

REGULAR COUNCIL MINUTES

Meeting #: C-07/2022 - Regular Council
Date: Monday, April 4, 2022
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin
Councillor Lisa Haun
Councillor Bob Hildebrandt
Councillor Ron Kore
Councillor Wayne Olson
Councillor Marianne Stewart
Councillor John Wink

Staff Present: David Cribbs
Jason Marr
Teresa Quinlin-Murphy
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Sarah Leach, Deputy Clerk

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:55pm.

1.1 Land Recognition Statement

Councillor Wink read the land acknowledgement into the record.

The Mayor announced today is the first day Regional Councillors can attend meetings in person at the Region.

2. Approval of Agenda

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the April 4, 2022 Regular meeting of Council be adopted, as circulated.

Amendment: Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

THAT the agenda be amended to:

- **Move item 10.2.3 Town of Pelham Parking Strategy Report 2022-0081 after item 4.2.1 RV Anderson Delegation with respect to the parking strategy.**

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Motion as Amended: Moved By Councillor Bob Hildebrandt
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the April 4, 2022 Regular meeting of Council be adopted, as amended.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

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

The Fire Chief was not in attendance, therefore Mr. David Cribbs, CAO delivered the presentation on behalf of the Fire Chief.

4.1.2 COVID-19 Pandemic Update – CAO

Mr. Cribbs, CAO, provided Council an up-date with respect to COVID-19 on behalf with Chief Lymburner and himself.

Moved By Councillor John Wink

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from D. Cribbs, Chief Administrative Officer, for information.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

4.2 Delegations

4.2.1 Nick Palomba and Adam Mildenberger, RV Anderson

Mr. Nick Palomba and Mr. Adam Mildenberger, RV Anderson provided Council a presentation with respect to the Town of Pelham Parking Study conducted. A copy of the presentation is on file with the Clerk.

Nick Palomba and Adam Mildenberger answered various questions of Council.

Moved By Councillor Ron Kore

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the delegation from Nick Palomba and Adam Mildenberger of RV Anderson Associates with respect to the Town of Pelham Parking Strategy, for information.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

4.2.2 Town of Pelham Parking Strategy Report, 2022-0081-Planning

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0081 – Town of Pelham Parking Strategy Report, for information;

AND THAT Council approve the findings of the Pelham Parking Strategy prepared by RV Anderson Associates Limited.

Amendment: Moved By Councillor Lisa Haun

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT the motion be amended to strike paragraph two of the motion.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Amendment: Moved By Councillor Lisa Haun

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0081 – Town of Pelham Parking Strategy Report, for information.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

4.3 Report of Regional Councillor

5. Adoption of Minutes

Moved By Councillor John Wink

Seconded By Councillor Ron Kore

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

1. RC-06/2022 - Regular Council Meeting - March 21, 2022

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Abstain (1): Councillor Lisa Haun

Carried (6 to 0)

5.1 RC-06/2022 - Regular Council Meeting - March 21, 2022

6. Business Arising from Council Minutes

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

Councillor Wink requested item 8.4.2 be lifted for separate consideration.

Councillor Olson requested item 8.3.1 be lifted separate consideration.

8. Consent Agenda Items to be Considered in Block

Moved By Councillor Marianne Stewart

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 4, 2022 Council Agenda be received and the recommendations contained therein be approved, save and except 8.3.1 and 8.4.2:

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

BE IT RESOLVED THAT Council hereby approves the Recommendations Resulting from the following:

1. PCOW-02/2022 - March 14, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act

8.2. Minutes Approval - Committee

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

1. PCOW-02/2022 - March 14, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act

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

~~8.3.1. Outdoor Restaurant Patios in Parking Areas, 2022-0076-Planning~~

~~BE IT RESOLVED THAT Council receive Report #2022-0076—Temporary Outdoor Restaurant Patios in Parking Areas, for information;~~

~~AND THAT Council permit the temporary waiving of a maximum of 6 parking spaces for restaurants to allow 'pop-up' parking lot patios to be in parking areas associated with restaurants for the remainder of 2022-(lifted)~~

8.3.2. PSAC Request to Review Development Applications, 2022-0079-Planning

BE IT RESOLVED THAT Council receive Report #2022-0079 – Pelham Seniors Advisory Committee Request to Review Development Applications, for information;

AND THAT Council direct staff to revise the terms of reference for the Pelham Seniors Advisory Committee to include review of seniors' development projects as one of its functions for the next term of the Committee;

AND THAT Council direct staff to engage with the Pelham Seniors Advisory Committee during the Official Plan review and update that is to commence in 2022.

8.3.3. 2021-22 Pelham Distribution System MECP Inspection Report, 2022-0073-Public Works

BE IT RESOLVED THAT Council receive Report #2021-22 Pelham Distribution System MECP Inspection Report, for information

8.4. Action Correspondence of a Routine Nature

8.4.1. Trigeminal Neuralgia Awareness Day Proclamation - October 7, 2022

BE IT RESOLVED THAT Council receive the proclamation request from the Trigeminal Neuralgia Support Group for the Niagara Region;

AND THAT the Corporation of the Town of Pelham hereby proclaim October 7, 2022 as Trigeminal Neuralgia Awareness Day.

~~8.4.2. Request for Noise By-law Exemption – 2 College Street, Fonthill~~

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

~~AND THAT Council approve the Noise By-law exemption at 2 College Street, Fonthill on May 22, 2022 from 2:00 p.m. to 8:00 p.m. – (lifted)~~

8.5. Information Correspondence Items

8.5.1. Ministry of Municipal Affairs and Housing re: Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt: Proposed amendments to the Greenbelt Plan and Greenbelt Area Boundary Regulation and Ideas for adding more Urban River Valleys

BE IT RESOLVED THAT Council receive correspondence from the Ministry of Municipal Affairs of Housing regarding Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt: Proposed amendments to the Greenbelt Plan and Greenbelt Area Boundary Regulation and ideas for Adding more Urban River Valleys to the Greenbelt, for information.

8.5.2 Niagara Region Correspondence

8.5.2.1. Report CSD 8-2022 Property Tax Policy, Ratios and Rates

BE IT RESOLVED THAT Council receive the Niagara Region Report CSD 8-2022 - 2022 Property Tax Policy, Ratios and Rates correspondence, for information.

8.5.2.2. Ontario's Entrepreneurial Wine Industry

BE IT RESOLVED THAT Council receive the Niagara Region correspondence regarding Ontario's Entrepreneurial Wine Industry, for information.

8.5.2.3. Safety and Security of Staff and Elected Officials

BE IT RESOLVED THAT Council receive the Niagara Region correspondence regarding Safety and Security of Staff and Elected Officials, for information.

8.6. Regional Municipality of Niagara - Action Items

8.6.1. Regional Report PW 15-2022 Moving Transit Forward - Initial Activities and Next Steps

BE IT RESOLVED THAT Council receive Regional Report CLK-2022-052 Transit Commission Board - Moving Transit Forward, for information;

AND THAT Council direct staff to report back to Council on potential recommendations for representatives for the transitional Transit Commission Board by April 19, 2022.

8.7. Committee Minutes for Information

8.7.1. Pelham Active Transportation Committee

BE IT RESOLVED THAT Council receive meeting minutes dated February 15, 2022 from the Pelham Active Transportation Committee, for information.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

9. Items for Separate Consideration, if Any

9.1 Outdoor Restaurant Patios in Parking Areas, 2022-0076-Planning

Moved By Councillor Marianne Stewart

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2022-0076 – Temporary Outdoor Restaurant Patios in Parking Areas, for information;

AND THAT Council permit the temporary waiving of a maximum of 6 parking spaces for restaurants to allow 'pop-up' parking lot patios to be in parking areas associated with restaurants for the remainder of 2022.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

9.2 Request for Noise By-law Exemption - 2 College Street, Fonthill

Moved By Councillor Marianne Stewart

Seconded By Councillor John Wink

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

AND THAT Council approve the Noise By-law exemption at 2 College Street, Fonthill on May 22, 2022 from 2:00 p.m. to 8:00 p.m.

Moved By Councillor John Wink
Seconded By Councillor Ron Kore

BE IT RESOLVED THAT consideration of the matter be deferred to April 19th, 2022.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.1.1 Councillor Olson re: Niagara Peninsula Aspiring (UNESCO) Global Geopark

Councillor Olson provided Council an overview of a presentation he attended regarding the Niagara Peninsula Aspiring (UNESCO) Global Geopark.

Moved By Councillor Bob Hildebrandt
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive the presentation from Councillor Olson with respect to the Niagara Peninsula Aspiring (UNESCO) Global Geopark, for information.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

10.2 Staff Reports Requiring Action

10.2.1 Policy Update - Use of Corporate Resources for Election Purposes , 2022-0056-Clerks

Moved By Councillor Lisa Haun
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-0056 Clerks – Policy Update – Use of Corporate Resources for Election Purposes, for information;

AND THAT Council approve the revised Use of

**Corporate Resources for Election Purposes Policy,
S201-11.**

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

**10.2.2 Recommendation for Draft Plan of Subdivision
and Zoning By-law Amendment - Forest Park, 2022-
0075-Planning**

Moved By Councillor Bob Hildebrandt
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receives Report #2022-75 for information as it pertains to File Nos. 26T19-01-2020 & AM-02-2020;

AND THAT the proposed changes to the draft plan of subdivision and zoning by-law amendment related to Forest Park are minor in nature and no further public meeting is required;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council's consideration.

AND THAT Council approves the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B.

Amendment: Moved By Councillor Lisa Haun
Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the motion be amended to include:

AND THAT Council direct staff to request the developer to hold an additional public information session meeting.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Motion as Amended: Moved By Councillor Lisa Haun
Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receives Report #2022-75 for information as it pertains to File Nos. 26T19-01-2020 & AM-02-2020;

AND THAT the proposed changes to the draft plan of subdivision and zoning by-law amendment related to Forest Park are minor in nature and no further public meeting is required;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council's consideration.

AND THAT Council approves the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B;

AND THAT Council direct staff to request the developer to hold an additional public information session meeting.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

10.2.3 Vaccination Policy Review, 2022-0074-Chief Administrator Officer

Moved By Councillor Ron Kore

Seconded By Councillor Bob Hildebrandt

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 (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Moved By Councillor Wayne Olson

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2022-0074 COVID 19 Vaccination Policy Review, for information;

AND THAT Council modify the Town's existing COVID-19 Vaccination Policy S101-22 by approving options 1, 5 and 7 only, at this time;

AND THAT Council direct the Chief Administrative Officer to return this policy for further Council review and consideration upon any major change in public health conditions, but in any event prior to December 31, 2023.

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

BE IT RESOLVED THAT the motion be amended to strike options 1, 5 and 7 and insert option 2 (suspend the policy).

For (4): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, and Councillor Marianne Stewart

Against (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Carried (4 to 3)

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

BE IT RESOLVED THAT the motion be amended to strike the last paragraph.

For (4): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, and Councillor Marianne Stewart

Against (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Carried (4 to 3)

Motion as Amended: Moved By Councillor Bob Hildebrandt
Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0074 COVID 19 Vaccination Policy Review, for information;

AND THAT Council modify the Town's existing COVID-19 Vaccination Policy S101-22 by approving option 2 (suspend), at this time.

For (4): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, and Councillor Marianne Stewart

Against (3): Mayor Marvin Junkin, Councillor Wayne Olson,
and Councillor John Wink

Carried (4 to 3)

- 11. Unfinished Business**
- 12. New Business**
- 13. Presentation and Consideration of By-Laws**

Moved By Councillor Ron Kore

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law 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-law:

1. By-law 4441(2022) - Being a by-law authorizing the borrowing of money to meet current expenditures of the Council of the Corporation of the Town of Pelham; AND to repeal and replace By-law #4312(2021), being a by-law authorizing borrowing.

2. By-law 4442(2022) - Being a by-law to amend By-law #4068(2019), as amended, confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham; And to appoint a member to the Pelham Summerfest Committee (Schedule N).

3. By-law 4444(2022) - Being a by-law to adopt the estimates for the Town of Pelham for its own operations for the year 2022.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Abstain (1): Councillor Lisa Haun

Carried (6 to 0)

- 14. Motions and Notices of Motion**
- 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 Councillor Lisa Haun
Seconded By Councillor John Wink

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 - Committee Appointment)

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

18. Rise From In Camera

Moved By Councillor Wayne Olson
Seconded By Councillor Bob Hildebrandt

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

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Moved By Councillor John Wink
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the Pelham Summerfest Committee application from Daniel Klimowicz;

AND THAT Council hereby appoint Daniel Klimowicz to the Pelham Summerfest Committee;

AND THAT the appointment By-Law be presented at the next Regular Meeting of Council being April 19th, 2022.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Moved By Councillor Lisa Haun
Seconded By Councillor John Wink

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of April 4th, 2022.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

19. Confirming By-Law

Moved By Councillor Lisa Haun

Seconded By Councillor 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. 4445(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 04th day of April, 2022.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

20. Adjournment

The was meeting adjourned at 9:25pm.

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for April 19, 2022 at 5:30 pm.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (7 to 0)

Mayor: Marvin Junkin

Town Clerk: Holly Willford