

REGULAR COUNCIL MINUTES

Meeting #: C-08/2022 - Regular Council
Date: Tuesday, April 19, 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
Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Barbara Wiens
Bryan Secord
Holly Willford
Sarah Leach

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.

1.1 Land Recognition Statement

Councillor Hildebrandt read the land acknowledgement into the record.

The Mayor congratulated Pelham staff and the Fenwick Lions Club for a successful Easter egg hunt at Centennial Park.

2. Approval of Agenda

Moved By Councillor Ron Kore

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the April 19, 2022 Regular meeting of Council be adopted, as circulated.

Amendment: Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

THAT the agenda be amended to:

- **Add the addendum, being item number 10.2.2 - Amendment to Park Land Watermain Installation Project Budget; and**
- **Move item 8.4.1 Family and Children's Services Niagara - June 12th - Mountainview Lemon AID Day Proclamation to be heard after item 4.2.1 - Delegation -Family and Children's Services Niagara**

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

Carried (6 to 0)

Motion as Amended: Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the April 19, 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

Fire Chief and Community Emergency Management Co-Ordinator presented updated information as it relates to the ongoing worldwide pandemic, COVID-19.

Moved By Councillor Lisa Haun

Seconded By Councillor 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 (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)

4.1.2 COVID-19 Pandemic Update – CAO

Mr. Cribbs, CAO, provided Council an up-date with respect to COVID-19 updates affecting the Town and Town facilities.

Moved By Councillor Marianne Stewart

Seconded By Councillor Bob Hildebrandt

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 Family and Children's Services Niagara re: Mountainview LemonAID Day Proclamation

Ms. Darlene McDowell and Mr. Brett Sweeney, from Family and Children's Services Niagara, provided Council a presentation with respect to June 12th request to be "lemon-aid day" and for the Town to support the request for proclamation. A copy of the presentation is on file with the Clerk.

Ms. McDowell and Mr. Sweeney answered various questions of Council.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive the delegation from Family and Children's Services Niagara regarding the Proclamation of Mountainview LemonAID Day, 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 Family and Children's Services Niagara - June 12, 2022, Mountainview LemonAID Day, 2022

Moved By Councillor Ron Kore

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive a request from Family and Children's Services with respect to Mountainview LemonAID Day;

AND THAT the Corporation of the Town of Pelham hereby proclaim June 12, 2022 as Mountainview LemonAID Day.

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 Lisa Haun

Seconded By Councillor Wayne Olson

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

1. SC-03/2022 - Special Council Meeting - April 4, 2022; and

2. RC-07/2022 - Regular Meeting of Council - April 4, 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)

6. Business Arising from Council Minutes

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

Councillor Olson requested item 8.5.1 be lifted.

8. Consent Agenda Items to be Considered in Block

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 19, 2022 Council Agenda be received and the recommendations contained therein be approved, save and except item 8.5.1:

8. Consent Agenda Items to be Considered in Block

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

8.3.1. 2022 Municipal and School Board Election - Policies and Procedures, 2022-0093-Clerks

BE IT RESOLVED THAT Council receive Report #2022-0093 – Clerks – 2022 Municipal and School Board Election – Policies and Procedures, for information.

8.3.2. Special Event Permit Application - Tulip Pick Farm , 2022-0085-Clerks

BE IT RESOLVED THAT Council receive Report #2022-0085 – Special Event Permit Application, for information;

AND THAT Council authorize and direct the Town Clerk to issue a Special Event Permit for the Tulip Pick Farm event running from April 30 to May 15, 2022, subject to the approval of the Town Clerk, Director of Public Works, Director of Community Planning and Development, Fire Chief, the Niagara Region (if applicable) and any other applicable agency, upon receipt of satisfactory drawings, plans, permits, or other such documents as requested;

AND THAT the Special Event Permit include any such conditions of approval as requested by the said approval departments and or agencies.

8.3.3. Q1 2022 Clerk's COW Report, 2022-0031-Clerks

BE IT RESOLVED THAT the Q1/2022 Clerk's Report be received for information.

8.3.4. Q1 2022 Corporate Service COW Report, 2022-0072-Corporate Services.

BE IT RESOLVED THAT Council receive the Q1/2022-0072 Corporate Services Department Report, for information.

8.3.5. Q1 2022 RCW COW Report, 2022-0099-Recreation

BE IT RESOLVED THAT the 2022-0098 Recreation, Culture and Wellness Department Report be received for information.

8.3.6. Q1 2022 - Planning and Development COW Report, 2022-0082-Planning

BE IT RESOLVED THAT the Q1/2022 Community Planning and Development Department Report be received for information.

8.3.7. Q1 2022 Public Works Department Quarterly Report for the period (January 2022 - March 2022), 2022-0086-Public Works

BE IT RESOLVED THAT the Q1/2022 Public Works Department Report be received for information.

8.3.8. Q1 2022 - Fire by-law department COW report, 2022-0092-Fire Dept

BE IT RESOLVED THAT the Q1/2022-0092 Fire and By-law Enforcement Department Report be received for information.

8.4. Action Correspondence of a Routine Nature

8.4.1. Family and Children's Services Niagara - June 12, 2022,
Mountainview LemonAID Day, 2022

BE IT RESOLVED THAT Council receive a request from Family and
Children's Services with respect to Mountainview LemonAID Day;

AND THAT the Corporation of the Town of Pelham hereby proclaim
June 12, 2022 as Mountainview LemonAID Day.

8.4.2. Operation Smile Canada - June 19, 2022, Longest Day of
SMILES®

BE IT RESOLVED THAT Council receive a request from Operation Smile
Canada with respect to Longest Day of SMILES®,

AND THAT the Corporation of the Town of Pelham hereby proclaim
June 19, 2022 as the Longest Day of SMILES®.

8.4.3. Niagara Regional Labour Council - April 28, 2022, National Day
of Mourning

BE IT RESOLVED THAT Council receive a request from Niagara
Regional Labour Council with respect to National Day of Mourning;

AND THAT the Corporation of the Town of Pelham hereby proclaim
April 28, 2022 as National Day of Mourning.

8.4.4. Request for Noise By-law Exemption - Pelham Advocates for
Trees and Habitat

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

AND THAT Council approve the Noise By-law exemption at Peace Park,
Fonthill on April 23, 2022 from 1:00 p.m. to 3:00 p.m., conditional
upon the approval of a special event permit issued from the Director of
Recreation, Culture and Wellness.

8.5. Information Correspondence Items

~~8.5.1. Ontario Must Build it Right the First Time~~

~~BE IT RESOLVED THAT Council receive correspondence from the City
of Waterloo regarding Ontario Must Build it Right the First Time, for
information.(lifted)~~

8.5.2. Niagara Region Correspondence

8.5.2.1. Regional Transitional Incentive Timelines

BE IT RESOLVED THAT Council receive correspondence dated March
31, 2022 from the Region of Niagara regarding Regional Transitional
Incentive Timelines, for information.

8.5.2.2. Niagara Official Plan

8.5.2.2.1. Preferred Urban Settlement Area Recommendation

BE IT RESOLVED THAT Council receive correspondence dated March 31, 2022 from the Region of Niagara regarding Niagara Official Plan: Preferred Urban Settlement Area Recommendation, for information.

8.5.2.2.2. Niagara Official Plan Statutory Open House and Public Meetings Notice

BE IT RESOLVED THAT Council receive correspondence dated April 1, 2022 from the Region of Niagara regarding Niagara Official Plan Statutory Open House and Public Meetings Notice, for information.

8.5.2.3. Reduced Load Restrictions By-law

BE IT RESOLVED THAT Council receive correspondence dated March 31, 2022 from the Region of Niagara regarding Reduced Load Restrictions By-law, for information.

8.5.3. Ministry of Municipal Affairs and Housing - More Homes for Everyone Plan

BE IT RESOLVED THAT Council receive correspondence dated March 31, 2022 from the Ministry of Municipal Affairs and Housing regarding More Homes for Everyone Plan, for information.

8.7. Committee Minutes for Information

8.7.1. MCC User Group Minutes

BE IT RESOLVED THAT Council receive meeting minutes dated January 27, 2022 from the MCC User Group, for information.

8.7.2. Summerfest Committee Minutes

BE IT RESOLVED THAT Council receive meeting minutes dated January 20, 2022 and February 3, 2022 from the Summerfest Committee, for information.

8.7.3. Pelham Seniors Advisory Committee

BE IT RESOLVED THAT Council receive meeting minutes dated January 20, 2022 and February 17, 2022 from the Pelham Seniors Advisory Committee, for information.

8.7.4. Pelham Arts Advisory Committee

BE IT RESOLVED THAT Council receive meeting minutes dated January 19, 2022 and February 16, 2022 from the Pelham Arts Advisory Committee, for information.

8.7.5. Cannabis Control Committee

BE IT RESOLVED THAT Council receive meeting minutes dated February 2, 2022 from the Cannabis Control 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 Ontario Must Build it Right the First Time

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive correspondence from the City of Waterloo regarding Ontario Must Build it Right the First Time, for information.

Amendment: Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

THAT the motion be amended to include:

AND THAT the Council for the Corporation of the Town of Pelham endorse and support the resolution from the City of Waterloo regarding Ontario Must Built it Right the First Time;

AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to the Ontario Minister of Municipal Affairs and Housing, local MPs and MPPs, City of Waterloo and Local Area Clerks.

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

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

Defeated (3 to 4)

BE IT RESOLVED THAT Council receive correspondence from the City of Waterloo regarding Ontario Must Build it Right the First Time, 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. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Nomination of Pelham Elected Official to Regional Transit Commission, 2022-0102-Chief Administrator Officer

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2022-0100 – Nomination of Pelham Elected Official to Regional Transit Commission;

AND FURTHER BE IT RESOLVED that Council recommend _____ to represent the Town of Pelham, on the transitional Niagara Transit Commission Board, for an appointment ending January 31, 2023.

Amendment: Moved By Councillor Bob Hildebrandt
Seconded By Councillor John Wink

THAT the motion be amended to include “Councillor Olson” within the second paragraph.

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 John Wink

BE IT RESOLVED THAT Council receive Report #2022-0100 – Nomination of Pelham Elected Official to Regional Transit Commission;

AND FURTHER BE IT RESOLVED that Council recommend Councillor Olson to represent the Town of Pelham, on the transitional Niagara Transit Commission Board, for an appointment ending January 31, 2023.

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 Amendment to Park Lane Watermain Installation Project Budget, 2022-0105-Public Works

Moved By Councillor Wayne Olson
Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive the Memo re: Amendment to Park Lane Watermain Installation Project Budget, 2022-0105-Public Works, 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)

10.2.3 Update to Park Lane Watermain Replacement Project Budget, 2022-0096-Public Works

Moved By Councillor Ron Kore

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0096 – Update to Park Lane Watermain Replacement Project Budget for information;

AND THAT Council APPROVE the budget increase of \$79,386 to the capital project WTR 06-21 Watermain Extension to Service Splash Pad for MSSP;

AND THAT Council direct this to be funded from the Canada Community Building Fund (formally known as Federal Gas Tax).

Amendment: Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

THAT the motion be amended to:

Strike paragraph 2 and insert:

AND THAT Council APPROVE the budget increase of \$102,386 to the capital project WTR 06-21 Watermain Extension to Service Splash Pad for MSSP.

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 Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0096 – Update to Park Lane Watermain Replacement Project Budget for information;

AND THAT Council APPROVE the budget increase of \$102,386 to the capital project WTR 06-21 Watermain Extension to Service Splash Pad for MSSP.

AND THAT Council direct this to be funded from the Canada Community Building Fund (formally known as Federal Gas Tax).

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)

10.2.4 Recommendation Report for Draft Plan of Condominium and Zoning By-law Amendment - 701 Quaker Road, 2022-0095-Planning

Moved By Councillor Marianne Stewart

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receives Report #2022-95 for information as it pertains to File Nos. 26CD19-04-2021 & AM-08-2021;

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 Condominium, attached as Appendix A, subject to the conditions in Appendix B.

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)

10.2.5 Updated Employee Recognition Policy, 2022-0089-Chief Administrator Officer

Moved By Councillor John Wink

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0089 – Staff Recognition Policy, for information;

AND THAT Council repeal the Recognition of Staff – 25 Years of Service Policy S201-01 and replace with the Employee Recognition Policy S100-05.

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)

10.2.6 Adjustment to Compensation for Elected Officials, 2022-0091-Chief Administrator Officer

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0091-Chief Administrative Officer – Compensation Adjustment for Elected Officials, for information;

AND THAT Council approve an adjustment to compensation for Councillors of \$4,700 and an adjustment of \$13,000 for the position of Mayor, effective November 15, 2022, which is the first day of the next term of office.

Amendment: Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

THAT the motion be amended to limit the increases to the median of the 2021 market summary, excluding the Region, with the total compensation of the Mayor being: \$45,701 and total compensation of Councillors being: \$18,272, representing a 12% increase.

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

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

Defeated (3 to 4)

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0091-Chief Administrative Officer – Compensation Adjustment for Elected Officials, for information;

AND THAT Council approve an adjustment to compensation for Councillors of \$4,700 and an adjustment of \$13,000 for the position of Mayor, effective November 15, 2022, which is the first day of the next term of office.

For (2): Mayor Marvin Junkin, and Councillor Wayne Olson

Against (5): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Marianne Stewart, and Councillor John Wink

Defeated (2 to 5)

10.2.7 Restricted Acts Provisions of the Municipal Act, 2001, Section 275 (Lame Duck), 2022-0055-Clerks

Moved By Councillor Ron Kore

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report 2022-0055 Clerks – Restricted Acts Provision pursuant to Section 275 the *Municipal Act, 2001*, for information;

AND THAT Council direct the Town Clerk to prepare and present a Delegation of Authority By-Law for certain acts during a “lame duck” period for Council’s consideration at the next regular meeting of Council.

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council defer consideration of this matter to the next regular meeting of Council.

For (5): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Marianne Stewart, and Councillor John Wink

Against (2): Mayor Marvin Junkin, and Councillor Wayne Olson

Carried (5 to 2)

10.2.8 Procedural By-Law Update, 2022-0083-Clerks

Moved By Councillor Wayne Olson

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0083 – Procedural By-Law Update, for information;

AND THAT Council approve, in principle, the updated procedural by-law as presented;

AND THAT Council direct the proposed by-law be presented to Council for First and Second Reading at their next regular meeting;

AND THAT the Clerk be directed to provide notice in accordance with the Town’s Notice Policy prior to presentation of the By-law for Third Reading and Adoption.

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

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

Defeated (3 to 4)

Upon disposition of the matter the Mayor asked the Clerk procedurally for next steps. The Clerk stated if Council desired Council could bring a motion to reconsider the matter otherwise the matter has been disposed of. Council discussion ensued.

Councillor Kore called a point of order asking why the matter was still being discussed after disposal. In response, the Clerk stated she understood Councillor Wink was considering bringing a motion to reconsider.

Councillor Wink moved a motion to reconsidered. The motion did not receive a seconder. The Clerk stated the matter had been disposed.

11. Unfinished Business

11.1 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, dated March 24th, 2022 and the attached additional detail letter dated April 6th, 2022 and 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.

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

Against (1): Councillor Bob Hildebrandt

Carried (6 to 1)

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Councillor Lisa Haun

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 4446(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).

2. By-law 4447(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the southeast corner of Port Robinson Road and Station Street, legally described as Part of Lot 172, formerly Township of Thorold, now in the Town of Pelham. The Zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following zones: Residential 2 – 316 (R2-316); Residential Multiple 1 – 317 (RM1-317); Residential Multiple 2 – 318 (RM2-318); East Fonthill – Open Space (EF-OS); East Fonthill – Storm Water Management (EF-SWM); East Fonthill – Environmental Protection (EF-EP).

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)

14. Motions and Notices of Motion

14.1 Councillor Wink re: MCC Parking

Councillor Wink stated he would bring a motion at the following meeting requesting a staff report on parking options at the MCC.

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 Bob Hildebrandt

Seconded By Councillor 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, including municipal employees; (d) - labour relations or

employee negotiations and (k) - a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. (1 item – Non Unionized Staff)

AND Section 239(3) of the Municipal Act:

(b) - an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of this Act, or the investigator referred to in subsection 239.2(a) – (1 Item - M04-01-2021)

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 John Wink

Seconded By Councillor Ron Kore

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 Ron Kore

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council direct the Chief Administrative Officer to provide both the Town of Fort Erie and the Township of Wainfleet formal notice to terminate the current inter-municipal employment relationship with respect to the shared Town Solicitor Agreement, effective December 31, 2022;

AND THAT Council authorize and direct staff to negotiate and enter into a new inter-municipal employment relationship agreement with the Township of Wainfleet, whereby the Town solicitor position will be shared amongst the Town of Pelham for 4 (four) days a week and the Township of Wainfleet for 1 (one) day a week effective January 1, 2023;

AND THAT Council direct staff to complete all work reasonably required to accomplish same.

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 Lisa Haun

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 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)

19. Confirming By-Law

Moved By Councillor Ron Kore

Seconded By Councillor Marianne Stewart

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

Being a By-law No. 4448(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 19th 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 meeting was adjourned at 9:13 pm.

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 May 3, 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