

SPECIAL COUNCIL MINUTES

Meeting #: SC-08/2022
Date: Tuesday, August 30, 2022, 5:30 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Marvin Junkin
Bob Hildebrandt
Wayne Olson
John Wink

Regrets Lisa Haun
Ron Kore
Marianne Stewart

Staff Present David Cribbs
Bob Lymburner
Barbara Wiens
Holly Willford
Ryan Cook
Lindsay Richardson
Brianna Langohr

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

The Mayor read the land acknowledgement into the record.

2. Approval of the Agenda

Councillor Hildebrandt made a motion to amend the order of the agenda. Councillor Hildebrandt did not receive a seconder.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the August 30, 2022 Special Meeting of Council be adopted as circulated.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	

Results

4

0

Carried (4 to 0)

3. Disclosure of Pecuniary Interest and General Nature Thereof

There were no pecuniary interests disclosed by any of the members present.

4. Unfinished Business - Regular Council Meeting of August 22, 2022

4.1 Staff Reports Requiring Action

4.1.1 Recommendation Report for Applications for Draft Plan of Subdivision and Zoning By-law Amendment - Tanner Extension, 2022-0201-Planning

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0201 – Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment – Tanner Extension for information as it pertains to File Nos. 26T19-03-2021 and AM-12-2021;

AND THAT Council direct Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council’s consideration;

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

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

4.1.2 Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment - Park Place West, 2022-0197-Planning

Moved By Bob Hildebrandt

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-197 – Recommendation for Applications for Draft Plan of

Subdivision & Zoning By-Law Amendment – Park Place West, for information;

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.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

**4.1.3 Comprehensive Zoning By-law and Official Plan
Amendment No. 15 - Final Recommendations , 2022-0200-Planning**

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;

AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);

AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:

AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands Zoned Residential Development (RD) in Comprehensive Zoning By-law 4481(2022).

Amendment:

Moved By Wayne Olson

Seconded By John Wink

THAT the motion be amended to:

- **strike "for all lands zoned Residential Development (RD)" from the last paragraph and insert "for all lands zoned".**

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

Motion as Amended:

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;

AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);

AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:

AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands zoned in Comprehensive Zoning By-law 4481(2022).

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.1.4 Emergency Management Program 2022 Revised , 2022-0172-Fire Dept

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0172 Emergency Management Program 2022 Revised, for information;

AND THAT the proposed Town of Pelham Emergency Plan as outlined in Appendix A, be approved;

AND THAT the Clerk be directed to present the necessary By-law at the next Regular Meeting of Council on September 6, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.1.5 Update on In-Ground Waste Collection Service Provider, 2022-0191-Public Works

Councillor Hildebrandt requested the motion be divided for separate consideration.

Upon advise from the Chief Administrative Officer, Council unanimously decided to receive the report and to not consider the second paragraph of the staff recommendation.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.

AND THAT Council endorse the recommendation from Town staff to contract with Niagara Region for in-ground waste collection services and include the expenditure in the 2023 Operating Budget for Council’s consideration.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	

0

4.1.6 Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, 2022-0202-Chief Administrator Officer

Seconded By Wayne Olson

AND THAT Council consider adopting By-law No. 4483(2022), being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

4.2 Presentation and Consideration of By-Laws

Seconded By Bob Hildebrandt

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

1. By-law 4481(2022) - Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham.

2. By-law 4482(2022) - Being a By-law to adopt Official Plan Amendment No. 15 – Housekeeping for the Town of Pelham Planning Area.

3. By-law 4483(2022) - Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.3 Motions and Notices of Motion

4.3.1 Councillor Wink - Proper Delivery of Unsolicited Materials, Newspapers and Flyers

Council unanimously decided to amend the report back date from September 19, 2022 to October 3, 2022.

Councillor Hildebrandt stated he will remove his name as seconder on the motion.

Councillor Olson stated he would second the motion.

Moved By John Wink

Seconded By Wayne Olson

WHEREAS the Council for the Town of Pelham values building a strong community while protecting the environment;

AND WHEREAS Council for the Town of Pelham has received resident complaints with respect to the improper delivery of unsolicited materials, newspapers and flyers which consequently blow all over town, creating pollution, nuisance and unsightly mess;

AND WHEREAS Council for the Town of Pelham deems it desirable to enact a by-law requiring the proper delivery of any unsolicited materials, including newspapers and junk mail, by requiring the placement of the said materials within a mailbox, mail slot at the door or in a receptacle designated for this purpose;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report and draft by-law for Council’s consideration regulating the delivery of unsolicited materials;

AND THAT staff shall report back to Council by October 3, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt		X
Wayne Olson	X	
John Wink	X	
Results	3	1
Carried (3 to 1)		

5. 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, including municipal employees; (d) - labour relations or employee negotiations (1 item - CAO Performance Review)

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

6. Rise From In Camera

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

7. Confirming By-law

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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

Being a By-law No. 4487(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 30th day of August, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

8. Adjournment

The meeting was adjourned at 7:09pm.

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for September 6, 2022 at 5:30 pm.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

Mayor Marvin Junkin

Town Clerk, Holly Willford