

REGULAR COUNCIL MINUTES

Meeting #: C-14/2023
Date: Wednesday, July 26, 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 John Wink
Councillor Kevin Ker
Councillor Shellee Niznik
Councillor Brian Eckhardt

Regrets: Councillor Wayne Olson

Staff Present: Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Sarah Leach
William Tigert

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 9:00am.

2. National Anthem

3. Land Recognition Statement

The Mayor read the land acknowledgement into the record.

4. Approval of the Agenda

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the July 26, 2023, Regular meeting of Council be adopted, as circulated.

Carried

5. Disclosure of Pecuniary Interests and General Nature Thereof

None were declared.

6. Hearing of Presentation, Delegations, Regional Report

6.1 Presentations

6.1.1 Mayors Youth Advisory Collective, Results of 2023 Youth Forum

Jack Cunningham and Jessica Sung of the Mayors Youth Advisory Collective provided a presentation on the results of the 2023 youth forum. A copy is attached to the agenda and is available through the Clerk.

Moved By Councillor Brian Eckhardt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the Results of 2023 Youth Forum presentation from the Mayors Youth Advisory Collective, for information.

Carried

7. Adoption of Council Minutes

Moved By Councillor Kevin Ker

Seconded By Councillor John Wink

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

1. C-13/2023 - Regular Council Meeting - July 5, 2023

Carried

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

9. Consent Agenda Items to be Considered in Block

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the July 26, 2023, Council Agenda be received and the recommendations contained therein be approved:

9. Consent 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-06/2023 - Public Meeting under the Planning Act - July 12, 2023**

9.2 Minutes Approval - Committee of Council

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

PCOW-06/2023 - Public Meeting under the Planning Act - July 12, 2023

9.3 Staff Reports of a Routine Nature for Information or Action

9.3.1 Q2 2023 Fire and By-law Department, 2023-0162-Fire Dept

BE IT RESOLVED THAT the Q2/2023 Fire and By-law Enforcement Department Report be received for information.

9.3.2 Q2 2023 Clerks Quarterly Report, 2023-0153-Clerks

BE IT RESOLVED THAT the Q2/2023 Clerk's Report be received for information.

9.3.3 Q2 2023 Corporate Services Quarterly Report, 2023-0115-Corporate Services

BE IT RESOLVED THAT the Q2/2023-0115 Corporate Services Department Report be received for information.

9.3.4 Q2 2023 Planning and Development Quarterly Report, 2023-0149-Planning

BE IT RESOLVED THAT the Q2/2023 Community Planning and Development Department Report be received for information.

9.3.5 Q2 2023 RCW Quarterly Report , 2023-0173-Recreation

BE IT RESOLVED THAT 2023-0173-Recreation Q2 2023 Recreation, Culture and Wellness Department Report be received for information.

9.3.6 Q2 2023 Public Works Department Quarterly Report, 2023-0169-Public Works

BE IT RESOLVED THAT the Q2/2023 Public Works Department Report be received for information.

9.3.7 Municipal Class Environmental Assessment Process Information Report, 2023-0164-Public Works

BE IT RESOLVED THAT Council receive Report #2023-0164 – Municipal Class Environmental Assessment Process, for information.

9.4 Information Correspondence

9.4.1 Ministry of Natural Resources and Forestry Proposed Amendments on Environmental Registry

BE IT RESOLVED THAT Council receive correspondence from the Ministry of Natural Resources and Forestry regarding input on proposed amendments to the Forest Management Planning Manual, Forest Information Manual and Scaling Manual, for information.

9.5 Regional Municipality of Niagara Correspondence for Information or Action

9.5.1 Niagara Region 2022 Annual Financial Report

BE IT RESOLVED THAT Council receive Niagara Region's 2022 Annual Financial Report, for information.

9.6 Advisory Committee Minutes for Information

9.6.1 Committee of Adjustment - April 3, 2023

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated April 3, 2023, for information.

9.6.2 Joint Accessibility Advisory Committee Minutes - July 13, 2023

BE IT RESOLVED THAT Council receive the Joint Accessibility Advisory Committee minutes dated July 13, 2023, for information.

Carried

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

11. Presentation and Consideration of Reports

11.1 Staff Reports Requiring Action

11.1.1 Procurement Policy Revisions, 2023-0155-Town Solicitor

Moved By Councillor Brian Eckhardt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report # 2023-0155 – Procurement Policy Revisions, for information;

AND THAT Council approve the revisions to Policy S402-00, Procurement Policy – Purchasing Goods and Services.

Carried

11.1.2 2023 Road Rehabilitation Program Budget Exceedance , 2023-0172-Public Works

Moved By Councillor Shellee Niznik

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report # 2023-0172 2023 Road Rehabilitation Program Budget Exceedance, for information;

AND THAT Council approve the award of the 2023 Road Rehabilitation Program to Walker Construction Limited in the amount of \$1,099,319 without Provisionals and plus applicable net taxes of \$19,348, for a total project cost of \$1,118,667;

AND THAT Council approve a budget increase of \$118,667 for project RD 09-23 (cost centre 300643);

AND THAT Council approves the additional funding for the 2023 Road Rehabilitation transferred from the Roads Reserve.

Carried

11.1.3 MCC User Group Licence Agreements, 2023-0165-Town Solicitor

Councillor Hildebrandt requested the motion be divided to consider the license agreements with the Pelham Panthers Hockey Club separately.

Moved By Councillor Shellee Niznik

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report # 2023-0165 – MCC User Group Licence Agreements, for information;

AND THAT Council authorizes and directs staff to enter into licence agreements with the following organizations, which agreements shall be in a form satisfactory to the Town Solicitor and substantially the same as the draft licence agreements attached hereto:

- i. **Niagara Centre Skating Club**
- ii. **Pelham Minor Hockey Association**
- iii. **Pelham Panthers Basketball Association**
- iv. **Southern Tier Admirals Hockey Corporation**

Carried

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Kevin Ker

THAT Council defer consideration of entering into licence agreements with the Pelham Panthers Hockey Club Limited until the Regular Meeting of Council scheduled August 16, 2023.

Carried

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Councillor Kevin Ker
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 43-2023 - 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 and remove Member(s) to the Pelham Seniors Advisory Committee.**
- 2. By-law 44-2023 - Being a By-law to license, regulate and govern the keeping of hens in the Town of Pelham.**
- 3. By-law 45-2023 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to rezone lands located at 1112 Haist Street, legally described as Part of Lot 3, Concession 9, Town of Pelham, Regional Municipality of Niagara, from the Residential-One (R1) zone to the Residential-Two (R2) zone. File No. AM-03-2023.**

Carried

14. Motions and Notices of Motion

15. Resolution to Move In Camera

Moved By Councillor Brian Eckhardt

Seconded By Councillor John Wink

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following pursuant to Section 239(2) and 239(3) of the Municipal Act:

Section 239(2)(f) advice that is subject to solicitor-client privilege (1 Item)

Section 239(3.1) - Educational or training sessions (2 Items)

16. Rise From In Camera

Moved By Councillor Brian Eckhardt

Seconded By Councillor John Wink

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 26, 2023.

Carried

17. Confirming By-Law

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

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

Being a By-law No. 46-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 26th day of July, 2023.

Carried

18. Adjournment

Moved By Councillor Kevin Ker

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for August 16, 2023 at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert