

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-13/2023  
**Date:** Wednesday, July 5, 2023  
**Time:** 9:00 AM  
**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 Shellee Niznik  
Councillor Brian Eckhardt

**Staff Present:** David Cribbs  
Bob Lymburner  
Jason Marr  
Teresa Quinlin-Murphy  
Jennifer Stirton  
Vickie vanRavenswaay  
Sarah Leach  
William Tigert  
Ryan Cook  
Shannon Larocque  
Lindsay Richardson

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**1. Call to Order and Declaration of Quorum**

Noting that a quorum was present, the Mayor called the meeting to order at approximately 9am.

**2. National Anthem**

**3. Land Recognition Statement**

The Mayor read the land acknowledgement into the record.

**4. Approval of the Agenda**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT the agenda for the July 5, 2023, Regular meeting of Council be adopted, as circulated.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**5. Disclosure of Pecuniary Interests and General Nature Thereof**

Councillor Ker declared a pecuniary interest with respect to item 3.2 of the closed session agenda.

Councillor Hildebrandt declared a pecuniary interest with respect to item 3.2 of the closed session agenda.

**6. Hearing of Presentation, Delegations, Regional Report**

**6.1 Delegations**

**6.1.1 Proposed Urban Hens By-law**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Shellee Niznik

**BE IT RESOLVED THAT Council receive the delegation from Marc Korchok regarding the proposed urban hens by-law, for information.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**6.2 Staff Report for Action**

**6.2.1 Backyard Hen Licensing By-law, 2023-0152-Planning**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2023-0152 - Backyard Hen Licensing By-law, for information;**

**AND THAT Council direct Planning and By-law Staff to prepare the Licensing By-law to permit, regulate and license hens in the Town of Pelham for the next Council meeting.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

### **6.3 Delegations Resumed**

#### **6.3.1 STEPPE UP for Ukraine - 2023 Fundraising Cycling Event**

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive the delegation from Christyna Prokipchuk regarding 2023 STEPPE UP Fundraising Cycling Event for Ukraine, for information.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

#### **6.3.2 Support for Indigenous Issues Affecting Cities, Towns, Region, Province and Country**

Mr. Soos withdrew his delegation.

### **7. Adoption of Council Minutes**

**Moved By** Councillor John Wink

**Seconded By** Councillor Brian Eckhardt

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

#### **1. C-12/2023 - Regular Council Meeting - June 21, 2023**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

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

Councillor Niznik lifted item 9.3.1.

Councillor Olson lifted item 9.5.2.

**9. Consent Agenda Items to be Considered in Block**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT** the Consent Agenda items as listed on the July 5, 2023 Council Agenda be received and the recommendations contained therein be approved, save and except 9.3.1 & 9.5.2:

**9. Agenda Items to be Considered in Block**

**9.1 Presentation of Recommendations Arising from Committee of Council, for Council Approval**

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

**1. PCOW-05/2023 - June 14, 2023 Public Meeting under the Planning Act**

**9.2 Minutes Approval - Committee of Council**

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

**1. PCOW-05/2023 - June 14, 2023 Public Meeting under the Planning Act**

**9.3 Staff Reports of a Routine Nature for Information or Action**

~~**9.3.1 Port Robinson Road Traffic Study, 2023-0156 Public Works**~~

~~**BE IT RESOLVED THAT** Council receive Report #2023-0156—Port Robinson Road Traffic Study, for information.~~

**9.3.2 Update on Status of Cannabis Control Committee Work and Implications of Establishing Cannabis Liaison Committee Report, 2023-0157-Planning**

**BE IT RESOLVED THAT** Council receive the Memo 2023-0157 entitled Update Regarding Status of Cannabis Control Committee Work and Implications of Establishing Cannabis Liaison Committee Report, for information.

**9.5 Information Correspondence**

**9.5.1 Niagara Central Airport Commission Regional Road 529 Road Condition**

**BE IT RESOLVED THAT** Council receive correspondence from Niagara Central Dorothy Rungeling Airport Commission regarding road condition of Regional Road 529, for information.

~~**9.5.2 Niagara Peninsula Conservation Agreement for Services with Municipalities**~~

~~**BE IT RESOLVED THAT Council receive correspondence from Niagara Peninsula Conservation regarding Agreement for Services with Municipalities, for information.**~~

**9.6 Advisory Committee Minutes for Information**

**9.6.1 Agricultural Advisory Committee Minutes - April 26, 2023**

**BE IT RESOLVED THAT Council receive the April 26, 2023 Agricultural Advisory Committee Meeting Minutes, for information.**

**10. Consent Agenda Item(s) Lifted for Separate Consideration, if any**

**10.1 Port Robinson Road Traffic Study, 2023-0156-Public Works**

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report #2023-0156 – Port Robinson Road Traffic Study, for information;**

**AND THAT a digital speed indicator sign be installed on Port Robinson Road between Station Street and Rice Road.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**10.2 Niagara Peninsula Conservation Agreement for Services with Municipalities**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**THAT item 9.5.2 Niagara Peninsula Conservation Authority Agreement for Services with Municipalities be deferred for consideration until more information is obtained.**

For (4): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor Brian Eckhardt

Against (3): Councillor John Wink, Councillor Kevin Ker, and Councillor Shellee Niznik

**Carried (4 to 3)**

**11. Unfinished Business**

**12. New Business**

**13. Presentation and Consideration of By-Laws**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Brian Eckhardt

**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 40-2023 - Being a by-law to amend By-law 13-2023, confirming various appointments to Advisory Committees of the Town of Pelham for the 2022-2026 Term of Council and to appoint an ex-officio member to the Pelham Active Transportation Committee.**

**2. By-law 41-2023 - Being a By-law to amend By-law No. 4507(2022), being a By-law to govern the proceedings of the Town of Pelham Council, its Committees, the conduct of its Members and the calling of Meetings, to remove the need to call for a recorded vote on all resolutions, unless requested by a Member of Council.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**14. Motions and Notices of Motion**

**15. Resolution to Move In Camera**

**Moved By** Councillor John Wink

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following:**

**(a) the security of the property of the municipality or local board (1 item: Ward One);**

**(b) personal matters about an identifiable individual, including municipal or local board employees (1 item: Non-unionized Staff);**

**(c) a proposed or pending acquisition or disposition of land by the municipality or local board; (1 item: Niagara Central Dorothy Rungeling Airport)**

**(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (2 items: Local Board)**

**(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value (2 items: Local Board)**

**(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 item: Municipal Property);**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

## **16. Rise From In Camera**

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise with Report;**

**AND THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of July 5, 2023.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

## **17. Appointments to Advisory Committees**

**Moved By** Councillor John Wink

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT Council appoint the following individual to the Pelham Seniors Advisory Committee:**

**1. Tahlia Bolibruck**

**AND THAT Council direct the Town Clerk to prepare and present the necessary appointment by-law at the following Regular Meeting of Council.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**18. Presentation and Consideration of Reports**

**18.1 Staff Reports Requiring Action**

**18.1.1 Proposed Increase to RCW Staff Complement, 2023 - 2025, 2023-0161-Chief Administrator Officer**

**Moved By** Councillor John Wink

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report # 2023-0159 – Proposed Increase to Staff Complement in the RCW Department, 2023 - 2025, for information;**

**AND THAT Council approve the establishment and hiring of one senior services and community enhancement programmer position, the hiring of one facility operator position, the establishment of two full-time customer service positions, the creation of a supervisor, recreation and culture position with simultaneous elimination of the recreation facilities coordinator position and the general increase in customer service hours, with a target goal of starting these positions in September, 2023, as outlined in this report;**

**AND FURTHER THAT Council refer the proposed Manager, Recreation, Culture and Wellness position to the 2025 budget deliberations.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**



**18.1.2 Recommendation for Draft Plan of Subdivision and Zoning By-law Amendment -1112 Haist Street, 2023-0151-Planning**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Shellee Niznik

**THAT Committee receive Report #2023-151 – Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment for information as it pertains to File Nos. 26T19-01-2023 and AM-03-2023;**

**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 (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**19. Confirming By-Law**

**Moved By** Councillor John Wink

**Seconded By** Councillor Wayne Olson

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

**Being a By-law No. 42-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 5th day of July, 2023.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

**20. Adjournment**

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for July 26, 2023, at 9:00am.**

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

**Carried (7 to 0)**

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Mayor: Marvin Junkin

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Town Clerk: William Tigert