

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-23/2023  
**Date:** Wednesday, December 20, 2023  
**Time:** 9:00 AM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

**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  
Barbara Wiens  
Holly Willford  
Jodi Legros  
Sarah Leach  
William Tigert  
Usama Seraj  
Ryan Cook

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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 9:00 a.m.

### **2. National Anthem**

### **3. Land Recognition Statement**

The Councillor Olson read the land acknowledgment into the record.

### **4. Approval of the Agenda**

BE IT RESOLVED THAT the agenda for the December 20, 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 a verbal report from Councillor Hildebrandt regarding the NPEI;**
- **Move 11.1.3 and 11.1.6 to be heard before 7.1**

**Carried**

**Motion as Amended:**

**Moved By** Councillor Bob Hildebrandt  
**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT the agenda for the December 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. Adoption of Council Minutes**

**Moved By** Councillor Brian Eckhardt  
**Seconded By** Councillor Kevin Ker

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

**1. C-22/2023 - Regular Council Meeting - December 06, 2023**

**Carried**

**7. Staff Report Requiring Action**

**11.2.6 HONK Agreement for Overnight Parking at the MCC, 2023-0275-Corporate Services**

This item was heard before 7.1.

**Moved By** Councillor Kevin Ker  
**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT Council receive Report # 2023-0272 - HONK Agreement for Overnight Parking at the MCC, for information;**

**AND THAT Council approve the authorized signing authorities for the Town of Pelham enter into a service agreement with HONK Mobile Inc. effective January 1, 2024 (Appendix 1).**

**Carried**

**11.2.3 2024 User Fee Approval, 2023-0265-Corporate Services**

Item 11.1.3 was heard following 11.1.6, before 7.1.

Councillor Hildebrandt requested a staff report on the feasibility of implementing resident vs. non-resident fees for the Recreation, Culture, and Wellness Fees and Charges schedule. Councillor Ker supported this request.

**Moved By** Councillor John Wink

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT Council receive Report #2023-0265 - 2024 User Fees and Charges Report, for information;**

**AND THAT Council receive the 2024 User Fees and Charges and give consideration to adopting By-law 71-2023.**

**Carried**

**7.1 2024 Capital Budget for Approval, 2023-0277-Corporate Services**

**Moved By** Councillor John Wink

**Seconded By** Councillor Shellee Niznik

**THAT project IT 04-24 Mobile Ticketing System be removed from the 2024 Capital Budget in the amount of \$24,000.**

**Carried**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT Council receive Report # 2023-0277 - 2024 Capital Budget for Approval, for information;**

**AND THAT Council receive the 2024 Capital Budget including all motions made by Council at the Committee of the Whole meeting on November 29, 2023;**

**AND THAT Council reduce the Ontario Community Infrastructure Fund (OCIF) allocated to Capital project RD 07-24 Road Rehabilitation by \$124,000, and increase the Capital Reserve Transfer by \$124,000.**

**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 Brian Eckhardt

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT the Consent Agenda items as listed on the December 20, 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**

**9.1.1 SCOW-05-2023 - Special Committee of the Whole - November 29, 2023 (Capital Budget Meeting)**

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

- 1. SCOW-05-2023 - Special Committee of the Whole - November 29, 2023 (Capital Budget Meeting)**

**9.1.2 SCOW-06-2023 - Special Committee of the Whole - December 13, 2023 (Operating Budget Meeting)**

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

- 1. SCOW-06-2023 - Special Committee of the Whole - December 13, 2023 (Operating Budget Meeting)**

**9.2 Minutes Approval - Committee of Council**

**9.2.1 SCOW-05/2023 - Special Committee of the Whole, Capital Budget Meeting - November 29, 2023**

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

1. **SCOW-05/2023 - Special Committee of the Whole, Capital Budget Meeting - November 29, 2023**

**9.2.2 SCOW-07/2023 - Special Committee of the Whole, Operating Budget Meeting - December 13, 2023**

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

1. **SCOW-07/2023 - Special Committee of the Whole, Operating Budget Meeting - December 13, 2023**

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

**9.3.1 Development Charges Background Study Update, 2023-0276-Corporate Services**

**BE IT RESOLVED THAT** Council receive the Memo entitled Development Charges Background Study Update, report # 2023-0276-Corporate Services for information.

**9.4 Advisory Committee Minutes for Information**

**9.4.1 Lincoln Pelham Union Public Library Board Meeting Minutes-November 21, 2023**

**BE IT RESOLVED** that Council receive the November 21, 2023 Lincoln Pelham Union Public Library Board Meeting Minutes, for information.

**9.5 Advisory Committee Correspondence for Information or Action**

**9.5.1 Joint Accessibility Advisory Committee Progress Report**

**BE IT RESOLVED** that Council receive the Joint Accessibility Advisory Committee of Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake, Grimsby and Port Colborne Progress Report, for information.

**Carried**

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

11. **Presentation and Consideration of Reports**

**Councillor Hildebrandt and Councillor Ker - NPEI Verbal Report**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT** Council receive the verbal update from Niagara Peninsula Energy Inc. from Councillor Hildebrandt and Councillor Ker, for information.

**Carried**

## **11.1 Staff Reports Requiring Action**

### **11.1.1 Proposed Public Art Policy, 2023-0260-Clerks**

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Bob Hildebrandt

**THAT Council defer consideration of the proposed Public Art Policy S100-16 to allow for review of the Policy by the Pelham Cultural Advisory Committee.**

**Carried**

### **11.1.2 Dissolution of Pelham Sports and Leisure Council, 2023-0274-Town Solicitor**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report # 2023-0274 – Town Solicitor, for information;**

**AND THAT Council approve By-law No. 73-2023, being a by-law for dissolution of Pelham Sports & Leisure Council;**

**AND THAT Council provide direction on the allocation of any funds received from Pelham Sports & Leisure Council upon dissolution.**

**Carried**

### **11.1.4 Demand Loan Payment and Establishment of Debt Repayment Reserve, 2023-0271-Corporate Services**

**Moved By** Councillor John Wink

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report # 2023-0271 - Demand Loan Payment and Establishment of Debt Repayment Reserve, for information;**

**AND THAT Council approve the full payment of the demand loan in the amount of \$777,777.89 plus any accrued interest to be funded from the 2023 operating surplus;**

**AND THAT Council approve the establishment of a Debt Repayment Reserve Fund that will be funded from budgeted debt principal and interest payments from existing debentures when these debentures are fully paid up. These funds will be used for future debt payments and/or to replenish negative reserve balances.**

**Carried**

**11.1.5 Water and Wastewater Long-range Financial Plan 2024-2029, 2023-0272-Corporate Services**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Shellee Niznik

**BE IT RESOLVED THAT Council receive Report #2023-0272-Corporate Services, for information;**

**AND THAT Council approve the Town of Pelham Water and Wastewater Financial Plan-O.Reg. 453/07 for the period January 1, 2024 to December 31, 2029.**

**Carried**

**12. Unfinished Business**

**13. New Business**

**14. 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 68-2023 - Being a By-law to establish a system of administrative penalties for contraventions of designated non-parking By-laws and to repeal By-law No. 4352(2022).**

**2. By-law 69-2023 - Being a By-law to establish a system of administrative penalties for contraventions of designated By-laws respecting traffic and the parking, standing or stopping of vehicles and to repeal By-law No. 4353(2022).**

**3. By-law 70-2023 - Being a By-law to amend various by-laws designated under By-law No. 68-2023, being the Administrative Penalty Process By-law for Non-Parking By-laws, and various by-laws designated under By-law No. 69-2023, being the Administrative Penalty Process By-law for Traffic and Parking By-laws.**

**4. By-law 71-2023 - Being a by-law to amend By-law No. 3728(2016) to establish 2024 Fees and Charges to be collected by the Corporation of the Town of Pelham and to Repeal By-law No. 4504-2023 as amended.**

**5. By-law 73-2023 - Being a By-law for dissolution of the Pelham Sports & Leisure Council.**

**Carried**

**15. Motions and Notices of Motion**

**16. Resolution to Move In Camera**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider a matter under Section 239 (2) of the Municipal Act, as follows:**

**(b) - personal matters about an identifiable individual, including municipal employees and (d) - labour relations or employee negotiations - 1 item (CAO Performance Review)**

**Carried**

**17. Rise From In Camera**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Shellee Niznik

**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 December 20, 2023.**

**Carried**

**18. Confirming By-Law**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor John Wink



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

**Being a By-law No. 74-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 20th day of December, 2023.**

**Carried**

**19. Adjournment**

The meeting adjourned at 11:54 a.m.

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for January 10, 2024 at 9:00 am.**

**Carried**

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Mayor: Marvin Junkin

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Town Clerk: William Tigert