

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-01/2024  
**Date:** Wednesday, January 10, 2024  
**Time:** 9:00 AM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

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

**Regrets:** Marvin Junkin

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

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

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

**2. National Anthem**

**3. Land Recognition Statement**

The Deputy Mayor read the land acknowledgment into the record.

**4. Approval of the Agenda**

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

**BE IT RESOLVED THAT the agenda for the January 10, 2024,  
Regular meeting of Council be adopted, as circulated.**

**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 Alzheimer Society of Niagara Region**

**Moved By** Kevin Ker

**Seconded By** Brian Eckhardt

**BE IT RESOLVED THAT Council receive the delegation from John Netherway and Jennifer Schembri of the Alzheimer Society of the Niagara Region regarding Alzheimer awareness, for information.**

**Carried**

**7. Adoption of Council Minutes**

**Moved By** Shellee Niznik

**Seconded By** Brian Eckhardt

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

**1. C-23/2023 - Regular Council Meeting - December 20, 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** Wayne Olson

**Seconded By** Kevin Ker

**BE IT RESOLVED THAT the Consent Agenda items as listed on the January 10, 2024, 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:**

**PCOW-11/2023 - Public Meeting under the Planning Act - December 13, 2023**

**9.2 Minutes Approval - Committee of Council**

**9.2.1 PCOW-11/2023 - Public Meeting under the Planning Act - December 13, 2023**

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

**PCOW-11/2023 - Public Meeting under the Planning Act - December 13, 2023**

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

**9.3.1 Fenwick Decorative Gas Lamps, 2024-0013-Public Works**

**BE IT RESOLVED THAT Council receive Report #2024-0013 - Fenwick Decorative Gas Lamps, for information.**

**9.4 Information Correspondence**

**9.4.1 Town of Lincoln Motion - Comprehensive Review and Overhaul of the Emergency Management and Civil Protection Act, 1990**

**BE IT RESOLVED THAT Council receive the motion from the Town of Lincoln regarding a Comprehensive Review and Overhaul of the Emergency Management and Civil Protection Act, 1990, for information.**

**9.5 Regional Municipality of Niagara Correspondence for Information or Action**

**9.5.1 Niagara Region PW 53-2023 Waste Management By-law Update**

**BE IT RESOLVED THAT Council receive the Niagara Region PW 53-2023 report regarding the Waste Management By-law Update, for information.**

**Carried**

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

**11. Presentation and Consideration of Reports**

**11.1 Members of Council Reports**

**11.2 Staff Reports Requiring Action**

**11.2.1 MCC User Group Licence Agreement re Pelham Raiders Minor Lacrosse Association, 2023-0273-Town Solicitor**

**Moved By** Shellee Niznik  
**Seconded By** Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report # 2023-0273 – MCC Licence Agreement – Pelham Raiders Minor Lacrosse Association, for information;**  
**AND THAT Council authorizes and directs staff to enter into a licence agreement with Pelham Raiders Minor Lacrosse Association, which agreement shall be in a form satisfactory to the Town Solicitor and substantially the same as the draft licence agreement attached hereto.**

**Carried**

**11.2.2 Proposed Replacement of Town of Pelham Cemeteries By-law, 2024-0015-Town Solicitor**

**Moved By** Brian Eckhardt  
**Seconded By** Wayne Olson

**THAT the third paragraph of the motion be lifted for separate consideration.**

**Carried**

**Moved By** Brian Eckhardt  
**Seconded By** Wayne Olson

**THAT Council direct staff to finalize subsections 9.19 and 9.20 of the proposed By-law to prohibit dogs other than service animals in Town cemeteries.**

**Defeated**

**Moved By** Kevin Ker  
**Seconded By** Shellee Niznik

**THAT Council direct staff to finalize subsections 9.19 and 9.20 of the proposed By-law to permit dogs other than service animals in Town cemeteries.**

**Defeated**

In response to a tie vote to both prohibit and permit dogs in Town cemeteries, ACO David Cribbs recommended

Council defer the item to pursue further community engagement.

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

**THAT Council's consideration of Report 2024-0015  
Proposed Replacement of Town of Pelham  
Cemeteries By-law is deferred until the Next Regular  
Meeting of Council, being January 24, 2024, to allow  
for further community consultation.**

**Carried**

**12. Unfinished Business**

**13. New Business**

**13.1 Niagara Region - Appointment to Transportation Strategy  
Steering Committee**

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

**BE IT RESOLVED THAT Council receive the correspondence  
and Terms of Reference from the Niagara Region  
regarding Appointments to the Transportation Strategy  
Steering Committee, (TSSC), for information.**

**AND THAT Council appoint Councillor Olson as the Town of  
Pelham nominee to the TSSC for the balance of the  
Regional Council term, ending November 2026.**

**Carried**

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

**Moved By** Shellee Niznik  
**Seconded By** Wayne Olson

**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 01-2024 - Being a By-law to provide for an interim  
tax levy for the year 2024.**

**Carried**

**15. Motions and Notices of Motion**

**16. Resolution to Move In Camera**

**Moved By** Bob Hildebrandt

**Seconded By** Brian Eckhardt

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

(b) personal matters about an identifiable individual, including municipal or local board employees; (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 Item - Ward 2)

**Carried**

**17. Rise From In Camera**

**Moved By** Kevin Ker

**Seconded By** Wayne Olson

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

**AND THAT** the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of January 10, 2024.

**Carried**

**18. Confirming By-Law**

**Moved By** Brian Eckhardt

**Seconded By** Shellee Niznik

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

Being a By-law No. 02-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 10th day of January, 2024.

**Carried**

**19. Adjournment**

The meeting was adjourned at 11:20 am.

**Moved By** Bob Hildebrandt

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for January 24, 2024, at 9:00 am.**

**Carried**

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Deputy Mayor: John Wink

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Town Clerk: William Tigert