

REGULAR COUNCIL MINUTES

Meeting #: C-10/2024
Date: Wednesday, May 29, 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
Jennifer Stirton
Vickie vanRavenswaay
Sarah Leach
William Tigert
Ryan Cook
Shannon Larocque
Usama Seraj

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 Wink read the land recognition statement into the record.

4. Approval of the Agenda

Moved By Councillor Shellee Niznik

Seconded By Councillor Bob Hildebrandt

**BE IT RESOLVED THAT the agenda for the May 29, 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 Presentations

6.1.1 Ward Boundary, Council Composition Update, and Selection Process for Deputy Mayor Final Report

Moved By Councillor Kevin Ker

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive the presentation and Final Report on the 2024 Ward Boundary, Council Composition Update, and Selection Process for Deputy Mayor from Dr. Andrew Sanction and Dr. Tim Cobban, for information;

AND THAT the Town of Pelham's Deputy Mayor continues to be elected by Members of Council for a two-year term, with the term starting immediately after the regular municipal election and halfway through each four-year term thereafter;

AND THAT all six Councillors in the Town of Pelham continue to be elected from three wards, two Councillors from each of the three revised wards;

AND THAT Pelham Town Council maintain its current size of seven members;

AND THAT the ward boundaries contained in Option 2 of the final report (revised three ward boundary model) be adopted as the new ward boundaries for the Town of Pelham effective for the 2026 municipal election.

Carried

7. Adoption of Council Minutes

Moved By Councillor Brian Eckhardt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the following minutes be adopted, as amended:

1. C-09/2024 - Regular Council Meeting - May 15, 2024

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

9. Consent Agenda Items to be Considered in Block

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the May 29, 2024, Council Agenda be received and the recommendations contained therein be approved:

9. Consent Agenda Items to be Considered in Block

9.1 Staff Reports of a Routine Nature for Information or Action

9.1.1 Over night Parking - NRT on Demand vans at MCC, 2024-0137-Recreation

BE IT RESOLVED THAT Council receive Report #2024-0137 Overnight Parking – NRT On Demand Vans at the Meridian Community Centre, for information.

9.1.2 Fenwick Lions Club Thank you correspondence, 2024-0136-Recreation

BE IT RESOLVED THAT Council receive the Memo 2024-0136 Recreation entitled Fenwick Lions Club - Thank You correspondence, for information.

9.1.3 December 2023 Financial Report, 2024-0110-Corporate Services

BE IT RESOLVED THAT Council receive Report #2024-0110 - December 2023 Financial Reporting, for information.

9.2 Information Correspondence

9.2.1 Ministry of Natural Resources and Forestry - Rabies Vaccine Bait Distribution Program

BE IT RESOLVED THAT Council receive the Ministry of Natural Resources and Forestry notice of the oral rabies vaccine bait distribution and trap-vaccinate-release programs in Ontario to control rabies in terrestrial wildlife, for information.

9.3 Advisory Committee Correspondence for Information or Action

9.3.1 Pelham Audit and Finance Committee Recommendation Letter 2024

BE IT RESOLVED THAT Council approve and endorse the recommendation made by the Pelham Finance and Audit Committee in the letter dated May 22, 2024, being:

WHEREAS the Pelham Finance and Audit Committee received the 2023 Town of Pelham Consolidated Financial Statements;
NOW THEREFORE the Committee hereby recommends that Council approve the 2023 Town of Pelham Consolidated Financial Statements.

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 Ker - Update on the Niagara Central Dorothy Rungeling Airport Commission

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Shellee Niznik

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

Carried

12. Resolution to Move In-Camera

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

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 - 1 item (Union)

Carried

13. Rise from In-Camera

Moved By Councillor Wayne Olson

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council reconvene the regular meeting.

Carried

14. Presentation and Consideration of Reports

14.1 Staff Reports Requiring Action

14.1.1 Status of Cannabis Zoning By-law Amendment, 2024-0133-Town Solicitor

David Cribbs, Chief Administrative Officer, indicated a target date for the public meeting, being June 26th, 2024. Mr. Cribbs expressed uncertainty about whether hiring an external planning consultant would delay the public process.

Council directed staff to produce a Zoning By-law Amendment document inclusive of track changes to illustrate what changes were previously approved and what is newly proposed.

Moved By Mayor Marvin Junkin

Seconded By Councillor Wayne Olson

THAT Council hire an external planning consultant for the cannabis zoning by-law amendment.

Defeated

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive Report #2024-0133 Status of Cannabis Zoning By-law Amendment;

AND THAT Council direct staff to initiate a technical process to amend the Comprehensive Zoning By-law to incorporate cannabis zoning provisions and bring it into alignment with the Official Plan.

For (6): Mayor Marvin Junkin, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Against (1): Councillor Bob Hildebrandt

Carried (6 to 1)

14.1.2 New Legislative Requirements for the Public Works Department, 2024-0127-Public Works

Moved By Councillor Kevin Ker

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report #2024-0127 New Legislative Requirements in the Public Works Department, for information;

AND THAT Council approve the creation of one Environmental Compliance Analyst position, with a target goal of starting this position in July 2024.

Carried

14.1.3 Town of Pelham Speed Limit Review, 2024-0135-Public Works

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0135 Town of Pelham Speed Limit Review, for information;

AND THAT Council Endorse staff's recommendation to maintain the speed limits on the Town's road network in accordance with the current bylaw 89-2000, as amended.

Carried

14.1.4 Conservation and Demand Management Plan 2024, 2024-0117-Corporate Services

Moved By Councillor Bob Hildebrandt

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2024-0117 – Conservation and Demand Management Plan 2024, for information;

AND THAT Council approve the proposed 2024 Conservation and Demand Management.

Carried

14.1.5 2025 Budget Schedule, 2024-0109-Corporate Services

Moved By Councillor Wayne Olson

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2024-0109- 2025 Budget Schedule, for

information;

AND THAT Council direct staff to include the “Budget Open House Public Meeting” to be conducted as part of the regularly scheduled Council meeting on Wednesday, October 2, 2024;

AND THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended as they pertain to Delegations, to allow unlimited delegations to register to speak on the 2024 Budget as part of the meeting on October 2, 2024

AND THAT Council approve the 2025 Budget Schedule attached hereto;

AND THAT Council direct staff to include the approved 2025 Budget Schedule dates as part of Council’s 2025 Regular Meeting Schedule.

Carried

14.1.6 MCC Lands Options and Public Consultation Results, 2024-0130-Chief Administrator Officer

Deputy Mayor Wink requested Council move into closed session to discuss a potential sale price.

Moved By Councillor John Wink

Seconded By Councillor Shellee Niznik

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

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

Carried

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council reconvene the regular meeting.

Carried

Moved By Councillor Shellee Niznik

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive Report #2024-0130 MCC Lands Options and Public Consultation Results, for information;

AND THAT Council direct Staff to proceed with Option 3, retaining some of the land and selling some of the land, and report back on an Implementation Strategy for this Option.

Carried

15. Unfinished Business

16. New Business

17. 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-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 36-2024 - Being a By-law to remove the Holding (H) Provision executed by By-law No. 18 (2023) for a portion of the lands located at 125 Port Robinson Road, legally described as Part of Township Lot 167, Part 1, Plan 59R-5449, Town of Pelham, Regional Municipality of Niagara. File No. AM-03-2024

2. By-law 37-2024 - Being a By-law to authorize the execution of Public Event Agreements with three (3) licensed establishments in the Town of Pelham and to repeal By-law 35-2023.

Carried

18. Motions and Notices of Motion

18.1 Mayor Junkin - Rooftop Solar Panels on the Meridian Community Centre

Mayor Junkin and Councillor Olson accepted Councillor Hildebrandt's proposed friendly amendment to the motion to include a parking lot solar canopy.

Moved By Mayor Marvin Junkin

Seconded By Councillor Wayne Olson

WHEREAS there is a growing need for sustainable and environmentally friendly energy solutions;

AND WHEREAS solar energy presents a viable avenue for reducing carbon emissions, alleviating energy costs, and generating revenue for the Meridian Community Centre (MCC), thereby offsetting operating costs, and advancing Council's green agenda;

AND WHEREAS Council identified Environmental and Climate Adaptation as a primary focus in the 2023-2027 Town of Pelham Strategic Plan;

AND WHEREAS the prospective installation of solar panels aligns with the Town's commitment to environmental stewardship and sustainability initiatives;

NOW THEREFORE BE IT RESOLVED THAT Council hereby directs staff to investigate the feasibility and benefits of installing rooftop solar panels and a parking lot solar canopy at the MCC and report back to Council in Q3 of 2024;

AND THAT this investigation include the suitability of the MCC's rooftop to host solar panels, an analysis of installation costs and potential return on investment, the environmental benefits, as well as an exploration of available incentives and grants for renewable energy projects;

AND THAT staff be further directed to share a draft of the report with the Utility Sustainability Working Group before its presentation to Council.

Carried

19. Resolution to Move In Camera

The meeting was recessed at 12:13 pm for 30 minutes.

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;

AND THAT curfew be extended until 1:30 pm.

Carried

Moved By Councillor Bob Hildebrandt

Seconded By Councillor 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; (d) labour relations or employee negotiations - 1 item (Advisory Committee Appointment)

(c) a proposed or pending acquisition or disposition of land by the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 1 item (Ward 1)

Carried

Moved By Councillor Kevin Ker

Seconded By Councillor John Wink

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;

AND THAT curfew be extended beyond 1:30 pm.

Carried

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT closed session be resumed to consider the following:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 1 item (Ward 1)

Carried

20. 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 29, 2024.

Carried

Moved By Councillor John Wink
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council appoint the following individual to the Committee of Adjustment:

1. Sue Sarko

AND THAT Council direct the Town Clerk to prepare and present the necessary appointment by-law at the following Regular Meeting of Council.

Carried

21. Confirming By-Law

Moved By Councillor Kevin Ker
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. 38-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 29th day of May, 2024.

Carried

22. Adjournment

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 June 19, 2024, at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert