

REGULAR COUNCIL MINUTES

Meeting #: C-11/2022 - Regular Council
Date: Tuesday, June 7, 2022
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin
Councillor Lisa Haun
Councillor Bob Hildebrandt
Councillor Ron Kore
Councillor Wayne Olson
Councillor John Wink

Regrets: Councillor Marianne Stewart

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Vickie vanRavenswaay
Barbara Wiens
Holly Willford
Charlotte Tunikaitis, Deputy Treasurer

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30pm.

1.1 Land Recognition Statement

The Town Clerk read the land acknowledgement into the record.

2. Approval of Agenda

The Mayor stated the Town lost a great citizen and athlete, Ms. Jane Haist, who passed away recently. The Mayor provided a short bio of Ms. Haist's athletic career. The Mayor offered condolences to the Haist family on behalf of Council and the Town.

Moved By Councillor Wayne Olson

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT the agenda for the June 7, 2022 Regular meeting of Council be adopted, as circulated.

Amendment:

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

THAT the agenda be amended to:

- **Include a Notice of Motion as Agenda Item 14.3**

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Lisa Haun, and Councillor John Wink

Carried (6 to 0)

Motion as Amended:

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the June 7, 2022 Regular meeting of Council be adopted, as amended.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Lisa Haun, and Councillor John Wink

Carried (6 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

There were no pecuniary interests disclosed by any of the members present.

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 COVID-19 Pandemic Update – CEMC and CAO

Fire Chief Lymburner advised this would be the last regularly scheduled COVID-19 update presentation.

Chief Lymburner and Mr. David Cribbs, CAO provided Council an update with respect to the COVID-19 pandemic.

Mr. Cribbs further thanked Ms. Charlotte Tunikaitis, Deputy Treasurer, for her work at the Town of Pelham. Council and staff wished Ms. Tunikaitis well wishes in her future endeavors.

Moved By Councillor John Wink

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from B. Lymburner, Fire Chief and Community Emergency Management Co-Ordinator and D. Cribbs, Chief Administrative Officer, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

4.2 Delegations

4.2.1 Niagara Region - New Regional Official Plan

Mr. David Heyworth, Official Plan Policy Consultant from the Niagara Region provided Council a presentation with respect to the Region's Official Plan Update. Mr. Heyworth answered questions from Council.

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the delegation from David Heyworth, Official Plan Policy Consultant for the Region of Niagara with respect to the New Regional Official Plan, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

4.3 Report of Regional Councillor

5. Adoption of Minutes

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Ron Kore

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

1. RC-10/2022 - Regular Council - May 16, 2022

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

6. Business Arising from Council Minutes

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

8. Consent Agenda Items to be Considered in Block

Councillor Haun noted she was not present at the May 9th Public Meeting included within the consent agenda. The Clerk stated this comment would be noted and indicated the Councillor is welcome to vote on the consent agenda as a whole.

Moved By Councillor Lisa Haun

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the June 7, 2022 Council Agenda be received and the recommendations contained therein be approved:

8.1. Presentation of Recommendations Arising from COW or P&P, for Council Approval

BE IT RESOLVED THAT Council hereby approves the Recommendations Resulting from the following:

1. PCOW-04/2022 - May 9, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act

8.2. Minutes Approval - Committee

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

1. PCOW-04/2022 - May 9, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act

8.3. Staff Reports of a Routine Nature for Information or Action

8.3.1. December 2021 Financial Reports, 2022-0129-Corporate Services

BE IT RESOLVED THAT Council receive Report #2022-0129-Corporate Services, December 2021 Financial Reports, for information.

8.3.2. 2021 Reserve and Reserve Fund Report, 2022-0130-Corporate Services

BE IT RESOLVED THAT Council receive Report #2022-0130-Corporate Services 2021 Reserve and Reserve Fund Report, for information;

AND THAT Council direct the 2021 Annual Treasurer's Statement of Reserve Funds for Development Charges and 2021 Annual Treasurer's Parkland Dedication Reserve Fund Statement be made available to the public upon request.

8.3.3. 2021 Year-end Building Department Report, 2022-0127-Corporate Services

BE IT RESOLVED THAT Council receive Report #2022-0127 - 2021 Year-end Building Department Report, for information.

8.3.4. Grants update from 2019 to 2022, 2022-0131-Corporate Services

BE IT RESOLVED THAT Council receive Report # 2022-0131-Corporate Services, Grant Report Update from 2019 to 2022, for information.

8.4. Action Correspondence of a Routine Nature

8.4.1. Pelham Audit and Finance Committee - Recommendation Letter

BE IT RESOLVED that Council receive the Recommendation Letter from the Pelham Audit and Finance Committee dated May 26, 2022;

AND THAT Council approve and endorses the recommendations therein, and that:

Council approve the 2021 Town of Pelham Consolidated Financial Statements.

8.5. Information Correspondence Items

8.5.1. Parking in Ridgeville

8.5.1.1. Heather Hamilton Correspondence re: Parking in Ridgeville at Canboro & Effingham

BE IT RESOLVED THAT Council receive correspondence from Heather Hamilton regarding Parking in Ridgeville at Canboro & Effingham, for information.

8.5.1.2. Lise Daniel Correspondence re: Ridgeville Parking

BE IT RESOLVED THAT Council receive correspondence from Lise Daniel regarding Ridgeville Parking, for information.

8.5.1.3. Bobbi Lococo Correspondence re: Ridgeville Parking

BE IT RESOLVED THAT Council receive correspondence from Bobbi Lococo regarding Ridgeville Parking, for information.

8.5.2. Niagara Region re: Voluntary Russian Sanction Request

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Motion - Voluntary Russian Sanction Request, for information.

8.5.3. Niagara Peninsula Conservation Authority re: European Water Chestnut

BE IT RESOLVED THAT Council receive correspondence from Niagara Peninsula Conservation Authority regarding European Water Chestnut, for information.

8.7. Committee Minutes for Information

8.7.1. Cannabis Control Committee Minutes

BE IT RESOLVED THAT Council receive meeting minutes dated April 6, 2022 from the Cannabis Control Committee, for information.

8.7.2. Pelham Finance and Audit Committee

BE IT RESOLVED THAT Council receive meeting minutes dated February 16, 2022 from the Pelham Finance and Audit Committee, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

9. Items for Separate Consideration, if Any

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

**10.2.1 Volunteer Firefighter Insurance, 2022-0126-
Chief Administrator Officer**

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0126 – Proposed Changes to Volunteer Firefighter Insurance, for information;

AND THAT Council approve the On Duty Proposal 2 coverage and the Optional Member Only Insurance benefits provided by VFIS;

AND THAT Council suspend the volunteer firefighter reserve fund program approved through by-law 4313(2021), including minimum transfers to the reserve fund and expenditures from the reserve fund;

AND THAT Council approve a budget transfer of \$10,379 from Fire Department reserve transfers to Fire Department insurance.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

10.2.2 Triple Majority Vote re Potential New Regional Health Bylaw, 2022-0134-Chief Administrator Officer

Moved By Councillor Wayne Olson

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0133 – Potential Support for Proposed Niagara Region Waterpipe Smoking By-Law, for information;

AND THAT Council of the Town of Pelham consents to the passage of the Waterpipe By-Law of the Regional Municipality of Niagara, being a by-law to regulate waterpipe smoking in the Region.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws

Councillor Haun requested the motion be divided to consider By-Law No. 4463 (2022) and 4464(2022) separately.

Council unanimously decided to consider the divided by-laws together as they relate to the same matter.

Moved By Councillor Ron Kore

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council of the Town of Pelham, having given due consideration to the following By-law do now read a first and second time;

1. By-law 4466(2022) - Being a by-law to provide for updated schedule of assessments, updated schedule of assessment for future maintenance and schedule of actual costs for Big Creek Drain System. (first and second reading)

AND THAT 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

AND THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

2. By-law 4459(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 952 Foss Road (east side of Victoria Avenue, between Foss Road to the north and Sumbler Road to the south), legally described as Part of Lot 18, Concession 11, former Township of Pelham, now Town of Pelham with the site-specific Agricultural-51 (A-51) zone. Spinosa. File No. AM-01-2022

3. By-law 4460(2022) - Being a By-law to declare the Town-owned lands described in Schedule "A", attached to and forming part of this By-Law, surplus to the needs of the Municipality and therefore

available for disposition (Lands Between Webber Road and Chantler Road being Part of Lot 14, Concession 13 in the Town of Pelham, designated as Parts 8-15, 17-20 on Plan 59R-9440)

4. By-law 4461(2022) - Being a By-law to authorize the sale of Town-owned lands to Michael and Julie Korolyk or successors in title, the lands being described on Schedule "A" appended hereto and to authorize the mayor and Clerk to execute all necessary documents to complete the transaction

5. By-law 4462(2022) - Being a By-law to designate private roadways as fire routes along which no parking of vehicles or motor vehicles shall be permitted.

6. By-law 4463(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands on the north side of Port Robinson Road, east of Station Street, legally described as Part of Lot 167, Geographic Township of Thorold, Part of Lots 17, 18 & 19 Plan 717, Town of Pelham, from the Residential Multiple 1 - 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone. Hummel Properties Inc. File No. AM-07-21

7. By-law 4464(2022) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 14. Summersides Village. File no. OP-AM-02-21

8. By-law 4465(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 690 Quaker Road, in the Town of Pelham from the Neighbourhood Commercial (NC) zone to the Residential Multiple 1 (RM1-321) zone with a holding provision zone. Upper Canada Consultants. File No. AM-11-2021

9. By-law 4467(2022) - Being a by-law to appoint a Court of Revision on the Big Creek Municipal Drain System.

Moved By Councillor Ron Kore

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council of the Town of Pelham, having given due consideration to the following By-law do now read a first and second time;

1. By-law 4466(2022) - Being a by-law to provide for updated schedule of assessments, updated schedule of assessment for future maintenance and schedule of actual costs for Big Creek Drain System. (first and second reading)

AND THAT 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

AND THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

2. By-law 4459(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 952 Foss Road (east side of Victoria Avenue, between Foss Road to the north and Sumbler Road to the south), legally described as Part of Lot 18, Concession 11, former Township of Pelham, now Town of Pelham with the site-specific Agricultural-51 (A-51) zone. Spinosa. File No. AM-01-2022

3. By-law 4460(2022) - Being a By-law to declare the Town-owned lands described in Schedule "A", attached to and forming part of this By-Law, surplus to the needs of the Municipality and therefore available for disposition (Lands Between Webber Road and Chantler Road being Part of Lot 14, Concession 13 in the Town of Pelham, designated as Parts 8-15, 17-20 on Plan 59R-9440)

4. By-law 4461(2022) - Being a By-law to authorize the sale of Town-owned lands to Michael and Julie Korolyk or successors in title, the lands being described on Schedule "A" appended hereto and to authorize the mayor and Clerk to execute all necessary documents to complete the transaction

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8. By-law 4465(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 690 Quaker Road, in the Town of Pelham from the Neighbourhood Commercial (NC) zone to the Residential Multiple 1 (RM1-321) zone with a holding provision zone. Upper Canada Consultants. File No. AM-11-2021

9. By-law 4467(2022) - Being a by-law to appoint a Court of Revision on the Big Creek Municipal Drain System.

Moved By Councillor Lisa Haun

Seconded By Councillor Ron Kore

THAT consideration of By-Laws No. 4463(2022) and 4464(2022) be deferred.

For (3): Councillor Lisa Haun, Councillor Bob Hildebrandt, and Councillor Ron Kore

Against (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Defeated (3 to 3)

Moved By Councillor Ron Kore

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT 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:

6. By-law 4463(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands on the north side of Port Robinson Road, east of Station Street, legally described as Part of Lot 167, Geographic Township of Thorold, Part of Lots 17, 18 & 19 Plan 717, Town of Pelham, from the Residential Multiple 1 – 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone. Hummel Properties Inc. File No. AM-07-21

7. By-law 4464(2022) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 14. Summersides Village. File no. OP-AM-02-21

For (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Against (3): Councillor Lisa Haun, Councillor Bob Hildebrandt, and Councillor Ron Kore

Defeated (3 to 3)

Moved By Councillor Lisa Haun

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council reconsider By-Law No. 4463(2022) and By-Law 4464(2022) at the next regular meeting of Council.

For (4): Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, and Councillor John Wink

Against (2): Mayor Marvin Junkin, and Councillor Wayne Olson

Carried (4 to 2)

14. Motions and Notices of Motion

The Mayor vacated his seat as Chair. Deputy Mayor Kore presided over this portion of the meeting.

14.1 Notice of Motion - Mayor Junkin

Mayor Junkin introduced his motion with respect to finding opportunities to honour the late Jane Haist which will be on the agenda at the next regular meeting of Council.

14.2 Motion - Councillor Olson re: Ridgeville Parking

Councillor Wink suggested a friendly amendment, requesting staff include within their report a shovel ready project to extend parking on Canboro Road to the west. Councillor Wink stated this could be beneficial if there becomes a grant opportunity available. After Council discussion, Councillor Wink withdrew his suggested friendly amendment.

Moved By Councillor Wayne Olson

Seconded By Mayor Marvin Junkin

WHEREAS staff have been previously directed by Council for the Town of Pelham to prepare a by-law regulating parking at the Meridian Community Centre and other properties owned by the Town of Pelham;

AND WHEREAS the draft municipal parking study presented to Council by RV Andersons at the April 4, 2022 Regular Council Meeting indicates that the Ridgeville parking options are consistently being exceeded;

AND WHEREAS Council for the Town of Pelham believe expanded parking options would immediately improve the competitive position of important local enterprises;

AND WHEREAS the Town of Pelham owns a parcel of land on the southeast corner of the intersection of Effingham and Canboro currently being used for storage and structures associated with water filling;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report to Council which details options for expanding the use of these lands to provide parking options for the Shops of Ridgeville;

AND THAT staff are further directed to assess the cost of incorporating Low Impact Development ("LID") characteristics into the design and cost of any potential parking lot, including but not limited to permeable pavement, specialized storm water features and potential use of botanical features to reduce runoff;

AND THAT staff are further directed to draft any closed session companion report they deem necessary or appropriate to address legal ramifications and/or cost valuations of the lands in question;

AND THAT the said report or reports are to be delivered to Council by July 25, 2022.

Amendment:

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

THAT the motion be amended to include:

AND THAT Council direct staff to investigate why the private parking lot besides 'Bobs Boys' is not being utilized.

For (3): Councillor Lisa Haun, Councillor Bob Hildebrandt, and Councillor Ron Kore

Against (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Defeated (3 to 3)

Moved By Councillor Wayne Olson

Seconded By Mayor Marvin Junkin

WHEREAS staff have been previously directed by Council for the Town of Pelham to prepare a by-law regulating parking at the Meridian Community Centre and other properties owned by the Town of Pelham;

AND WHEREAS the draft municipal parking study presented to Council by RV Andersons at the April 4, 2022 Regular Council Meeting indicates that the Ridgeville parking options are consistently being exceeded;

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NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report to Council which details options for expanding the use of these lands to provide parking options for the Shops of Ridgeville;

AND THAT staff are further directed to assess the cost of incorporating Low Impact Development ("LID") characteristics into the design and cost of any potential parking lot, including but not limited to permeable pavement, specialized storm water features and potential use of botanical features to reduce runoff;

AND THAT staff are further directed to draft any closed session companion report they deem necessary or appropriate to address legal ramifications and/or cost valuations of the lands in question;

AND THAT the said report or reports are to be delivered to Council by July 25, 2022.

For (4): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor John Wink

Against (2): Councillor Lisa Haun, and Councillor Ron Kore

Carried (4 to 2)

14.3 Notice of Motion - Councillor Wink

Councillor Wink stated he intends to bring forth a motion at the next meeting regarding the proper delivery of unsolicited materials, newspapers and junk mail.

15. Matters for Committee of the Whole or Policy and Priorities Committee

16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee

17. Resolution to Move in Camera

The Mayor returned to his seat as Chair.

Moved By Councillor Lisa Haun

Seconded By Councillor John Wink

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider a matter under Section 239 (2) of the Municipal Act, as follows:

(c) - proposed or pending disposition of land by the municipality - (1 item - File L07-2021-05-S - Property Located in Ward 1)

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

18. Rise From In Camera

Moved By Councillor John Wink

Seconded By Councillor Ron Kore

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise: With Report.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of June 7, 2022.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

19. Confirming By-Law

Moved By Councillor Ron Kore

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. 4468(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 07 day of June, 2022.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

20. Adjournment

The meeting was adjourned at 7:45pm.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for June 20, 2022 at 5:30 pm.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor John Wink

Carried (6 to 0)

Mayor: Marvin Junkin

Town Clerk: Holly Willford