

REGULAR COUNCIL MINUTES

Meeting #: C-16/2024
Date: Wednesday, October 2, 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 (part time)
Councillor Brian Eckhardt

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Jennifer Stirton
Holly Willford
Jodi Legros
Pamela Duesling
Ryan Cook
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

Deputy Mayor Wink read the land recognition statement into the record.

4. Approval of the Agenda

The Mayor stated a resident contacted him to say he was very impressed and thankful for Council's actions on installing speedbumps on Pancake Lane. The resident indicated there has been a reduction in speeding on the street.

Moved By Councillor John Wink
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT the agenda for the October 2, 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 Niagara Regional Police Service

Chief Fordy and Inspector Gomez provided Council a presentation with respect to policing within Niagara and the Town of Pelham. Chief Fordy answered various questions of Council.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the policing presentation from Niagara Regional Police, for information.

Carried

6.1.2 Delegations for Budget Open House

6.1.2.1 Amy Redekop - Budget Request for New Park Equipment at Lookout Subdivision

Ms. Redekop was unable to attend the meeting. The Clerk's Department stated they would reach out to Ms. Redekop to determine specifically what type of equipment Ms. Redekop is requesting.

Moved By Councillor John Wink

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Amy D'Amico regarding upgrade of park equipment in the Lookout Subdivision, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.2 Special Olympics Welland/Pelham - Budget Request for Bocce Ball Courts

Mr. Belmore requested the addition of four (4) gravel bocce ball courts. He further requested some trees or shade options be considered for the courts.

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Special Olympics Welland Pelham regarding bocce courts for recreational use, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.3 Pelham Art Festival - Request for Grant Money

Ms. Tammy van den Brink requested \$6,000.00 to store artboards.

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from the Pelham Art Festival regarding storage of art boards, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.4 Pelham Minor Baseball Association - Budget Request for Facility Alterations

Mr. Peters requested funding for baseball facility improvements, including lights at Harald Black Park and transitioning a softball field and baseball field, resurfacing diamonds, etc. He stated the priority is lights at Harald Black Park, upgrades to North Pelham Park and covers for benches.

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Pelham Minor Baseball Association regarding baseball facility improvements, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.5 Fenwick Pickleball Courts - Budget Request for Improvements

Mr. Hall stated the courts are dusty from the gravel from the roadway and requested it be removed and to install speedbumps, requested shade shelters, and requested lights for the courts.

He further commented that the windows at the MCC for the pickleball courts do not block the sun effectively.

Moved By Councillor Brian Eckhardt

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Mr. Ron Hall regarding improvements to the Fenwick pickle ball courts, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.6 Pelham Active Transportation Committee - General Funding Request

Mr. Brian Baty and Mr. Frank Adamson requested financial support.

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Brian Baty, regarding General Funding for the Pelham Active Transportation Committee, for information;

AND THAT the request be referred to staff for inclusion in the budget considerations.

Carried

6.1.2.7 Additional Public Speakers

There were no speakers.

7. Adoption of Council Minutes

Council took a short recess.

Councillor Niznik left the meeting.

Moved By Councillor John Wink

Seconded By Councillor Brian Eckhardt

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

1. RC-15/2024 - Regular Council - September 18, 2024

2. SC-03/2024 - Special Council - September 25, 2024

Carried

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

Items 9.4.1 and 9.4.2 were lifted by Councillor Eckhardt.

9. Consent Agenda Items to be Considered in Block

Moved By Councillor Wayne Olson

Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT the Consent Agenda items as listed on the October 2, 2024, Council Agenda be received and the recommendations contained therein be approved, save and except items 9.4.1 and 9.4.2:

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:

PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024

9.2 Minutes Approval - Committee of Council

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

PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024

9.3 Information Correspondence

9.4 Regional Municipality of Niagara Correspondence for Information or Action

~~**9.4.1 Provincial Offences Court Request for Board Appointment for 2025**~~

~~**BE IT RESOLVED THAT Council receive correspondence from the Provincial Offences Court dated September 18, 2024 requesting the Town of Pelham appoint a board member to the Joint Board of Management Niagara Region Courts for a term commencing January 1, 2025, ending on December 31, 2025;**~~

~~**AND THAT Council appoint _____ to the said board;**~~

~~**AND THAT Council direct the Town Clerk to advise of the said appointment prior to November 20, 2024.(lifted)**~~

~~**9.4.2 Council Request to Reduce Speed on Effingham Street between River Road and Webber Road**~~

~~**BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information.(lifted)**~~

Carried

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-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

9.2 Minutes Approval - Committee of Council

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

- 1. PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

9.2.1 PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024

9.3 Information Correspondence

9.4 Regional Municipality of Niagara Correspondence for Information or Action

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

10.1 Provincial Offences Court - Request for Board Appointment for 2025

Council unanimously agreed that Councillor Eckhardt would be appointed to the board.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive correspondence from the Provincial Offences Court dated September 18, 2024 requesting the Town of Pelham appoint a board member to the Joint Board of Management - Niagara Region Courts for a term commencing January 1, 2025, ending on December 31, 2025;

AND THAT Council appoint Councillor Eckhardt to the said board;

AND THAT Council direct the Town Clerk to advise of the said appointment prior to November 20, 2024.

Carried

10.2 Council Request to Reduce Speed on Effingham Street between River Road and Webber Road

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information.

Amendment:

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

THAT the motion be amended to include:

AND THAT the Town Clerk be directed to formally respond to the Niagara Region requesting the Region further consider the Town of Pelham's request to further reduce the speed on the portion of road requested;

AND THAT the correspondence stress within the letter that the portion of the road contemplated is a cycling route.

Carried

Main Motion as Amended:

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information;

AND THAT the Town Clerk be directed to formally respond to the Niagara Region requesting the Region further consider the Town of Pelham's request to further reduce the speed on the portion of road requested;

AND THAT the correspondence stress within the letter that the portion of the road contemplated is a cycling route.

Carried

11. Presentation and Consideration of Reports

11.1 Members of Council Reports

11.2 Staff Reports Requiring Action

11.2.1 Proposed Animal Control By-law, 2024-0213-Town Solicitor

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0213 – Town Solicitor, Proposed Animal Control By-Law, for information;

AND THAT Council approve, in principle, the proposed Animal Control By-law as presented;

AND THAT Council direct that the proposed Animal Control By-law be presented to Council for consideration at the next regular meeting of Council.

Carried

11.2.2 Community Sport and Recreation Infrastructure Fund – Stream 1 Repair and Rehabilitation Grant, 2024-0220-Corporate Services

Moved By Councillor Brian Eckhardt

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Memo 2024-0220 entitled Community Sport and Recreation Infrastructure Fund – Stream 1: Repair and Rehabilitation Grant, for information;

AND THAT Council approve the grant application to the Ontario Ministry of Sport's Community Sport and

Recreation Infrastructure Fund – Stream 1: Repair and Rehabilitation Grant Program with a request for special consideration as a municipality with a population of under 20,000;

AND THAT Council approve \$880,000 or 50% of the total cost of the

Centennial Park rehabilitation projects in the 2025-2026 capital budget(s). These projects are currently in the Town’s 10-year Capital Plan.

Carried

11.2.3 Community Sport and Recreation Infrastructure Fund – Stream 2 New Builds, Signature New Builds, 2024-0219-Corporate Services

Moved By Councillor Kevin Ker

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Memo Community Sport and Recreation Infrastructure Fund – Stream 2: New Builds/Signature New Builds, for information;

AND THAT Council approve the grant application to the Ontario Ministry of Sport’s Community Sport and Recreation Infrastructure Fund – Stream 2: New Builds/Signature New Builds Grant Program and a request for special consideration as a municipality with a population of under 20,000;

AND THAT Council approve \$1,000,000 or 50% of the total cost of the Centennial Park new build grant project in the 2025 and/or 2026 budget(s). These projects are currently in the Town’s 10-year Capital Plan.

Carried

11.2.4 Beatification Options for the Pelham Arches Concrete Bases, 2024-0214-Public Works

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report #2024-0214 Beautification Options for the Pelham Arches Concrete Bases, for information;

AND THAT Council direct staff to propose a budget adequate for the purpose of beautifying the Pelham Arches concrete bases as recommended by the Pelham Culture Advisory Committee;

AND THAT \$44,000 be transferred from the capital project RD 12-24 Church Street Culvert Replacement to fund the Pelham Arches Concrete Bases.

Amendment:

Moved By Councillor Kevin Ker

Seconded By Councillor Wayne Olson

THAT the motion be amended to:

- **Strike \$44,000 and insert \$35,000;**
- **And include "AND THAT Council approve and endorse option 3 presented within the report"**
- **AND THAT Council direct staff to have donor recognition pavers be placed within the sidewalk**

Carried

Amendment:

Moved By Councillor Kevin Ker

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0214 Beautification Options for the Pelham Arches Concrete Bases, for information;

AND THAT Council direct staff to propose a budget adequate for the purpose of beautifying the Pelham Arches concrete bases as recommended by the Pelham Culture Advisory Committee;

AND THAT \$35,000 be transferred from the capital project RD 12-24 Church Street Culvert Replacement to fund the Pelham Arches Concrete Bases;

AND THAT Council approve and endorse option 3 presented within the report;

AND THAT Council direct staff to have donor recognition pavers be placed within the sidewalk.

Carried

12. Unfinished Business

13. New Business

14. Presentation and Consideration of By-Laws

Moved By Councillor John Wink

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. 64-2024 - Being a by-law to appoint Andrew McMurtrie as a Provincial Offences Officer for the Corporation of the Town of Pelham.

2. 65-2024 - Being a by-law to appoint David Christensen as Acting Chief Building Official and a Building Inspector for the Corporation of the Town of Pelham.

3. 66-2024 - Being a by-law to appoint Sarah Conidi as Deputy Clerk for the Corporation of the Town of Pelham.

4. 67-2024 - Being a By-law to remove the Holding (H) Provision enacted by By-law No. 4465 (2022) for the lands located at 690 Quaker Road, legally described as Part of Township Lot 177, Geographic Township of Thorold, Part 1 on Registered Plan 59R-16661, Town of Pelham, Regional Municipality of Niagara.

Carried

15. Motions and Notices of Motion

15.1 Councillor Olson Motion re: Specification of Design and Build Projects

Moved By Councillor Wayne Olson

Seconded By Councillor Bob Hildebrandt

WHEREAS the Town of Pelham is committed to undertaking capital projects in a cost-effective and efficient manner;

AND WHEREAS design-build procurement can, under appropriate circumstances, enhance project efficiency by integrating the design and construction phases under a single contract;

AND WHEREAS the design-build approach can offer potential savings, simplify communication, expedite project delivery, and support the timely completion of capital projects when feasible;

AND WHEREAS Council acknowledges that a design-build method may not be appropriate in all instances;

NOW THEREFORE BE IT RESOLVED THAT Council direct staff to report on the process for design-build procurement of capital projects in the Town of Pelham

AND FURTHER THAT staff provide a comprehensive report to Council in early Q1 of 2025, outlining the benefits and limitations of design-build procurement, offering recommendations for its application, proposing amendments to Procurement Policy No. S402-00 to incorporate guidance on the use of design-build for capital projects.

Carried

16. Resolution to Move In Camera

17. Rise From In Camera

18. Confirming By-Law

Moved By Councillor John Wink

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. 68-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 2nd day of October, 2024.

Carried

19. Adjournment

The meeting was adjourned at 12:22 pm.

Moved By Councillor John Wink

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for October 16, 2024 at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: Holly Willford