

REGULAR COUNCIL MINUTES

Meeting #: C-08/2024
Date: Wednesday, May 1, 2024
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
Sarah Leach, Deputy Clerk
William Tigert
Ryan Cook

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

Councillor Eckhardt read the land recognition statement into the record.

4. Approval of the Agenda

Moved By Councillor Wayne Olson

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT the agenda for the May 1, 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. Adoption of Council Minutes

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

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

1. SC-01/2024 - Special Council Meeting - April 15, 2024

2. C-07/2024 - Regular Council Meeting - April 17, 2024

Carried

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

Councillor Niznik requested to lift items 8.4.1 "City of St. Catharines - Urgent Need for Increased Funding to Libraries in Ontario" (now item 9.1) and 8.5.1 "Pelham Culture Advisory Committee Request to Council re: Staff Report on Beautification Options for Pelham Arches Concrete Bases" (now item 9.2) for separate consideration.

8. Consent Agenda Items to be Considered in Block

Moved By Councillor Brian Eckhardt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT the Consent Agenda items as listed on the May 1, 2024, Council Agenda be received and the recommendations contained therein be approved, save and except items 8.4.1 and 8.5.1:

8. Consent Agenda Items to be Considered in Block

8.1 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-03-2024 - Public Meeting under the Planning Act - April 10, 2024

8.2 Minutes Approval - Committee of Council

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

PCOW-03-2024 - Public Meeting under the Planning Act - April 10, 2024

8.3 Staff Reports of a Routine Nature for Information or Action

8.3.1 Update on Possible Connection Between Fonthill and Fenwick , 2024-0100-Public Works

BE IT RESOLVED THAT Council receive Report #2024-0100 Update on Possible Pedestrian Connection Between Fonthill and Fenwick, for information.

8.3.2 Wellspring Way Landscape Feature, 2024-0105-Public Works

BE IT RESOLVED THAT Council receive Report #2024-0105 Wellspring Way Parkette Installation, for information.

8.4 Information Correspondence

~~**8.4.1 City of St. Catharines Urgent Need for Increased Funding to Libraries in Ontario**~~

~~**BE IT RESOLVED THAT Council receive the motion from the City of St. Catharines regarding support of the Urgent Need for Increased Funding to Libraries and Museums in Ontario, for information.**~~

8.4.2 Pelham Cares Thank-You Note

BE IT RESOLVED THAT Council receive a thank you note from the Pelham Cares with regard to a donation received, for information.

8.5 Advisory Committee Correspondence for Information or Action

~~**8.5.1 Pelham Culture Advisory Committee Request to Council re: Staff Report on Beautification Options for Pelham Arches Concrete Bases**~~

~~**BE IT RESOLVED THAT Council receive the Memo: Pelham Culture Advisory Committee Request re: Staff Report on Beautification Options for Pelham Arches Concrete Bases, for information;**~~

~~**AND THAT Council direct staff to prepare a report exploring the feasibility and potential beatification options for the Pelham Arches concrete bases.**~~

8.6 Advisory Committee Minutes for Information

8.6.1 Environmental and Climate Adaption Advisory Committee Minutes - February 26, 2024 and March 25, 2024

BE IT RESOLVED THAT Council receive the Environmental and Climate Adaptation Advisory Committee minutes dated February 26, 2024 and March 25, 2024, for information.

8.6.2 Lincoln Pelham Public Library Minutes - March 19, 2024

BE IT RESOLVED THAT Council receive the Lincoln Pelham Union Public Library Board minutes dated March 19, 2024, for information.

8.6.3 Pelham Active Transportation Committee Minutes - February 28, 2024

BE IT RESOLVED THAT Council receive the Pelham Active Transportation Committee minutes dated February 28, 2024, for information.

8.6.4 Pelham Seniors Advisory Committee Minutes - March 19, 2024

BE IT RESOLVED THAT Council receive the Seniors Advisory Committee minutes dated March 19, 2024, for information.

Carried

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

9.1 City of St. Catharines - Urgent Need for Increased Funding to Libraries in Ontario

Formerly 8.4.1 on the consent agenda. Councillor Olson requested a friendly amendment to add a request for increased funding for heritage organizations.

Moved By Councillor Shellee Niznik

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive the motion from the Town of Lincoln and City of St. Catharines regarding support of the Urgent Need for Increased Funding to Libraries and Museums in Ontario, for information;

AND THAT Council endorse and support the request for increased funding for libraries and museums;

AND THAT Council further request support for increased funding for heritage organizations;

AND THAT this resolution be circulated to the Premier of Ontario, Minister of Tourism, Culture, and Sport, Association of Municipalities of Ontario (AMO), the Niagara Region, and the local area municipalities.

Carried

9.2 Pelham Culture Advisory Committee Request to Council re: Staff Report on Beautification Options for Pelham Arches Concrete Bases

Formerly 8.5.1 on the consent agenda.

Moved By Councillor Shellee Niznik

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive the Memo: Pelham Culture Advisory Committee Request re: Staff Report on Beautification Options for Pelham Arches Concrete Bases, for information;

AND THAT Council direct staff to prepare a report exploring the feasibility and potential beatification options for the Pelham Arches concrete bases.

Carried

10. Presentation and Consideration of Reports

10.1 Members of Council Reports

10.2 Staff Reports Requiring Action

10.2.1 Potential Use of Surety Bonds as Security for Development Agreements, 2024-0106-Town Solicitor

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report # 2024-0106 – Potential Use of Surety Bonds in Lieu of Letters of Credit as Security for Development Projects, for information;

AND THAT Council determine if it is desirable to permit the use of surety bonds as security for development projects in the Town of Pelham;

AND THAT if it is desirable to permit the use of surety bonds as security for development projects in the Town of Pelham, that Council direct staff to prepare a Surety Bond Policy to establish criteria and requirements for acceptable surety bonds.

Carried

10.2.2 Transfer of Surplus Fleet Asset , 2024-0101-Public Works

Moved By Councillor Kevin Ker
Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2024-0101 Reassignment of Fleet Unit 222 Rescue 1 From Fire Services to Public Works, for information;

AND THAT Council approve the installation of a dump body on Unit 222 by transferring the funds from the 1-ton Truck project VEH-07-21 (cost centre 300989) in the amount of \$90,000; and any unspent funds will be transferred back to the Fleet Reserve.

Carried

10.2.3 Meridian Community Centre Transformer Failure, 2024-0102-Public Works

Moved By Councillor Shellee Niznik
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report # 2024-0102 Meridian Community Centre Transformer Failure, for information;

AND THAT Council approve the uninsured portion of the MCC transformer be funded from the Meridian Community Centre Reserve.

Carried

10.2.4 Balfour Street Culvert Replacement Budget Exceedance , 2024-0098-Public Works

Moved By Councillor John Wink
Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2024-0098 Culvert Replacement Program Budget Exceedance, for information;

AND THAT Council approve the award of the Balfour Street Culvert Replacement to Country Line Construction Inc. in the amount of \$99,875.00 plus applicable taxes;

AND THAT council approve a budget increase of \$57,089.99 for project RD 03-24.

Carried

11. Unfinished Business

11.1 Proposed Public Art Policy 2024, 2024-0097-Clerks

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Memo 2024-0097 titled Proposed Public Art Policy, for information;

AND THAT Council approve the appended Public Art Policy, S100-16.

Carried

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Councillor Kevin Ker

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law(s) 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(s):

1. By-law 26-2024 - Being a By-law to regulate the use of municipal parks in the Town of Pelham and to repeal By-law #1583(1993) and By-law No. 1608(1993).

2. By-law 27-2024 - Being a By-law to amend Zoning By-law 4481(2022), as amended, for lands on the west side of Norgate Way, north of Summersides Boulevard and east of Station Street, legally described as Part of Lots 3, 4, 5, 6, 7, 8, 9, 11 and 13, Registered Plan 717 and Part of Lot 167, in the Town of Pelham, Regional Municipality of Niagara from the Residential Development (RD), R2-150 (Residential 2-150) and RM1-151 (Residential Multiple 1-151) zones to the revised R2-150 (Residential 2-150) and RM1-151 (Residential Multiple 1-151) zones. Park Place West. File No. AM-11-2023.

3. By-law 28-2024 - Being a By-law to Enact an Amendment to the Official Plan Adopted by By-law No. 3259 (2012) for the Town of Pelham Planning Area. Amendment No. 21. East Fenwick Secondary Plan

14. Motions and Notices of Motion

Councillor Eckhardt provided a notice of motion regarding a request to the Niagara Region to reduce speed on a portion of Effingham Street.

Councillor Hildebrandt provided a notice of motion regarding clarification of municipal engineering design criteria and standard drawings, site meetings, soil bearing capacity, and inclusion of accessibility requirements.

Mayor Junkin provided a notice of motion regarding the capacity and potential of the Meridian Community Centre to host rooftop solar panels.

14.1 Councillor Olson Motion - Potential Niagara Regional Transit Enhancements

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

WHEREAS accessible and efficient public transportation fosters community connectivity, promotes mobility, and enhances the quality of life of residents;

AND WHEREAS on March 19, 2024, the City of Niagara Falls passed a motion requesting the Niagara Region Transit Commission establish a discounted seniors fare that is competitive with others in the Golden Horseshoe, further seeking endorsement from all local area municipalities in Niagara Region;

AND WHEREAS Council for the Town of Pelham supports the establishment of a discounted seniors fare within the framework of Niagara Regional Transit, acknowledging the importance of affordability and accessibility for our senior residents;

AND WHEREAS recognizing the potential for enhancing Niagara Regional Transit, it is imperative to explore additional avenues, including but not limited to building capacity for service reliability, expanded service hours, expanded Saturday and Sunday service, and the introduction of additional varied fare rates;

AND WHEREAS Council acknowledges that the implementation of such service enhancements will directly impact taxpayers;

THEREFORE BE IT RESOLVED THAT Staff be directed to consult the Pelham Seniors Advisory Committee, the Pelham Active Transportation Committee, the Joint Accessibility Advisory Committee, and the Mayors Youth

Advisory Collective to gather input regarding the potential expansion of Niagara Regional Transit services;

AND THAT staff be directed to prepare an information report for Council’s consideration, inclusive of cost estimates, as well as the input gathered from the aforementioned Committees.

Carried

15. 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 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 - Normal Farm Practices Protection Board).

Carried

16. Rise From In Camera

Moved By Councillor Brian Eckhardt
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council reconvene the regular meeting;
AND THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of May 1, 2024.

Carried

17. Confirming By-Law

Moved By Councillor Shellee Niznik
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. 29-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 1st day of May, 2024.

Carried

18. Adjournment

The meeting adjourned at 10:51 a.m.

Moved By Councillor John Wink

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 15, 2024, at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert