

REGULAR COUNCIL MINUTES

Meeting #: C-05/2024
Date: Wednesday, March 6, 2024
Time: 9:00 AM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Bob Hildebrandt
Wayne Olson
John Wink
Kevin Ker
Shellee Niznik

Regrets: Brian Eckhardt

Staff Present: David Cribbs
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 9:00 am.

2. National Anthem

3. Land Recognition Statement

Mayor Junkin read the land acknowledgment into the record.

4. Approval of the Agenda

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the March 06, 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 E.L. Crossley Rowing Team Sponsorship and Support

E.L. Crossley students and rowing team members, Hunter and Kaitlyn, identified the need for funding for rowing equipment.

Pauline Oliver requested a sponsorship of at least \$9000.

Council requested a staff report on the feasibility of providing financial support to the E.L. Crossley Rowing Team, to be brought back for Council's consideration on April 17th, 2024.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive the delegation from Pauline Oliver, Hunter, and Kaitlyn, regarding E.L. Crossley Rowing Team sponsorship and support for equipment, for information.

Carried

7. Adoption of Council Minutes

Moved By John Wink

Seconded By Brian Eckhardt

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

1. C-04/2024 - Regular Council Meeting - February 21, 2024

Carried

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

9. Consent Agenda Items to be Considered in Block

Moved By Bob Hildebrandt

Seconded By Wayne Olson

BE IT RESOLVED THAT the Consent Agenda items as listed on the March 06, 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:

- 1. PCOW-02/2024 - February 14, 2024 Public Meeting under the Planning Act**
- 2. C-04/2024 - February 21, 2024 Public Meeting under the Development Charges Act**

9.2 Minutes Approval - Committee of Council

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

- 1. PCOW 02/2024 - Public Meeting under the Planning Act - February 14, 2024**

9.3 Advisory Committee Minutes for Information

9.3.1 Lincoln Pelham Public Library Minutes - January 16, 2024

BE IT RESOLVED THAT Council receive the Lincoln Pelham Public Library Board minutes dated November 21, 2023, for information.

9.3.2 Pelham Finance and Audit Committee Minutes - November 22, 2023

BE IT RESOLVED THAT Council receive the Pelham Finance and Audit Committee minutes dated November 22, 2023, 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

11.1.1 Councillor Olson - Update on Niagara Transit

Moved By John Wink

Seconded By Shelle Niznik

BE IT RESOLVED THAT Council receive the update on Niagara Transit from Councillor Olson, for information.

Carried

11.1.2 Councillor Hildebrandt - Update on the Utility Sustainability Work Group

Moved By Shellee Niznik

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the update from Councillor Hildebrandt on the Utility Sustainability Working Group, for information.

Carried

11.2 Staff Reports Requiring Action

11.2.1 Naming of Environmental Protection Block - Saffron Meadows Phase 3 (Phase 3) Subdivision, 2024-0058-Planning

Moved By Shellee Niznik

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-58 Naming of Environmental Protection Block – Saffron Meadows Phase 3 Subdivision, for information;

AND THAT Council approve the naming of Block 7 in Saffron Meadows Phase 3 (Phase 3) Subdivision to “The Daniel Tirone Forest”;

AND THAT Council direct the Chief Administrative Officer to take all necessary steps to review the current ‘Naming of Corporate Assets Policy’ and make any appropriate recommendations for change in Q4, 2024.

Carried

11.2.2 Pedestrian Handrail at Pelham Street and Regional Road 20 , 2024-0057-Public Works

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2024-0057 Pedestrian Handrail on Pelham Street at Regional Road 20, for information;

AND THAT Council direct staff to move forward with the red circled project RD-14-24 'Pedestrian Railing on Hwy20';

AND THAT Council direct staff to utilize the Capital Roads Reserve to fund project RD-14-24 'Pedestrian Railing on Hwy20'.

Carried

11.2.3 Update on Centennial Park Washrooms Extras Update, 2024-0060-Public Works

Moved By John Wink

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0060 – Update on Extras for Project FAC 06-23 Centennial Park Washrooms Design and Construction, for information;

AND THAT Council Approve additional funding in the amount of \$56,000 to cover the extras for Project FAC 06-23 Centennial Park Washroom Design and Construction to be funded as follows: \$12,000 from reallocating funds in Project FAC-03-22 Model Railway Building Window Replacement and \$44,000 from the projected 2023 in-year surplus;

AND THAT Council direct staff to include a Facilities capital project for roof replacement for Centennial Park Concessions as part of the 2025 Capital Budget;

Carried

11.2.4 Council Chambers Utilization, 2024-0059-Chief Administrator Officer

Moved By Bob Hildebrandt

Seconded By Kevin Ker

BE IT RESOLVED THAT Council receive Report #2024-0059 - Council Meeting Location, for information;

AND FURTHER be it resolved that Council continue its regular meetings in Council Chambers at Pelham Town Hall.

Carried

12. New Business

13. Motions and Notices of Motion

Councillor Olson provided a notice of motion proposing support for the Ontario Energy Board decision respecting Enbridge and natural gas connections.

Councillor Hildebrandt provided a notice of motion to request a staff report reviewing the number of electricity accounts in the Marlene Stewart Streit Park area, in conjunction with IT project 05-24, video surveillance upgrade at MSSP.

13.1 Councillor Eckhardt Motion re: Development Charges By-law

Councillor Ker vacated the meeting at 11:00 am.

Moved By John Wink

Seconded By Kevin Ker

THAT Council defer consideration of By-law 16-2024, Being a By-law to impose Development Charges, until the March 27th, 2024, Regular Meeting of Council.

Defeated

14. Presentation and Consideration of By-Laws

Mayor Junkin requested By-law 16-2024 be considered separately.

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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 13-2024 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to Regulate the Use of Land, Buildings and Structures within the Town (Zoning By-law) to Update Provisions based on an Administrative Review (Housekeeping Amendments). File No. AM-08-2023.

2. By-law 14-2024 - Being a By-law to amend By-law No. 71-2023 to establish 2024 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to add and amend Fees and Charges to the Recreation, Culture, and Wellness Schedule.

3. By-law 15-2024 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to rezone lands located at 1389

Effingham Street, legally described as Part of Lot 5, Concession 8, Town of Pelham, Regional Municipality of Niagara, from the Specialty Agricultural (SA) and Environmental Protection One (EP1) zones to the site-specific Specialty Agricultural-156 (SA-156) and Environmental Protection One (EP1) zones.

**5. By-law 17-2024 - Being a By-law to adopt Official Plan Amendment No. 20 for the Town of Pelham Planning Area.
1389 Effingham Street**

Carried

Moved By Wayne Olson
Seconded By Bob Hildebrandt

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:

4. By-law 16-2024 - Being a By-law for the Imposition of Development Charges and to Repeal By-law 4023(2018) and Amending By-law 4149(2019), 4314(2021), and 4431(2022).

Moved By Marvin Junkin
Seconded By Wayne Olson

THAT Council reduce the proposed development increase to 20% total for each development charge category over the 5 year-phase in.

Defeated

Moved By John Wink
Seconded By Bob Hildebrandt

THAT Council table By-law 16-2024, being a By-law for the Imposition of Development Charges, to provide staff an opportunity to bring forward a 5-year capital plan for Council's consideration, to be followed by a revised development charge study report, incorporating a maximum increase at 20% for each category, in Q2 of 2024.

Carried

15. Resolution to Move In Camera

Moved By Shellee Niznik
Seconded By Wayne Olson

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

(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 (Human Rights Tribunal)

(c) a proposed or pending acquisition or disposition of land by the municipality or local board - 1 item (Ward 2)

Carried

16. Rise From In Camera

Councillor Niznik vacated the meeting at 12:28 pm.

Moved By John Wink
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 March 06, 2024.

Carried

17. Confirming By-Law

Moved By Wayne Olson
Seconded By 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. 18-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 6th day of March, 2024.

Carried

18. Adjournment

The meeting adjourned at 12:30 pm.

Moved By Bob Hildebrandt
Seconded By John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for March 27, 2024 at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert