

REGULAR COUNCIL MINUTES

Meeting #: C-12/2022 - Regular Council
Date: Monday, June 20, 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
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Sarah Leach
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 5:58pm.

1.1 Land Recognition Statement

Councillor Kore read the land acknowledgement into the record.

2. Approval of Agenda

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the June 20, 2022 Regular meeting of Council be adopted, as circulated.

Amendment:

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

THAT the agenda be amended to:

- **Move Item 17 - Resolution to Move In-Camera to be heard prior to Staff Reports being item 10 - Presentation & Consideration of Reports**

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 Ron Kore

Seconded By Councillor Lisa Haun

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law regarding Delegations, be suspended to allow the delegation of Saw Custom Homes;

AND THAT the agenda be amended to include the said delegation as item 4.2.2.

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

Defeated (4 to 3)

Motion as Amended

Moved By Councillor Lisa Haun

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT the agenda for the June 20, 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

4.2 Delegations

4.2.1 Cannabis Control Committee

Mr. Tim Nohara, Chair of the Cannabis Control Committee, provided Council an update on the committees work. Mr. Nohara answered various questions of Council.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

BE IT RESOVED THAT Council receive the delegation from Tim Nohara, Chair of 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)

4.3 Report of Regional Councillor

5. Adoption of Minutes

Councillor Stewart stated her name incorrectly appeared as voting on the adoption of the agenda. The Clerk stated she agreed and would amend the minutes.

Moved By Councillor Marianne Stewart

Seconded By Councillor Ron Kore

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

1. RC-11/2022 - June 7, 2022 - Regular Council, 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)

6. Business Arising from Council Minutes

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

Councillor Olson requested item 8.4.1 be lifted.

8. Consent Agenda Items to be Considered in Block

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the Consent Agenda items as listed on the June 20, 2022 Council Agenda be received and the recommendations contained therein be approved, save and except item 8.4.1:

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

**8.3.1. Permanent StoryWalk Installation in Woodstream Park ,
2022-0142-Public Works**

**BE IT RESOLVED THAT Council receive Report #2022-0142 –
Installation of Permanent Stor Walk Signage, for Information.**

8.4. Action Correspondence of a Routine Nature

~~8.4.1. Ombudsman Report dated June 10, 2022~~

~~**BE IT RESOLVED THAT Council receive correspondence from the
Ontario Ombudsman and associated Ombudsman of Ontario
Report dated June 10, 2022 regarding an investigation into a
closed meeting held by Council for the Town of Pelham on April
19, 2021, for information;**~~

~~**AND THAT Council hereby acknowledges the importance of
being vigilant in adhering to their individual and collective
obligation to ensure that Council complies with its
responsibilities under the Municipal Act, 2001 and its
procedural by-law;**~~

~~**AND THAT Council hereby acknowledges its obligation to
ensure that no subject in closed session is discussed unless it
clearly comes within one of the statutory exceptions to the
open meeting requirements;**~~

~~**AND THAT Council directs staff to ensure its resolutions to
proceed in camera provides a general description of the issues
to be discussed in a way that maximizes the information
available to the public while not undermining the reason for
excluding the public;**~~

~~**AND THAT Council direct staff to include additional information
and training to the incoming 2022-2026 Council during
orientation on closed session requirements.(lifted)**~~

8.5. Information Correspondence Items

8.5.1. Niagara Region Correspondence

**8.5.1.1. Waste Management System By-law and Access to
Closed Landfill and Repurposed Sites By-law Updates**

**BE IT RESOLVED THAT Council receive correspondence from
Niagara Region regarding Waste Management System By-law
and Access to Closed Landfill and Repurposed Sites By-law
Updates, for information.**

8.5.1.2. Brownfield Tax Assistance Incentive Funding Request

**BE IT RESOLVED THAT Council receive correspondence from
Niagara Region regarding Brownfield Tax Assistance Incentive
Funding Request, for information.**

8.5.2. Niagara Peninsula Conservation Authority

BE IT RESOLVED THAT Council receive correspondence from the Niagara Peninsula Conservation Authority regarding Highlights of its May 20, 2022 Board of Directors Meeting, for information.

8.5.2.1. 2021 Annual Report

BE IT RESOLVED THAT Council receive correspondence from the Niagara Peninsula Conservation Authority regarding its 2021 Annual Report, for information.

8.5.2.2. Board of Directors Meeting Highlights - May 20, 2022

8.5.3. Saw Developments Correspondence re: Summersides Village Development

BE IT RESOLVED THAT Council receive the correspondence from Saw Developments dated June 14, 2022 regarding the Summersides Village Development, 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 Ombudsman Report dated June 10, 2022

The Mayor requested a recorded vote.

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive correspondence from the Ontario Ombudsman and associated Ombudsman of Ontario Report dated June 10, 2022 regarding an investigation into a closed meeting held by Council for the Town of Pelham on April 19, 2021, for information;

AND THAT Council hereby acknowledges the importance of being vigilant in adhering to their individual and collective obligation to ensure that Council complies with its responsibilities under the *Municipal Act, 2001* and its procedural by-law;

AND THAT Council hereby acknowledges its obligation to ensure that no subject in closed session is discussed unless it clearly comes within one of the statutory exceptions to the open meeting requirements;

AND THAT Council directs staff to ensure its resolutions to proceed in camera provides a general description of the issues to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public;

AND THAT Council direct staff to include additional information and training to the incoming 2022-2026 Council during orientation on closed session requirements.

Amendment:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

THAT the motion be amended to include:

AND THAT Council waive confidentiality on the totality of what was discussed in the closed session on April 19, 2021,

AND THAT the video recording of the meeting be posted on the Town of Pelham website, and

AND THAT the records of the Town be amended to include the meeting of April 19, 2022 as if the discussion had taken place in open session.

For (5): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Against (2): Councillor Lisa Haun, and Councillor Marianne Stewart

Carried (5 to 2)

Motion as Amended:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive correspondence from the Ontario Ombudsman and associated Ombudsman of Ontario Report dated June 10, 2022 regarding an investigation into a closed meeting held by Council for the Town of Pelham on April 19, 2021, for information;

AND THAT Council hereby acknowledges the importance of being vigilant in adhering to their individual and collective obligation to ensure that Council complies with its responsibilities under the *Municipal Act, 2001* and its procedural by-law;

AND THAT Council hereby acknowledges its obligation to ensure that no subject in closed session is discussed unless it clearly comes within one of the statutory exceptions to the open meeting requirements;

AND THAT Council directs staff to ensure its resolutions to proceed in camera provides a general description of the issues to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public;

AND THAT Council direct staff to include additional information and training to the incoming 2022-2026 Council during orientation on closed session requirements;

AND THAT Council waive confidentiality on the totality of what was discussed in the closed session on April 19, 2021,

AND THAT the video recording of the meeting be posted on the Town of Pelham website, and

AND THAT the records of the Town be amended to include the meeting of April 19, 2022 as if the discussion had taken place in open session.

For (5): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Against (2): Councillor Lisa Haun, and Councillor Marianne Stewart

Carried (5 to 2)

10. Resolution to Move in Camera

Moved By Councillor John Wink
Seconded By Councillor 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:

(c) - proposed or pending disposition of land by the municipality and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose - (1 item - Property Located in Ward 2)

(c) - proposed or pending disposition of land by the municipality - (1 item - Files L07-2022-01-S and L07-2022-02-S - Property Located in Ward 2)

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)

11. Rise From In Camera

Moved By Councillor Wayne Olson
Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise: With No 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)

12. Presentation & Consideration of Reports

12.1 Reports from Members of Council:

12.2 Staff Reports Requiring Action

12.2.1 2022 Road Rehabilitation Program Budget Additional Funding, 2022-0141-Public Works

Moved By Councillor Wayne Olson

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0141 – 2022 Road Rehabilitation Program Budget Additional Funding, for information;

AND THAT Council APPROVE the award of the 2022 Road Rehabilitation Program to Walker Construction in the amount of \$690,093 plus applicable taxes;

AND THAT Council APPROVE a budget increase of \$93,300 for project RD 09-22, funded from the Road Reserve.

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)

12.2.2 Proposed STEM Camp Summer 2022, 2022-0139-Recreation

Moved By Councillor John Wink

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0139 Recreation – Proposed Pelham STEM Camp Summer 2022, for information;

AND THAT the Mayor and Clerk be authorized to sign the Memorandum of Understanding with Innova STEM Labs Inc. to supply equipment, program/curriculum materials and staff training to implement Pelham STEM Camps for the Summer of 2022;

AND THAT Council approve the following rates and fees immediately to be applied:

- **Weekly Camp Registration | \$299 per child (25% discount on 3 or more children)**
- **Early Bird Camp Weekly Registration | \$279 per child (25% discount on 3 or more children)**
- **Multiple Week Registration discount each week after 2 weeks \$10.00**
- **Extended Care (7:30am-5:30pm) | \$38 per week**
- **Optional Friday Lunch | \$10**

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)

12.2.3 Final Parking Strategy Report, 2022-0138-Planning

Councillor Stewart requested the motion be divided.
Councillor Stewart withdrew her request.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0138 – Final Parking Strategy Report, for information;

AND THAT Council receive the final Parking Strategy Report from R.V. Anderson Associates Limited; and

AND THAT Staff be directed to include the implementation of the recommendations contained in the Parking Strategy Report to improve the supply of public parking in downtown, Fonthill, Fenwick, Ridgeville and at the MCC in future capital budget planning processes;

AND THAT Staff be directed to include in the new Comprehensive Zoning By-law the recommendations contained in the Parking Strategy Report with regards to parking requirements for various land uses.

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)

**12.2.4 Parking and Development Options for Lands
Adjacent to MCC, 2022-0144-Planning**

Councillor Hildebrandt requested the amendment be divided. Councillor Hildebrandt withdrew his request.

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0144 Parking and Development Options for Lands Adjacent to Meridian Community Centre, for information;

AND FURTHER BE IT RESOLVED THAT Council direct staff to pursue Option #_____, by:

- a. Referring the matter to the 2023 budget including parking lot cost options; and/or
- b. Initiating the workflow to result in a severance of the Subject Lands so that the Northerly/Southerly portion is retained for future parking lot purposes and the Northerly/Southerly portion is to be sold for development purposes; and/or
- c. Requiring that staff report back with recommendations on how to specifically subdivide the subject lands by September 6, 2022;

AND FURTHER BE IT RESOLVED that staff are to report back with a progress and status update pertaining to this file by September 6, 2022.

Amendment:

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

THAT the motion be amended to strike all language after 'council direct staff' and insert:

- **Retain all the lands at this time**
- **AND THAT Council direct staff to report back to Council by August 22, 2022 with respect to an updated cost for creating a temporary parking lot on the lands adjacent to the MCC – known as Part 4.**

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 Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2022-0144 Parking and Development Options for Lands Adjacent to Meridian Community Centre, for information;

AND FURTHER BE IT RESOLVED THAT Council direct staff to retain all the lands at this time;

AND THAT Council direct staff to report back to Council by August 22, 2022 with respect to an updated cost for creating a temporary parking lot on the lands adjacent to the MCC – known as Part 4.

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)

13. Unfinished Business

14. New Business

15. Presentation and Consideration of By-Laws

Councillor Kore request the by-laws be considered separately. Council unanimously agreed to have By-Law No. 4463(2022) and 4464(2022) considered together.

Councillor Kore requested a recorded vote.

Moved By Councillor Marianne Stewart

Seconded By Councillor 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. By-law 4463(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands on the north side of Port Robinson Road, east of Station Street, legally described as Part of Lot 167, Geographic Township of Thorold, Part of Lots 17, 18 & 19 Plan 717, Town of Pelham, from the Residential Multiple 1 – 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone. Hummel Properties Inc. File No. AM-07-21

2. By-law 4464(2022) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 14. Summersides Village. File no. OP-AM-02-21

3. By-law 4470(2022) - Being a By-law to authorize the Mayor and Clerk to enter into a Memorandum of Understanding with Innova Stem Labs Inc. for the STEM Camp Program.

Moved By Councillor Marianne Stewart

Seconded By Councillor 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. By-law 4463(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands on the north side of Port Robinson Road, east of Station Street, legally described as Part of Lot 167, Geographic Township of Thorold, Part of Lots 17, 18 & 19 Plan 717, Town of Pelham, from the Residential Multiple 1 – 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone. Hummel Properties Inc. File No. AM-07-21

2. By-law 4464(2022) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 14. Summersides Village. File no. OP-AM-02-21

For (5): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Against (2): Councillor Lisa Haun, and Councillor Ron Kore

Carried (5 to 2)

Moved By Councillor Marianne Stewart

Seconded By Councillor 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:

3. By-law 4470(2022) - Being a By-law to authorize the Mayor and Clerk to enter into a Memorandum of Understanding with Innova Stem Labs Inc. for the STEM Camp Program.

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)

16. Motions and Notices of Motion

16.1 Mayor Junkin - Honouring Jane Haist

The Mayor vacated his seat as Chair. Deputy Mayor Kore presided over this portion of the meeting.

Moved By Mayor Marvin Junkin

Seconded By Councillor Wayne Olson

WHEREAS the Corporation of the Town of Pelham has enacted a Naming of Corporate Assets Policy (S201-03) to govern the process of naming significant municipal assets such as parks, open spaces, facilities, street and other municipal buildings or properties after groups or individuals who have positively contributed or represented the Town of Pelham;

AND WHEREAS the late Jane Haist, longtime resident of the Town of Pelham, competed on behalf of the Pelham District High School track and field team, around the world, including such places as: Australia, New Zealand, Russia, Israel, Mexico, Ukraine, Sweden, Norway, United States and Great Britain;

AND WHEREAS the late Jain Haist furthered her athletic career and accomplishments by competing in the 1974 Commonwealth Games in New Zealand winning gold medals in Women's Shot Put and Discus, 1975 winning a bronze medal at the Pan America Games in Mexico City, 1977 and 1978 winning the AIAW National Championship in Discus and represented Canada as an Olympian at the 1976 Olympics in Montreal;

AND WHEREAS Council for the Town of Pelham deems it desirable to recognize Jane Haist by naming a community asset after her;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report to Council outlining opportunities and options to honour the late Jane Haist;

AND THAT staff shall report back to Council by July 25, 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)

16.2 Councillor Kore - Notice of Motion

The Mayor returned to his seat as Chair.

Councillor Kore withdrew his notice of motion.

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

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

19. Confirming By-Law

Moved By Councillor Lisa Haun

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. 4471(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 20th day of June, 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

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

The meeting was adjourned at 8:30pm.

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for July 25, 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