

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-09/2024  
**Date:** Wednesday, May 15, 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  
Jason Marr  
Teresa Quinlin-Murphy  
Jennifer Stirton  
Vickie vanRavenswaay  
Barbara Wiens  
Jodi Legros  
Brianna Langohr  
William Tigert  
Ryan Cook  
Derek Young  
Usama Seraj

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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 am.

### **2. National Anthem**

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

Councillor Niznik read the land recognition statement into the record.

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

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the May 15, 2024, Regular meeting of Council be adopted, as circulated.

**Amendment:**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Bob Hildebrandt

**THAT the Agenda be amended to add items:**

- **10.1.1 - Verbal update from Councillor Ker regarding the Niagara Central Dorothy Rungeling Airport Commission;**
- **10.2.3 - Repeal and Replace By-law No. 22-2024; and**
- **13.1 - By-law 37-2024**

**Carried**

**Motion as Amended:**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT the agenda for the May 15, 2024, 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 Wayne Olson

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

**1. C-08/2024 - Regular Council Meeting - May 1, 2024**

**Carried**

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

Mayor Junkin requested to lift item 8.1.2.

**8. Consent Agenda Items to be Considered in Block**

**Moved By** Councillor John Wink  
**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT** the Consent Agenda items as listed on the May 15, 2024, Council Agenda be received and the recommendations contained therein be approved, save and except 8.1.2:

**8. Consent Agenda Items to be Considered in Block**

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

**8.1.1 Staffing Levels Report, 2024-0080-People Services**

**BE IT RESOLVED THAT** Council receive Report #2024-0080 Present and Historical Staffing Levels, for information.

~~**8.1.2 10-year Capital Plan, 2024-0122-Corporate Services**~~

~~**BE IT RESOLVED THAT** Council receive Report # 2024-0122-Corporate Services, the 10-Year Capital Plan Update, for information.~~

**8.2 Action Correspondence of a Routine Nature**

**8.2.1 Proclamation - National AccessAbility Week**

**BE IT RESOLVED THAT** the Corporation of the Town of Pelham hereby proclaim the week of May 26 - June 1, 2024 as National AccessAbility Week.

**8.3 Information Correspondence**

**8.3.1 Emergency Management Ontario - Town of Pelham Compliance Results**

**BE IT RESOLVED THAT** Council receive correspondence from the Emergency Management Ontario regarding Town of Pelham's compliance results, for information.

**8.3.2 Peninsula West Power Inc. - Notice of Annual General Meeting of Shareholders**

**BE IT RESOLVED THAT** Council receive the Peninsula West Power Inc. Notice of the Annual General Meeting of Shareholders, for information.

**8.4 Advisory Committee Minutes for Information**

**8.4.1 Committee of Adjustment Meeting Minutes - April 2, 2024**

**BE IT RESOLVED THAT** Council receive the Committee of Adjustment minutes dated April 2, 2024, for information.

**Carried**

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

## **9.1 10-year Capital Plan, 2024-0122-Corporate Services**

Formerly item 8.1.2.

Staff were directed to bring back a report on the burying of hydro lines along the Highway 20 corridor by Q3 of 2024.

**Moved By** Councillor John Wink

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report # 2024-0122-Corporate Services, the 10 Year Capital Plan Update, for information.**

**Carried**

## **10. Presentation and Consideration of Reports**

### **10.1 Members of Council Reports**

#### **10.1.1 Councillor Ker - Verbal Update on the Niagara Central Dorothy Rungeling Airport Commission**

Councillor Ker provided an overview of upcoming events at the Niagara Central Dorothy Rungeling Airport.

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT Council receive the verbal report from Councillor Ker regarding the Niagara Central Dorothy Rungeling Airport Commission, for information.**

**Carried**

### **10.2 Staff Reports Requiring Action**

#### **10.2.1 Assumption of River Realty Estates Phase 2 Subdivision, 2024-0118-Public Works**

**Moved By** Councillor John Wink

**Seconded By** Councillor Shellee Niznik

**BE IT RESOLVED THAT Council receive Report #2024-0118, Assumption of River Realty Estates Phase 2 Subdivision, for information;**

**AND THAT Council assumes the municipal services in River Realty Estates Phase 2 Subdivision and opens the street within the subdivision as a 'public highway' by by-law in accordance with the subdivision Agreement.**

**Carried**

**10.2.2 Hydro Meter Reduction, 2024-0121-Public Works**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0121 Marlene Stewart Streit Park Hydro Meter Investigation, for information;

AND THAT Council direct staff to include a 2025 Capital Facilities Project in the amount of approximately \$7,400, required to reduce the number of hydro accounts from two to one, for 55 Park Lane, and 33 Park Lane Facilities.

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**THAT the motion be amended to include:**

**THAT Council mandates a thorough assessment and modification of the electrical system design for the new Pool, associated with the reduction in meters;**

**AND THAT Council requests a detailed report on proposed modifications and allocates necessary funds for implementation.**

**Carried**

**Motion as Amended:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2024-0121 Marlene Stewart Streit Park Hydro Meter Investigation, for information;**

**AND THAT Council direct staff to include a 2025 Capital Facilities Project in the amount of approximately \$7,400, required to reduce the number of hydro accounts from two to one, for 55 Park Lane, and 33 Park Lane Facilities;**

**AND THAT Council mandates a thorough assessment and modification of the electrical system design for**

**the new Pool, associated with the reduction in meters;**

**AND THAT Council requests a detailed report on proposed modifications and allocates necessary funds for implementation.**

**Carried**

**10.2.3 Repeal and Replace By-law No. 22-2024, 2024-0129-Corporate Services**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor Shellee Niznik

**BE IT RESOLVED THAT Council receive the Memo entitled "Repeal and replacement to By-law No. 22-2024 Taxation Rate for 2024", for information;**

**AND THAT Council repeal and replace By-law No. 22-2024 for taxation rates for 2024 with the new tax rate Schedule "A".**

**Carried**

**11. Unfinished Business**

**12. New Business**

Highlighting the Niagara Modern Quilt Expo and the Pelham Art Festival, Councillor Niznik recognized and congratulated the participants and volunteers.

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

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws 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 30-2024 - Being a By-law to assume the subdivision known as River Realty Estates Phase 2 and to designate the streets as shown on Registered Plan of Subdivision 59M-471 as public highway and to name the street accordingly.**

**2. By-law 31-2024 - Being a By-law to exempt Blocks 144, 145, 147, Part Block 160, 59M-505 designated as Parts 1 to 5, both**

**inclusive, 59R-17886, Part Block 163, 59M-505, designated as Parts 1 to 6, both inclusive, 59R-17917, municipally known as 104, 106, 108, 110, 116, and 118 Acacia Road, 44, 46, 48, 50, and 52 Samuel Avenue, and 15, 17, 19, 21, and 23 Saffron Way, from Part Lot Control. Saffron Meadows Phase 3 (Mountainview Building Group). File No. PLC-02-2024**

**3. By-law 32-2024 - Being a by-law to appoint Jodi Legros as Deputy Clerk for the Corporation of the Town of Pelham.**

**4. By-law 33-2024 - Being a By-law to appoint Leeland Baker (Officer No. 326) as a By-law Enforcement Officer, Property Standards Officer, and Provincial Offences Officer for the Corporation of the Town of Pelham.**

**5. By-law 37-2024 - Being a By-law to set the rates of taxation for the year 2024.**

**Carried**

#### **14. Motions and Notices of Motion**

##### **14.1 Councillor Eckhardt - Request to Niagara Region regarding Speed Reduction on a road section of Effingham Street**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor Bob Hildebrandt

**WHEREAS Council for the Town of Pelham recognizes the importance of promoting the safety of residents and visitors;**

**AND WHEREAS the implementation of speed reduction measures has the potential to mitigate collisions and enhance overall road safety;**

**AND WHEREAS the road section of Effingham Street between Webber Road and River Road increases in speed from 60 km/h to 80 km/h;**

**AND WHEREAS this road section is on the cycling route known as the "Berkhout Trail Riverfront Loop," drawing attention from the Pelham Active Transportation Committee due to multi-use conflicts;**

**NOW THEREFORE BE IT RESOLVED Council request the Niagara Region to institute a reduction in the speed limit along the road section of Effingham Street, between Webber Road and River Road, lowering it from 80km/h to 60/km;**

**AND FURTHER THAT this motion be circulated to the Niagara Region for consideration and action.**

Carried

#### **14.2 Councillor Hildebrandt - Development of Facility Design Standards**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Shellee Niznik

**WHEREAS Council for the Town of Pelham is committed to fostering inclusivity and ensuring that public facilities are accessible to all individuals, regardless of their physical capabilities;**

**AND WHEREAS Facility Design Standards (FDS) serve as essential guidelines for architects, engineers, designers, and builders, delineating the prerequisites for facility projects encompassing the construction and/or modification of public facilities to guarantee accessibility;**

**NOW THEREFORE BE IT RESOLVED THAT Council direct staff to prepare Facility Design Standards (FDS) to ensure the alignment of all forthcoming construction and/or renovation endeavors with the Accessibility for Ontarians with Disabilities Act (AODA) standards. This alignment shall also adhere to energy-efficient building design protocols and site-specific environment criteria necessitating detailed soil analysis and bearing capacity assessments, including incorporating comprehensive marked "as-built drawings and documentation";**

**AND THAT this initiative be incorporated as a strategic plan action item during the 2023-2027 Town of Pelham Strategic Plan update;**

**AND THAT staff consult with both the Joint Accessibility Advisory Committee and the Utility Sustainability Working Group for their respective expertise and recommendations in the establishment of the FDS;**

**AND THAT upon completion, the FDS be presented to Council for endorsement before being adopted as a guiding framework.**

Carried

#### **14.3 Mayor Junkin - Rooftop Solar Panels on the Meridian Community Centre**

This item was withdrawn.

#### **15. Resolution to Move In Camera**



**Moved By** Councillor Bob Hildebrandt  
**Seconded By** Councillor John Wink

**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; (d) labour relations or employee negotiations - 2 items (Advisory Committee Appointment and Non-union)**

**Carried**

**16. Rise From In Camera**

**Moved By** Councillor Shellee Niznik  
**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 15, 2024.

**Carried**

**17. Confirming By-Law**

**Moved By** Councillor Kevin Ker  
**Seconded By** Councillor Wayne Olson

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

**Being a By-law No. 35-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 15th day of May, 2024.**

**Carried**

**18. Adjournment**

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

**BE IT RESOLVED THAT** this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 29, 2024, at 9:00 am.

**Carried**

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Mayor: Marvin Junkin

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Town Clerk: William Tigert