Stewart

BE IT RESOLVED THAT Council refer the report back to staff;

AND THAT Staff report back to Council by spring or summer of 2022.

	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)		

10.2.6 Staff Compensation Review, 2021-0149-Chief Administrator Officer

Moved By Wayne Olson
Seconded By Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0149 – Staff Compensation Program Review;

AND BE IT FURTHER RESOLVED THAT Council approve the establishment of five grid steps in the Town’s compensation grid which begin at the 80th percentile of the job rate and are characterized by equal increments of 4%;

AND BE IT FURTHER RESOLVED THAT Council approve the formal adoption of a compensation target for town staff of the 55th percentile (on average) of the comparator group;

AND BE IT FURTHER RESOLVED THAT Council approve the Town of Pelham’s “Municipal Comparator Group” for salary comparison purposes as constituting the following municipalities: City of Thorold, City of Port Colborne, Town of Lincoln, Township of Wainfleet, Town of Niagara-on-the-Lake, Town of Fort Erie, Town of Grimsby, Haldimand County, Town of Kingsville, Town of Tillsonburg.

AND BE IT FURTHER RESOLVED THAT Council approve the expenditure of \$52,000 from the Human Resources Capacity Reserve so as to allow all non-union staff to move to the next step on the compensation grid effective October 4, 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	4	3
Carried (4 to 3)		

11. Unfinished Business

11.1 Tree Maintenance Policy S802-01, 2021-0159-Public Works

Councillor Haun requested the motion be divided.

Moved By John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0159;

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 John Wink

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0159.

	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 John Wink
Seconded By Lisa Haun

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

	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 John Wink
Seconded By Lisa Haun

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.

	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 John Wink
Seconded By Lisa Haun

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.

	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)

12. New Business

13. Presentation and Consideration of By-Laws

Councillor Hildebrandt requested the motion be divided to consider by-law 4386(2021) separately.

Multiple Points of Orders were called by Councillors with respect allowing another Councillor to speak. In response, the Mayor allowed the Councillor to speak prior to the vote being taken.

Moved By Ron Kore

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. 4385(2021) - Being a by-law to amend By-law No. 4299(2020) to establish 2021 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to Add Fees and Charges to the Corporate Services Schedule; And to Add Fees and Charges the Clerks Department Schedule.

2.4386(2021) - Being a by-law to authorize the Mayor and Clerk to enter into an Amending Agreement with the Regional Municipality of Niagara with respect to the Niagara Region's On-Demand Transit Service Pilot Project.

3. 4387(2021) - Being a by-law to amend By-law No. 4307(2021), being an Administrative Authority By-law to delegate certain powers and duties under the Municipal Act, 2001, S.O. 2001, c. 25, and other Acts as contained in the Scheduled hereto.

4. 4388(2021) - Being a by-law to authorize the execution of a subdivision agreement with Hert Inc. and the Corporation of the Town

of Pelham - Saffron Meadows Phase 3 Subdivision (Phase 2) (26T19-0218).

Moved By Ron Kore

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:

2. 4386(2021) - Being a by-law to authorize the Mayor and Clerk to enter into an Amending Agreement with the Regional Municipality of Niagara with respect to the Niagara Region’s On-Demand Transit Service Pilot 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)

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 9:00 p.m. be and is hereby waived;

AND THAT the remainder of the business listed on the agenda for this meeting continue to be considered until all matter have been concluded.

	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 Ron Kore
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. 4385(2021) - Being a by-law to amend By-law No. 4299(2020) to establish 2021 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to Add Fees and Charges to the Corporate Services Schedule; And to Add Fees and Charges the Clerks Department Schedule.

3. 4387(2021) - Being a by-law to amend By-law No. 4307(2021), being an Administrative Authority By-law to delegate certain powers and duties under the Municipal Act, 2001, S.O. 2001, c. 25, and other Acts as contained in the Scheduled hereto.

4. 4388(2021) - Being a by-law to authorize the execution of a subdivision agreement with Hert Inc. and the Corporation of the Town of Pelham - Saffron Meadows Phase 3 Subdivision (Phase 2) (26T19-0218).

	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 Councillor Wink re: Council Advisory Committee Recordings

Moved By John Wink

Seconded By Wayne Olson

WHEREAS the Town of Pelham recognizes that volunteers contribute tremendously to the community. The Town of Pelham has a number of committees of council that help improve and shape the future of our community by providing advice and feedback on a variety of issues.

AND WHEREAS all advisory committees record minutes of the meetings and said minutes are included on the regular Council Agenda as well as posted on the Town website.

AND WHEREAS prior to the COVID-19 pandemic, the general public was allowed to attend advisory committee meetings.

AND WHEREAS since COVID-19, advisory committee meetings have been held via ZOOM. When residents wish to join the meeting for a particular item, ZOOM details are shared with the resident and they are able to join the meeting as they wish.

AND WHEREAS there is no requirement in the *Municipal Act* that requires advisory committee meetings to be video recorded, however there is a requirement that these meetings are open to the public;

AND WHEREAS staff have recently provided the Town of Pelham's new requirement that advisory committee meetings must be recorded and posted on the Town's website and You Tube channel. This requirement was under interpretation of the direct of the Ombudsman.

AND WHEREAS the Ombudsman definition of committee is:

"What is committee?

For the purposes of the opening meeting provisions, a committee, subcommittee or similar entity of which at least 50% of the members are also members of one or more councils of local boards. A procedure by law can also designate certain bodies to be committees."

AND WHEREAS all advisory committees have one council member on each committee on an advisory capacity with the exception of the Finance and Audit Committee which has three council members out of a committee of five.

AND WHEREAS the City of Hamilton was recently investigated with respect to an Advisory Committee meeting which had live-streaming issues and the committee continued. The Ombudsman ruled the committee met illegally in closed. The committee comprised of 1 Council Member and 9 Citizen members. It was deemed a committee within the meaning of

the definition as it was defined as a committee within the City’s Procedural By-Law.

AND WHEREAS the definition of a closed session does not allow members of the public to attend and minutes of said session are not circulated to the public, notwithstanding the Ombudsman’s ruling.

AND WHEREAS with the change in advisory process many of our long-term dedicated volunteers have indicated that they will resign from their respective advisory committees if the Town insists on video taping all meetings and posting them on You Tube for perpetuity. Concern is posting likeness and image on the internet. Further concern is the stifling of free flowing discussions, brain storming and debate culminating in a committee’s recommendations and advise to council. Finally, this level of scrutiny may result in the unintended or unwelcome consequences.

NOW THEREFORE BE IT RESOLVED that Council for the Town of Pelham direct Council Advisory Committees are not required to be video recorded, save and except the Pelham Finance and Audit Committee, which composition is more than 50% Council Members and the Committee of Adjustment;

AND THAT Council Advisory Committee meetings are to remain open to public attendance, by ensuring all Council Advisory Committee meeting dates, times and Town staff contact information to receive zoom links shall be posted to the Town’s website at least 3 (three) days in advance of the meeting, and advertisement of Council Advisory Committee Meetings shall take place on social media in advance of the meeting;

AND THAT all Advisory Committee minutes continue to be reported to Council and posted on the Town website.

	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**

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

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:

(b) - personal matters about an identifiable individual, including municipal employees and (d) - labour relations or employee negotiations (1 item)

Moved By John Wink
Seconded By Ron Kore

BE IT RESOLVED THAT Council defer the in camera session to 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)

- 18. **Rise From In Camera**
- 19. **Confirming By-Law**

Moved By Lisa Haun
Seconded By Bob Hildebrandt

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

Being a By-law No. 4390(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 20th day of September, 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 Bob Hildebrandt

Seconded By Marianne Stewart

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for October 4, 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