



# The Corporation of the Municipality of Leamington

## Meeting of Municipal Council

### Agenda

Monday, March 7, 2016

Commencing at 6:00 PM

In Leamington Council Chambers

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**Special Closed Meeting of Council to be held at 5:30 PM in the Ante Room**

(A) **Call to Order:**

(B) **National Anthem:**

(C) **Disclosures of Pecuniary Interest:**

(D) **Adoption of Council Minutes:**

1. Minutes of the Council Meeting held February 8, 2016  
Pages 5 to 10
2. Minutes of the Special Closed Meeting held February 8, 2016  
Pages 11 to 12

(E) **Business Arising Out of the Minutes:**

(F) **Public Meetings/Court of Revision:**

1. Public Meeting, Drainage

Please refer to the Public Meeting Agenda

(G) **Reports of Staff and Delegations:**

1. Essex Region Conservation Authority, Presentation of 2015 Annual Report and 2016 Budget (listed as Additions available on the Agendas, Meetings and Minutes Municipal website page)
  - Richard Wyma, General Manager/Secretary-Treasurer, Essex Region Conservation Authority
  - Len Janisse, Vice Chair, Essex Region Conservation Authority
2. Report LLS-07-16 dated January 26, 2016 regarding Koppert Canada Limited Request to Amend Conditions Contained in Agreement of Purchase and Sale for Land on Seneca Drive  
Pages 13 to 15
  - Sherry Shaw, General Manager, Koppert Canada Limited
3. Report DR-7-16 dated February 12, 2016 regarding McCracken Drain Section 78, Improvements  
Pages 16 to 18
4. Report DR-11-16 dated February 25, 2016 regarding Sloan Drain Section 76, Updated Maintenance Schedule  
Pages 19 to 21
5. Report PW-01-16 dated February 25, 2016 regarding Tender Award Janitorial Services for Various Municipal Buildings  
Pages 22 to 23
6. Report REC-02-16 dated January 29, 2016 regarding Coca-Cola Bottling Ltd Contract  
Pages 24 to 25
7. Report IS-02-16 dated February 18, 2016 regarding Ontario Community Infrastructure Fund (OCIF): Marlborough/Chestnut Reconstruction and Sewer Separation  
Pages 26 to 28
8. Report FIN-02-16 dated February 5, 2016 regarding Treasurer's Statement, 2015 Councillor and Appointee Remuneration and Expenses  
Pages 29 to 31

**(H) Matters for Approval:**

1. Minutes of the Mayor's Youth Advisory Committee dated November 10, 2015  
Pages 32 to 34
2. Minutes of the Leamington Accessibility Advisory Committee dated January 13, 2016  
Pages 35 to 36
3. Minutes of the Kingsville Leamington Animal Control Committee dated January 27, 2016  
Pages 37 to 40

**(I) Other Matters for Consideration:**

None

**(J) Report on Closed Session:**

Clerk to provide report on the closed session

**(K) Consideration of By-laws:**

By-law 10-16 being a By-law to appoint a Drainage Superintendent for The Corporation of the Municipality of Leamington

By-law 11-16 being a By-law to provide for the construction of a new bridge over the Lebo Creek Drain - 7th Concession Road Branch, in Part Lot 6, Concession 6 in the Municipality of Leamington in the County of Essex (1<sup>st</sup> and 2<sup>nd</sup> reading)

By-law 12-16 being a By-law to provide for the construction of a new bridge over the Lundy Drain, in Part Lot 7, Concession 9 in the Municipality of Leamington in the County of Essex (1<sup>st</sup> and 2<sup>nd</sup> reading)

By-Law 17-16 being a by-law to provide for the construction of a bridge over the John Leslie Drain, in Part Lot 15, Concession 6 in the Municipality of Leamington in the County of Essex (1<sup>st</sup> and 2<sup>nd</sup> reading)

By-law 18-16 being a By-law to confirm the proceedings of the Council of The Municipality of Leamington at its meetings held March 7, 2016

**(L) Notices of Motion:**

None

**(M) Open Session:**

(N) **Announcement of Upcoming Meetings/Events:**

**Tuesday, March 8, 2016**

- Mayor's Youth Advisory Committee Meeting, 7:00 PM, West End Board Room

**Wednesday, March 9, 2016**

- Leamington Accessibility Advisory Committee, 3:00 PM, West End Board Room

**Monday, March 14, 2016**

- Council Meeting, 6:00 PM, Council Chambers

(O) **Statement of Members:** non-debatable

(P) **Adjournment:**

# **The Corporation of the Municipality of Leamington**

## **Minutes of the Council Meeting**

**Held Monday, February 8, 2016 at 6:00 PM**

**In Leamington Council Chambers**

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**Members Present:** Mayor John Paterson  
Deputy Mayor Hilda MacDonald  
Councillors: Bill Dunn, John Hammond, John Jacobs,  
Larry Verbeke, Tim Wilkinson

**Staff Present:** Chief Administrative Officer Peter Neufeld  
Director of Legal and Legislative Services Ruth Orton  
Clerk/Manager of Legislative Services Brenda Percy  
Director of Community & Development Services Tracey Pillon-Abbs  
Director of Finance & Business Services Ramona Nordemann  
Clerk/Manager of Legislative Services Brenda Percy  
Manager of Recreation and Culture Amanda Smith  
Manager of Planning Services Danielle Truax  
Economic Development Officer Jeanine Lassaline-Berglund  
Council Services Assistant Mary Ann Manley

**Staff Absent:** Director of Infrastructure Services Rob Sharon

The Mayor called the meeting to order at 6:00 PM.

### **Disclosures of Pecuniary Interest:**

None noted.

### **Adoption of Council Minutes:**

#### **No. C-36-16**

Moved by: Councillor Verbeke  
Seconded by: Councillor Jacobs

That the Minutes of the Minutes of the Council Meeting (including Public Meeting for ZBA #125, 285 Talbot Road East) held February 1, 2016 be adopted.

**Carried**

#### **No. C-37-16**

Moved by: Deputy Mayor MacDonald  
Seconded by: Councillor Hammond

That Minutes of the Special Closed Council Meeting held February 1, 2016 be adopted.

**Carried**

## **Business Arising Out of the Minutes:**

None noted.

## **Public Meetings:**

None.

## **Reports of Staff and Delegations:**

### **1. Delegation, Presentation of 2015 Community Partner Award Plaque**

Mike Van der Vlist, Executive Director for Habitat for Humanity, Windsor-Essex presented the 2015 Community Partner Award Plaque to the Municipality of Windsor for the Municipality's support in opening of a retail store in Leamington and the building of a Habitat home.

Mr. Van der Vlist, on behalf of Habitat for Humanity WE expressed deepest gratitude to the Municipality and presented a plaque in appreciation. Mayor Paterson accepted the plaque on behalf of the Municipality.

### **2. Delegation, Presentation from Essex Power, Youth in Community Projects**

Joe Barile, General Manager of Essex Power provided a brief synopsis of Essex Power's Youth in Community Projects. Mr. Barile was joined by three Grade 9 students who benefited from this program; Karly Kroslak, United Mennonite Education Institution, Peter Bot and Alexander McDonald, Leamington District Secondary School.

Mayor Paterson and Councillor Verbeke accepted the cheque on behalf of the Municipality.

### **3. Delegation, Members from the Mayor's Youth Advisory Committee**

Cameron Stockton, Peter Bot and Kiara Clement utilized a Power Point presentation to describe the purpose, goals and activities of the Mayor's Youth Advisory Committee.

In response to a question from Council, Mayor Paterson said he and Peter Neufeld visited UMEI and their students are already heavily involved and it is difficult for them to find time to attend the MYAC meetings.

**4. Report IS-01-16 dated January 25, 2016 regarding Small Communities Fund, 2015 Application, Erie South/Conover/Stewart/Forest**

Manager of Engineering Services Allan Botham presented the report.

In response to a question from Council, Mr. Botham said the application is complete and ready to be submitted along with the Council resolution.

**No. C-38-16**

Moved by: Councillor Hammond

Seconded by: Councillor Jacobs

That the information regarding the Small Communities Fund 2015 be received;

And that administration prepare and submit an application to the Small Communities Fund 2015 for partial funding of the Erie South/Conover/Stewart/Forest Sewer Separation program. (IS-01-16)

**Carried**

**5. Report REC-01-16 dated January 29, 2016 regarding Facility use Agreement, Windsor Essex Catholic District School Board, Queen of Peace School and the Municipality of Leamington**

Manager of Recreation and Culture Amanda Smith presented the report noting that the Leamington Kinsmen Recreation Complex would be the secondary site as Cardinal Carter High School is the primary site.

In response to a question from Council, Ms. Smith replied that Council would direct when the cogeneration report comes to Council. Ms. Smith noted the site would only be used during regular school hours and students would be dismissed at the end of the school day.

In response to a question from Council, Ms. Smith said they do not have facility use agreements with the Public School Board.

Council suggested the necessity of a back-up plan.

Mr. Neufeld expressed appreciation for the comments of Council and advised that Administration is working diligently on the cogeneration project.

**No. C-39-16**

Moved by: Councillor Dunn

Seconded by: Councillor Hammond

That Council authorize Administration to enter into a facility use agreement with the Windsor Essex Catholic District School Board, to designate the Leamington Kinsmen Recreation Complex as the "Emergency Centre" in the event of an evacuation of Queen of Peace School. (REC 01/16)

**Carried**

**6. Report PLA-03-16 dated January 26, 2016 regarding Extension of Draft Approval, D'Amore Plan of Subdivision (37-T-1101)**

Manager of Planning Services Danielle Truax reviewed the report.

In response to a question from Council, Ms. Truax said she spoke to a representative from D'Amore and they are ready to start the project.

Councillor MacDonald requested the pathway be lit to pre-empt any trouble.

**No. C-40-16**

Moved by: Councillor Jacobs  
Seconded by: Councillor Wilkinson

That the request to extend the draft approval given to D'Amore Plan of Subdivision (File No. 37-T-11001) from March 13, 2016 to March 13, 2019 be approved;

And further that a resolution in support of the extension from March 13, 2016 to March 13, 2019, be forwarded to the County of Essex. (Report PLA 03 16)

**Carried**

**7. Report CAO-05-16 dated February 5, 2016 regarding 2016 Economic Adjustment**

Chief Administrative Officer Peter Neufeld presented the report. Mr. Neufeld suggested offering a floater day in 2016 and 2017 for staff's willingness to accept the 0% wage increase.

**No. C-41-16**

Moved by: Councillor Hammond  
Seconded by: Councillor Dunn

That in 2016, there be a 2% wage adjustment for non-union staff, Council, crossing guards, part-time employees, summer students and members of the Committee of Adjustment, Leamington Police Services Board and the Union Water Joint Board of Management;

And that non-union salaried staff receive 1 floater day in each of 2016 and 2017. (Report CAO-05-16)

**Carried**

**Matters for Approval:**

None.

**Other Matters for Consideration:**

None.



## **Report on Closed Session:**

Clerk/Manager of Legislative Services Brenda Percy reported that a closed meeting was to be held at 5:45 PM prior to the open session of Council pursuant to Subsection 239(2) (b) for the purpose of considering Confidential Report LLS-08-16 dated February 4, 2016 regarding Amendment to Agreement.

Proper notice of the meeting was given. The meeting adjourned at 5:52 PM. During the meeting directions were provided to Administration, including the direction to forward the following motion to public session for consideration:

### **No. C-42-16**

Moved by: Councillor Verbeke  
Seconded by: Councillor Wilkinson

That Council authorize the entering into of an Amendment Agreement amending the terms of the Agreement between the Municipality and Peter Neufeld as outlined in Confidential Report LLS-08-16.

And that the Mayor be authorized to execute the same.

**Carried**

## **Consideration of By-laws:**

### **No. C-43-16**

Moved by: Deputy Mayor MacDonald  
Seconded by: Councillor Dunn

That the following by-law be read a first, second and third time and finally enacted:

By-law 9-16 being a by-law to confirm the proceedings of the Council of The Municipality of Leamington at its meetings held February 3, 4 and 8, 2016.

**Carried**

## **Notices of Motion:**

None.

## **Open Session** of Council and Administration:

None noted.

## **Statement of Members:** non-debatable

Councillor Wilkinson thanked staff for the tour of the Pollution Control Centre and the Leamington Kinsmen Recreation Complex.

Councillor Wilkinson extended an invitation to the March Masquerade Fundraising Party held at the Leamington Arts Centre on Friday, March 4, 2016 starting at 7:00 PM. Tickets are \$25.00 in advance or \$30.00 at the door.

**Adjournment:**

**No. C-44-16**

Moved by: Councillor Verbeke  
Seconded by: Deputy Mayor MacDonald

That the meeting adjourn at 6:50 PM.

**Carried**

John Paterson, Mayor

Brenda M. Percy, Clerk

Minutes approved at Council Meeting held  
March 7, 2016, Resolution C-XX-16,  
Confirmation By-law X-16

# **The Corporation of the Municipality of Leamington**

## **Special Closed Meeting Minutes**

**Monday, February 8, 2016 at 5:45 PM**

**Leamington Ante Room**

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**Members Present:** Mayor John Paterson  
Deputy Mayor Hilda MacDonald  
**Councillors:** Bill Dunn, John Hammond, John Jacobs,  
Larry Verbeke, Tim Wilkinson

**Staff Present:** Chief Administrative Officer Peter Neufeld/Deputy Clerk  
Director of Legal and Legislative Services Ruth Orton  
Clerk/Manager of Legislative Services Brenda Percy

Mayor Paterson called the meeting to order at 5:47 PM

### **Disclosures of Pecuniary Interest:**

None noted.

### **Moving into Closed Session:**

#### **No. S-43-16**

Moved by: Councillor Verbeke  
Seconded by: Councillor Jacobs

That Council move into closed session at 5:47 PM pursuant to Subsection 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees to consider Confidential Report LLS-08-16 dated February 4, 2016 regarding Amendment to Agreement.

**Carried**

**Matter for Consideration:**

1. **Confidential Report LLS-08-16 dated February 4, 2016 regarding Amendment to Agreement**

**No. S-44-16**

Moved by: Deputy Mayor Macdonald

Seconded by: Councillor Jacobs

That Council direct Administration be forward the recommendation as contained in Confidential Report LLS-08-16 dated February 4, 2016 regarding Amendment to Agreement for Council consideration.

**Carried**

**Adjournment:**

**No. S-45-16**

Moved by: Councillor Jacobs

Seconded by: Councillor Dunn

That the meeting adjourn at 5:52 PM and move into public session.

**Carried**

John Paterson, Mayor

Brenda M. Percy, Clerk

Minutes approved at Council Meeting held  
March 7, 2016, Resolution C-XXX-16,  
Confirmation By-law XXX-16

# Report

**To:** Mayor and Members of Council

**From:** Ruth Orton, Director of Legal and Legislative Services

**Date:** January 26, 2016

**Re:** Koppert Canada Limited Request to Amend Conditions Contained in Agreement of Purchase and Sale for Land on Seneca Drive

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## Aim:

To report upon a request from Koppert Canada Limited to amend the conditions of the Agreement of Purchase and Sale for lands on Seneca Drive.

## Background:

In December of 2014 the Municipality sold vacant municipally owned lands on Seneca Drive to Koppert Canada Limited (Koppert) for the sum of \$99,960.00. The subject lands are shown in red on the map below.



Map of Subject Lands

At the time of the sale, it was noted that the lands were not achieving their highest and best use and were not generating property tax revenue.

The following conditions were contained within the Agreement of Purchase and Sale.

1. The purchaser is to submit a complete application for site plan approval and enter into a site plan agreement with the Municipality within 14 months of the completion of the transfer of land to the purchaser. (February 2016)
2. The purchaser shall begin construction on a building or buildings with a gross floor area of at least 15% of the land area within 28 months of the date of completion of the purchase of land closing date. (April 2017)
3. If the Purchaser fails to complete either of the obligations outlined in the above items, then the Municipality, by returning 90% of the original price, is entitled to repossess the land.
4. The Municipality retains, for a period of five years from the closing date, the first right of refusal to repurchase at the original price any vacant portion of the purchaser's land prior to the purchaser offering such lands for sale to any other person.

Typically, conditions contained within an Agreement of Purchase and Sale do not survive the closing of the transaction, however, in this case, the parties entered into an agreement indicating that these conditions would remain in effect, despite the transfer of the land.

Koppert has recently approached the Municipality and requested the terms contained in the original Agreement of Purchase and Sale be amended. The requested changes are as follows:

1. To extend the date for entering into a site plan agreement with the Municipality to July 1<sup>st</sup>, 2017.
2. To extend the date to begin construction of a building or buildings to October 1, 2017.
3. That the minimum building area be reduced from at least 15% of the gross land area to at least 5% of the gross land area.

## **Comments:**

Koppert provides biological systems to the greenhouse sector. We understand that the proposed building will provide for the shipping of greenhouse products to that sector and will include certain office space as well.

Koppert is proposing to initially construct a building including a warehouse and office space of approximately 7,000 to 8,000 square feet. There are no minimum building size requirements contained in the Municipality's Zoning By-law or Official Plan in connection

with these lands. By agreeing to the requested amendments, the development of the land is being delayed, however, Koppert advises that they have retained a contractor and have commenced with the preparation of a site plan. The additional time would allow for the obtaining of ERCA approval and a building permit allow for Koppert to be ready to commence construction in 2017.

### **Financial Impact:**

There is no financial impact as a result of the requested changes.


### **Recommendation:**

That Council approve the amendments to the Agreement of Purchase and Sale between Koppert Canada Limited and the Municipality of Leamington for vacant lands on Seneca Drive;

And that the Mayor and Clerk be authorized to execute all necessary documents in order to effect the amendments described in Report LLS-07-16.

Respectfully submitted,

Peter Neufeld,  
CAO

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Ruth Orton  
Director of Legal and Legislative Services

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## Report

**To:** Mayor and Members of Council  
**From:** Lu-Ann Marentette, Drainage Superintendent  
**Date:** February 12, 2016  
**Re:** McCracken Drain - Section 78 - Improvements

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### Aim:

To appoint Rood Engineering Inc. pursuant to Section 78 of the Drainage Act. R.S. O. 1990 for the preparation of an Engineer's Report and the necessary plans and profile for the McCracken Drain.

### Background:

The McCracken Drain is unique in that it is made up of both enclosed municipal drains and an open municipal drain. The entire length of the drain is 4.4 km, of which only 1.2 km are open drains. Three (3) enclosed drains run parallel with one another along Mersea Road 6 (please refer to attached map) from Highway 77 to Lot 9. These tile drains interconnect and cross each other for the full length of the drain.

### Comments:

During the site meeting for the planned and budgeted maintenance on the open portion of the McCracken Drain, it was requested by several of the landowners to review the tile (enclosed portion) right up to the top end.

Staff began working with the flushing company to remove the sand and silt from the tile drain. After several attempts to get into the drain, and multiple tile collapses, staff stopped the project. It was determined that the pipes were too fragile and that there were sections that were failing in the quicksand. Sections of tiles were not able to be maintained at all due to not having any access points into them.

A further site meeting was held with the landowners affected by the tile portion and it was determined that an engineer is required to review the situation and possibly replace the existing three tiles with one new tile.

### Financial Impact:

Staff have included \$80,000.00 in the 2016 budget. However this project is expected to be in the design phase for the first year and construction thereafter.



This project is cost shared with all landowners affected by the drain and the roads within the watershed.

This project will also be grantable through the Agricultural Drainage Infrastructure Program provided by The Ontario Ministry of Agriculture Food and Rural Affairs.

**Recommendation:**

That Rood Engineering be appointed to prepare a report on the McCracken Drain, pursuant to Section 78 of the Drainage Act to repair and/or improve the tile portion;

And that all costs for the project be charged to Account # 10-7-0680-7680-949500-200104;

And that the Essex Region Conservation Authority be notified of the proposed improvements. (Report DR-7-16)

Respectfully submitted,

Lu-Ann Marentette  
Drainage Superintendent

Allan Botham P.Eng  
Manager of Engineering

Robert Sharon CMO  
Director of Services  
Infrastructure Services

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Peter Neufeld,  
CAO

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## Report

**To:** Mayor and Members of Council  
**From:** Lu-Ann Marentette, Drainage Superintendent  
**Date:** February 25, 2016  
**Re:** Sloan Drain - Section 76  
Updated Maintenance Schedule

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### **Aim:**

To amend Council resolution C-296-15.

### **Background:**

Council of The Corporation of the Municipality of Leamington, at its meeting held Monday, October 5, 2015 enacted the following resolution:

#### **No. C-296-15**

That N.J. Peralta Engineering be appointed to prepare a new maintenance schedule for the Sloan Drain, 6th Concession Branch as per Section 76 of the Drainage Act;

And that all costs be charged to account 10-7-0680-7680-967000-200085 (DR-04-15).

### **Comments:**

It has come to the Drainage Superintendent's attention that Rood Engineering was appointed by the Town of Kingsville for Ruscom River, Section 78. Since this Kingsville Drain is the outlet for our Sloan Drain (please see attached map), and the watershed limits and landowners will be the same. Administration is recommending that N.J. Peralta Engineering be removed, and Rood Engineering be appointed to prepare the updated assessment schedule for the Sloan Drain and Branches. All work will be completed at the same time and potentially save costs.

N.J. Peralta was contacted regarding the change and does not oppose it.

## Recommendation:

That Resolution No C-296-15 be amended to remove N.J. Peralta Engineering and include Rood Engineering as the Engineer of Record for the new maintenance schedule for the Sloan Drain and Branches as per Section 76 of the Drainage Act;

And that all costs be charged to account 10-7-0680-7680-967000-200085. (DR-11-16)

Respectfully submitted,

Lu-Ann Barreto  
Drainage Superintendent

Allan Botham, P.Eng.  
Manager of Engineering  
Services

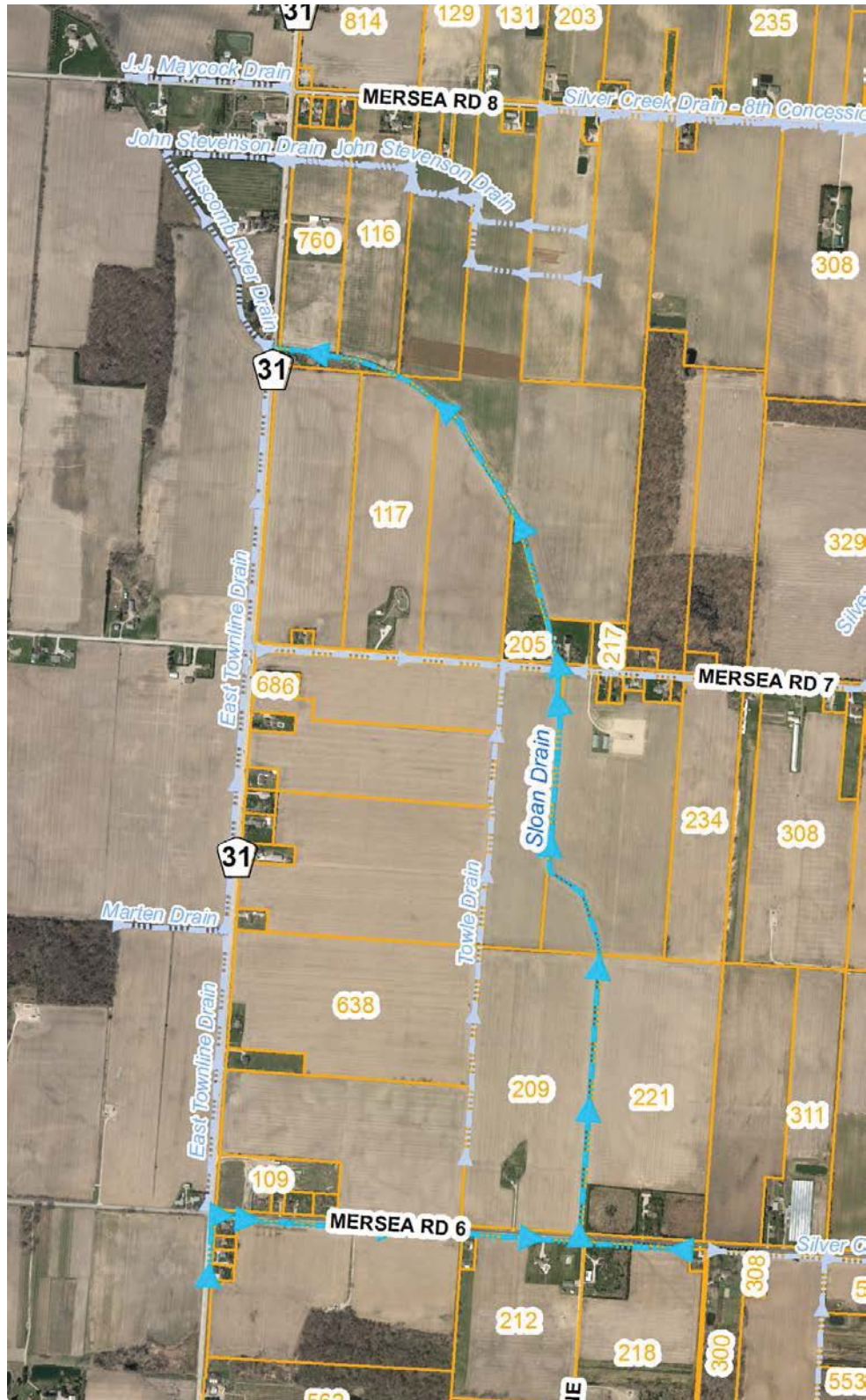
Robert Sharon, CMO  
Director of Infrastructure  
Services

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Peter Neufeld,  
CAO

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## Report

**To:** Mayor and Members of Council

**From:** Ken Brown, P.Eng, Manager of Public Works

**Date:** February 25, 2016

**Re:** Tender Award - Janitorial Services for Various Municipal Buildings

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### Aim:

To report upon the results of tenders received for janitorial services and to request Council authorization to award the tender to the lowest bidder.

### Background:

Currently, different janitorial companies are providing cleaning services to various municipal buildings on a month by month basis. The total costs for these services in 2015 was \$109,200, excluding HST. In an effort to consolidate this work under one contract and realize potential cost savings, administration issued a tender call for these services.

Notification of the tender was given to each current janitorial contractor and posted on our Municipal website.

The following table summarizes the tenders received and opened on January 29, 2016. (The 2016 cost would be for the remaining 10 months and the 2017 would be a full year.)

Bidder	2016 Bid (excluding HST)	2017 Bid (excluding HST)	Total Bid (excluding HST)
M.S. Janitorial	\$89,317	\$107,180	\$196,497
Greentech	\$98,200	\$117,840	\$216,040
Steam Canada	\$97,720	\$124,392	\$222,112
Commercial Cleaning	\$142,350	\$174,236	\$316,586

The lowest bid being M.S. Janitorial at \$196,497, excluding HST for the two (2) year term.

### Comments:

Administration reviewed the tender submissions and confirmed that the lowest bidder, M.S. Janitorial, met the required minimum specifications.

M.S. Janitorial has provided this service to several of our municipal buildings in the past and has completed the required work to the satisfaction of administration.

**Financial Impact:**

The following table summarizes the costs (including net HST) that would be charged to each departments operating account:

	Operational Account	2016 Cost (including Net HST)		2017 Cost (including Net HST)	
		Monthly	Yearly	Monthly	Yearly
Municipal Office	10-5-0520-7440-002030-007400	\$3,816.00	\$38,160.00	\$3,816.00	\$45,792.00
Complex	10-5-0670-7440-002030-007400	\$412.13	\$4,121.28	\$412.13	\$4,945.54
Fire	10-5-0410-7440-002030-007400	\$915.84	\$9,158.40	\$915.84	\$10,990.08
PCC	20-5-0660-7470-002030-007470	\$432.48	\$4,324.80	\$432.48	\$5,189.76
PW - Wilkinson	10-5-0630-7610-002030-008558	\$407.04	\$4,070.40	\$407.04	\$4,884.48
PW- Hwy 77	10-5-0630-7610-002030-008566	\$42.40	\$424.03	\$42.40	\$508.84
OPP	10-5-0530-7440-002030-007400	\$2,798.40	\$27,984.00	\$2,798.40	\$33,580.80
Water	30-5-0690-7440-002030-007400	\$264.58	\$2,645.76	\$264.58	\$3,174.91
<b>Total:</b>		<b>\$9,088.87</b>	<b>\$90,888.67</b>	<b>\$9,088.87</b>	<b>\$109,066.41</b>
<b>2016-2017 Contract Total:</b>		<b>\$199,955.08</b>			

Provisions have been made in the 2016 budgets in each specific area where the expenses will occur.

**Recommendation:**

That the 2016-2017 janitorial services contract be awarded to M.S. Janitorial Service Ltd, 27 Orchard Heights, Leamington, Ontario, in the amount of \$196,496.74 plus HST;

And that the Mayor and Clerk be authorized to execute the contract. (Report PW-01-16)

Respectfully submitted,

Ken Brown, P.Eng  
Manager of Public Works

Robert Sharon, CMO  
Director of Infrastructure Services

Peter Neufeld, CAO

Page 23 of 40  
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## Report

**To:** Mayor and Members of Council  
**From:** Amanda Smith, Manager of Recreation and Culture  
**Date:** January 29, 2016  
**Re:** Coca-Cola Bottling Ltd. Contract

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### Aim:

To recommend that Coca-Cola Bottling Ltd. contract to provide exclusive beverage services for the Municipality of Leamington (Leamington Kinsmen Recreation, Municipal Marina and Municipal Offices) be approved from January 1, 2016-December 31, 2020.

### Background:

Council approved Coca-Cola Bottling Ltd. to a five year beverage rights agreement for the Municipality of Leamington specifically the LKRC and Marina for the period ending December 31, 2015 (Resolution No. C-443-09). The beverage rights agreement included annual lump sum payments, commission on full service vending and volume rebates. In addition, the Municipality could access a marketing fund to enhance brand awareness, increase consumption or support community initiatives. Over the past 5 years, the marketing fund has been used to install Coca-cola branded umbrellas in the pool, provide complimentary cases of produce for the Annual Volunteer Appreciation Night, and provide complimentary cases of product and prizes for the Annual Rediscover Your Bike (bike rodeo) and other signage in the Kinsmen Kafe, Kanteen and Locker Room Lounge. Most significantly, the 5 year contract includes an annual lump sum payment of \$5000 per year, which has been placed in a reserve fund.

In November 2015, discussions started with representatives from Coca-Cola Bottling Ltd. to continue the partnership for five years, ending December 31, 2020.

### Comments:

The service is important to the Recreation and Culture Department as it provides beverages through full service vending and in support with the Kinsmen Club of Leamington to meet the needs of our clients. The agreement also provides financial support to the LKRC. Since the agreements have been in place, the Municipality has not had any complaints from the Kinsmen Club about purchasing Coca-Cola products.



The beverage rights agreement includes the following stipulations and benefits:

Annual Exclusivity Allowance	\$5,000 per year
Annual Volumetric Rebates (approx.)	\$1,090 per year
Annual Marketing Fund	\$ 250 per year
Full Service Vending Commission (25%)	\$6,280 per year

Total funding per year is approximately \$12,370, based on actual 2015 sales for all service areas.

The above stipulations are identical to previous years and based on discussion with the representatives, the Municipality of Leamington is getting a very lucrative deal related to the commissions and annual allowance.

This new agreement is recommending a minimum volume commitment (MVC) of 4150 standard cases of 24 units bought and paid for within the duration of the agreement, and is in combination of full service vending and over-counter-sales. If this volume is not reached by December 31, 2020, then the agreement will be extended at no additional cost from Coca-Cola until the minimum volume is achieved. The 4150 units is based on 2015 actual sales of 830 cases per year.

### Financial Impact:

The agreement is beneficial to the community and provides an additional \$12,000 in revenue for municipal projects that otherwise could not be funded. The estimated annual revenue is \$7,000 (recorded in Vending Machine revenue 10-4-0670-3938-001600-001090), and a minimum exclusive allowance of \$5,000 (recorded in Sundry revenue 10-4-0670-3999-0016000-001999). The exclusive allowance is directed to the Complex Reserve for future projects (Complex Reserve Fund 40-30-0220-0258-000220).

### Recommendation:

THAT, the request for authorization to enter into an agreement with Coca-Cole Bottling Ltd. for a further five (5) year term and expiring on December 31, 2020 under the same terms of agreement as the current expiring contract, with the addition of the Minimum Volume Commitment;

AND FURTHER, that the Clerk and Mayor be authorized to execute the required agreements as required for the contract. (REC-02-16).

#### Respectfully submitted,

Amanda Smith, Manager of Recreation Tourism & Culture  
Digitally signed by Amanda Smith,  
Manager of Recreation Tourism &  
Culture  
Date: 2016.02.18 09:47:13 -05'00'

Amanda Smith  
Manager, Recreation  
& Culture Department

Tracey Pillon-Abbs,  
Director of Community &  
Development Services  
Digitally signed by Tracey Pillon-  
Abbs, Director of Community &  
Development Services  
Date: 2016.02.18 11:13:41 -05'00'

Tracey Pillon-Abbs  
Director, Community & Development  
Services

Peter Neufeld, CAO  
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email=pneufeld@leamington.ca, c=CA  
Date: 2016.03.03 11:56:27 -05'00'

## Report

**To:** Mayor and Members of Council

**From:** Robert Sharon, Director of Infrastructure Services  
Allan Botham, P.Eng., Manager of Engineering Services

**Date:** February 18, 2016

**Re:** Ontario Community Infrastructure Fund (OCIF):  
Marlborough/Chestnut Reconstruction and Sewer Separation

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### **Aim:**

That the Municipality of Leamington enter into a contribution agreement with Her Majesty the Queen in Right of Ontario, as represented by the Ministry of Agriculture, Food and Rural Affairs for the construction of the Marlborough/Chestnut Reconstruction and Sewer Separation project.

### **Background:**

In August 2014, the Ministry of Agriculture, Food and Rural Affairs, through the Ontario Community Infrastructure Fund (OCIF) announced \$100 million per year to support the revitalization and repairs of roads, bridges and other critical infrastructure in small, rural and northern communities.

Further to Council's direction Administration submitted an expression of interest (EOI) and, subsequent to being approved to proceed to the next stage in the evaluation process, submitted a full application for the Marlborough/Chestnut Reconstruction and Sewer Separation project.

On February 5, 2016 the Municipality was notified that the project was approved for 50% funding, up to \$1,000,000, from the Province of Ontario under the OCIF program.

The subject project is driven by the need for sewer separation along Marlborough Street, from Erie to Chestnut; then on Chestnut Street, from Marlborough to Russell and on Fox Street from Askew to Russell. Specifically, the works will include installation of new sanitary and storm sewers, removal of existing combined sewers, removal of the combined sewer overflow into the separated sewer on Marlborough Street East, replacement of old watermain, new trees, and complete reconstruction of the roadway and sidewalks. (please refer to Figure 1 below)

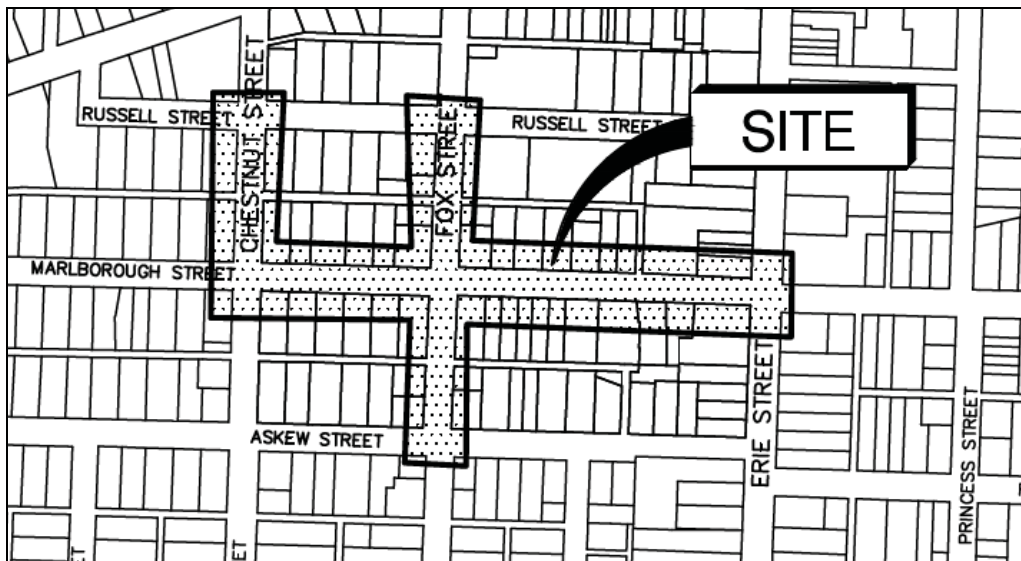


Figure 1

### Comments:

Funding requirements include that the Municipality enter into a signed contribution agreement with Her Majesty the Queen in Right of Ontario, together with a Council resolution supporting the agreement, on or before March 11, 2016.

The Marlborough/Chestnut project requires completion of a local improvement process, and construction of the works by December 31, 2017.

The Municipality is proposing the following project schedule in the agreement:

- OCIF Agreement Execution by March 11, 2016
- Complete Local Improvement process by December 31, 2016
- Award a construction contract by March 6, 2017
- Construction completion by December 31, 2017

Further reports to Council dealing with the local improvement process as well as project financing and project funding will be forthcoming. This particular report is to seek authorization to enter into the funding agreement.

### Financial Impact:

There is not financial impact at this time, however, the subject project is estimated to be \$2,000,000, with 50% funding, up to \$1,000,000, from the OCIF and approximately \$200,000 funded from assessments to benefiting property owners.


## Recommendation:

That the Municipality of Leamington enter into a contribution agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs to provide 50% funding, up to \$1,000,000, toward the total eligible costs of the Marlborough/Chestnut Reconstruction and Sewer Separation project. (Report IS-02-16)

Respectfully submitted,

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Allan Botham, P.Eng.  
Manager of Engineering Services



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Robert Sharon, CMO  
Director of Infrastructure Services

Peter Neufeld,  
CAO

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## Report

**To:** Mayor and Members of Council  
**From:** Ramona Nordemann, Director of Finance and Business Services  
**Date:** February 5, 2016  
**Re:** Treasurer's Statement - 2015 Councillor and Appointee  
Remuneration and Expenses

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### **Aim:**

To report the remuneration and expenses paid to or on behalf of each member of council and local boards for 2015.

### **Background:**

The Municipal Act, as prescribed in Section 284, requires the Treasurer's Statement to make an annual disclosure of remuneration and expenses paid to:

- each member of council as a member or officer of council or any other body to which they are appointed by virtue of being a member of council (including local boards), and
- to each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

### **Comments:**

This report is forwarded to satisfy Treasurer's Statement requirements for disclosure of annual remuneration and expenses for council and board appointees in accordance with Section 284 of the Municipal Act.

## Financial Impact:

Schedule A attached includes a summary of remuneration and expenses paid to or on behalf of each member of council and committee/board appointee for 2015 based on the following:

Boards and Agencies	includes remuneration from agencies, boards and committees, municipal and external, such as Conservation Authorities and Essex Power. Please note that payments to Leamington council representatives on County of Essex Council and related committees are not included in this report as they are disclosed in the Treasurer's Statement filed by the County Treasurer.
Expenses	includes payments to members for re-imbursement of expenses while on municipal business, mileage, per diems and expenses related to conferences, seminars and conventions.
Authorization	Councillor salaries and committee per diems are set in the annual budget estimates adopted by by-law. Expense re-imbursement rates paid the Municipality are established in the Corporate Policy Manual as adopted and as amended from time to time.

## Recommendation:

That report FIN-02-16 from the Director of Finance and Business Services disclosing the Treasurer's Statement for 2015 Council and Appointee remuneration and expenses be received for information. (Report FIN-02-16)

Respectfully submitted,

Peter Neufeld,  
CAO

Digitally signed by Peter Neufeld, CAO  
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email=pneufeld@leamington.ca, c=CA  
Date: 2016.03.03 12:00:50 -05'00'

Ramona Nordemann, CPA, CA  
Director of Finance and Business Services

FIN-02-16 Treasurer's Statement - 2015 Councillor and Appointee Remuneration and Expenses  
Schedule A

2015

**Municipal-related:**

Salary  
Conference Expenses - Council  
Training, Travel, Other Expenses

**Total Municipal**

Council									
Paterson, John	Macdonald, Hilda	Atkin, Richard	Dunn, William	Hammond, John	Jacobs, John	Verbeke, Larry	Wilkinson, Timothy		
\$ 33,933	\$ 21,717	\$ 5,544	\$ 11,425	\$ 17,645	\$ 17,645	\$ 17,645	\$ 17,645	\$	\$ 17,645
3,083	3,066	727	3,682	1,515	2,628	3,280	3,280		2,169
3,415	549	388	867	1,137	1,292	1,287	1,287		700
<b>\$ 40,431</b>	<b>\$ 25,332</b>	<b>\$ 6,659</b>	<b>\$ 15,974</b>	<b>\$ 20,297</b>	<b>\$ 21,565</b>	<b>\$ 22,212</b>	<b>\$ 20,514</b>		

**Boards and Agencies:**

UWSS, Police Services Board, Committee of Adjustment:

Salary									
Per Diem									
ERCA Per Diem	\$ 2,089	\$ -	\$ -	\$ 1,819	\$ -	\$ 3,343	\$ -	\$ -	\$ 1,607
ERCA Expenses	2,625	1,575	450	525	975	1,725	1,950		975
LTVCA Per Diem						360	905		
LTVCA Expenses		390				129	250		
Essex Power Corp. Salary	9,000	453							
Essex Power Corp. Expenses	601								
Conference Expenses - Boards and Agencies	1,608								
	\$ 15,923	\$ 2,418	\$ 450	\$ 2,344	\$ 975	\$ 5,557	\$ 3,105	\$	\$ 2,582
<b>Grand Total</b>	<b>\$ 56,354</b>	<b>\$ 27,750</b>	<b>\$ 7,109</b>	<b>\$ 18,318</b>	<b>\$ 21,272</b>	<b>\$ 27,122</b>	<b>\$ 25,317</b>	<b>\$</b>	<b>\$ 23,096</b>

**Boards and Agencies:**

UWSS, Police Services Board, Committee of Adjustment:

Non-Council					Total Council and Non-Council	
Butler, Judy	Hodgson, Lorraine	Jablonski, Heather	McSweeney, Joan	Tiessen, Paul Martin	Ricci, Frank	
\$ 1,671	\$ 1,671	\$ 2,041	\$ 1,723	\$ 1,819	\$ -	
					6,375	
					630	
<b>Grand Total</b>	<b>\$ 1,671</b>	<b>\$ 1,671</b>	<b>\$ 2,041</b>	<b>\$ 1,723</b>	<b>\$ 1,819</b>	<b>\$ 7,005</b>
						<b>\$ 222,268</b>

# **The Corporation of the Municipality of Leamington**

## **Minutes of Mayor's Youth Advisory Committee Meeting**

**Held Tuesday, November 10, 2015 at 7:00 PM**

**in West End Meeting Room - Leamington Municipal Office**

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In Attendance: Mayor John Paterson  
Councilor Larry Verbeke  
OPP Constable Kevin O'Neil  
Valere Gaspard  
Peter Bot  
Cameron Stockton  
Abbey Resendes  
Layla Bakaa  
Tam Do  
Sebastian Dam  
Liam Jeffery  
Domenique Mastronardi  
Chelsea Hickson  
Brienne Mastronardi  
Adrian Resendes  
Joshua Garton  
Carlos Pena  
Jacqui Munoz

Absent: Brenda Fischer, Supervisor of Marketing, Events and  
Customer Service

### **(A) Call to Order**

Councillor Verbeke to the Chair and opened the meeting at 7:00 pm.

### **(B) Disclosures of Pecuniary Interest**

### **(C) Review of Minutes**



## **(D) Business Arising Out of the Minutes:**

### **1. Guest Speaker: Megan Miinch - LDMH, Mental Health**

Mayor introduced our guest speaker who covered all facets of mental health accessibility at Leamington Hospital, plus several other social services being offered to all residents.

Passed out business cards and brochures to help explain everything she discussed.

Support for family members as well - all free services.

Mental health, addiction counselling, new immigrants etc.

New programs coming - under age 18 counselling

Discussion on "Be Safe" mobile app release to be held at LDSS November 24 2015 at 10 am.

### **2. Skate Park discussion**

Need more input from youth requesting a skate park

Peter Bot has website ready - needs to meet with Kelly Sfetkidis our Communications Officer to see how this and a "closed" Facebook page can be integrated.

Kevin O'Neil stated when he was a kid youth never had an opportunity like this - eg. to have the ear of Mayor and Council.

Carlos stated that youth participation in decision making, shows that the Town is interested in youth.

Suggested a "friendly" petition be created to raise Council's awareness of the desire for a skate park.

### **3. LDSS ECO Team - Blue Dot**

LDSS ECO Team relayed their concerns and wishes to have Leamington declared a Blue Dot community. Leamington's youth support the idea. Shows the desire for a healthy environment, already part of Leamington's strategic plan; attraction to younger generation; youth say it is the most important issue for their future; great for tourism; impact on water quality; job creation; healthy environment for wildlife and people alike; 250 students have signed the petition so far.

Mayor and Councillor Verbeke spent a great deal of time thanking ECO Team for their presentation and explaining why Council has a policy that says it does not make public endorsements. At the same time explained how many if not all of the Blue Dot items were already in place in the town's planning.

MYAC stated that they would like Council to know they support the Blue Dot initiative. Unanimous support.

4. Other Items:

Kevin O'Neil asked for volunteers for the annual Christmas parade.

**(G) Adjournment:**

The meeting adjourned at 8:23 PM.

**(H) Date of Next Meeting:**

Tuesday, December 8, 2015 at 7:00 PM

BF

**The Corporation of the Municipality of Leamington**  
**Meeting of Leamington Accessibility Advisory Committee (LAAC)**

**Minutes**

**January 13, 2016**

**Commencing at 1:30 PM**

**Complex Board Room**

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**MEMBERS PRESENT**

Donald Giesbrecht  
John Hammond  
Karen Lewis  
Paul Child  
Robert Bahry

**MEMBERS ABSENT**

**STAFF PRESENT**

Bechara Daher, Manager of Building Services  
Judy Vanroie, Building Services Assistant  
Derek Clark, Fire Inspector  
Amanda Smith, Manager of Recreation, Tourism & Culture

**1) Call to Order**

The Chair called the meeting to order at 1:30 pm

**2) Adoption of LAAC December 9, 2015 Minutes**

Moved by: Robert Bahry  
Seconded by: Donald Giesbrecht

That the minutes of the LAAC committee meeting held December 9, 2015 be adopted as amended.

**Carried**

**3) Business Arising Out of the Minutes**

- 1) Tour of Complex facility to review alternate ways of making the stairs safe and accessible for everyone.

Amanda pointed out the areas that have railings and stressed that the handrails already provided exceed the requirement for accessible seating. It was also mentioned that because we have not received any complaints in writing it would be difficult to justify the expense.

It is the committee's long term goal to find a way to have railings in every aisle for the safety of all patrons. There was a lengthy discussion on the pros & cons of various scenarios as well as finding ways to satisfy both the Fire and Building Codes. Because the aisles are not wide enough it appears that we would need to reduce seating capacity which would lead to extending the stairs and altering the railings.

One suggestion to the Manager of Recreation was to approach an Architect to review the site and come up with options for the committee to review. Bechara has contacted the Building Inspector involved with the Maple Leaf Garden arena in Toronto for more information and is still waiting for a reply. Another option would be to approach the MMAH for an exemption to the Building Code.

2) Snow Removal

Item deferred to the next meeting.

3) Library Parking

Item deferred to the next meeting.

**4) New Business**

4) Application for Appointment to Boards and Committees

The application we received will be forwarded to Council for appointment.

**5) Announcement of Next Meeting**

Next meeting to be held at Town Hall Wednesday February 17, 2016 at 3:00 pm

**6) Adjournment**

Moved by: Paul Child

Seconded by: Robert Bahry

That the meeting adjourn at 2:42 pm

Signature on File

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KAREN LEWIS, Chair

/jv

# Minutes of the Kingsville Leamington Animal Control Committee

Wednesday, January 27, 2016 at 10:00 AM

Leamington Ante Room

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Members Present: Kingsville Councillors Susanne Coghill, Sandy McIntyre  
Leamington Councillors John Hammond, Tim Wilkinson

Staff Present: Animal Control Officer Larry Wood  
Clerk/Manager of Legislative Services Brenda Percy  
Leamington Council Services Assistant Mary Ann Manley

## Disclosures of Pecuniary Interest:

None noted.

Clerk Brenda Percy called the meeting to order at 9:54 AM and welcomed Committee members.

## Election of Chairperson:

Ms. Percy called for the nominations for the 2016 Chairperson to the Committee.

Moved by: Councillor Wilkinson  
Seconded by: Councillor Coghill

That John Hammond be appointed as Chairperson of the Kingsville Leamington Municipal Animal Control Advisory Committee for the year 2016.

**Carried**

Councillor Hammond accepted the nomination of the 2016 Chairperson to the Committee, however, he requested that the Clerk continue to chair the meeting.

## Adoption of Minutes:

Moved by: Councillor Coghill  
Seconded by: Councillor McIntyre

That the minutes of the Kingsville Leamington Animal Control Committee meeting held February 25, 2015 be adopted.

**Carried**

**Business Arising from the Minutes:**

Councillor Wilkinson explained that he and Councillor Coghill had met with the former Leamington Clerk Brian Sweet regarding the tethering of dogs issue. Councillor Wilkinson advised that he spoke with Ms. Percy and that Leamington is preparing a by-law to address this issue. Councillor Coghill said Kingsville has a tethering by-law.

Ms. Percy will contact the Windsor Essex Humane Society to confirm that the OSPCA will enforce a provision for tethering within the Animal Control By-law. Ms. Percy said there will be other changes proposed to the Municipality's Animal Control By-law when brought forward to Council.

**Business:****Draft Animal Control Budget 2016 and Actuals for 2015:**

Ms. Percy noted that the 2016 budget for building insurance has been reduced to zero this is due to the fact that the building is owned by Kingsville and insurance is already paid by Kingsville. The budget still includes liability insurance.

Councillor Coghill asked why the 2015 actuals for revenue were less than the 2015 budget and why is there is a \$40,000 discrepancy. Ms. Percy noted that the Leamington portion may not be allocated to the budget as of yet. Ms. Percy to consult with the Finance Department as why the discrepancy and she will follow-up with the Committee.

Councillor Coghill asked how many years the costs are averaged over. Ms. Percy advised the costs are averaged over a three (3) year period.

Councillor Coghill asked about service contracts and if the amount of \$1,000 is still required when the 2015 year to date was so low. Ms. Percy advised that it may be a decrease, however, she and Director of Legal and Legislative Services Ruth Orton left the proposed budget at \$1,000. If the amount is lower again at the end of 2016, it would be decreased in the 2017 proposed budget.

Councillor Coghill questioned why telecommunications are up 54% from last year. Mr. Wood noted he received a phone last year. Ms. Percy advised that she would confirm with the IT department and report back to the Committee.

It was noted that the \$2,000 for building maintenance is for stone and grading. Mr. Wood confirmed that the painting of the building that was budgeted for in 2015 was completed.

Councillor Coghill noted Kingsville has not budgeted this amount for Joint Animal Control and would be \$1,000 short.

**Request from Animal Control Officer dated December 9, 2015:**

Moved by: Councillor Coghill  
Seconded by: Councillor Hammond

That the Kingsville Leamington Municipal Animal Control Advisory Committee approve the request from the Animal Control Officer dated December 9, 2015 for a 1% increase to the Kingsville Leamington Animal Control contract.

**Carried**

**2015 Call Summary and Monthly Details**

There was Council discussion on the “other” category for the Animal Officer’s reports and animals that are sent to St. Clair College.

Moved by: Councillor Coghill  
Seconded by: Councillor Hammond

That the Kingsville Leamington Municipal Animal Control Advisory Committee’s 2015 Call Summary and Monthly Details be received.

**Carried**

The Committee requested that a report from St. Clair College Veterinary Services be requested and circulated to the Committee.

**2016 Budget Apportionment**

Moved by: Councillor Hammond  
Seconded by: Councillor Coghill

That the Kingsville Leamington Municipal Animal Control Advisory Committee’s estimated 2016 Budget and 2015 Actual Budget be approved with any adjustments to revenue and telecommunications if required.

**Carried**

**Pound Inspection Report from the Ministry of Agriculture, Food and Rural Affairs dated September 28, 2015:**

In response to a question from the Committee, Mr. Wood responded that he has recovered from his surgery, however his brother, John Wood, is still assisting with Animal Control approximately 50% of the time.

Mr. Wood provided an explanation regarding the incident that occurred last year noting the concern should be corrected because the service provide, KelCom has changed the process for his pager and cell phone.

In response to a question from the Committee, Mr. Wood considers working for 2 (two) more years.

Moved by: Councillor McIntyre  
Seconded by: Councillor Wilkinson

That the Ministry of Agriculture, Food and Rural Affairs Inspection Report dated September 28, 2015 for the Kingsville Leamington Dog Pound be received.

**Carried**

**New Business:**

None noted.

**Adjournment:**

Moved by: Councillor McIntyre  
Seconded by: Councillor Coghill

That the meeting of the Kingsville Leamington Municipal Animal Control Advisory Committee adjourn at 10:25 AM.

**Carried**