

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-17/2021 - Regular Council  
**Date:** Monday, October 18, 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

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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 5:30 pm.

#### **1.1 Land Recognition Statement**

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

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

**Moved By** Ron Kore

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT the agenda for the October 18, 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>
		<b>Carried (7 to 0)</b>

### **3. Disclosure of Pecuniary Interests and General Nature Thereof**

#### **3.1 Councillor Hildebrandt - In Camera**

Councillor Hildebrandt declared a conflict with respect to item two of the in Camera agenda.

#### **3.2 Councillor Haun - In Camera**

Councillor Haun declared a conflict with respect to item two of the in Camera agenda.

### **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** Marianne Stewart

**Seconded By** Lisa Haun

**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>
<b>Carried (7 to 0)</b>		

#### 4.1.2 COVID-19 Pandemic Update – CAO

D. Cribbs, CAO advised Council of two COVID related decision points on the agenda with respect to the extension of vaccination clinics as well as approval of the revised Code of Conduct Members of Council, inclusive of amendments related to vaccination. Ms. Cribbs indicated that October 18<sup>th</sup>, 2021 was the last day for staff to inform Human Resources of their vaccination status.

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**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>
<b>Carried (7 to 0)</b>		

#### 4.2 Delegations

##### 4.2.1 Niagara Region - 1-5 Year Transportation Capital Budget Outlook

Ms. Carolyn Ryall, Ms. Pamela Miltenberg and Mr. Frank Tassone from the Niagara Region provided Council an update presentation with respect to the Niagara Region's 5 Year Transportation Capital Project Overview. A copy of the presentation is on record with the Clerk.

**Moved By** Ron Kore

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive the Niagara Regional presentation entitled 1 to 5 Year Transportation Capital Budget Outlook, 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>
		<b>Carried (7 to 0)</b>

#### **4.3 Report of Regional Councillor**

#### **5. Adoption of Minutes**

**Moved By** John Wink

**Seconded By** Bob Hildebrandt

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

- 1. SC-16/2021 - Special Council Meeting - October 4, 2021; and**
- 2. RC-16/2021 - Regular Council Meeting - October 4, 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>
		<b>Carried (7 to 0)</b>

#### **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** Marianne Stewart

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT the Consent Agenda items as listed on the October 18, 2021 Council Agenda be received and the recommendations contained therein be approved:**

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

8.3.1. Q3 2021 Public Works COW Report October 2021, 2021-0180-Public Works

BE IT RESOLVED THAT Council receive the Q3/2021 Public Works Department Report, for information.

8.3.2. Q3 2021 Clerk's COW Report, 2021-0124-Clerks

BE IT RESOLVED THAT Council receive the Q3/2021 Clerk's Report, for information.

8.3.3. Q3 2021 RCW COW Report, 2021-0176-Recreation

BE IT RESOLVED THAT Council receive the Q3/2021 Recreation, Culture and Wellness Department Report, for information.

8.3.4. Q3 2021 - Planning and Development COW Report, 2021-0177-Planning

BE IT RESOLVED THAT Council receive the Q3/2021 Community Planning and Development Department Report, for information.

8.3.5. Q3 2021 Fire by-law COW report, 2021-0174-Fire Dept

BE IT RESOLVED THAT Council receive the Q3/2021 Fire and By-law Enforcement Department Report, for information.

8.3.6. Q3 2021 Corporate Services COW Report, 2021-0179-Corporate Services

BE IT RESOLVED THAT Council receive the Q3-2021-0179 - Corporate Services Department Report, for information.

8.5. Information Correspondence Items

8.5.1. Integrity Commissioner Review Report - IC-12626-0221

BE IT RESOLVED THAT Council receive for information the Integrity Commissioner correspondence, File IC-12626-0221.

8.5.2. Andrea Navin Johnson Comments re Steve Bauer Trail Road Crossing

BE IT RESOLVED THAT Council receive correspondence from Andrea Navin Johnson regarding Concerns About Supporting a Steve Bauer Trail Road Crossing, for information.

8.5.3. Niagara Poverty Reduction Network re: Moving Transit Forward Plan, Financing and Governance

BE IT RESOLVED THAT Council receive correspondence from Niagara Poverty Reduction Network regarding Moving Transit Forward Service Plan, Financing and Governance, for information.

#### 8.5.4. Township of Wainfleet re NCDRA Loan Proposal

BE IT RESOLVED THAT Council receive the correspondence from the Township of Wainfleet dated October 8, 2021 regarding the NCDRA loan proposal, for information.

#### 8.5.5. NPCA Board Meeting Highlights - September 17, 2021

BE IT RESOLVED THAT Council receive the NPCA Board Meeting Highlights dated September 17, 2021, for information.

#### 8.5.6. Niagara Region Correspondence

##### 8.5.6.1. Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act, for information.

##### 8.5.6.2. Report CAO 15-2021 - Updated Land Acknowledgement Statements

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Report CAO 15-2021 - Updated Land Acknowledgement Statements, for information.

##### 8.5.6.3. Consultation Response and Further Policy Development on Niagara Region Official Plan

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Consultation Response and Further Policy Development on Niagara Region Official Plan, for information.

##### 8.5.6.4. Niagara Region Memo re NRT OnDemand - October 12, 2021

BE IT RESOLVED THAT Council receive the Niagara Region Memo re: NRT OnDemand, dated October 12, 2021, 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 September 8, 2021, for information.

##### 8.7.2. Library Board Minutes

BE IT RESOLVED THAT Council receive the Library Board minutes dated May 26, 2021 and June 23, 2021, for information.

##### 8.7.3. Cannabis Control Committee

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated June 16, 2021 and July 7, 2021, for information.

##### 8.7.4. MCC User Group Committee Minutes

BE IT RESOLVED THAT Council receive the MCC User Group Committee minutes dated June 17, 2021 and July 22, 2021, for information.

8.7.5. Pelham Arts Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Arts Advisory Committee minutes dated June 16, 2021 and July 21, 2021, for information.

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

9. Items for Separate Consideration, if Any

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Joint Accessibility Advisory Committee - 'JAAC' - 2022-20224 Proposal, 2021-0163-Clerks

Moved By Bob Hildebrandt  
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0163-Clerks - Joint Accessibility Advisory Committee "JAAC" – 2022-2024 Proposal;

AND THAT Council approve the 2022-2024 Proposal to coordinate AODA Compliance for 2022-2024 with The Herrington Group Ltd., at a cost of \$10,000 per year;

AND THAT the Town Clerk be directed to prepare the necessary by-law authorizing the Mayor and Clerk to execute the said Agreement for the next Regular Meeting of Council.

	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>

**10.2.2 2022 Municipal and School Board Election - Alternative Voting Methods, 2021-0173-Clerks**

**Moved By** Wayne Olson  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive Report #2021-0173 – 2022 Municipal and School Board Election – Voting, Vote Counting Equipment and Alterative Voting Methods;**

**AND THAT Council reaffirm the use of AccuVote Optical Scanning Vote Tabulators and Touch Screen Vote Tabulators;**

**AND THAT Council approve and support a hybrid-voting approach for the 2022 Municipal and School Board Election, specifically using a combination of in person voting and special on demand mail in ballots;**

**AND THAT the Clerk be directed to prepare the necessary By-law for voting, vote counting equipment and alternative voting methods for Council consideration prior to May 1, 2022;**

**AND THAT the Clerk be directed to review and update all procedures required for the conduct of the 2022 Municipal Election, in accordance with the requirements of the *Municipal Elections Act*;**

**AND THAT the Clerk be directed to prepare a policy regarding circumstances in which the municipality would require a recount;**

**AND THAT the Mayor and Clerk be provided the delegated authority to execute any agreements necessary to implement the 2022 Municipal and School Board Election.**

	<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>		

#### **10.2.3 Covid 19 Vaccination Clinic Extension 2022, 2021-0178-Fire Dept**

**Moved By** John Wink

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2021-0178 for information purposes;**

**AND THAT Council approve Option #2 - the usage of the Accursi Room(s) as a future injection site.**

	<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>		

#### **10.2.4 Mandatory Covid Vaccination for Elected Officials - Amendments to the Code of Conduct, 2021-0181-Chief Administrator Officer**

Councillor Hildebrandt stated his opposition to the matter and requested his opposition be placed in the minutes.

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2021-0181 – Mandatory Covid Vaccination for Elected Officials – Amendments to the Code of Conduct for Members of Council;**

**AND THAT Council approve the Code of Conduct for Members of Council, Policy S201-15, as amended.**

**Motion to Defer**

**Moved By** Bob Hildebrandt

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council defer the report back to staff until the Ontario courts have had an opportunity to review all legalities as related to this subject matter.**

	<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>2</b>	<b>5</b>
<b>Defeated (2 to 5)</b>		

**Original Main Motion**

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2021-0181 – Mandatory Covid Vaccination for Elected Officials – Amendments to the Code of Conduct for Members of Council;**

**AND THAT Council approve the Code of Conduct for Members of Council, Policy S201-15, as amended.**

	<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>
<b>Carried (5 to 2)</b>		

**11. Unfinished Business**

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Bob Hildebrandt  
Seconded By Ron Kore

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 4395(2021) - Being a by-law to amend By-law #4068(2019) confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham; And to appoint members to the Pelham Public Art Committee (Schedule O).

	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 Stewart re Yearly Garden Competition

Council unanimously agreed to amend the staff report date from November 15, 2021 to December 2021.

Moved By Marianne Stewart  
Seconded By Lisa Haun

Moved By: Councillor Stewart  
Seconded By: Councillor Haun

WHEREAS the Town of Pelham is committed to enhancing engagement with the community and building strong communities;  
  
AND WHEREAS the Council for the Town of Pelham has proclaimed the year 2022 as the Year of the Garden;

**AND WHEREAS** gardening is an activity enjoyed by many which provides numerous benefits to the gardener;

**NOW THEREFORE BE IT RESOLVED THAT** the Town of Pelham Council direct staff to research various gardening initiatives the Town of Pelham can consider launching in 2022, including but not limited to a garden bed competition, community vegetable gardens and bee friendly gardens;

**AND THAT** Council direct staff to include potential budget implications in the said report back to Council;

**AND THAT** Council direct staff to report back by December, 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>
		<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**

**Moved By** John Wink

**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:

**(b) personal matters about an identifiable individual and (d) - labour relations or employee negotiations (1 item);**

**(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and (j) - a trade secret or scientific, technical, or financial information that belongs to the municipality or local board and has monetary value or potential monetary value (1 item)**

	<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>

## 18. Rise From In Camera

Councillor Hildebrandt returned to Council Chambers. Councillor Haun did not return following the in Camera session.

**Moved By** Wayne Olson

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise: With Report.**

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

**Moved By** Bob Hildebrandt

**Seconded By** Ron Kore

**BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of October 18, 2021.**

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

Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>6</b>	<b>0</b>
		<b>Carried (6 to 0)</b>

## 19. Confirming By-Law

**Moved By** Ron Kore  
**Seconded By** John Wink

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

**Being a By-law No. 4396(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 18th day of October, 2021.**

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

## 20. Adjournment

**Moved By** Wayne Olson  
**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for November 1, 2021 at 5:30 pm.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	

John Wink

X

**Results**

**6**

**0**

**Carried (6 to 0)**

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Mayor: Marvin Junkin

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Deputy Clerk: Sarah Leach