

REGULAR COUNCIL MINUTES

Meeting #: C-18/2022 - Regular Council
Date: Monday, October 17, 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

Regrets: Councillor John Wink

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Holly Willford

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 Stewart read the land acknowledgement into the record.

2. Approval of Agenda

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the October 17, 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:

- **Move item 10.2.2 Proposed Replacement of Town of Pelham Clean Yards By-law, 2022-0254-Chief Administrator Officer, to be heard after item 5 Adoption of Minutes**

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

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 October 17, 2022 Regular meeting of Council be adopted, as amended.

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

Carried (6 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

3.1 Councillor Ron Kore - Special Event Permit Application - DeVries Fruit Farm Christmas Market 2022, 2022-0241-Clerks

Councillor Kore declared a conflict of interest as his business deals with this company regularly. He further mentioned his family members may buy fruit from the farm.

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.2 Delegations

4.3 Report of Regional Councillor

5. Adoption of 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. C-17/2022 - Regular Council Meeting - October 3, 2022

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

Carried (6 to 0)

6. Proposed Replacement of Town of Pelham Clean Yards By-law, 2022-0254-Chief Administrator Officer

Moved By Councillor Wayne Olson

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive Report # 2022-0254 – Proposed Replacement of Town of Pelham Clean Yards By-law, for information;

AND THAT Council approve, in principle, the proposed Clean Yards By-law as presented;

AND THAT Council direct that the proposed by-law be presented to Council for consideration at the next regular meeting of Council.

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

Carried (6 to 0)

7. Business Arising from Council Minutes

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

Councillor Hildebrandt lifted item 8.3.1.

9. Consent Agenda Items to be Considered in Block

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the October 17, 2022 Council Agenda be received and the recommendations contained therein be approved, save and except 8.3.1:

8. Consent Agenda Items to be Considered in Block

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

~~8.3.1. Town Hall Building Addition Update, 2022-0242-Public Works~~

~~BE IT RESOLVED THAT Council receive Report #2022-0242-Public Works—Town Hall Building Additional Update, for information-(lifted)~~

8.3.2. Q3 RCW COW Report 2022, 2022-0250-Recreation

BE IT RESOLVED THAT Council receive Report 2022-0250-Recreation being the Q3/2022 Recreation, Culture and Wellness Department Report be received for information.

8.3.3. Q3 2022 Clerks COW Report, 2022-0223-Clerks

BE IT RESOLVED THAT the Q3/2022 Clerk's Report be received for information.

8.3.4. Q3 (2022) - Planning and Development COW Report, 2022-0229-Planning

BE IT RESOLVED THAT Council receive the Q3/2022 Community Planning and Development Department Report for information.

8.3.5. Q3 Fire by-law department COW report, 2022-0249-Fire Dept

BE IT RESOLVED THAT the Q3/2022-0249 Fire and By-law Enforcement Department Report be received for information.

8.3.6. Q3 Public Works Department Quarterly Report for the period (July 2022 - September 2022), 2022-0253-Public Works

BE IT RESOLVED THAT the Q3/2022 Public Works Department Report be received for information.

8.3.7. Q3 2022 Corporate Service COW Report, 2022-0199-Corporate Services

BE IT RESOLVED THAT the Q3/2022-0199 Corporate Services Department Report be received for information.

8.5. Information Correspondence Items

8.5.1. Niagara Region Correspondence

8.5.1.1. Niagara Peninsula Conservation Authority's Policy Document & Procedural Manual Update

BE IT RESOLVED THAT Council receive correspondence from Niagara Region, dated September 26, 2022, regarding Niagara Peninsula Conservation Authority's Policy Document and Procedural Manual Update, for information.

8.5.1.2. Smarter Niagara Incentive Program Tax Increment Grant 2022 Update

BE IT RESOLVED THAT Council receive correspondence from Niagara Region, dated September 26, 2022, regarding Smarter Niagara Incentive Program Tax Increment Grant 2022 Update, for information.

8.5.1.3. Implementation of Automated Speed Enforcement Across Niagara Region

BE IT RESOLVED THAT Council receive correspondence from Niagara Region, dated September 30, 2022, regarding the

Implementation of Automated Speed Enforcement Across Niagara Region, for information.

8.5.2. Canadian Federation of University Women Welland and District - 16 Days of Activism Against Gender-Based Violence

BE IT RESOLVED THAT Council receive correspondence from Canadian Federation of University Women Welland and District, dated October 4, 2022, regarding 16 Days of Activism Against Gender-Based Violence, for information.

8.5.3. GTA - Emergency Management Consultants Inc. - Review of the Emergency Management Plan for the Town of Pelham

BE IT RESOLVED THAT Council receive the report entitled Review of the Emergency Management Plan for the Town of Pelham from GTA Emergency Management Consultants Inc. dated February 2022, for information.

8.5.4. Niagara Peninsula Conservation Authority - 2021 Water Quality Report and Fact Sheet

BE IT RESOLVED THAT Council receive correspondence dated September 27, 2022 from the Niagara Peninsula Conservation Authority, for information.

8.5.5. Court of Revisions, September 7, 2022 Meeting Minutes

BE IT RESOLVED THAT Council receive the Court of Revisions September 7, 2022 Meeting Minutes, for information.

8.7. Committee Minutes for Information

8.7.1. Committee of Adjustment

BE IT RESOLVED THAT Council receive meeting minutes dated September 7, 2022 from the Committee of Adjustment, for information.

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

Carried (6 to 0)

10. Items for Separate Consideration, if Any

10.1 Town Hall Building Addition Update, 2022-0242-Public Works

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0242-Public Works – Town Hall Building Additional Update, for information.

Amendment:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Ron Kore

THAT the motion be amended to include:

AND THAT Council direct staff to prepare a fulsome report detailing the total cost impact of the soil investigation and new foundation design for the new Town Hall addition;

AND THAT staff report back to Council by December 5, 2022.

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

Carried (6 to 0)

Motion as Amended:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0242-Public Works – Town Hall Building Additional Update, for information;

AND THAT Council direct staff to prepare a fulsome report detailing the total cost impact of the soil investigation and new foundation design for the new Town Hall addition;

AND THAT staff report back to Council by December 5, 2022.

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

Carried (6 to 0)

11. Presentation & Consideration of Reports

11.1 Reports from Members of Council:

11.2 Staff Reports Requiring Action

11.2.1 Special Event Permit Application - DeVries Fruit Farm Christmas Market 2022, 2022-0241-Clerks

Councillor Kore vacated the electronic meeting by turning off his camera and muting himself.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-0241 – Special Event Permit Application – DeVries Fruit Farm Christmas Market 2022, for information;

AND THAT Council authorize and direct the Town Clerk to issue a Special Event Permit for the DeVries Fruit Farm Christmas Market event on December 3, 2022, subject to the approval of the Town Clerk, Director of Public Works, Director of Community Planning and Development, Fire Chief, 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;

AND THAT Council waive all licensing and fee requirements pursuant to By-Law No. 3186(2011) for craft vendors only in lieu of a \$150.00 Fire Inspection Fee, payable to the Town of Pelham prior to the issuance of the permit.

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

Conflict (1): Councillor Ron Kore

Carried (5 to 0)

12. Unfinished Business

13. New Business

14. Presentation and Consideration of By-Laws

Councillor Kore returned to the electronic meeting.

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 third time and do pass same;

1. By-law 4466(2022) - Being a by-law to provide for updated schedule of assessments, updated schedule of assessment for future maintenance and schedule of actual costs for Big Creek Drain System.

AND THAT 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-laws:

2. By-law 4494(2022) - Being a By-law to Authorize the Mayor and Clerk to enter into a Second Amending Agreement with the Regional Municipality of Niagara with respect to the Niagara Region's On-Demand Transit Service Pilot Project.

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

Carried (6 to 0)

15. Motions and Notices of Motion

Moved By Councillor Marianne Stewart

Seconded By Councillor Bob Hildebrandt

WHEREAS Council for the Town of Pelham is committed to the community and safety;

AND WHEREAS Council for the Town of Pelham desires to improve the crossing for school children with upgraded pavement markings and flashing lights at the Canboro Road pedestrian crossing to Wellington Heights School;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham direct staff to investigate the cost of upgrading the said crossing for Council's consideration within the 2023 Budget process.

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

Carried (6 to 0)

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

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

18. Resolution to Move in Camera

19. Rise From In Camera

20. Confirming By-Law

Moved By Councillor Bob Hildebrandt

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. 4495(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 17th day of October, 2022.

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

Carried (6 to 0)

21. Adjournment

The meeting was adjourned at 6:09pm.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for November 7, 2022 at 5:30 pm.

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

Carried (6 to 0)

Mayor: Marvin Junkin

Town Clerk: Holly Willford