

REGULAR COUNCIL MINUTES

Meeting #: C-17/2024P
Date: Wednesday, October 16, 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
Jodi Legros
Sarah Leach
Pamela Duesling
Sarah Conidi
Usama Seraj
Shannon Larocque

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 Hildebrandt read the land recognition statement into the record.

4. Approval of the Agenda

Moved By Councillor Wayne Olson
Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT the agenda for the October 16, 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 Tax Write-off Under Municipal Act, Section 357 & 358

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the Taxes Written-off Report from the Corporate Services Department; and

THAT Council approve the Taxes Written-off in the amount of \$56.16 as per the Municipal Act, Sections 357 and 358.

Carried

6.2 Delegations

6.2.1 Welland McMaster Family Health Team - Request for Rent Assistance for Education Purposes

Moved By Councillor Kevin Ker

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the presentation from Jennifer Mueller from the Welland McMaster Family Health Team regarding a Request for Rent Assistance for Education Purpose, for information.

Carried

7. Adoption of Council Minutes

Moved By Councillor Shellee Niznik

Seconded By Councillor Wayne Olson

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

1. RC-16/2024 - October 2, 2024 - Regular Council

Carried

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

9. Consent Agenda Items to be Considered in Block

Moved By Councillor Brian Eckhardt

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the October 16, 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 Q3 2024 Fire and By-law Department, 2024-0230-Fire Dept

BE IT RESOLVED THAT the Q3/2024 Fire and By-law Enforcement Department Report be received for information.

9.1.2 Q3 2024 Corporate Services Quarterly Report, 2024-0201-Corporate Services

BE IT RESOLVED THAT the Q3/2024-0201 Corporate Services Department Report be received for information.

9.1.3 Q3 2024 RCW Quarterly Report, 2024-0208-Recreation

BE IT RESOLVED THAT the Q3/2024 Recreation, Culture and Wellness Department Report be received for information.

9.1.4 Q3 2024 Planning and Development Quarterly Report, 2024-0228-Planning

BE IT RESOLVED THAT the Q3/2024 Community Planning and Development Department Report be received for information.

9.1.5 Q3 2024 Public Works COW Report, 2024-0218-Public Works

BE IT RESOLVED THAT the Q3/2024 Public Works Department Report be received for information.

9.1.6 Q3 2024 Clerks Quarterly Report, 2024-0238-Clerks

BE IT RESOLVED THAT the Q3/2024 Clerk's Report be received for information.

9.1.7 Memo re Town of Pelham Staff Appointee to the Joint Board of Management - Niagara Regional Courts, 2024-0231-Clerks

BE IT RESOLVED THAT Council receive the Memo entitled Town of Pelham Staff Appointee to the Joint Board of Management, Niagara Regional Courts, for information;

AND THAT Council remove Councillor Eckhardt as the Town of Pelham's appointee and substitute with Ms. Jennifer Stirton, Town Solicitor;

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

9.1.8 Communities in Bloom Final Report, 2024-0222-Recreation

BE IT RESOLVED THAT Council receive Report #2024-0222-Communities in Bloom Final Report, for information.

9.2 Action Correspondence of a Routine Nature

9.2.1 Royal Canadian Legion Branch #613 - Poppy Campaign Request 2024

BE IT RESOLVED that Council receive correspondence dated September 24, 2024 from the Royal Canadian Legion Branch 613 regarding the 2024 Poppy Campaign;

AND THAT Council support the canvassing of businesses and citizens in Pelham through the placement of poppy boxes subject to business owner approval during the campaign period of November 1, 2024 to November 11, 2024.

9.2.2 Scouts 2024 Annual Apple Day Fundraiser

BE IT RESOLVED THAT Council receive the correspondence dated September 30, 2024 from Fonthill Community Scouting;

AND THAT Council endorse the Scouts Annual Apple Day fundraiser on October 19 and 20, 2024.

9.3 Information Correspondence

9.3.1 Notice of First Nation Traditional Deer Harvest in Short Hills Provincial Park 2024

BE IT RESOLVED THAT Council receive notice of the 2024 First Nation Traditional Deer Harvest in Short Hills Provincial Park, for information.

9.4 Regional Municipality of Niagara Correspondence for Information or Action

9.4.1 Niagara Region Incentive Policy Review

BE IT RESOLVED THAT Council receive Niagara Region's correspondence regarding a recommendation respecting Niagara Region's Incentive Policy Review, for information.

9.4.2 Niagara Region Motion Respecting Municipal Codes

BE IT RESOLVED THAT Council receive Niagara Region's correspondence regarding a motion passed respecting municipal codes of conduct, for information.

9.5 Advisory Committee Minutes for Information

9.5.1 Committee of Adjustment Minutes - August 6, 2024

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

9.5.2 Pelham Active Transportation Committee Minutes - June 26, 2024 and August 28, 2024

BE IT RESOLVED THAT Council receive the Pelham Active Transportation Committee minutes dated June 26, 2024 and August 28, 2024, for information.

9.5.3 Pelham Finance and Audit Committee Minutes - September 10 2024

BE IT RESOLVED THAT Council receive the Pelham Finance and Audit Committee minutes dated September 10, 2024, for information.

Carried

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

11. Presentation and Consideration of Reports

11.1 Members of Council Reports

11.2 Staff Reports Requiring Action

11.2.1 Proposed 2025 Council Meeting Schedule , 2024-0185-Clerks

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0185 Proposed 2025 Council Meeting Schedule, for information;

AND THAT the 2025 Council Meeting Schedule as appended to this report be approved;

AND THAT Council direct Staff to publish the 2025 Council Meeting Schedule to the Town of Pelham website;

AND THAT Council direct the Town Clerk to prepare the necessary amendments to the procedural by-law, reducing the number of regular Council meetings in July and August from three to two, while scheduling no meetings during March Break, and eliminate the first regular meeting of Council in April, and present it to Council at the next regular meeting.

Amendment:

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

THAT the 2025 Council Meeting Schedule be amended to incorporate Option 1: 2 summer meetings in July and August, Option 2: no meetings during March Break, and Option 3: eliminate the first regular meeting of Council in April.

Carried

Motion as Amended:

Moved By Councillor Brian Eckhardt

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2024-0185 Proposed 2025 Council Meeting Schedule, for information;

AND THAT the 2025 Council Meeting Schedule as appended to this report be approved, as amended by Options 1, 2 and 3;

AND THAT Council direct Staff to publish the 2025 Council Meeting Schedule to the Town of Pelham website;

AND THAT Council direct the Town Clerk to prepare the necessary amendments to the procedural by-law, reducing the number of regular Council meetings in July and August from three to two, while scheduling no meetings during March Break, and eliminate the first regular meeting of Council in April, and present it to Council at the next regular meeting.

Carried

**11.2.2 Status of Fees and Charges Update, 2024-0227-
Corporate Services**

As part of the fee review, Council directed staff to explore resident and non-resident rates.

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

THAT Council receive Report #2024-0227 – Status of Fees and Charges Update, for information;

AND THAT Council direct staff, following completion of the fee review by Watson & Associates Economists Ltd., to provide a further report making

recommendations for fees and charges to be imposed by the Town.

Carried

11.2.3 Cash Management and Debt Policy Updated, 2024-0223-Corporate Services

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0223 Cash Management and Debt Policy Updated, for information;

AND THAT Council approve the updated S400-07 Capital Financing and Debt Management Policy, as appended.

Carried

11.2.4 26T19-02-2024, AM-04-2024 - Recommendation Report - Maplewood Estates, 2024-0207-Planning

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2024-207 -Recommendation Report – Applications for Draft Plan of Subdivision & Zoning By-law Amendment – Maplewood Estates, for information as it pertains to File Nos. 26T19-02-2024 & AM-04-2024;

AND THAT Council directs Planning staff to prepare the necessary Zoning By-law amendment for Council consideration at the next Regular Meeting of Council;

AND THAT Council approve the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B.

Carried

11.2.5 Wellspring Niagara - Lease and Municipal Capital Facility Agreement, 2024-0232-Town Solicitor

Moved By Councillor Shellee Niznik

Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report #2024-0232 Wellspring Niagara – Lease and Municipal Capital Facility Agreement to Provide property Tax Exemption, for information;

AND THAT Council approve the proposed Lease and Municipal Capital Facility Agreement between the Town of Pelham and Wellspring Niagara Cancer Support Foundation;

AND THAT if Wellspring Niagara Cancer Support Foundation requests revisions to the proposed agreement, Council authorize and direct staff to make such revisions provided that they are satisfactory to the Town Solicitor and that the Lease and Municipal Capital Facility Agreement remains substantially the same as the draft agreement attached hereto;

AND THAT the final Lease and Municipal Capital Facility Agreement and by-law exempting the lands municipally known as 50 Wellspring Way from taxation for municipal and school purposes be presented to Council for approval at the next regular meeting.

Carried

12. Unfinished Business

13. New Business

14. Presentation and Consideration of By-Laws

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

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. 69-2024 - Being a By-law to regulate animal care and control in the Town of Pelham and repeal By-law Nos. 462(1978), 1450(1992), 97-2010, 2174(2000), 2254(2001) and 3448(2013).

Carried

15. Motions and Notices of Motion

Councillor Olson provided a notice of motion to address the collection, retention and custody of images collected by surveillance.

16. Resolution to Move In Camera

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 employees and (d) - labour relations or employee negotiations - 1 item (Consideration of Appointments to Advisory Committees)

(c) a proposed or pending acquisition or disposition of land by the municipality or local board - 2 items (Ward 1)

Carried

17. Rise From In Camera

Moved By Councillor John Wink

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 October 16, 2024.

Carried

Moved By Councillor John Wink

Seconded By Councillor Shellee Niznik

BE IT RESOLVED that Council appoint the following individual to the Pelham Finance and Audit Committee:

1. Doug Wilson

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

Carried

18. Confirming By-Law

Moved By Councillor Wayne Olson

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. 70-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 16th day of October, 2024.

Carried

19. Adjournment

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 November 6, 2024 at 9:00 am.

Carried

Mayor: Marvin Junkin

Acting Town Clerk: Sarah Leach