

REGULAR COUNCIL MINUTES

Meeting #: C-04/2023 - Regular Council
Date: Tuesday, February 21, 2023
Time: 5:30 PM
Location: Meridian Community Centre - Accursi A and B
100 Meridian Way
Fonthill, ON
L0S 1E6

Members Present: Mayor Marvin Junkin
Councillor Bob Hildebrandt
Councillor Wayne Olson
Councillor John Wink
Councillor Kevin Ker
Councillor Brian Eckhardt

Regrets: Councillor Shellee Niznik

Staff Present: David Cribbs
Jason Marr
Teresa Quinlin-Murphy
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 5:30pm.

2. Land Recognition Statement

The Mayor read the land acknowledgement into the record.

3. Approval of Agenda

The Mayor commented this is the first in-person meeting the Town of Pelham has had in approximately 3 years. He stated it felt good to see members of Council and the public face to face.

The Mayor congratulated RCW staff on a successful Family Day event.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the February 21, 2023 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 include the addendum package.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

Motion as Amended:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the February 21, 2023 Regular meeting of Council be adopted, as amended.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

4. Disclosure of Pecuniary Interests and General Nature Thereof

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

5. Hearing of Presentation, Delegations, Regional Report

5.1 Presentations

5.2 Delegations

5.3 Report of Regional Councillor

6. Adoption of Council Minutes

Moved By Councillor Brian Eckhardt

Seconded By Councillor John Wink

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

1. RC-03/2023 - Regular Council - February 6, 2023

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

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

8. Consent Agenda Items to be Considered in Block

Moved By Councillor John Wink

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT the Consent Agenda items as listed on the February 21, 2023 Council Agenda be received and the recommendations contained therein be approved:

8. Consent Agenda Items to be Considered in Block

8.1 Presentation of Recommendations Arising from Committee of Council, for Council Approval

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

SCOW-03/2023 - Special Committee of the Whole - Water and Wastewater Budget Meeting - February 6, 2023

8.2 Minutes Approval - Committee of Council

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

- 1. SCOW-03/2023 - Special Committee of the Whole - Water/Wastewater Budget Meeting - February 6, 2023**

8.3 Staff Reports of a Routine Nature for Information or Action

8.3.1 Updates to the Leave of Absence Policy, 2023-0046-Chief Administrator Officer

BE IT RESOLVED THAT Council receive Report #2023-0046 Updates to the Leaves of Absence Policy, for information;

AND THAT Council approve the Leaves of Absence Policy S600-09, as amended.

8.3.2 Revised Terms of Reference re Pelham Finance and Audit Committee, 2023-0048-Clerks

BE IT RESOLVED THAT Council receive Memo – Revised Terms of Reference re Pelham Finance and Audit Committee for information;

AND THAT Council approve the revised Terms of Reference attached to the said Memo, revising the Committee Membership to include three (3) members of the Public.

8.3.3 2022 Pelham Water Distribution System Report, 2023-0041-Public Works

BE IT RESOLVED THAT Council receive Report #2023-0041 Pelham Water Distribution System Summary Report, for information;

AND THAT Council endorse the Quality Management System Operational Plan.

8.3.4 Town Hall Building Addition February Update, 2023-0049-Public Works

BE IT RESOLVED THAT Council receive Report #2023-0049-Public Works – Town Hall Building Addition February Update, for information.

8.3.5 Proposed Sharing of Planning Services with Region of Niagara, 2023-0055-Planning

BE IT RESOLVED THAT Council receive Report #2023-0055 Proposed Sharing of Planning Services with the Region of Niagara, for information.

8.3.6 2022 Council and Board Renumeration, 2023-0056-Corporate Services

BE IT RESOLVED THAT Council receive Report # 2023-0056 – 2022 2022 Statement of Council and Board Remuneration, for information

8.4 Action Correspondence of a Routine Nature

8.4.1 Laura Nelson correspondence re: Memorial Donation towards Isaac Riehl Park

BE IT RESOLVED THAT Council receive correspondence from Ms. Laura Nelson regarding potential memorial donations to be used towards park upgrades to Isaac Riehl Park in Fonthill, for information;

AND THAT Council direct Town Staff work with Ms. Nelson in accepting potential memorial donations to be used towards park upgrades at Isaac Riehl Park.

8.5.1 PATH Correspondence re: Strategic Planning

BE IT RESOLVED THAT Council receive the correspondence dated February 14, 2023 from PATH regarding the Town of Pelham's strategic planning.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

9. Consent Agenda Item(s) Lifted for Separate Consideration, if Any

10. Presentation and Consideration of Reports

10.1 Members of Council Reports

10.2 Staff Reports Requiring Action

10.2.1 Civil Marriage Solemnization Services Update, 2023-0025-Clerks

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2023-0025 – Civil Marriage Solemnization Service Update, for information;

AND THAT Council approve Policy No. S203-18 – Civil Marriage Solemnization, as revised;

AND THAT Council consider approving By-law 14-2023, thereby repealing By-law 3712(2016).

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

10.2.2 Special Event Permit Application - TASC Tulip Pick Farm Event 2023 , 2023-0042-Clerks

Moved By Councillor Kevin Ker

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #023-0042 – Special Event Permit Application – TASC Tulip Pick Farm 2023, for information;

AND THAT Council authorize and direct the Town Clerk to issue a Special Event Permit for the TASC Tulip Pick Farm event running from April 30, 2023, to May 21, 2023, 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.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

10.2.3 Special Event Permit Application - The Fenwick Market 2023, 2023-0052-Clerks

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2023-0052 – Special Event Permit Application – The Fenwick Market 2023, for information;

AND THAT Council authorize and direct the Town Clerk to issue a Special Event Permit for the Fenwick Market event running on May 27th, 2023, and May 28, 2023, 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 (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

10.2.4 Updated Procurement Policy- Purchasing Goods and Services, 2023-0054-Corporate Services

Moved By Councillor Kevin Ker

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report # 2023-0054- Updated Procurement Policy - Purchasing Goods and Services - Corporate Services, for information;

AND THAT Council approve the revised Procurement Policy- Purchasing Goods and Services S402-00.

Amendment:

Moved By Councillor John Wink

Seconded By Councillor Brian Eckhardt

THAT the motion be amended to include:

- **THAT Council approve the revised policy with the following amendments to increase the meal allowance, being:**
 - **\$20 for breakfasts;**
 - **\$35 for lunch; and**
 - **\$60 for dinner.**

AND THAT meal allowances shall stipulated shall include tax and tip.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

Amendment:

Moved By Councillor Kevin Ker

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report # 2023-0054- Updated Procurement Policy - Purchasing Goods and Services - Corporate Services, for information;

AND THAT Council approve the revised Procurement Policy- Purchasing Goods and Services S402-00, with the following amendments to increase the meal allowance, being:

- **\$20 for breakfasts;**
- **\$35 for lunch; and**
- **\$60 for dinner.**

AND THAT meal allowances shall stipulated shall include tax and tip.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Councillor Bob Hildebrandt

Seconded By Councillor John Wink

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 13-2023 - Being a By-law to confirm various appointments to Advisory Committees of the Town of Pelham for the 2022-2026 Term of Council.**
- 2. By-law 14-2023 - Being a By-law to endorse the Clerk of the Town of Pelham, or Designate, to Solemnize Civil Marriage Ceremonies and to repeal and replace By-law 3712(2016).**
- 3. By-law 15-2023- Being a By-law to exempt Lot 125 on Plan 59M-434, municipally known as 102, 104, 106 and 108 Summersides Boulevard, from Part Lot Control - River Estates Phase 1 Subdivision (867962 Ontario Limited) File No. PLC- 01-2023**
- 4. By-law 16-2023 - Being a By-law to exempt Blocks 160 and 163 on Plan 59M-505 from Part Lot Control. Saffron Meadows Phase 3 (Hert Inc.) File No. PLC- 01-2022**
- 5. By-law 17-2023 - Being a By-law to adopt Official Plan Amendment No. 18 for the Town of Pelham Planning Area. 125 Port Robinson Road. File No. OP-AM-03-2022**
- 6. By-law 18-2023 - Being a By-law to amend Zoning By-law 1136(1987), as amended, for lands located at 125 Port Robinson Road, legally described as Part of Township Lot 167, Part 1, Plan 59R-5449, Town of Pelham, Regional Municipality of Niagara, from the Agricultural Zone to the site specific Residential Two - 330, Residential Multiple One – 331, Residential Multiple One – 332 and Residential Multiple Two – 333 Zones.
File No. AM-03-2022**

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

14. Motions and Notices of Motion

14.1 Motion - Councillor Olson

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

WHEREAS Council for the Town of Pelham approved a grant application for a new library through the Green and Inclusive Community Building Grant program;

AND WHEREAS staff for the Town of Pelham applied for and was successful in receiving the amount of \$5.4 million through the Green and Inclusive Community Building Grant program to build a new proposed Lincoln Pelham Public Library Fonthill Branch;

AND WHEREAS inflation and increased construction costs have risen the projected estimated cost of the new proposed Lincoln Pelham Public Library Fonthill Branch total from approximately \$9.5 million to \$17.3 million;

AND WHEREAS Council for the Town of Pelham desires to ensure financial sustainability of the Town of Pelham;

AND WHEREAS Council for the Town of Pelham declares a project to construct a new proposed Lincoln Pelham Public Library Fonthill Branch neither financially reasonable nor sustainable at this time;

AND WHEREAS Council for the Town of Pelham supports renovating the current Fonthill Library branch as desirable for the community as it will be both financially and operationally sustainable;

NOW THEREFORE BE IT RESOLVED THAT Council direct staff of the Town of Pelham to change the scope of work in grant applications and the Town’s asset management plan from building a new library branch to retrofitting the existing library branch and apply for applicable grant funding;

AND THAT Council direct staff to focus on renovating the existing Fonthill Library Branch to ensure all accessibility requirements are met by 2025 under the Accessibility for Ontarians with Disabilities Act.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

- 15. Committee of the Whole**
 - 15.1 Reports**
- 16. Rise from Committee of the Whole**
- 17. Resolution to Move in Camera**
- 18. Rise From In Camera**
- 19. Confirming By-Law**

Moved By Councillor Brian Eckhardt

Seconded By Councillor Kevin Ker

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

Being a By-law No. 19-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 21st day of February, 2023.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

20. Adjournment

The meeting was adjourned at 6:13pm.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for March 1, 2023 at 9am.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, and Councillor Brian Eckhardt

Carried (6 to 0)

Mayor: Marvin Junkin

Town Clerk: Holly Willford