

REGULAR COUNCIL MINUTES

Meeting #: C-17/2023
Date: Wednesday, September 20, 2023
Time: 9:00 AM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Councillor Bob Hildebrandt
Councillor Wayne Olson
Councillor John Wink
Councillor Kevin Ker
Councillor Shellee Niznik
Councillor Brian Eckhardt

Regrets: Mayor Marvin Junkin

Staff Present: David Cribbs
Jason Marr
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Sarah Leach, Deputy Clerk
Brianna Langohr
William Tigert
Usama Seraj

1. Call to Order and Declaration of Quorum

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

2. National Anthem

3. Land Recognition Statement

The Deputy Mayor read the land acknowledgement into the record.

4. Approval of the Agenda

BE IT RESOLVED THAT the agenda for the September 20, 2023 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:

- **Add addendum items 6.1.3 and 6.1.4**

Carried

Motion as Amended:

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the September 20, 2023 Regular meeting of Council be adopted, as amended.

Carried

5. Disclosure of Pecuniary Interests and General Nature Thereof

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

6. Hearing of Presentation, Delegations, Regional Report

6.1 Delegations

**6.1.1 Laura Nelson - 2024 Budget Request re:
Improvements to Isaac Riehl Skate Park**

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the presentation and 2024 Budget Submission from Laura Nelson regarding Improvements to Isaac Riehl Skate Park, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2 Ron Hall - 2024 Budget Request re: Pickleball Park in Fenwick

Moved By Councillor Kevin Ker

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the presentation and 2024 Budget Submission from Ron

Hall regarding the Pickleball Park in Fenwick, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.3 Pelham Cares - 2024 Budget Request re: Social Services

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the presentation and 2024 Budget Submission from Pelham Cares regarding Social Services, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.4 Pelham Minor Baseball Association - 2024 Budget Request

Moved By Councillor Wayne Olson

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the presentation and 2024 Budget Submission from Pelham Minor Baseball Association, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.2 Presentations

6.2.1 Council Remuneration Overview

Moved By Councillor Kevin Ker

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the Council Remuneration Review presentation from Brianna

**Langohr, Manager of People Services, for
information.**

Carried

7. Staff Report for Action

**7.1 Council Remuneration Review, 2023-0144-Chief
Administrator Officer**

Moved By Councillor Brian Eckhardt

Seconded By Councillor Kevin Ker

**BE IT RESOLVED THAT Council receive Report #2023-0144
Council Compensation Review, for information;**

**AND THAT Council adopt the recommended salary
increases for elected officials;**

**AND FURTHER BE IT RESOLVED THAT Council direct the
proposed salary increases to occur in the manner
endorsed by Option #2 contained in the Finance Section of
this report.**

Carried

8. Adoption of Council Minutes

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

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

1. C-16/2023 - Regular Council Meeting - September 6, 2023

Carried

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

10. Consent Agenda Items to be Considered in Block

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

**BE IT RESOLVED THAT the Consent Agenda items as listed on
the September 20, 2023 Council Agenda be received and the
recommendations contained therein be approved:**

10. Consent Agenda Items to be Considered in Block

10.1 Staff Reports of a Routine Nature for Information or Action

10.1.1 Demolition of Former School Structure - 801 Metler Road, 2023-0211-Planning

BE IT RESOLVED THAT Council receive Report #2023-211 as it pertains to the demolition of the former North Pelham school structure at 801 Metler Road, for information.

10.1.2 Final Technical Conformity Review Report - Town of Pelham Official Plan, 2023-0206-Planning

THAT Council receive Report #2023-0206 Final Technical Conformity Review Report – Town of Pelham Official Plan Review for information.

10.2 Action Correspondence of a Routine Nature

10.2.1 Positive Living Niagara Proclamation Request for HIV/AIDS Awareness Week, World AIDS Day & Indigenous HIV/AIDS Awareness Week

BE IT RESOLVED THAT the Town of Pelham receive the proclamation request from Positive Living Niagara, for information;

AND THAT THE Corporation of the Town of Pelham hereby proclaims November 25 to December 1 HIV/AIDS Awareness Week, December 1 World AIDS Day, and December 1 to 8 Indigenous HIV/AIDS Awareness Week.

10.3 Information Correspondence

10.3.1 Ombudsman Ontario Letter re: Integrity Commissioner Complaint Fee and Affidavit Requirement

BE IT RESOLVED that Council receive a letter from Ombudsman Ontario regarding Integrity Commissioner Complaint Fee and Affidavit Requirement, for information.

10.3.2 Larry Dolan - 2024 Budget Request re: Climate Change Initiatives

BE IT RESOLVED THAT Council receive the 2024 Budget Submission from Larry Dolan regarding Climate Change Initiatives, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

10.3.3 Barbara Rybiak - 2024 Budget Request re: Tennis Practice Wall at Centennial Park

BE IT RESOLVED THAT Council receive the 2024 Budget Submission from Barbara Rybiak regarding a Tennis Practice Wall at Centennial Park, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

10.4 Advisory Committee Minutes for Information

10.4.1 Agricultural Advisory June 14, 2023 Committee Minutes

BE IT RESOLVED that Council receive the June 14, 2023 Agricultural Advisory Committee Meeting Minutes, for information.

10.4.2 Committee of Adjustment July 4, 2023 Meeting Minutes

BE IT RESOLVED that Council receive the July 4, 2023 Committee of Adjustment Meeting Minutes, for information.

10.4.3 Pelham Active Transportation Committee May 24, 2023 and July 26, 2023 Meeting Minutes

BE IT RESOLVED that Council receive the May 24, 2023 and July 26, 2023 Pelham Active Transportation Committee Meeting Minutes, for information.

10.4.4 Pelham Seniors Advisory April 12, 2023, May 10, 2023, June 14, 2023 and July 12, 2023 Committee Minutes

BE IT RESOLVED that Council receive the April 12, 2023, May 10, 2023, June 14, 2023 and July 12, 2023 Pelham Seniors Advisory Committee Meeting Minutes, for information.

Carried

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

12. Presentation and Consideration of Reports

Councillor Ker vacated the meeting at 10:15 am.

12.1 Staff Reports Requiring Action

12.1.1 MCC - Revised Draft Licence Agreements - Pelham Panthers Hockey Club Limited and Pelham Junior Hockey Club, 2023-0199-Town Solicitor

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report # 2023-0199 Town Solicitor, MCC – Revised Draft Licence Agreements – Pelham Panthers Hockey Club Limited and Pelham Junior Hockey Club, for information;

AND THAT Council authorizes and directs the Town to enter into a licence agreement with Pelham

Panthers Hockey Club Limited in the form attached hereto;

AND THAT Council authorizes and directs the Town to enter into a licence agreement with Pelham Junior Hockey Club for concession and vending machine operations at the Meridian Community Centre in the form attached hereto.

Carried

12.1.2 Proposed 2024 Council Meeting Schedule, 2023-0189-Clerks

Moved By Councillor Brian Eckhardt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2023-0189 Proposed 2024 Council Meeting Schedule, for information;

AND THAT the 2024 Council Meeting Schedule as appended to this report be approved, as amended;

AND THAT Council direct Staff to publish the 2024 Council Meeting Schedule to the Town of Pelham website.

Carried

12.1.3 2023 Charging Stations Pay for Service Report, 2023-0187-Public Works

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report # 2023-187 EV Charging Stations Pay for Service Report, for information;

AND THAT Council approves the usage fees to be included in the 2023 User Fee and Rate Guide for the Level 2 EV and Level 3 EV Chargers.

AND THAT Council approve the net revenue acquired by the Town from the electric vehicle charging station user fee to be put into the Fleet Reserve Fund for the purpose of expanding and maintaining the electric vehicle charging station network;

AND THAT the Parking By-law be amended to restrict parking in the designated spaces for EV Chargers.

Carried

12.1.4 Vacation Policy Update, 2023-0192-People Services

Moved By Councillor Wayne Olson

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #0192, for information;

AND THAT Council approve the Vacation Policy S600-22, as amended.

Carried

13. Unfinished Business

14. New Business

15. Presentation and Consideration of By-Laws

Moved By Councillor Shellee Niznik

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 51-2023 being a By-law to Stop Up and Close a Portion of the Unopened Road Allowance Between Concession 3 and Concession 4, Part Lot 1-2, Concession 3 and Part Lot 1, Concession 4, Pelham.

2. By-law 52-2023 being a by-law to appoint members to the Environmental and Climate Adaptation Advisory Committee for the 2022-2026 Term of Council.

3. By-law 53-2023 being a By-law to amend Zoning By-law 4481(2022), as amended, to rezone lands located at 550 Webber Road, legally described as Part of Lot 11, Concession 14, Town of Pelham, Regional Municipality of Niagara, from the Rural Employment-72 (RE-72), Environmental Protection One (EP1) and Rural Employment (RE) zones to the amended site-specific Rural Employment-72 (RE-72), Environmental Protection One (EP1) and Rural Employment (RE) zones.

4. By-law 54-2023 being a By-law to adopt Official Plan Amendment No. 19 for the Town of Pelham Planning Area. 550 Webber Road File No. OP-AM-01-2023.

5. By-law 55-2023 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to rezone lands located at 1039 Church Street, legally described as Parts 2, 3 and 5, Plan 16 and Part 1, RP 59R-4712 Part of Lot 11, Concession 14, Town of Pelham, Regional Municipality of Niagara, from the Residential One (R1) zone to the site-specific Residential 1-148 (R1-148), Residential Multiple 2-149 (RM2-149) and Environmental Protection 1 (EP1) zones.

Carried

16. Motions and Notices of Motion

16.1 Notice of Motion - Councillor Olson

Centennial Park Safety Concern - 2024 Budget Consideration

17. Resolution to Move In Camera

18. Rise From In Camera

19. Confirming By-Law

Moved By Councillor Wayne Olson

Seconded By Councillor 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. 56-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 20th day of September, 2023.

Carried

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 October 4, 2023 at 9:00 am.

Carried

Deputy Mayor: John Wink

Town Clerk: William Tigert