

REGULAR COUNCIL MINUTES

Meeting #: C-11/2024
Date: Wednesday, June 19, 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
Sarah Leach
William Tigert
Derek Young
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 am.

2. National Anthem

3. Land Recognition Statement

Councillor Olson read the land recognition statement into the record.

4. Presentation of Ontario Senior of the Year Award 2024

On behalf of the Minister for Seniors and Accessibility, Mayor Junkin presented Mr. Jake Dilts with the Ontario Senior of the Year Award for 2024.

5. Approval of the Agenda

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT the agenda for the June 19, 2024 Regular meeting of Council be adopted, as circulated.

Carried

6. Disclosure of Pecuniary Interests and General Nature Thereof

6.1 Councillor Bob Hildebrandt - Pelham Soccer Club re: State of Soccer Fields

Councillor Hildebrandt advised he is a relative of a member of the Pelham Soccer Club.

7. Hearing of Presentation, Delegations, Regional Report

7.1 Delegations

7.1.1 Wellspring Way re: Request to MPAC on Property Tax Classification Reassessment

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the Request to MPAC from Wellspring Way on Property Tax Classification Reassessment, for information.

Carried

8. Staff Reports Requiring Action

8.1 Wellspring Niagara Property Request Property Tax Reduction, 2024-0125-Corporate Services

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report # 2024-0125-Wellspring Niagara Request for Property Tax Reduction, for information;

AND THAT Council select Option 9, authorizing staff to prepare a Municipal Capital Facilities agreement with Wellspring Niagara, so as to provide for the granting a total tax write-off of municipal and school board taxes.

Carried

**9. Hearing of Presentation, Delegations, Regional Report
(Continued)**

9.1 Delegations

**9.1.1 Kinsmen Club of Fonthill & District - Cancellation of
the 2024 Kinsmen Home and Garden Show**

The delegation from the Kinsmen Club of Fonthill and District was withdrawn.

**9.1.2 Tim Nohara - Redecan Non-compliance with OLT
Decision**

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive the delegation from Tim Nohara regarding Redecan Non-compliance with OLT Decision, for information.

Carried

9.1.3 Pelham Soccer Club re: State of Soccer Fields

Councillor Hildebrandt declared a conflict on this item.

Moved By Councillor John Wink

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the delegation from David Hominuk of the Pelham Soccer Club regarding the state of the soccer fields, for information;

AND THAT Council direct staff to prepare a report for August 2024 addressing the feasibility of finding funds either from reserve or savings, for in-year soccer field repair and maintenance in discussion and in financial partnership with the Pelham Soccer Club.

Carried

9.2 Presentations

9.2.1 Municipal Non-Core Asset Management Plan

Moved By Councillor Wayne Olson

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the Municipal Non-Core Asset Management Plan presentation from Derek Young, Manager of Engineering, for information.

Carried

10. Staff Reports Requiring Action

**10.1 Asset Management Plan Non-Core Assets, 2024-0146-
Corporate Services**

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2024-0146 Asset Management Plan for Non-Core Assets, for information

AND THAT Council endorse the appended Non-core Asset Management Plan.

Carried

11. Adoption of Council Minutes

Moved By Councillor John Wink

Seconded By Councillor Kevin Ker

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

1. SC-02/2024 - Special Meeting of Council - May 27, 2024

2. C-10/2024 - Regular Council Meeting - May 29, 2024

Carried

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

Councillor Hildebrandt requested to lift item 13.1.5 (now 14.1).

13. Consent Agenda Items to be Considered in Block

Moved By Councillor Kevin Ker

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT the Consent Agenda items as listed on the June 19, 2024, Council Agenda be received and the

recommendations contained therein be approved, save and except item 13.1.5:

13. Consent Agenda Items to be Considered in Block

13.1 Staff Reports of a Routine Nature for Information or Action

13.1.1 Natural Asset Management Plan Project, 2024-0151-Planning

BE IT RESOLVED THAT Council receive the Memo numbered #2024-0151 entitled Project Update – Greenbelt Area Natural Asset Management Plan, for information.

13.1.2 Update on Sons and Daughters Planning Applications, 2024-0144-Planning

BE IT RESOLVED THAT Council receive Report #2024-0144 Update on Sons and Daughters Winery Planning Applications, for information.

13.1.3 2023 Reserve and Reserve Fund Report, 2024-0107-Corporate Services

BE IT RESOLVED THAT Council receive Report #2024-0107 2023 Reserve and Reserve Fund Report, for information;

AND THAT Council direct the 2023 Annual Treasurer’s Statement of Reserve Funds for Development Charges and 2023 Annual Treasurer’s Parkland Dedication Reserve Fund Statement be made available to the public upon request.

13.1.4 2023 Year End Building Report, 2024-0083-Corporate Services

BE IT RESOLVED THAT Council receive Report #2024-0083 2023 Year-end Building Department Report, for information.

~~**13.1.5 March 2024 Financial Reports, 2024-0108-Corporate Services**~~

~~**BE IT RESOLVED THAT Council receive Report #2024-0108 March 2024 Financial Reports, for information.**~~

13.2 Information Correspondence

13.2.1 Lincoln Pelham Public Library 2023 Annual Report

BE IT RESOLVED THAT Council receive the Lincoln Pelham Public Library 2023 Annual Report for information.

13.3 Advisory Committee Minutes for Information

13.3.1 Committee of Adjustment Minutes - May 6, 2024

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated May 6, 2024, for information.

13.3.2 Environmental and Climate Adaptation Advisory Committee Minutes - April 22, 2024

BE IT RESOLVED THAT Council receive the Environmental and Climate Adaption Advisory Committee minutes dated April 22, 2024, for information.

13.3.3 Pelham Active Transportation Committee Minutes - March 27, 2024 & April 24, 2024

BE IT RESOLVED THAT Council receive the Pelham Active Transportation Committee meeting minutes dated March 27, 2024 and April 24, 2024, for information.

13.3.4 Pelham Finance & Audit Committee Meeting Minutes - January 31, 2024

BE IT RESOLVED THAT Council receive the Pelham Finance & Audit Committee minutes dated January 31, 2024, for information.

Carried

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

14.1 March 2024 Financial Reports, 2024-0108-Corporate Services

Formerly item 13.1.5.

BE IT RESOLVED THAT Council receive Report #2024-0108 March 2024 Financial Reports, for information.

Amendment:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Kevin Ker

THAT the motion be amended to include:

AND THAT Council direct staff to commission a post-analysis report on the Street Light LED Bulb Replacement Program which aimed to reduce kWh total consumption by replacing conventional street lights with LED bulbs;

AND THAT the report be presented to Council upon completion by Q4 of 2024.

Carried

Motion as Amended:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive Report #2024-0108 March 2024 Financial Reports, for information;

AND THAT Council direct staff to commission a post-analysis report on the Street Light LED Bulb Replacement Program which aimed to reduce kWh total consumption by replacing conventional street lights with LED bulbs;

AND THAT the report be presented to Council upon completion by Q4 of 2024.

Carried

15. Resolution to Move In Camera

Moved By Councillor Shellee Niznik

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:

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

Carried

16. Rise from In-Camera

Moved By Councillor John Wink

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council reconvene the regular meeting.

Carried

17. Presentation and Consideration of Reports

17.1 Members of Council Reports

17.1.1 Councillor Olson - Niagara Regional Transit Update

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

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

Carried

17.2 Staff Reports Requiring Action

17.2.1 Rehabilitation and or Replacement Options for Fire Station One, 2024-0119-Public Works

Moved By Councillor Brian Eckhardt
Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2024-0119 Rehabilitation and or Replacement Options for Fire Station One, for information;
AND THAT Council approve the project moving forward as a demolition and full construction project.

Carried

17.2.2 Merritt Road Rehabilitation between Line Avenue and Rice Road, 2024-0142-Public Works

Moved By Councillor John Wink
Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2024-0142, Merritt Road Rehabilitation between Line Avenue and Rice Road, for information;

AND THAT Council APPROVE the award of the capital repairs to Merritt Road between Line Ave and Rice Road to Circle P Paving in the amount of \$107,415.00 (plus applicable taxes);

AND THAT Council direct staff to fund the capital repairs to Merritt Road using \$107,415 from the general contingency for the Quaker Road Reconstruction project RD 09-24 (cost centre # 300683).

Carried

17.2.3 Request for a Temporary Parking Agreement at 140 Summersides Blvd, 2024-0147-Public Works

Council directed staff to re-negotiate potential fees for parking services.

Moved By Councillor Brian Eckhardt
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2024-0147 Request for a Temporary Parking

Agreement for 140 Summersides Blvd, for information;

AND THAT Council authorizes and directs staff to enter into a licence agreement with Mountainview Homes to provide a temporary parking lot for employee use, which agreement shall be in a form satisfactory to the Town Solicitor and substantially the same as the draft attached hereto.

Carried

17.2.4 Proposed Amendment to Business Licensing By-law, 2024-0152-Town Solicitor

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0152 Proposed Amendment to Business Licensing By-law, for information;

AND THAT Council approve, in principle, the proposed amendment to Town of Pelham By-law #3186(2011), as presented.

Carried

18. Unfinished Business

19. New Business

20. Presentation and Consideration of By-Laws

Moved By Councillor Wayne Olson

Seconded By Councillor Shellee Niznik

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-laws:

1. 39-2024 - Being a by-law to appoint Holly Willford as Town Clerk for the Corporation of the Town of Pelham

2. 40-2024 - Being a by-law to amend By-law 02-2023, confirming an appointment to the Committee of Adjustment.

3. 41-2024 - Being a By-law to amend Town of Pelham By-law #3186 (2011).

4. 42-2024 - Being a By-law to authorize the execution of Public Event Agreements with four (4) licensed establishments in the Town of Pelham and to repeal By-law Nos. 35-2023 and 37-2024.

Carried

21. Motions and Notices of Motion

During the consideration of item 9.1.2, Deputy Mayor Wink brought forward a notice of motion to request a staff report addressing the threshold of the Odourous Industries Nuisance By-law.

Councillor Eckhardt introduced a notice of motion to propose a 3-way stop at Port Robinson and Klager Road, as well as a crosswalk at an appropriate area in the location.

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

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

AND THAT the specified meeting curfew time of 1:00 p.m. be and is hereby waived;

AND THAT the remainder of the business listed on the agenda for this meeting continue to be considered until all matters have been concluded.

Carried

22. Resolution to Move In Camera

Moved By Councillor Brian Eckhardt

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:

(b) personal matters about an identifiable individual, including municipal or local board employees; (d) labour relations or employee negotiations - 2 items (Advisory Committee Appointment & Non-union)

Carried

23. Rise From In Camera

Moved By Councillor Wayne Olson
Seconded By Councillor John Wink

**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 June 19, 2024.**

Carried

Moved By Councillor Shellee Niznik
Seconded By Councillor Wayne Olson

**BE IT RESOLVED THAT Council appoint the following individual
to the Pelham Cultural Advisory Committee:**

1. Cecilia Brink

**AND THAT Council appoint the following individual to the
Environmental and Climate Adaptation Advisory Committee:**

1. Jordan Wilton

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

Carried

24. Confirming By-Law

Moved By Councillor Wayne Olson
Seconded By Councillor Brian Eckhardt

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

**Being a By-law No. 43-2024 to Adopt, Ratify and Confirm the
proceedings of Council of the Town of Pelham at its Regular
Meeting held on the 19th day of June, 2024.**

Carried

25. Adjournment

Moved By Councillor Brian Eckhardt
Seconded By Councillor John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for July 10, 2024, at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert