

Council Agenda

1. **Call to Order**
2. **National Anthem**
3. **Disclosures of Pecuniary Interest and General Nature Thereof**
4. **Approval of Council Minutes**
 - 4.1. Minutes of the Special Council Meeting, Budget held February 8, 2017 and February 9, 2017
Pages 6 to 39
 - 4.2. Minutes of the Council Meeting held March 13, 2017
Pages 40 to 48
 - 4.3. Minutes of the Special Closed Council Meeting held March 13, 2017
Pages 49 to 52
5. **Business Arising Out of the Minutes**
6. **Court of Revision, Drainage**

Attendance

Members Present:

Councillors: John Jacobs, Larry Verbeke and Tim Wilkinson

Members Absent:

Deputy Mayor MacDonald

Others Present:

Mayor John Paterson

Opening of Court of Revision, Drainage

Suggested Recommendation:

That the Court of Revision, Drainage held March 27, 2017, be opened

Disclosures of Pecuniary Interest and General Nature Thereof

Item for Consideration

1. Engineer's Report, Hooker Drain, New Access Culvert

- Notice of Public Meeting dated March 3, 2017
Pages 53 to 54
- By-law 7-17 being a by-law Being a by-law to provide for the construction of a new access over the Hooker Drain-Wiebe, in Part Lot 5, Concession 7 North in the Municipality of Leamington in the County of Essex
Pages 55 to 57

- Suggested Recommendation:

That construction of a new access over the Hooker Drain, Wiebe, in Part Lot 5, Concession 7 North in the Municipal of Leamington in the County of Essex in accordance with By-law 7-17, be confirmed.

Closing of Court of Revision, Drainage

Suggested Recommendation:

That the Court of Revision, Drainage held March 27, 2017, be closed

7. Committee of Revision, Local Improvement

Attendance

Members Present:

Councillors: John Jacobs, Larry Verbeke and Tim Wilkinson

Members Absent:

Deputy Mayor MacDonald

Others Present:

Mayor John Paterson

Opening of Committee of Revision, Local Improvement

Suggested Recommendation:

That the Committee of Revision, Local Improvement held March 27, 2017, be opened

Disclosures of Pecuniary Interest and General Nature Thereof:

Item for Consideration:

1. Erie Street South (Askew to Oak) Sewer Separation Project

- Notice of Committee of Revision Hearing, Local Improvement dated March 1, 2017
Page 58
- Report LLS-12-17 dated February 28, 2017 regarding Erie Street (Oak to Askew) Sewer Separation Project
Pages 59 to 65
- Letters of objections received (forwarded to Committee of Revision under separate cover):
 - Ghada Kantati, 121 Erie Street South
 - Tony Alwan, 122 Erie Street South

- Suggested Recommendation:

The Committee of Revision hear any objections to the Local Improvement Assessment Schedule regarding the Erie Street (Oak to Askew) Sewer separation project

Closing of Committee of Revision, Local Improvement

Suggested Recommendation:

That the Committee of Revision, Local Improvement held March 27, 2017, be closed

8. Reports of Staff and Delegation

8.1. Delegation, Canadian Mental Health Association, Presentation of services/programs for Essex County

- Claudia den Boer, Chief Executive Officer

- 8.2. Delegation, Leamington Uptown BIA, Installation of “Customer Only” parking signs
 - Lisa Bradt, Uptown BIA Chairperson
- 8.3. Report PLA-07-17 dated March 6, 2017 regarding Part Lot Control Exemption Lots 53-60, Plan 12M-563, Southwinds Estate Subdivision Phase 1
Pages 66 to 70
- 8.4. Report ENG-04-17 dated March 10, 2017 regarding Tender Results, 2017 Surface Treatment and Gravel Road Elimination Program
Pages 71 to 73
- 8.5. Report LLS-16-17 dated March 23, 2017 regarding Amendment to Delegation of Authority By-law and Policy
Pages 74 to 80

9. Matters for Approval

- 9.1. Minutes of the Mayor’s Youth Advisory Committee held February 14, 2017
Pages 81 to 83

10. Other Matters for Consideration

None

11. Report on Closed Session

None

12. Consideration of By-laws

- 12.1. By-law 11-17 being a by-law to provide that Part Lot Control shall not apply to certain lands within Registered Plan 12M-563 (PLA-07-17)
- 12.2. By-law 14-17 being a by-law to establish certain land acquired for the purpose of road widening as an open and public highway which forms part of Erie Street South
- 12.3. By-law 15-17 being a by-law to amend By-law 85-16, a by-law to delegate powers and duties (Report LLS-16-17)
- 12.4. By-law 16-17 being a by-law to confirm the proceedings of the Council of The Municipality of Leamington at its meeting held March 27, 2017

13. Notices of Motion

None

14. Open Session

15. Statement of Members (non-debatable)

16. Adjournment

The Corporation of the Municipality of Leamington

Special Council Meeting Minutes 2017 Operating and Capital Budget Review

**Wednesday, February 8, 2017 at 9:00 AM
Council Chambers, 111 Erie Street North, Leamington**

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

Staff Present: Clerk/Manager of Legislative Services, Brenda Percy
Chief Administrative Officer, Peter Neufeld
Director of Legal and Legislative Services/Deputy Clerk, Ruth Orton
Director of Infrastructure Services, Rob Sharon
Director of Finance & Business Services, Laura Rauch
Director of Community & Development Services, Paul Barnable
Manager of Environmental Services, Shannon Belleau
Manager of Engineering Services, Allan Botham
Manager of Public Works, Ken Brown
Manager of Accounting Services, Ginny Campbell
Manager of Building Services, Bechara Daher
Manager of Information Technology, David Delcancio
Fire Chief, Chuck Parsons
Manager of Recreation, Terry Symons
Manager of Planning Services, Danielle Truax
Supervisor Water Services, Nelson Carvalho
Supervisor, PCC, Jason Charles
Drainage Superintendent, Lu-Ann Marentette
Financial Analyst, Bin Wu
Legal Assistant, Jennifer Bavetta
Council Services Assistant, Mary Ann Manley

Mayor Paterson called the meeting to order at 9:00 AM

Disclosures of Pecuniary Interest:

Councillor Wilkinson declared a conflict of interest with the grant request from Little Tomato Theatre.

Opening Comments from the Chief Administrative Officer:

Chief Administrative Officer, Peter Neufeld welcomed everyone to the 2017 budget deliberations. He stated that Administration was pleased to present the 2017 budget to Council. Mr. Neufeld said Administration took the opportunity to use the budget preparation process as a team building exercise. He advised that each decision was

reviewed to how it would affect the municipality as a whole. He stated that a budget was not just numbers but evidence of the commitment of an organization to its visions and goals through the allocation of human and financial resources.

Mr. Neufeld said this budget is Administration's best attempt at applying the values of Council as set out in the Strategic Plan to the distribution of available financial resources.

Mayor Paterson introduced the grant presentations.

Grant Requests and Brief Presentations:

1. Annual Charity Volleyball Tournament (Request \$793):

Lisa Barkovsky introduced Karen Repko and Ryan Whittle, organizers of the Annual Charity Volleyball Tournament. Ms. Barkovsky provided background information on the Tournament noting this year the group would be donating to the War Amps in memory of one of their members, Aaron Kuhlman.

In response to a question from Council, Ms. Barkovsky said the grant request was to cover the rental costs of the Leamington Kinsmen Recreation Complex for the tournament. Director of Infrastructure Services advised Council that there is no specific policy to waive rentals fees. Mr. Neufeld advised that fees are set by Council and therefore any reduction or waiving must be done by Council. Ms. Karkovsky noted the Tournament is scheduled for Saturday, February 25, 2017.

2. Frontier College (Request \$9,095):

There was no one in attendance for the grant presentation. The group was available by phone to answer questions from Council.

3. Leamington and District Half Century Club (Request \$24,000):

Christine Lehn, Administrator of Half Century Centre, provided background information on the Centre, its services and programs. Ms. Lehn advised there are 228 current members.

4. Leamington Chamber of Commerce (Request \$20,000):

Dave Campbell, Board of Directors for the Leamington Chamber of Commerce provided information on several of the Chambers activities such as the Tomato Tourist Booth, Santa Claus parade and a new July 1st parade for 2017.

In response to a question from Council, Mr. Campbell said the July 1st parade was in the beginning stages of planning.

Mayor Paterson requested that the Chamber prepare some financial information and costing and he will approach Tourism Windsor Essex Pelee Island (TWEPI) in regards to some possible funding.

Mr. Neufeld advised the tourist booth had some interior water damage which the Municipality has repaired.

5. Leamington District Memorial Hospital, Hogs for Hospice Event (Request \$20,000):

Donny Pacheco, Joe Oswald, Benji Mastronardi, Tim Iles, Scott Taylor, Brian Cornies, members of the Hogs for Hospice expressed their appreciation to the Municipality for their assistance in promoting the event last year noting the primary goal of the event is to raise funds for the Leamington District Memorial Hospital Foundation.

In response to a question from Council, Mr. Pacheco said the organization is looking to hold all the events at Seacliff Park. It is their opinion that the Park is large enough to accommodate all the activities and therefore less services will be required from the Municipality. Mr. Pacheco noted that local artists will be opening for the headliners.

6. Leamington Horticultural Society (Request \$5,000):

Peter Scorrar, Leamington Horticultural Society (LHS), provided information on 2017 projects such as the 150 tree project; workshop program with Essex Region Conservation Authority (ERCA) for school children, updates to the Centennial plaque in Mersea Park and the Hospice garden and Serenity Trail.

7. Leamington Horticultural Society, Communities in Bloom (Request \$5,000):

Peter Scorrar, Leamington Horticultural Society (LHS), provided background information on the Communities in Bloom program. He stated that Leamington has earned the 5 bloom provincial award for the last 3 years. He said the LHS has been encouraged to enter the National program. Mr. Scorrar listed tourism as one of benefits for participating in this program as it gives Leamington a particular unique identity and provides points of interest. He also stated that the competition initiates pride.

In response to a question from Council, Mr. Scorrar replied that the registration cost has increased, the LHS is required to budget for cost for the judges' tour in case there is no "in kind" services for their stay and the preparation of profile book costs may increase.

8. Leamington-Mersea Historical Society (Request \$7,000):

Paul Bunnett-Jones and Bill Gay, Leamington-Mersea Historical Society were in attendance. Mr. Bunnett-Jones provided background information on the highlights of 2016 and introduced projects for 2017. Mr. Bunnett-Jones presented a video regarding the rail trails, depot, and MCR Train Station. Mr. Bunnett-Jones also provided Council a booklet regarding Sturgeon Creek Battle of 1814.

9. Little Tomato Children's Theatre (Request \$2,000):

Councillor Wilkinson declared a conflict of interest and withdrew from discussion and voting on the matter.

Sharon Clifford, Little Tomato Children's Theatre expressed appreciation to Council for providing them with the opportunity to appear before Council. Ms. Sharon advised the grant would be used to replace/update the microphones used by the young actors during the performances.

In response to a question from Council, Ms. Sharon replied that there was not a venue large enough or of appropriate cost in Leamington to accommodate the Wizard of Oz performance scheduled for May 5, 6 and 7, 2017.

10. Migrant Worker Community Program (Request \$10,000):

B. Peacock, Chair, Migrant Workers Community Program (MWCP), advised the group is looking to be more efficient even though working on a small budget. Mr. Peacock advised that some of the migrant workers have been in the area for 30 years. He reported that there are around 6,500 migrant workers which is approximately 1/10 of the population. Mr. Peacock highlighted the activities of the program.

In response to a question from Council, Mr. Peacock said there are 9 different cultures involved in the MWCP.

In response to a question from Council, Ms. Peacock confirmed the MWCP partners with the South Essex Community Council and are located in their office.

In response to a question from Council, Mr. Peacock said he was waiting for a grant from the Ontario Greenhouse Vegetable Growers. Mr. Peacock said the MWCP received a \$5,000 grant from the Town of Kingsville.

Mayor Paterson requested the MWCP inform the elected municipal officials are made aware of the representatives being invited in to the municipality.

11. South Essex Arts Association/Leamington Arts Centre (Request \$45,000):

P. Belluz and Chad Riley, South Essex Arts Association provided highlights of the Leamington Arts Centre. Ms. Belluz said the increase in their grant request would be used to increase the part-time employee and free up time so Mr. Riley can take on others duties. As well, the LAC would like to obtain appraisals on all the artwork in the Centre and purchase an inventory software program.

In response to a question from Council, Mr. Riley said the Centre was open 30 hours during the winter and 37 hours in the summer. Mr. Riley said the Centre's operating costs are over \$20,000 per year.

12. South Shore Health Centre (Request \$35,000):

Roberta Jarecsni, Chair of the Board of South Shore Health Centre (SSHC) provided background information on the services of the Centre. She noted the Centre is open 12 hours a day for six days a week. The funding is required to continue to offer free programs to the community.

In response to a question from Council, Ms. Jarecsni said the Local Health Integration Network (LHIN) is beginning to meet with her to start to get SSHC funding. Ms. Jarecsni confirmed the SSHC is asking for a one time grant to develop infrastructure in order to receive funds. She stated that addiction is a tragedy and it needs to be brought out of the closet.

In response to a question from Council, Ms. Jarecsni said homelessness is not obvious in the area, as there is “couch surfing” where 6 to 9 youths share a residence. Ms. Jarecsni supports Leamington’s moratorium on boarding homes. She noted that homes where people can recover are required. She also noted that anti-overdose kits are available at local drug stores by showing one’s OHIP card.

Mayor Paterson asked Ms. Jarecsni to provide himself and Deputy Mayor MacDonald with details and background information so they can go to the County of Essex and request funding from the Health Unit.

No. S-04-17

Moved by: Councillor Jacobs
Seconded by: Councillor Verbeke

That the meeting recess for 5 minutes starting at 11:05 AM.

Carried

Mayor Paterson reconvened the meeting at 11:14 AM.

13. Southshore Broadcasting Inc. (Request \$22,000):

Tony Vidal and Harold Derksen were in attendance for Southshore Broadcasting Inc. Mr. Vidal stated their mandate was to provide televised Council meetings. Mr. Vidal submitted to Council correspondence which provided background information regarding their over the air transmission and intermittent carriage on Cogeco cable.

In response to a question from Council, Mr. Vidal responded the irregularity of the current service is the result of the height of the temporary tower and the signal as the broadcasting has not ceased. Mr. Vidal said there are plans for having a secondary physical studio in Uptown Leamington.

Mr. Vidal informed Cogeco that there was a signal available via fiber which would provide consistent and uninterrupted coverage. Mr. Vidal requested the Municipality forward correspondence to Cogeco and let them know the broadcasting signal is available through fiber.

Mr. Vidal said the television schedule is available on the CFTV 34 website.

14. Sun Parlour Folk Music Society (Request \$10,000):

John and Michelle Law, Sun Parlour Folk Music Society, provided information on the 2017 Kingsville Folk Music Festival. Mr. Law advised that the Festival provided a large economic impact on the area and he highlighted local programs. He stated that the Festival is partnering with the Sip and Savour event for signage and advertising. In response to a question from Council, Mr. Law said that he has been in discussion with municipal staff regarding future possible events for Leamington.

15. Sun Parlour Players Community Theatre (Request \$18,000):

Ursula Tiessen and Michele Fortin, Sun Parlour Players Community Theatre (SPPCT) expressed appreciation for the 2016 grant from Leamington Council. Ms. Tiessen said they were able to earmark proceeds for the Canada 150 grant program. Ms. Tiessen provided information on the 2016 events and upcoming events for 2017.

16. The Salvation Army Leamington (Request \$40,000):

Lt. Brad. Webster and his wife, officers/pastors/directors for Salvation Army. Lt. Webster provided statistics and costs for housing, youth and migrant worker drop in center, food bank services, clothing and furniture vouchers and church services.

In response to a question from Council, Lt. Webster said housing fund, the community family services funds and the fire funds are kept separate from the church account and stay in the community.

17. United Way/Centraide Windsor-Essex County (Request \$2,786):

L. Giles-Hayes, Program Coordinator, Leamington On Track to Success utilized a PowerPoint presentation to describe the program and its purpose.

In response to a question from Council, Mr. Giles-Hayes said the program is always looking to partner with local groups.

18. Windsor Symphony Orchestra (WSO) (Request \$6,000):

Sheila Wisdom, Executive Director and Faith Schofield, Advertising. Ms. Wisdom provided information on upcoming community concerts and workshops in Leamington. She congratulated Leamington on their waterfront development. She noted that ticket revenue alone is not sufficient to support the symphony. Ms. Schofield noted that Leamington is a core audience and the WSO enjoys coming to Leamington.

Mayor Paterson noted this was the conclusion of the grant applications.

No. S-05-17

Moved by: Councillor Dunn
Seconded by: Councillor Hammond

That the meeting recess for lunch and return at 12:45 PM

Carried

Mayor Paterson reconvened the meeting at 12:47 PM.

Overview of the 2017 Budget, Director of Finance and Business Services:

Director of Finance and Business Services, Laura Rauch, provided opening comments regarding the 2017 budget for Council consideration. Ms. Rauch recognized the team that prepared the budget. She advised that the 2017 budget proposes a municipal tax levy increase of 1.8% in both to both the general and urban tax rate. This increase equates to a \$35.86 increase to an urban home assessed at \$175,000.

Ms. Rauch advised that if Council chooses to increase (or decrease) services beyond the proposed budget, a 1% increase (or decrease) in Leamington's 'Own Purposes' general and urban levy equates to approximately \$225,000.

Ms. Rauch highlighted the following five philosophies which were the foundation of the 2017 draft budget:

- Every project and expenditure that was considered for inclusion in the budget, was challenged on how the spending ties to the values of the Municipality and how it supports the strategic direction of Council;
- The 2017 draft budget aligns one-time cost demands with one time funding sources and on-going cost demands with on-going funding sources ensuring the Municipality will be financially viable for years to come;
- The 2017 draft budget includes an additional \$480,000 or 7.8% increased taxation contribution, to capital from the 2016 budget. This will bring the capital taxation funding level to \$6.7 million demonstrating the Municipality's commitment to invest in infrastructure, parks, the Leamington Kinsmen Recreation Complex and the Marina;
- As well, demonstrating the commitment to invest is the projected level of total capital spending of \$35.6 million included in this year's draft budget. As mentioned previously, \$6.7 million or 19% is funded through taxation. 45% is funded through reserves, reserve funds and deferred revenue or federal gas tax. 23% is grant funded and 16% is land owner funded for drainage. This is more than double the average capital spending since the year 2000. Further details can be found in Tab 4 as well as with the departmental summaries;

- Even with the exponential growth in capital, the budget also includes a sustainable level of contributions to reserves (Summaries in Tab 3). This year's reserves transfer is projected to be \$4.8 million which is an increase of over 18% or \$750, 000 from the 2016 budget. The reserves, reserve funds and deferred revenue balance at the end of 2017 is projected at \$50.6 million which is slightly below last year's budget by about \$800,000 or 1.5%.

Ms. Rauch also provided some operating highlights noting the details could be found in Tabs 7 to 14 of the 2017 draft budget.

In response to a question from Council, Ms. Rauch stated that although the budget does not specifically budget for the carbon tax she confirmed the budget for utility costs will allow for any possible additional costs.

Clerk/Manager of Legislative Services, Brenda Percy left her seat at 1:05 PM and Director of Legal and Legislative Services, Ruth Orton assumed the duties of Deputy Clerk.

Departmental Budget Presentations:

1. Infrastructure Services

Director of Infrastructure Services, Robert Sharon provided comments on Infrastructure Services which includes the following:

- Environmental Services, Water, Waste Water (PCC), Sanitation;
- Public Works Operations, Public Works, Parks, Cemeteries
- Engineering Services, Drainage, Engineering, Sewers, Transit, Infrastructure
- Services provided an overview of the Infrastructure Services department.

Mr. Sharon noted that his area includes over \$34 million for capital works for 2017. The projects being brought forward to Council are very strategic in nature and the result of the direction given by Council.

Environmental Services (Water, Wastewater (PCC), Sanitation)

Water Services (0690) (Tab 7 of Budget Binder):

The municipal water services division is responsible for the delivery, maintenance and evaluation of the municipal water distribution system.

Mr. Sharon reviewed the capital budget for water, highlighting several projects. Mr. Sharon noted that in 2017, Leamington Water Services (LWS) will increase the resources within the department by adding one water system analyst and one system operation.

In response to a question from Council, Mr. Sharon advised that for the in-house billing initiative only the meter installation portion is budgeted for 2017. He reported Administration decided to divide the project over 3 years and future budgets will include transmitters and the necessary software.

Mr. Sharon used the Public Works department as an example to illustrate the difference in wage increases across the department despite the overall economic increase being 2%. He noted the difference is due to the change in tracking of employee tasks.

Mr. Neufeld advised that in 2016 there was significant transitions and some of the wage allocations still appear in the budget. Mr. Neufeld said there will be journal entries to correct this difference.

In response to a question from Council, Mr. Sharon responded that all municipal vehicles are given an estimated life expectancy. If a vehicle is recommended for replacement prior to the end of its expected life, it is because it is no longer worthwhile to continue to repair the vehicle. Mr. Sharon said that every municipal vehicle is placed in a municipal maintenance program. Feedback from the municipal mechanics assists the Director and Managers with their decisions to recommend vehicle replacements.

In response to a question from Council regarding, Mr. Sharon stated that source water protection is a requirement for all municipalities and the increase in the budget relates to the implementation of this program and the necessary line in the budget to track the program.

Councillor Dunn vacated his seat at 1:45 PM and returned to his seat at 1:48 PM.

Wastewater PCC (0660) (Tab 7 of Budget Binder):

The Leamington Pollution Control Centre (PCC) is responsible for treating all wastewater from residential, industrial, and commercial establishments in the Leamington and surrounding area, before final discharge to Lake Erie. Pollution Control staff manage and operate the sewage treatment facility and are also responsible for managing the accumulated biosolids to end point disposal. The total facility, with the exception of the Highbury Canco incoming sewer, is owned and operated by the Municipality.

Mr. Sharon reviewed the PCC capital budget noting the lifecycle replacement costs. Mr. Sharon said there is not a lot of change to the PCC operating budget from 2016 budget.

In response to a question from Council, Mr. Sharon said the decrease in professional services is due to the completion of the energy study which was fully funded.

In response to a question from Council, Mr. Sharon stated there is a PCC Master Plan which projects building additional infrastructure when sewage flows reach a certain level. Mr. Sharon said the process of separating combined sewer will decrease sewage flows to the plant and therefore will increase the life of the plant. The Master Plan contains a financial model for the life cycle replacement costs of existing infrastructure of the plant but not for twining of the plant.

Sanitation (640) (Tab 7 of Budget Binder):

The Sanitation Budget centre provides for the collection of urban and rural garbage. This includes weekly curbside pick-up, and weekly collection of yard waste between April and November.

This contracted service is undertaken by Windsor Disposal Services (WDS) for a 5 year contract that was recently awarded for the years 2017 to 2021. A small number of Public Works staff hours are also budgeted for Christmas tree collection.

The Municipality contracts white goods collection through Essex Windsor Solid Waste Authority (EWSWA) and container collection for Marentette Beach area through WDS.

Mr. Sharon said this budget has only an operational budget as it is a contracted service and a self-sustaining budget. Mr. Sharon advised there is no service level changes however this will be about a \$3.00 per resident increase for Landfill # 2 post-closure expenditures for a leachate forceman.

Public Works Operations (Public Works, Parks, Cemeteries)

Public Works Operations (630) (Tab 8 of Budget Binder):

Public Works Division conducts year round maintenance activities on the Municipality's existing infrastructure and assets including the roadway surface and rights-of-way, sewers, street lighting, fleet and facilities. These activities include the maintenance of 542 lane km of surfaced roads and related shoulders, 31 lane km of gravel roads, catch basins and manholes, trees, boulevards, 7.6 km of alleys, parking lots, weed control, winter control, roadway signage, special events, 67 km of sidewalk, leaf collection, street lights and sewer flushing and inspection.

Mr. Sharon provided a review of the public works capital and operating budgets.

Mr. Sharon responded to a question from Council, stating the \$25,000 allocated in the budget for the Uptown area was historically to address areas of concern specifically for sidewalks. Mr. Sharon advised that the Uptown Master Plan will provide direction for the revitalization of the Uptown area.

In response to a question from Council, Manager of Public Works, Ken Brown advised that there is \$10,000 in the budget for a proper wash bay for the public works vehicles.

In reply to Council, Mr. Sharon advised that the installation of the roadside banner posts are for municipal use only. There was a Council discussion on the use of the roadside posts and possible rental of said posts. Mr. Neufeld reiterated the purpose of the roadside posts was to advertise municipal events, not a revenue generating practice.

In response to a question regarding bulk vehicle purchases, Mr. Sharon advised that the Municipality does qualify for a public sector discount on vehicle purchases.

Mr. Brown said the part-time summer staff compliment has been increased to maintain the soccer facility and Seacliff Beach, as well as an additional horticultural assistant.

Councillor Verbeke vacated his seat at 2:15 PM and returned to his seat at 2:18 PM.

Parks (650) (Tab 8 of Budget Binder):

The Parks budget maintains and administers all municipal parks, trails and outdoor sports fields.

The Municipality maintains 14 neighbourhood parks, 2 community parks, the Kinsmen Ball Diamond, Soccer Complex, 20.2 km of Trails, Municipal Building and various park related areas. The waterfront turf cutting area, which includes Marina Park, Robson Road Corridor and Erie Promenade, is managed through an outside contractor.

The in-house maintenance includes turf cutting, waterfront shrubs and floral beds, walkway edging, play structure inspections and repairs, tree maintenance, hanging basket maintenance, Kinsmen Ball Diamond field preparation, Soccer Facility development and maintenance, trails development and maintenance, maintenance of Seaciff Park and splash pad and any other activities that may arise in the parks sector.

Mr. Sharon provided an overview of the parks capital budget advising that the budget includes grant funding to fulfill some strategic plan goals.

Council requested introducing the Skateboard Park in the 2017 budget. Mr. Neufeld asked Council how they would like to fund this initiative. Mr. Sharon stated that there are funds in the 2018 budget for design and funds in the 2019 budget for the build. He suggested moving the design and build into the 2018 budget. It was also suggested naming rights could procure some funding. Mayor Paterson suggested that the Skateboard Park Committee be reinstated.

In response to a question from Council, Mr. Sharon said the Municipality worked closely with Leamington Area Drip Irrigation Inc. (LADII). In exchange for easements and crossing the LADII group agreed to provide water for the sprinkler system for the soccer fields at no cost.

Mr. Sharon replied to a question from Council stating that Administration has had discussions regarding parking at the Leamington Kinsmen Ball Diamonds.

In response to a question from Council, Mr. Sharon said allowing access to the trails at the soccer field when the pitches are closed could result in damage due to lack of security. Mr. Brown said some people are using the soccer fields like a leash free park and the result is dog droppings on the pitches.

In response to a question from Council, Mr. Brown said in addition to the fencing of the leash free park there will be signage regarding fines for not picking up after one's dog.

In relation to the fencing of the leash free park, Mr. Neufeld said Administration will look at the by-law that prohibits advertising on fences and see if an exemption can be made for the Municipality.

Deputy Mayor MacDonald vacated her seat at 2:29 PM and returned to her seat at 2:32 PM.

Cemeteries (632) (Tab 8 of Budget Binder):

The Municipality maintains eleven cemetery sites, three of which are active: Lakeview, Bayview and Albuna.

It is the responsibility of Public Works (PW) staff to carry out interments at Lakeview and Bayview cemeteries, and cremation interments at Albuna. Contractors inter full burials in Albuna. Public Works staff maintains the turf at Bayview Cemetery in conjunction with the leash free dog park. Lakeview, Albuna and Roach (a small inactive rural cemetery) are maintained by a contractor under the Turf Maintenance contract. The remaining smaller inactive cemeteries, most of which were private family cemeteries, are maintained by remaining relatives or adjacent property owners.

Mr. Sharon reviewed the operating budget.

In response to a question from Council, Mr. Brown advised the grass cutting at Lakeview, Albuna and the small cemeteries are contracted out and Bayview cemetery is cut in-house. Council asked Administration to explore the avenue of contracting out all the grass cutting for the Municipality. Mr. Sharon advised that when considering the option of contracting out the grass cutting, snow removal needs must also be considered. Leamington is unique in that the staff cutting the grass in the summer are also plowing the snow in the winter.

Engineering Services (Drainage, Engineering, Sewers, Transit, Infrastructure)

Drainage (680) (Tab 9 of Budget Binder):

This portion of the budget includes costs to operate programs and services provided to ratepayers and other departments and agencies. Drainage Services oversees and undertakes capital projects and maintenance through the Drainage Act and the Tile Drainage Loans Act. Drainage Services interacts with agencies, such as the Essex Region Conservation Authority, Lower Thames Conservation Authority, Department of Fisheries and Oceans and the Ministry of Natural Resources for project approval requirements and other drainage related activity. Drainage Services reviews building permits, development proposals, lawyer & real estate inquires, and provides comments for the Committee of Adjustment along with that creates and review Drainage Apportionment Agreements and Mutual Drain Agreements. The Drainage Superintendent oversee roadside drainage (within the Public Works Budget) and urban drains (within the Sewer Budget) and manages the former railway property in Lakeshore for drain related issues and projects.

Mr. Sharon reviewed the drainage capital and operating budgets noting the Municipality's cost to be about \$475,000 of the total of \$3 million.

Engineering (620) (Tab 9 of Budget Binder):

Engineering Services is responsible to plan and manage municipal infrastructure and large construction programs. The group also manages municipal areas and programs including, traffic signals, active transportation, bridges, capital construction projects, and review of subdivision and site developments. Engineering Services staff meets with all utility providers, such as Bell, Cogeco and Union Gas, prior to any construction projects and approves the utility locations.

Mr. Sharon reviewed the \$8 million capital budget noting that this amount was spread across 24 capital initiatives. Mr. Sharon reviewed the operating budget noting the addition of a project manager and engineering assistant contract positions and a Sidewalk Master Plan.

In response to a question from Council, Mr. Sharon will ask staff to provide a map identifying municipal bridges.

In response to a concern from Council, Administration was confident that a three contract position would attract the correct people.

In response to a question from Council, Manager of Engineering Services, Allan Botham said the price difference for the two traffic signals is due to the location and additional infrastructure and curbing required. He also confirmed that a crossing guard would still be necessary at the Oak and Wigle Street location.

In response to a question from Council, Mr. Sharon advised that sidewalks on County Road 48 between Nicholas Street and Fraser are a lower tier liability and responsibility. He also noted that Leamington will likely own Oak Street West all the way to Fraser Road in the near future.

Mr. Botham advised that in regards to sidewalks on Danforth Avenue, a public meeting will be held for resident's input and a report will be presented to Council prior to the commencement of any work.

There was a lengthy Council discussion on the proposed traffic signal at Erie and Clark Street as well, as the safety concerns with its location near the Fire Station. Mr. Neufeld advised that the Municipality should base decisions on Provincial safety requirements and the studies undertaken by Traffic Engineers. Mr. Botham advised that the MMM Group has undertaken two studies, the Short Term Action Plan Traffic Study 2007 and the Short Term Action Traffic Plan Update 2013, and in both reports have recommended a traffic light at this location. Mr. Botham said the MMM Group has been in Leamington on numerous occasions over the last 10 years.

It was noted by Council that even with a Sidewalk Master Plan, a public input and a detailed report would still be necessary.

In response to Council, it was suggested to remove the traffic lights and LED replacement and allocate the money to the completion of the County Road project. Mr. Sharon advised that the said three projects are to be funded through Federal Gas Tax however, active transportation may also qualify for these funds. Mr. Sharon also noted the LED replacement is a pure return on investment. Mr. Sharon stated that

signalization has been recommended by traffic engineers since 2007 for Erie and Clark Street based on issues with sight lines. Mr. Sharon shared with Council the Municipality's strategy for addressing County Road 20. The Municipality would like to negotiate with Essex County prior to submitting a CWATS application in June 2017 for consideration in 2018. Mr. Sharon stated it is Essex County's responsibility to provide infrastructure for County Roads.

Mr. Neufeld provided comments on the County Road 20 situation stating Administration will do as Council directs.

Councillor Jacobs vacated his seat at 3:13 PM and returned to his seat at 3:15 PM.

There was continued Council discussion on the safety concerns of County Road 20 and the costs to the Municipality for the necessary works.

Council agreed that County Road 20 trail needs to be built, however, the question how to budget fund. Mr. Sharon responded that no works on County Road 20 will occur until 2018. Administration intends to prepare a report for Council regarding costs and funding for the County Road 20 project of approximately \$1.3 million. Mr. Sharon stated that all the liability on the County Road 20 is with the County of Essex.

In response to a question from Council, Mr. Sharon responded that will likely only receive approval for Phase 1 and 2 for 2018. If money were deferred than it would still be in reserves and could possibly be used for this project.

In response to a question from Council regarding a traffic light that could be activated by the Fire Department, Mr. Botham responded that the Province and Municipality are striving towards standardization of traffic signals. Mr. Botham further noted that traffic signals are for cars, trucks, cyclists and pedestrians. A traffic signal at this location will fit into a long term walkable community.

Mr. Neufeld further explained that a 5.5% tax levy for one year would cover the costs of County Road 20.

In response to a question from Council, Mr. Botham said that a signal at Oak Street and Wigle Street will create gaps in traffic and allow traffic to get out at Danforth Street and Oak Street.

In response to further Council comments on the traffic signal at Erie and Clark Street, Mr. Botham advised that he will investigate the options available for traffic signals to improve safety.

In response to a question from Council, Mr. Sharon advised that Phase 1 (Section of 11c) of County Road 20 would be from Sherk Street to Fraser Road and cost approximately \$900,000. If the CWATS Committee is agreeable then Administration would ask for all the phases to be completed.

In response to a question from Council, Mr. Sharon that at the end of 2017 there will be an estimated ending balance of \$2.4 million in gas tax reserves. Mr. Sharon said that the Provincial government is promoting active transportation.

Mr. Neufeld said a report will be coming back to Council regarding this item.

No. S-06-17

Moved by: Councillor Jacobs
Seconded by: Councillor Wilkinson

That the meeting recess for 10 minutes starting at 3:54 PM.

Carried

The Mayor reconvened the meeting at 4:07 PM

Sewers (610) (Tab 9 of Budget Binder):

The Public Works department is responsible for the maintenance of the sanitary, combined and storm sewer systems, and open drains within the urban area. Maintenance includes: sewer flushing, tree root cutting, TV inspection, sewer repairs and related restoration (boulevards and roadway). The work done for sewer maintenance is accomplished by using specialized Contractors.

In 1999 the Municipality further assumed responsibility for the maintenance of private service connections within the municipal road allowance, and clearly defined that the property line is the point where private landowner responsibility begins. In 2002, a 5-year sewer flushing program was implemented which has been very effective in maintaining sewer performance in a system that has far exceeded its expected useful life.

The Urban Drain Maintenance program typically includes: cutting, mowing, cleaning and flushing of open drains and tile drains within the urban area. As these drains are showing signs of age, additional maintenance beyond mowing and flushing is expected in the near future.

The Engineering department is responsible for planning and managing sewer capital works, and the defined “urban boundary”.

Mr. Sharon reviewed the sewer capital and operating budget noting part of the funding is for capital reserves, tax adjustment and debt financing.

Transit (622) (Tab 9 of Budget Binder):

The transit Budget includes the municipal associated cost for the operation of our conventional and specialized (accessible) transit services. Leamington’s conventional transit service is contracted from Switzer-Carty Transportation Services, and specialized transit service is provided by South Essex Community Council (Erie Shore Community Transit).

Mr. Sharon reviewed the transit budget noting this budget was partially funding through Gas Tax funding. Mr. Sharon said there was money budgeted for a Transit Master Plan that would review new and current secondary routes and travel between Leamington and Kingsville.

In response to a question from Council regarding the North South route through the summer routes, Mr. Sharon said it cost about \$37,000 and there was an average of 8 riders per day. He further explained that although it appears to be expensive it was noted that as the summer progressed more people rode the bus.

Mr. Sharon noted that the capital budget includes replacement of both buses in 2020. As well, Mr. Sharon advised that the most that can be saved by cancelling the transit system is \$125,000.

In response to a Council question regarding the staggering of purchasing of the buses, Mr. Sharon replied it was unusual that both buses would require repairs at the same time.

In response to question from Council, Mr. Neufeld said there is a bus stop on Cherry Lane near Seacliff Heights.

In response to a question from Council regarding a possible route to Wheatley and Point Pelee, Mr. Sharon replied that this would be included in the Transit Master Plan Study.

Infrastructure Services (600) (Tab 9 of Budget Binder):

Mr. Sharon reviewed the infrastructure budget.

Adjournment:

No. S-07-17

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the meeting adjourn at 4:39 PM.

Carried

John Paterson, Mayor

Ruth Orton, Deputy Clerk

Minutes approved at Council Meeting held
March 27, 2017, Resolution C-XX-17,
Confirmation By-law XX-17

The Corporation of the Municipality of Leamington

Special Council Meeting Minutes 2017 Operating and Capital Budget Review

Thursday, February 9, 2017 at 9:00 AM

Council Chambers, 111 Erie Street North, Leamington

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/Deputy Clerk, Ruth Orton
Director of Infrastructure Services, Rob Sharon
Director of Finance & Business Services, Laura Rauch
Director of Community & Development Services, Paul Barnable
Manager of Accounting Services, Ginny Campbell
Manager of Building Services, Bechara Daher
Manager of Information Technology, David Delcianto
Fire Chief, Chuck Parsons
Manager of Planning Services, Danielle Truax
Manager of Recreation, Terry Symons
Supervisor, Facilities and Fleet, Gary Emery
Supervisor, Marina, Ronan Oliver
By-law Enforcement Officer, Kyle Reive
Manager of Human Resources, Sandra Macameau
Human Resources Generalist, Danielle Harrison
Council Services Assistant, Mary Ann Manley

Staff Absent: Clerk/Manager of Legislative Services, Brenda Percy

Mayor Paterson called the meeting to order 9:04 AM

Disclosures of Pecuniary Interest:

None noted

2. Community and Development Services

Culture and Recreation Services (Complex, Marina, Library and Cultural Services, Erie Quest)

Leamington Kinsmen Recreation Complex (670 & 671) (Tab 10 of Budget Binder):

The Department of Recreation offers a full range of recreational opportunities for adults, seniors, youths and families, primarily at Leamington Kinsmen Recreation Complex (LKRC). Opportunities reflect instructional programs in aquatics, fitness, aqua fitness,

indoor cycling, racquetball, squash, and various youth and adult sport/recreation programs. Additionally, recreational skating programs coupled with specialized programs in junior hockey, hockey schools and figure skating are provided. The LKRC provides community groups and organizations the opportunity to rent facilities including the pool, gymnasium, and arena ice surface for occasions such as school outings, birthday parties, and community events, etc.

Director of Infrastructure Services, Robert Sharon provided an overview of the capital budget noting that it is in line with direction received from Council as this budget is built around sustainability of the LKRC facility.

In response to a question from Council, Mr. Sharon replied that the higher than usual bank charges are due to new CLASS software system. He advised that he would report back to Council on when the debt services charges would be complete.

There was a Council comment regarding moving the emergency management center to the Town Hall or Fire Hall as these buildings are equipped with generators. As well, Council asked Administration to consider the cost for a snow collection tank so the Zamboni does not have to leave the building to dump the snow.

Mr. Neufeld stated that the updates that will occur at the LKRC should result in an increase in membership.

Director of Finance and Business Services, Laura Rauch advised Council that the LKRC facility debt will be fully paid in 2026.

Marina (672) (Tab 10 of Budget Binder):

The Leamington Municipal Marina provides modern docking facilities, complimented by a variety of services offered within the marina to ensure seasonal boaters and transient visitors enjoy their stay. The Marina continues to attract boaters and visitors from across Ontario and the United States, thereby supporting the tourism industry in Leamington and generating economic benefits directly through dockage revenue and indirectly to the commercial/hospitality sectors. The Marina prides itself knowing that staff provide outstanding customer service and beautifully maintained facilities.

Mr. Sharon reviewed the capital and operating budgets for the marina noting an increase in revenue is anticipated for this year.

Mr. Sharon advised that N. J. Peralta Engineering was hired to make a recommendation on the installation of a new water supply to the marina docks at a cost of \$500,000. Marina Supervisor, Ronan Oliver said that last year he did not receive as many complaints and felt it was manageable at this time.

In response to a Council comment on the fish cleaning station, Mr. Neufeld said there has been significant discussion on this item and potential impact of this. These things need to be taken into consideration before one is built.

In response to a Council question regarding WIFI, Manager of Information Technology advised there is sufficient WIFI for recreational use and there is no plans to improve the WIFI system at the Marina.

Library and Cultural Services (685) (Tab 10 of Budget Binder):

The Library and Cultural Services budget is the responsibility of Recreation and Cultural Services. The budget includes costs associated with the maintenance and repairs of the Leamington Library building and the Leamington Arts Centre, along with funds provided to other arts and cultural organizations (i.e. South Essex Arts Association, The Leamington-Mersea Historical Society and The Bank Theatre). The Arts Centre houses art and historical artifacts from the Henry Estate and the ErieQuest Marine Heritage Museum.

Entertainment at the Marina on Friday nights (June-August), at Seacliff Park on select Saturday nights (July-August) and at Robson Road Park on select Sunday afternoons (July-August) are coordinated by Library and Cultural Services and included in this budget. Additionally, outdoor movie nights are included in this budget.

Mr. Sharon reviewed the capital and operational budgets for the Library and Cultural Services.

In response to a question from Council, Ms. Rauch stated the balance in the Collins Estate projected at the end of 2017 will be \$956,000.

Mr. Sharon further explained the “business hothouse” initiative as a center for entrepreneurs to start and grow their own businesses.

Councillor Dunn vacated his seat at 10:03 AM and returned to his seat at 10:05 AM.

There was Council discussion regarding the area around the Arts Centre and signage to advertise municipal events. Council asked Administration to consider allowing mobile food truck vendors in the Uptown.

Councillor Jacobs vacated his seat at 10:10 AM and returned to his seat at 10:12 AM.

Erie Quest (0687) (Tab 10 of Budget Binder):

Mr. Sharon summarized the Erie Quest budget noting the Committee was disbanded last year and there is no budget for 2017.

Councillor Verbeke, Councillor Hammond and Deputy Mayor MacDonald vacated their seats at 10:13 AM and Councillor Verbeke and Deputy Mayor MacDonald returned to their seats at 10:14 AM and Councillor Hammond returned to his seat at 10:17 AM.

Planning and Development (Building, Planning, Economic Development, Tourism and Culture)

Building (0430) (Tab 11 of Budget Binder):

Building Services is responsible for the enforcement of the Ontario Building Code (OBC) Act. The primary responsibility is to ensure that the safety and health of the public is maintained through adherence to those requirements in the construction or use of every building in the municipality.

The building department staff has professional qualifications in the following categories:

- Building Inspector - Plumbing, House, Plumbing All Buildings, House, Small Buildings, Large Buildings, On-Site Sewage and Building Services;
-
- Building Inspector - Plans examiner, House, Plumbing House, Plumbing All Buildings, HVAC House, Building Services and On-Site Sewage, Small Buildings and Building Structural; Large Buildings and Complex Buildings;
- Building Inspector (Contract) - House, Plumbing House, Plumbing All Buildings, HVAC House, Building Services and On-Site Sewage, Small Buildings and Building Structural; Large Buildings and Complex Buildings;
- Manager of Building Services & CBO- House, Small Buildings, Large Buildings, Complex Buildings, Plumbing House, Plumbing All Buildings, HVAC House, Building Service, Building Structural, and On-Site Sewage.

Director of Community and Development Services, Paul Barnable provided an overview of the operational budget for building services.

Manager of Building Services, Bechara Daher provided additional comments on building services noting the changes to the Building Code and the increase in activity.

In response to a question from Council, Mr. Neufeld said discussion on development charges will include other options to fund future growth.

In response to a Council question, Manager of Building Services stated the Ontario Building Code has a guideline on building applications and the agency approvals that are necessary in order to deem an application complete. These agencies include Essex Region Conservation Authority and Ministry of Transportation.

In response to Council's concern regarding the building permit process, Mr. Neufeld said staff restructuring in the planning and building department has occurred to streamline the building application process. As well, a contract position has been hired, funded through building revenues to assist with administrative items and booking final inspections in order to close outstanding permits. Mr. Neufeld stated this ensures that any improvements are captured on assessments and then affects revenue from property taxes. The Municipality is also looking at technological ways to improve the process.

Mr. Neufeld advised that the Development Review Committee (DRC) has been renamed to the Development Support Committee (DSC). The Committee will be restructured to improve the review process.

There was Council discussion on the Essex Region Conservation Authority timeline for their application process.

In response to a Council question, Mr. Daher said the building service department is progressing through the outstanding permits. Mr. Neufeld advised the number of outstanding and completed permits will be provided to Council.

Councillor Wilkinson vacated his seat at 10:31 AM and returned to his seat at 10:34 AM.

In response to a Council comment on the ERCA permit application, Manager of Planning Services said the requirement to obtain an ERCA approval is a provincial regulation however she can't speak on ERCA timelines.

Planning Services (0400) (Tab 11 of Budget Binder):

Planning Services is responsible for all planning matters, including Plans of Subdivision, Zoning, Site Plans, the Committee of Adjustment and the Municipal Heritage Advisory Committee for the Municipality of Leamington.

The Department is involved in all Planning Act applications, long range planning policy development, implementation of upper tier legislation and policies, and all other planning matters related to the comprehensive, orderly development of the municipality. Planning Services is responsible for preparing and maintaining municipal planning documents including the Official Plan, Zoning By-law, Secondary Plans, Community Improvement Plans, and the Development Charges By-law. These documents are used to implement legislation and perform a variety of services for ratepayers, developers, builders, Councillors, staff, solicitors, real estate agents, and upper tier governments. Planning Services processes official plan amendments; zoning by-law amendments; minor variance applications; consent applications, part lot control applications; site plan control applications; plans of subdivision/condominium applications; removal of holding zone; interim control by-laws.

Planning Services offers professional opinions and recommendations on zoning and regulations for building permits, business registry applications, general and property inquiries; the collection, maintenance and analysis of municipal statistical data for various initiatives, as well as the provision of mapping utilizing the Municipal GIS programs. Planning Services also coordinates the weekly review of development proposals by the Development Support Committee (DSC). The committee consists of representation from Police, Fire, Building, Planning, Engineering and Economic Development for the purpose of reviewing development proposals and providing comments on the municipal standards, as well as the necessary steps to proceed with development to developers, property and business owners.

Ms. Truax provided an overview of Planning Services noting applications have increased by 20% from 2016.

In response to a question from Council, Ms. Truax said no funds have been included in this budget for a new Community Improvement Plan (CIP). Mr. Neufeld advised that if the new CIP is ready it will be brought back to Council and moved forward. He added that a Planner has been hired and a new Junior Planner position will be advertised.

Ms. Truax updated Council on Essex County's Farm Lot Size Study. She will forward an email from the County and the links to the County's website. Planning staff will review the recommendations and report back to Council.

In response to a question from Council, Ms. Rauch replied the unused CIP funds are rolled over into reserves.

In response to a comment from Council, Ms. Truax said there is not a typo on page 117 of the Budget binder as the Development Charges By-law expires in August 2019, however the exemption to the By-law expires in 2017.

Ms. Truax will provide Council with a timeline from the consultant working on the Interim Control By-law to prohibit boarding houses within the Municipality. She also confirmed that she would be working on the Official Plan this year.

No. S-08-17

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the meeting recess for a 10 minute break at 10:47 AM.

Carried

The Mayor reconvened the meeting at 11:00 AM.

Economic Development (0940) (Tab 11 of Budget Binder):

The Economic Development office was established to "create an economic development environment in the Municipality through the promotion, cooperation and communication between the public and private sector, enabling an increased standard of living for its residents while maintaining and enriching the quality of life".

Mr. Neufeld provided an overview of the Economic Development budget noting that Tourism has been added to the Economic Development portfolio. Mr. Neufeld noted that Economic Development has been moved to the Community and Development Department.

In response to a question from Council, Ms. Rauch replied the increase in Business Attraction/Retention account includes funds for the development of a new website.

There was Council discussion regarding a possible process for responding to new requests to assist the Economic Developer to handle the large amount of inquiries.

Tourism and Culture (0930) (Tab 11 of Budget Binder):

Tourism and Culture works collaboratively with Economic Development in business attraction and community development. The Culture and Tourism Developer is responsible for acting as the catalyst for the development and implementation of plans to attract and sustain tourism and business in support of a strategic business and economic strategy.

Mr. Neufeld provided an overview of the Tourism and Culture budget.

Mayor Paterson vacated his seat at 11:14 AM and Deputy Mayor MacDonald assumed duties as Chair of the meeting.

Mr. Neufeld noted the tourism and culture role will continue to be the key point of contact with regional and provincial tourism partners.

3. Legal and Legislative Services (Legal and Legislative Services, By-law Enforcement, Parking, Animal Control)

Mayor Paterson returned to his seat at 11:18 AM and resumed duties as Chair of the meeting.

Legal and Legislative Services (0300) (Tab 12 of Budget Binder):

Legal Services is responsible for the provision of legal services to Council and all municipal departments, which includes conducting hearings; coordinating insurance claims and providing information and assistance to the Municipality's insurer and appointed lawyers; drafting and reviewing documents including contracts, by-laws and policies; providing legal advice; and reviewing and implementing procedures and processes to reduce risk and improve efficiencies.

Legislative Services is responsible for customer service, preparing Council agendas and minutes, conducting the municipal election, records management, cemetery administration, and providing various services to the public including lottery licensing, death registration, marriage licensing and solemnizations and general administration of various by-laws.

Director of Legal and Legislative Services, Ruth Orton provided an overview of the legal and legislative budgets noting the theme for this department is "relieving the bottle neck and enhancing services" similar to other departments. Ms. Orton reviewed the enhanced customer service model changes at the front reception desk. She noted the request for an addition of a cemetery contract staff and additional lawyer.

In response to a question from Council, Ms. Orton stated that there will still be some outside legal services required for specific issues.

There was Council discussion on property standards for the Uptown.

Ms. Orton said there has been improvement on enforcement of the Property Standards By-law for the Uptown; however, this is not only a property standards issue but also requires a need for property owners to take responsibility for their properties. She noted

this will not solve all the issues in the Uptown but rather is a tool to work towards achieving municipal expectations.

Ms. Orton advised that amending the Property Standards By-law is limited by legislation.

Mr. Neufeld provided additional comments on limits of tools such as a property standards by-laws and business registration applications. He advised responsibility also lies with the property owner.

There was Council discussion on the Cityworks software program and if properly used the benefit it can provide to the Municipality in tracking and following up on customer concerns.

In response to a question from Council, Ms. Orton stated the additional lawyer position has not been reviewed but it would fall in the salary range of \$80,000 to \$90,000.

Mr. Neufeld will direct Communications to send a message regarding the new Cityworks program using social media, emails and inclusion on tax bills notices.

Human Resources (0301) (Tab 12 of Budget Binder):

Human Resources is part of the Legal and Legislative Services Department and includes health and safety; the administration of pension and benefits; recruitment; organizational design; performance management; salary administration; employee and labour relations; training and development.

Ms. Orton reviewed the Human Resources budget noting the salary and pay equity review will be undertaken in 2017.

In response to a question from Council, Ms. Orton noted that the Human Resources has been moved to their own budget page.

By-law Enforcement (0330) (Tab 12 of Budget Binder):

By-law Enforcement is part of the Legal and Legislative Services Department. This service area is responsible for the enforcement of numerous municipal by-laws, the major by-laws being: property standards; land maintenance; taxi; comprehensive zoning which regulates permitted uses on private property; and the sign by-law which includes the issuance of sign permits.

Ms. Orton reviewed the By-law Enforcement budget noting the increase in professional services was dependent on when and if an additional lawyer is hired.

Mr. Neufeld stated that By-law Enforcement is one aspect of improving the Uptown area. He noted that attracting people to the Uptown to dine and visit attractions will raise the standards adding this will take some time.

There was a Council discussion on the vacancy reduction for empty buildings. Mr. Neufeld said Administration will investigate this option.

There was a comment from Council on the need to improve the municipal relationship with the Uptown BIA.

Parking Enforcement (0340) (Tab 12 of Budget Binder):

Parking Enforcement is part of the Municipality's By-law Enforcement service area. One Parking Enforcement Officer is responsible for the enforcement of parking in the Uptown area. Patrol consists of the Uptown core, Municipal parking lots and fire routes at several retail locations - some outside of this Uptown core area. The Municipality also has an agreement with the Leamington District Hospital authorizing other officers to issue parking tickets on hospital property. The Municipality processes all tickets written and keeps all of the revenue associated with these fines.

Ms. Orton provided an overview of the Parking By-law Enforcement budget noting the connection between the by-law and parking enforcement budget. Ms. Orton highlighted the purchase of a handheld device to assist the employee with parking enforcement. She also noted the employee has attended larger scale stores and issued parking tickets for vehicles in fire zones.

In response to a question from Council, Ms. Orton advised the revenue estimates have been conservative.

Deputy Mayor MacDonald vacated her seat at 12:08 PM and returned to her seat at 12:09 PM.

Animal Control (0360) (Tab 12 of Budget Binder):

The Animal Control budget includes revenues from the sale of dog tags and related expenses. The largest budget item is the allocated portion of the Kingsville Leamington Municipal Animal Control Advisory Committee (the "Committee") budget. The Committee administers an agreement for shared services related to a dog pound and an Animal Control Officer. The shared services are apportioned based on a three year average utilization and Leamington's share is paid out of this budget. The Committee reviews and recommends its budget to Council for approval. The Committee's budget was presented to the Committee on January 25, 2017. The budget before Council is recommended by the Committee.

Ms. Orton reviewed the Animal Control budget.

In response to a question from Council, Ms. Orton stated the spayed neuter program was not implemented in 2016 and has not been budgeted for 2017.

Ms. Orton advised that a report will come to Council regarding the future tendering of the Animal Control Services.

Mayor Paterson advised that direction has been given to the Animal Control Officer to not pick up dead animals on County roads.

Councillor Jacobs vacated his seat at 12:11 PM.

No. S-09-17

Moved by: Councillor Dunn
Seconded by: Deputy Mayor MacDonald

That the meeting recess for lunch at 12:13 PM.

Carried

Mayor Paterson reconvened the meeting at 1:00 PM

4. Finance and Business Services (Police Services, General Government, Finance & Business Services)

Police Services (0530) (Tab 13 of Budget Binder):

The Ontario Provincial Police (OPP) provide police services for the Municipality under a purchase of service agreement and in accordance with section 10 of the Police Services Act (PSA). The Leamington Police Services (LPS) Board generally determines objectives and priorities for police services in consultation with the detachment commander or his or her designate. Based on the identified priorities, the Board reviews and recommends the annual Police Services operating and capital budgets to Council for approval. It is anticipated that the Police Services Budgets will be presented to the Police Services Board in early February for recommended approval. Amendments to the Police Services budgets as a result of this meeting, if any, will be brought forward to Council during budget deliberations.

Ms. Rauch provided an overview of the Police Services budget noting the budget was approved by the Leamington Police Services Board on Tuesday, February 7, 2017. Ms. Rauch advised there was an error on page 144 of the Budget binder stating the transfer to Police Services Reserve should read \$100,000 not than \$50,000.

In response to a question from Council regarding the hiring of off-duty police officers, Mr. Neufeld said Administration will follow-up with Leamington OPP to confirm that additional weekend patrols have been included in the Police Services budget.

There was Council discussion on the need for extra foot patrol.

Mayor Paterson noted funds were included for a speed control sign (\$18,000) which would be a shared piece of equipment between the police and the Municipality.

General Government (0520) (Tab 13 of Budget Binder):

The Director of Finance and Business Services oversees the General Government budget; however various projects and services funded under this budget are delivered by a variety of service areas. This budget includes costs and programs that are 'non-departmental', pertaining to the general administration of the Municipality rather than to specific operational departments or divisions. This area includes tax levies and associated revenues, expenditures related to the overall operations of the Municipality and other items outside of normal municipal operations.

Ms. Rauch provided an overview of the General Government budget advising that this department includes programs that are not departmental.

Councillor Dunn vacated his seat at 1:11 PM returned to his seat at 1:14 PM.

Finance and Business Services (0500) (Tab 13 of Budget Binder):

The Director of Finance and Business Services (FAB) oversees this service area. This portion of the budget includes costs to operate programs and services provided to Leamington ratepayers as well as to all municipal departments and divisions. Services provided include property taxation, revenue billing and collection, cash, debt and investment management, purchasing, payroll, accounting, reporting and analysis. FAB also provides insurance administration and asset inventory management for the corporation.

In addition FAB Services provides operational support to Union Water Supply System for accounting and business functions, and serves as a business services liaison for Essex Power Corporation and the Provincial Offences Act Liaison Committee.

Ms. Rauch provided an overview of the Finance and Business Services budget noting that Information Technology has been separated from the Finance and Business Services budget. Ms. Rauch said the budget includes the request for an additional staff member to accommodate the increase in engineering and other internal department processes.

In response to a Council question, Mr. Neufeld said the Tax Specialist position is currently in place and already working on tax appeals. The additional clerk position will be responsible for ensuring the proper controls are in place at the Leamington Kinsmen Recreation Complex and Marina. It was noted this was a permanent position.

Councillor Wilkinson vacated his seat at 1:18 PM and returned to his seat at 1:20 PM.

In response to comments from Council, Mr. Neufeld advised the current Tax Specialist position works with MPAC regarding assessments. He further advised that MPAC makes their assessment on the occupancy permit.

Information Technology (0510) (Tab 13 of Budget Binder):

Information Technology (IT) Services is responsible for all voice and data technologies for the corporation, as well as the implementation and support of all current hardware and software needs. IT Services maintains, evaluates and implements new and alternative forms of technology, and manages existing data and systems. GIS Services manages and supports our current mapping infrastructure.

Ms. Rauch provided an overview of the IT budget noting an increase in software for a cemetery software program and server upgrade purchase.

In response to a Council question, Manager of Information Technology, Dave Delcianto stated that prior to discussions regarding a stipend for use of Councillors' personal phones that the municipal policy will require updating with respect to cell phones, emails and what is considered a record. Mr. Neufeld provided additional comments stating

this year the salary review will occur and will also include review the remuneration for Council and a phone option can be included with this review.

5. Office of the CAO (Fire Services, CAO, Council Services, Communications)

Fire Services (0410) (Tab 14 of Budget Binder):

Leamington Fire Services provides comprehensive fire protection services to our community of approximately 32,000 from one station, covering an area of 238 square kilometres. Specific areas of responsibility include fire prevention, public education, training of department members, local business staff & public organizations upon request, fire suppression & rescue, emergency planning & management as well as maintaining the department's wide range of equipment.

Fire Chief Chuck Parsons provided an overview of the capital and operational budgets for Fire Services.

In response to a question from Council, Chief Parsons noted the proposed prevention van would be a transit or sprinter style and the cost would include the internal "fit-ups" necessary so it can be utilized as a command centre in addition to regular inspection duties. He added the cost of the Chief's SUV is standard for an emergency response unit with lights, siren, lettering and communication equipment.

Mr. Neufeld advised that inspection duties will be added to the Deputy Chief position to ensure there will be resources for the potential boarding house inspections.

In response to a question from Council, Chief Parsons advised that when ordering the next rescue unit there will not be need for the command centre as the proposed fire prevention van will be more of a multi-function vehicle and be able to accommodate this need.

In response to a question from Council, Chief Parsons advised the Fire Department is working with the Uptown BIA to implement universal addressing. He expects the issue with businesses not having posted municipal address numbers will be rectified by summer.

CAO (0900) (Tab 14 of Budget Binder):

The Office of the Chief Administrative Officer (CAO) provides direction to municipal employees in regard to the implementation of corporate policies and programs. The Office is responsible for the overall operations of the Municipality and for its strategic direction. The Office of the CAO was also responsible for economic development, tourism and communications. In 2017, the responsibilities for economic development and tourism have been transferred to the Director of Community and Development Services. As well in 2017, responsibility for Fire Services has been transferred to the Office of the CAO.

Mr. Neufeld provided an overview of the CAO budget noting that 2016 was a busy year and included many changes and restructuring. He advised the emphasis for 2017 will turn to the Strategic Plan focusing on the waterfront and the uptown revitalization.

Mr. Neufeld noted that the \$30,000 can be taken from his budget to cover the costs of the Fireworks for Canada 150.

In response to a question from Council, Mr. Neufeld said the Fireworks will not be able to be set-off from a barge.

In response to a request from Council, Mr. Neufeld advised that Human Resources will forward to Council a revised organizational flow chart.

Councillor Dunn vacated his seat at 1:48 PM returned to his seat at 1:49 PM.

Council Services (0910) (Tab 14 of Budget Binder):

Mr. Neufeld provided an overview of the Council Services budget noting it includes costs pertaining to Council operations.

Communications (0950) (Tab 14 of Budget Binder):

The Manager of Communications and Public Relations is the primary resource for corporate wide communications services. This position is responsible for building trust between taxpayers and municipal Council and staff by providing timely information related to municipal services and the value of money paid for those services. This position also communicates with taxpayers, strategic initiatives and the successes of the municipality in implementing components of the strategic plan.

The Manager of Communications and Public Relations is also responsible for website, intranet and social media management, media relations, brand development and management through corporate marketing, internal communication, crisis communication, reputation management and issues management identification. This position allows the Municipality of Leamington to coordinate communications both internally and externally in terms of public relations and engagement, emergencies, events, and other information.

Mr. Neufeld provided an overview of the Communications budget noting one of Council's initiatives is to increase communication between residents and the Municipality/Council.

Councillor Verbeke vacated his seat at 1:58 PM returned to his seat at 1:59 PM.

Grants (Tab 6 of Budget Binder):

Council reviewed the grant requests and the following resolutions were passed:

No. S-10-17

Moved by: Councillor Hammond
Seconded by: Councillor Dunn

That the Annual Charity Volleyball Tournament be provided with a grant in the amount of \$793.

Carried

Ms. Rauch noted that the contact for Frontier College was available by phone. She added that Frontier College is a national literacy organization and their goal is to provide literacy classes to 150 seasonal agricultural migrant workers in the Leamington area by working in partnership with community members.

There was Council discussion on the grant request from Frontier College.

No. S-11-17

Moved by: Councillor Jacobs
Seconded by: Councillor Wilkinson

That the grant request in the amount of \$9,095 from Frontier College be denied.

Carried

No. S-12-17

Moved by: Councillor Wilkinson
Seconded by: Councillor Jacobs

That the Leamington District Chamber of Commerce be provided with a grant in the amount of \$20,000.

Carried

No. S-13-17

Moved by: Councillor Wilkinson
Seconded by: Councillor Verbeke

That the Leamington District Memorial Hospital Foundation "Hogs for Hospice" Event be provided with a grant in the amount of \$20,000.

Carried

No. S-14-17

Moved by: Councillor Verbeke
Seconded by: Councillor Hammond

That the Leamington and District Half Century Centre be provided with a grant in the amount of \$24,000.

Carried

No. S-15-17

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the Leamington Horticultural Society be provided with a grant in the amount of \$4,000.

Carried

No. S-16-17

Moved by: Councillor Hammond
Seconded by: Deputy Mayor MacDonald

That the Leamington Horticultural Society, Communities in Bloom be provided with a grant in the amount of \$3,500.

Carried

No. S-17-17

Moved by: Deputy Mayor MacDonald
Seconded by: Councillor Jacobs

That the Leamington-Mersea Historical Society be provided with a grant in the amount of \$7,000.

Carried

Councillor Wilkinson declared a conflict of interest and withdrew from discussion and voting on the matter.

No. S-18-17

Moved by: Councillor Dunn
Seconded by: Councillor Hammond

That the Little Tomato Children's Theatre be provided with a grant in the amount of \$2,000.

Carried

There was Council discussion on the grant request from the Migrant Worker Community Program.

No. S-19-17

Moved by: Councillor Hammond
Seconded by: Deputy Mayor MacDonald

That the Migrant Worker Community Program be provided with a grant in the amount of \$5,000.

Carried

No. S-20-17

Moved by: Councillor Jacobs
Seconded by: Deputy Mayor MacDonald

That the South Essex Arts Association (LAC) be provided with a grant in the amount of \$45,000.

Carried

There was discussion on the grant request from South Shore Broadcasting. Mr. Neufeld advised that this was a unique situation and was actually a fee for services. Mr. Neufeld suggested that Council consider entering in an agreement with South Shore Broadcasting.

Ms. Rauch recommended that the grant request be moved to a line item under Council Services for professional services in the amount of \$22,000.

No. S-21-17

Moved by: Councillor Hammond
Seconded by: Councillor Dunn

That the grant request from South Shore Broadcasting be denied and that the \$22,000 be added as a line item under Council Services.

Carried

In response to a question from Council, Ms. Orton said advised that if South Shore Broadcasting was agreeable to this arrangement then it would only need to come back for approval of the agreement with them as it would not be a delegated authority.

There was a lengthy Council discussion on the grant request from South Shore Health Centre.

No. S-22-17

Moved by: Councillor Wilkinson
Seconded by: Councillor Hammond

That the grant request in the amount of \$5,000 from South Shore Health Centre be denied.

Motion Fail

No. S-23-17

Moved by: Councillor Hammond
Seconded by: Councillor Dunn

That the grant request in the amount of \$5,000 from South Shore Health Centre be denied.

Motion Fail

No. S-24-17

Moved by: Deputy Mayor MacDonald
Seconded by: Councillor Verbeke

That the grant request in the amount of \$5,000 from South Shore Health Centre be denied.

Carried

No. S-25-17

Moved by: Councillor Jacobs
Seconded by: Councillor Verbeke

That the Sun Parlour Folk Music Society (Kingsville Folk Fest) be provided with a grant in the amount of \$10,000.

Carried

No. S-26-17

Moved by: Councillor Hammond
Seconded by: Councillor Dunn

That the Sun Parlour Players Community Theatre be provided with a grant in the amount of \$18,000.

Carried

No. S-27-17

Moved by: Councillor Jacobs
Seconded by: Councillor Wilkinson

That the Salvation Army be provided with a grant in the amount of \$2,500.

Carried

No. S-28-17

Moved by: Councillor Dunn
Seconded by: Councillor Verbeke

That the United Way/Centraide Windsor-Essex County be provided with a grant in the amount of \$2,786 for in-kind services.

Carried

No. S-29-17

Moved by: Councillor Wilkinson
Seconded by: Deputy Mayor MacDonald

That the Windsor Symphony Orchestra be provided with a grant in the amount of \$6,000.

Carried

No. S-30-17

Moved by: Deputy Mayor MacDonald
Seconded by: Councillor Dunn

That the BIA Tax Levy be approved.

Carried

In response to a question from Council, Ms. Rauch replied that inclusive of the BIA Tax levy 2017 Budget Index total is \$264,541.

In response to an earlier question from Council on the open building permits. Mr. Neufeld advised that the Manager of Building Services provided the following information; that the number of open permits from 2011 to 2015 were 454 and since the hiring of the contract position that a total of 84 permits have been closed. In 2016 there are 191 open permits with the majority currently under construction. Mr. Neufeld stated that once the building department becomes current they will remain current.

Closing Remarks:

Council members provided comments on the budget deliberations and thanked Administration and staff for a job well done.

No. S-31-17

Moved by: Councillor Jacobs
Seconded by: Councillor Hammond

That the 2017 Operating and Capital Budgets for the Municipality of Leamington which proposes a municipal tax levy increase of 1.81% be adopted.

Carried

Adjournment:

No. S-32-17

Moved by: Deputy Mayor MacDonald
Seconded by: Councillor Dunn

That the meeting adjourn at 2:48 PM.

Carried

John Paterson, Mayor

Ruth Orton, Deputy Clerk

Minutes approved at Council Meeting held
March 27, 2017, Resolution C-XX-17,
Confirmation By-law XX-17

The Corporation of the Municipality of Leamington

Minutes of the Council Meeting

Monday, March 13, 2017 at 6:00 PM

Council Chambers, 111 Erie Street North, Leamington

Members Present: Mayor John Paterson
Councillors: Bill Dunn, Larry Verbeke and Tim Wilkinson

Members Absent: Deputy Mayor Hilda MacDonald
Councillors: John Hammond and John Jacobs

Staff Present: Clerk/Manager of Legislative Services, Brenda Percy
Chief Administrative Officer, Peter Neufeld
Director of Legal and Legislative Services, Ruth Orton
Director of Finance & Business Services, Laura Rauch
Director of Community & Development Services, Paul Barnable
Manager of Economic and Community Development, Jeanine Lassaline-Berglund
Engineering Project Manager, Gaspare Graziano
Council Services Assistant, Mary Ann Manley

Staff Absent: Director of Infrastructure Services, Robert Sharon

Call to Order

Mayor Paterson called the Special Closed Meeting to order at 5:00 PM.

Disclosures of Pecuniary Interest and General Nature Thereof: (Special Closed Meeting Matters)

None noted.

Special Closed Meeting

Moved by: Councillor Dunn
Seconded by: Councillor Verbeke

That Council move into Special Closed Meeting of Council at 5:45 PM in the Ante Room pursuant to Section 239 of the Municipal Act, as amended, for the following reasons:

Matter for Consideration:

1. Confidential Report LLS-08-17 dated March 3, 2017 regarding Minutes of Settlement, Sabelli Farms Ltd. to be considered in closed session pursuant to Subsection 239(2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
2. Confidential Report LLS-11-17 dated March 2, 2017 regarding Amendment to Agreement, Chestnut Street and Poplar Street Sewer Grouting to be considered in closed session pursuant to Subsection 239(2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
3. Confidential Report LLS-13-17 dated March 8, 2017 regarding Purchase of Uptown Lands to be considered in closed session pursuant to Subsection 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
4. Confidential Report IS-04-17 dated March 6, 2017 regarding Disposition of Municipal Property to be considered in closed session pursuant to Subsection 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board; and
5. Confidential Report LLS-14-17 dated March 10, 2017 regarding Potential Acquisition of Interest in Lands to be considered in closed session pursuant to Subsection 239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

Adjournment of Special Closed Meeting

The Special Closed meeting adjourned at 5:47 PM.

Resumption of Regular Council Meeting, 6:00 PM

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

Disclosures of Pecuniary Interest and General Nature Thereof:
(Regular Council Meeting Matters)

None noted.

Approval of Council Minutes:

No. C-50-17

Moved by: Councillor Dunn
Seconded by: Councillor Wilkinson

That the Minutes of the Council Meeting held February 27, 2017 be approved.

Carried

No. C-51-17

Moved by: Councillor Wilkinson
Seconded by: Councillor Dunn

That the Minutes of the Special Closed Council Meeting held February 27, 2017 be approved.

Carried

Business Arising Out of the Minutes:

None noted.

Court of Revision:

None.

Public Meetings, Drainage:

None.

Report on Closed Session:

Clerk, Brenda Percy reported that a closed meeting was held at 5:00 PM prior to the open session of Council pursuant to Subsection 239(2) (e), (f), and (c). Proper notice of the meeting was given and the meeting adjourned at 5:47 PM.

The first report was for the purpose of considering Confidential Report LLS-08-17 dated March 3, 2017 regarding Minutes of Settlement, Sabelli Farms Ltd. As a result of this report, Administration was directed to forward the following motion to public session for consideration:

No. C-52-17

Moved by: Councillor Dunn
Seconded by: Councillor Verbeke

1. The Director of Legal and Legislative Services be authorized to execute all documents required to effect the settlement agreement in connection with water arrears assessed to tax roll 37 06 650 000 09400 as described in Confidential Report LLS-08-17; and
2. On the recommendation of the Treasurer, Council approve the write off of the amount of \$29,512.59 from tax roll 37 06 650 000 09400.

Carried

The second report was for the purpose of considering Confidential Report LLS-11-17 dated March 2, 2017 regarding Amendment to Agreement, Chestnut Street and Poplar Street Sewer Grouting. As a result of this report, Administration was directed to forward the following motion to public session for consideration:

No. C-53-17

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

1. Administration be directed to amend the provisions of the agreement with D'Amore Construction (2000) Ltd. in connection with the Chestnut Street and Poplar Street Sewer Grouting project in accordance with Confidential Report LLS-11-17; and
2. The Director of Legal and Legislative Services be authorized to execute the amending agreement.

Carried

Third report was for the purpose of considering Confidential Report LLS-13-17 dated March 8, 2017 regarding Purchase of Uptown Lands. As a result of this report, Administration was directed to forward the following motion to public session for consideration:

No. C-54-17

Moved by: Councillor Wilkinson
Seconded by: Councillor Dunn

1. Council approve the purchase of the property located at 38 Talbot Street West legally described as Pt Lt 1 & Reserve PI 173 Leamington as in R872730 T/W & S/T R872730; Leamington (PIN 75131-0187), for the purchase price of \$165,000 plus HST, land transfer tax and legal fees;
2. Council approve the purchase of the property located at 40 Talbot Street West legally described as Pt Lt 1 & Reserve PI 173 Leamington as in R1075488; S/T & T/W R1075488; Leamington (PIN 75131-0186), for the purchase price of \$110,000 plus HST, land transfer tax and legal fees; and
3. The Contingency Reserve Account be used to fund these Parks Department purchases. (Report LLS-13-17)

Carried

Fourth report was for the purpose of considering Confidential Report IS-04-17 dated March 6, 2017 regarding Disposition of Municipal Property. Administration was given direction on the matter.

The fifth and final report was for the purpose of considering Confidential Report LLS-14-17 dated March 10, 2017 regarding Potential Acquisition of Interest in Lands. Administration was given direction on the matter.

Reports of Staff and Delegations:

1. Essex Region Conservation Authority, Presentation of 2016 Annual Report and 2017 Budget

Richard Wyma, General Manager/Secretary-Treasurer, Essex Region Conservation Authority (ERCA) provided introductory comments regarding the Essex Region Conservation Authority. Mr. Wyma presented the 2016 Annual Report through the use of a DVD. He acknowledged Councillors Verbeke and Jacobs for their work on the ERCA Board. Mr. Wyma then introduced 2017 Budget and some of its highlights.

In response to a question from Council, Mr. Wyma responded the best example of ERCA's role in the fight against phragmites would be the project at Hillman Marsh where a section was drained and then sprayed and now the area can be hand wicked or spot sprayed to remove it. Mr. Wyma advised that ERCA also sits on the Provincial Invasion Species Team and said a more aggressive and regional approach is necessary to be sustainable on the phragmites issue.

Mayor Paterson thanked Mr. Wyma for his presentation.

2. Report ENG-03-17 dated February 27, 2017 regarding Reconstruction of Bridge 11 on Mersea Road 12 over Big Creek Drain

Engineering Project Manager, Gaspare Graziano presented the report.

No. C-55-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

1. Council award the Reconstruction of Mersea Road 12 Culvert (Bridge 11) over Big Creek Drain project to D'Amore Construction (2000) Ltd., 3914 North Service Road, Windsor, Ontario, N8W 5X2, in the amount of \$421,180 plus applicable taxes; and
2. The Mayor and Clerk be authorized to execute the necessary agreements. (ENG-03-17)

Carried

3. Report FIN-01-17 dated February 13, 2017 regarding Treasurer's Statement, 2016 Councillor and Appointee Remuneration and Expenses

Director of Finance and Business Services, Laura Rauch presented the report.

No. C-56-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

1. That report FIN-01-17 from the Director of Finance and Business Services disclosing the Treasurer's Statement for 2016 Council and Appointee remuneration and expenses be received for information. (Report FIN-01-17)

Carried

4. Report LLS-03-17 dated January 10, 2017 regarding The Municipal Elections Modernization Act, 2016

Clerk/Manager of Legislative Services, Brenda Percy presented the report noting the recent changes to the Municipal Elections Act. She presented videos to explain the Single Member Ranked Balloting or Instant Run-Off Voting (IRV) and Multi-Member Ranked Balloting or Single Transferable Vote.

In response to a question from Council, Ms. Percy further explained that nominations which must include 25 endorsement signatures will open on May 1 of the election year and close at 2:00 PM on Nomination Day which is the fourth Friday of July of the election year.

In response to a question from Council, Chief Administrative Officer, Peter Neufeld noted the Provincial elections will be held June 2018.

No. C-57-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

1. The existing first-past-the-post election model for the 2018 municipal election be maintained. (LLS-03-17)

Carried

5. Report LLS-15-17 dated March 10, 2017 regarding Demolition Agreement, 40 Talbot Street West

Director of Legal and Legislative Services, Ruth Orton presented the report noting that Council has now agreed to purchase property to increase the size of Shotton Park.

No. C-58-17

Moved by: Councillor Wilkinson

Seconded by: Councillor Dunn

1. The Municipality enter into an agreement with 1775991 Ontario Inc. for the demolition of the building located at 40 Talbot Street West.
2. The Director of Legal and Legislative Services be authorized to execute the demolition agreement. (Report LLS-15-17)

Carried

Matters for Approval:

No. C-59-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

That the minutes of the Leamington Municipal Heritage Advisory Committee held January 25, 2017 be approved.

Carried

Other Matters for Consideration:

None.

Consideration of By-laws:

No. C-60-17

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

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

By-law 12-17 being a by-law to confirm the proceedings of the Council of The Municipality of Leamington at its meeting held March 13, 2017.

Carried

Notices of Motion:

None.

Open Session of Council and Administration:

Mayor Paterson reported on the following:

- On Saturday, March 4, 2017, that he and his wife had the pleasure of attending the Rhine Danube Sportsmen's Club Annual Banquet;
- On Tuesday, March 7, 2017, Mayor Paterson attended the University of Windsor's public consultation to discuss how the University might better facilitate itself to surrounding municipalities;
- Wednesday, March 8, 2017, Mayor Paterson had the honour of attending the Canadian Citizenship swearing in ceremony of 40 new Canadians welcomed to Canada;
- Thursday, March 9, 2017, Mayor Paterson had the pleasure of attending Mr. Foreman's East Mersea Public School Grade 5 class for civic week as they were learning about the different levels of government.

Mayor Paterson asked Councillor Verbeke, as the representative of the Essex Region Conservation Authority, if there was any mention during the 2017 strategies for sustainability and preservation about what ERCA plans to do with the East Beach area that is threatening the Hillman March Conservation Area. Councillor Verbeke responded that there was not.

Statement of Members: non-debatable

None noted.

Adjournment:

No. C-61-17

Moved by: Councillor Wilkinson

Seconded by: Councillor Dunn

That the meeting adjourn at 7:07 PM.

Carried

John Paterson, Mayor

Brenda M. Percy, Clerk

Minutes approved at Council Meeting held
March 27, 2017, Resolution C-XX-17,
Confirmation By-law X-17

The Corporation of the Municipality of Leamington

Special Closed Meeting Minutes

Monday, March 13, 2017 at 5:00 PM

Leamington Ante Room, 111 Erie Street North, Leamington

Members Present: Mayor John Paterson
Councillors: Bill Dunn, Larry Verbeke and Tim Wilkinson

Members Absent: Deputy Mayor Hilda MacDonald
Councillors: John Hammond and John Jacobs

Staff Present: Clerk/Manager of Legislative Services, Brenda Percy
Chief Administrative Officer, Peter Neufeld
Director of Legal and Legislative Services, Ruth Orton
Director of Finance and Business Services, Laura Rauch
Director of Community and Development Services, Paul Barnable

Staff Absent: Director of Infrastructure Services, Robert Sharon

Mayor Paterson called the meeting to order at 5:00 PM.

No. S-40-17

Moved by: Councillor Dunn
Seconded by: Councillor Verbeke

That Council move into Special Closed Meeting of Council at 5:00 PM in the Ante Room pursuant to Section 239 of the Municipal Act, as amended, for the following reasons:

Matters for Consideration:

1. Confidential Report LLS-08-17 dated March 3, 2017 regarding Minutes of Settlement, Sabelli Farms Ltd. to be considered in closed session pursuant to Subsection 239(2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
2. Confidential Report LLS-11-17 dated March 2, 2017 regarding Amendment to Agreement, Chestnut Street and Poplar Street Sewer Grouting to be considered in closed session pursuant to Subsection 239(2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

3. Confidential Report LLS-13-17 dated March 8, 2017 regarding Purchase of Uptown Lands to be considered in closed session pursuant to Subsection 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
4. Confidential Report IS-04-17 dated March 6, 2017 regarding Disposition of Municipal Property to be considered in closed session pursuant to Subsection 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board; and
5. Confidential Report LLS-14-17 dated March 10, 2017 regarding Potential Acquisition of Interest in Lands to be considered in closed session pursuant to Subsection 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

Disclosures of Pecuniary Interest and General Nature Thereof:

None noted.

Matter for Consideration:

1. Confidential Report LLS-08-17 dated March 3, 2017 regarding Minutes of Settlement, Sabelli Farms Ltd.

Director of Legal and Legislative Services, Ruth Orton presented the report.

No. S-41-17

Moved by: Councillor Wilkinson

Seconded by: Councillor Dunn

That Administration be directed to forward the Recommendation contained in Confidential Report LLS-08-17 to Council in Open Session for consideration.

Carried

2. Confidential Report LLS-11-17 dated March 2, 2017 regarding Amendment to Agreement, Chestnut Street and Poplar Street Sewer Grouting

Director of Legal and Legislative Services, Ruth Orton presented the report.

No. S-42-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

That Administration be directed to forward the Recommendation contained in Confidential Report LLS-11-17 to Council in Open Session for consideration.

Carried

3. Confidential Report LLS-13-17 dated March 8, 2017 regarding Purchase of Uptown Lands

Director of Legal and Legislative Services, Ruth Orton presented the report.

No. S-43-17

Moved by: Councillor Wilkinson

Seconded by: Councillor Dunn

It is recommended that Administration be directed to forward the Suggested Action contained in Confidential Report LLS-13-17 to Council in Open Session for consideration.

Carried

4. Confidential Report IS-04-17 dated March 6, 2017 regarding Disposition of Municipal Property

Chief Administrative Officer, Peter Neufeld presented the report.

No. S-44-17

Moved by: Councillor Dunn

Seconded by: Councillor Wilkinson

Administration be directed to take the Suggested Action contained in Confidential Report IS-04-17.

Carried

5. Confidential Report LLS-14-17 dated March 10, 2017 regarding Potential Acquisition of Interest in Lands

Director of Legal and Legislative Services, Ruth Orton presented the report.

No. S-45-17

Moved by: Councillor Verbeke

Seconded by: Councillor Dunn

That Administration be directed to take the Suggested Action contained in Confidential Report LLS-14-17.

Carried

Adjournment:

No. S-46-17

Moved by: Councillor Dunn

Seconded by: Councillor Wilkinson

That the meeting adjourn at 5:47 PM and move into public session.

Carried

John Paterson, Mayor

Brenda M. Percy, Clerk

Minutes approved at Council Meeting held
March 27, 2017, Resolution C-XX-17,
Confirmation By-law XX-17

Court of Revision

March 3, 2017

To: All Affected Owners

Dear Sir or Madam:

Re: Engineer's Report - Hooker Drain
New Access Culvert
Municipality of Leamington, County of Essex

Please find enclosed By-law Number 7-17, to provide for a new access culvert over the Hooker Drain in the Municipality of Leamington in the County of Essex.

Please note that the Engineer's Report was forwarded to you on February 15, 2017.

DATE: Monday, March 27, 2017

TIME: 6:00 p.m.

**LOCATION: Council Chambers of the Municipal Building
111 Erie Street North, Leamington, Ontario**

Notice is hereby given for the hearing and trial of appeals made against the said assessment or any part thereof, in the same manner prescribed by The Municipal Drainage Act, any notice of such appeal to be served on the Clerk of the Municipality at least ten days before the meeting of the said Court.

Further notice is hereby given that any owner of land or any public utility affected by a drainage works, if dissatisfied with the report of an Engineer, may appeal therefrom to the Drainage Referee and in every such case a written notice of appeal shall be served upon the Head of the Council of the initiating Municipality or the Clerk thereof within forty days after the date of mailing of the copy of the Engineer's Report and Notice under Section 40 or 41 of The Drainage Act R.S.O. 1990.

Further notice is hereby given that any owner of land, public utility, Conservation Authority or local municipality affected by a drainage works, if dissatisfied with the report of the Engineer, may appeal to the Ontario Drainage Tribunal, and in every case a written notice of appeal shall be served upon the Mayor and Clerk of the initiating Municipality within forty days after the date of mailing of the copy of the Engineer's Report and Notice under Section 40 or 41 of The Drainage Act R.S.O. 1990.

Further notice is hereby given that anyone intending to apply to have such bylaw or any part thereof quashed must, not later than ten days after the final passing thereof, serve a notice in writing upon the Mayor and Clerk of the initiating Municipality of his intention to make application for that purpose to the Drainage Referee, during the six weeks ensuing the final passing of the said Bylaw, or where a notice of intention has been given, an application to quash must be made to the Drainage Referee within three months after the final passing of the said By-law.

Should you have any further questions, please contact the Drainage Department at 519-326-5761 extension 1315.

Yours truly,



Brenda Percy

Clerk

/s

Encl.

The Corporation of the Municipality of Leamington

By-Law 7-17

Being a by-law to provide for the construction of a new access
over the Hooker Drain-Wiebe,
in Part Lot 5, Concession 7 North in the
Municipality of Leamington in the County of Essex

Whereas the Council of The Corporation of the Municipality of Leamington has procured a report under Section 78 of the Drainage Act for the construction of a new access over the Hooker Drain.

And whereas the report dated March 4, 2017 has been authored by Baird AE Architecture and Engineering and the attached report forms part of this by-law;

And whereas the estimated total cost of the drainage work is \$29,551;

And whereas there is no amount to be contributed by the Municipality of Leamington for the drainage works;

And whereas the Council is of the opinion that the drainage of the area is desirable.

Now therefore, the Council of The Corporation of the Municipality of Leamington hereby enacts as follows:

1. Authorization

The attached report is adopted and the drainage works are authorized and shall be completed as specified in the report.


2. Assessed Costs

If the actual cost of the drainage works varies from the estimated cost as set out in the Schedule of Assessment contained in the engineer's report, and as included herewith and forming part of this by-law, the actual cost shall be assessed, levied and collected upon and from the said parcels of lands and roads and parts of parcels in the same proportions and in the same manner as provided in the Schedule of Assessment contained in the Engineer's report, or as revised by the Court of Revision or some higher court of appeal.


3. Citation

This by-law comes into force on the passing thereof and may be cited as the "New Access over the Hooker Drain for Wiebe By-law".

Read a first and second time this 27th day of February, 2017.



John Paterson, Mayor



Brenda M. Percy, Clerk

Read a third time and finally enacted this 27th day of March, 2017.

John Paterson, Mayor

Brenda M. Percy, Clerk

Notice of Committee of Revision Hearing (Local Improvement)

The Corporation of the Municipality of Leamington has completed the Erie Street South (Askew to Oak) Sewer Separation Project.

Copies of the Local Improvement Summary and Project Cost Allocations and the Local Improvement Assessment Schedule are available for inspection at the office of the Clerk of the Municipality of Leamington and are attached to the notices sent to the owners of every lot to be specially charged.

The Committee of Revision hearing will be held on:

Monday, March 27, 2017 at 6:00 PM

**Municipality of Leamington
Council Chambers, 1st Floor
111 Erie Street North
Leamington, ON N8H 2Z9**

Any person who owns a lot to be specially charged may object to a special charge by filing an objection, setting out the objection and the reasons in support of it with the Clerk of the Municipality of Leamington by **4:30 p.m. on March 20, 2017**.

Should no objections be received by 4:30 PM on March 20, 2017, the special assessment roll will be deemed approved and the meeting of the Committee of Revision will not be required.

The agendas and minutes of the Committee of Revision will appear on the Municipality of Leamington website as a public record of the proceedings, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

Dated this 1st day of March, 2017.

Ruth Orton
Director of Legal and Legislative Services
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761
www.leamington.ca



Report

To: Committee of Revision

From: Ruth Orton, Director of Legal and Legislative Services

Date: February 28, 2017

Re: Erie Street (Oak to Askew) Sewer Separation Project

Recommendation:

It is recommended that:

1. The Committee of Revision hear any objections to the Local Improvement Assessment Schedule regarding the Erie Street (Oak to Askew) Sewer separation project.

Background:

As Council is aware, the Municipal Act, 2001 through Regulation 586/06 authorizes a municipality to undertake a capital work as a local improvement for the purposes of raising all or a part of the cost by imposing a special charge.

Section 5 of the Regulation indicates that a by-law must first be passed by a municipality to undertake a work as a local improvement. In this case, the relevant by-law was approved following a hearing by the Ontario Municipal Board and the Erie Street (Oak to Askew) Sewer Separation Project was undertaken as a local improvement.

Comments:

Imposing Special Charge

The Erie Street (Oak to Askew) Sewer Separation Project is now complete. Prior to imposing the special charge, the Regulation provides for the committee of revision to meet and hear objections against the proposed special charges. Accordingly, notice of this meeting of the committee of revision was provided to those owners who will be assessed a special charge and to the public.

The Regulation also provides that any owner may object to the special charge by filing an objection with the Clerk not later than seven days before the day of the hearing of the committee of revision. This information was conveyed to each owner and the public in the notice.

The Regulation provides that the engineer and treasurer of a municipality must prepare and certify a statement of the actual cost of the work and provide a copy of the same to the committee of revision. These statements are attached for your reference.

Committee of Revision

At a hearing of the committee of revision, the committee may review the assessments and correct the assessment schedule for any of the below reasons:

- the cost of the work;
- the names of the owners of the lots;
- the frontage or other measurement of the lots;
- the amount of reduction or increase in frontage in situations of corner lots, non-buildable lots, lots that are greater than 30 metres, irregularly shaped lots, or lots that will not benefit from the work;
- the lots that would be exempt from the special charge in the event that an Act, regulation or by-law provides that special charges under this Regulation are not required to be paid with respect to a lot;
- the lifetime of the work;
- the charge per metre of frontage to be imposed; and
- if all or part of the owners' share of the cost is to be specially charged on lots that do not abut on the work, identify the abutting lots and the amount of the special charge.

A committee of revision may also add a lot to be specially charged and determine the amount of the special charge, provided that the hearing is adjourned for 14 days in order that notice be provided to the owner.

Following the hearing of the committee of revision, the Treasurer must certify the assessment schedule as a local improvement roll. When the local improvement roll is certified by the Treasurer, the special charges set out in the same are final and binding.

Special Charges By-law

Following the certification of the local improvement roll, a by-law must be passed to provide for the special charge on each lot. The Regulation states that, once imposed, the special charge has priority lien status which means that the amount may be added to the tax roll against the property and may be recovered with costs as a debt due to the municipality from the owner of the property and any subsequent owner in priority over any other lien or encumbrance, except the Crown.

Financial Impact:

The cost of the work is borne by both the owners of the benefiting lands and the Municipality. Generally, an owner's share of the cost is based on the number of metres of frontage of the lots abutting or benefiting from the work. The Municipality's Local Improvement Policy provides that an owner will be assessed a fixed rate of \$306 per metre of assessable frontage for a sanitary sewer and will be assessed \$1,329 for each connection - unless the actual costs are less than those fixed rates. In this case, the actual costs are more than the fixed rates. The balance of the actual cost of the works is borne by the Municipality.

Respectfully submitted,

Peter Neufeld, Chief
Administrative Officer

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Ruth Orton
Director of Legal and Legislative Services

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Attachments:

Local Improvement Summary
Project Cost Allocations
Local Improvement Assessment Schedule
Erie-Askew Improvements Draft Reference Map.

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**Local Improvements Summary
Erie Street South (Askew to Oak) Sewer Separation Project
Municipality of Leamington**

General

The following is the final report for the installation of sanitary sewers, storm sewers and private drain connections on above mentioned streets, and as shown in Figure 1.0.

Implementation

The works were carried out under the provisions of Section 6 of the Ontario Regulation 586/06 made under the Municipal Act, 2001; Local Improvement Charges.

Cost (excluding HST)

The total cost of sanitary sewer work was \$ 405,749.27.

Assessment

A portion of the cost of these works have been assessed against the abutting properties detailed as follows Schedule "A" attached.


A portion of the cost of the works have been assessed against abutting properties based on rates set by The Corporation of the Municipality of Leamington.

Sanitary Connections	\$1,329.00 each
Sanitary Sewers	\$306.00 per metre

The total abutting frontage was 357.05 metres. The total assessable frontage was 327.91 metres.

Certified this 21 day of March, 2017,
2017 to be the true costs of the work.

Certified this 21st day of March, 2017
2017 to be the true costs of the work.



Allan Botham, P.Eng.
Manager of Engineering Services



Laura Rauch
Director of Finance and Business Services

Schedule 'A'

Erie (Oak to Askew) Schedule of Construction Costs

No.	Civic Address	Shortroll	Frontage (m)	Number of Connections (1)	Assessable Frontage (m) (2)	Sanitary Main Assessable Cost per metre (1) * \$306/m	Sanitary Service Cost per Each \$1,329 * (2)	Total Construction Cost	Engineering %15 of Construction Cost	*Total Assessment Cost To Owner	Annual Payment if paid over 10 years @ 6% interest	Total Payment after 10 years
						\$ 306.00	\$ 1,329.00	M+N	15%		6%	10
10	107 ERIE ST S	190-11600	15.24	1	12	\$ 3,672.00	\$ 1,329.00	\$ 5,001.00	\$ 750.15	\$ 5,751.15	\$ 781.40	\$ 7,813.97
11	108 ERIE ST S	120-21900	15.82	1	15.82	\$ 4,840.92	\$ 1,329.00	\$ 6,169.92	\$ 925.49	\$ 7,095.41	\$ 964.04	\$ 9,640.39
12	109 ERIE ST S	190-11500	15.24	1	15.24	\$ 4,663.44	\$ 1,329.00	\$ 5,992.44	\$ 898.87	\$ 6,891.31	\$ 936.31	\$ 9,363.08
13	110 ERIE ST S	120-21800	12.17	1	12.17	\$ 3,724.02	\$ 1,329.00	\$ 5,053.02	\$ 757.95	\$ 5,810.97	\$ 789.53	\$ 7,895.25
14	111 ERIE ST S	190-11400	15.24	1	15.24	\$ 4,663.44	\$ 1,329.00	\$ 5,992.44	\$ 898.87	\$ 6,891.31	\$ 936.31	\$ 9,363.08
15	112 ERIE ST S	120-21700	12.17	1	12.17	\$ 3,724.02	\$ 1,329.00	\$ 5,053.02	\$ 757.95	\$ 5,810.97	\$ 789.53	\$ 7,895.25
16	113 ERIE ST S	190-11300	15.24	1	15.24	\$ 4,663.44	\$ 1,329.00	\$ 5,992.44	\$ 898.87	\$ 6,891.31	\$ 936.31	\$ 9,363.08
17	114 ERIE ST S	120-21600	20.02	1	20.02	\$ 6,126.12	\$ 1,329.00	\$ 7,455.12	\$ 1,118.27	\$ 8,573.39	\$ 1,164.85	\$ 11,648.49
18	115 ERIE ST S	190-11200	15.24	1	15.24	\$ 4,663.44	\$ 1,329.00	\$ 5,992.44	\$ 898.87	\$ 6,891.31	\$ 936.31	\$ 9,363.08
19	117 ERIE ST S	190-11100	15.28	1	15.28	\$ 4,675.68	\$ 1,329.00	\$ 6,004.68	\$ 900.70	\$ 6,905.38	\$ 938.22	\$ 9,382.20
20	118 ERIE ST S	120-21500	17.02	1	17.02	\$ 5,208.12	\$ 1,329.00	\$ 6,537.12	\$ 980.57	\$ 7,517.69	\$ 1,021.41	\$ 10,214.13
21	119 ERIE ST S	190-11000	15.27	1	15.27	\$ 4,672.62	\$ 1,329.00	\$ 6,001.62	\$ 900.24	\$ 6,901.86	\$ 937.74	\$ 9,377.42
23	121 ERIE ST S	190-10900	16.15	1	16.15	\$ 4,941.90	\$ 1,329.00	\$ 6,270.90	\$ 940.64	\$ 7,211.54	\$ 979.82	\$ 9,798.17
24	124 ERIE ST S	120-21300	20.12	1	20.12	\$ 6,156.72	\$ 1,329.00	\$ 7,485.72	\$ 1,122.86	\$ 8,608.58	\$ 1,169.63	\$ 11,696.30
25	128 ERIE ST S	120-21200	20.12	1	20.12	\$ 6,156.72	\$ 1,329.00	\$ 7,485.72	\$ 1,122.86	\$ 8,608.58	\$ 1,169.63	\$ 11,696.30
26	129 ERIE ST S	190-10600	53.31	1	53.31	\$ 16,312.86	\$ 1,329.00	\$ 17,641.86	\$ 2,646.28	\$ 20,288.14	\$ 2,756.51	\$ 27,565.08
27	136 ERIE ST S	120-21000	32.92	1	20	\$ 6,120.00	\$ 1,329.00	\$ 7,449.00	\$ 1,117.35	\$ 8,566.35	\$ 1,163.89	\$ 11,638.92
28	137 ERIE ST S	190-10400	30.48	1	17.5	\$ 5,355.00	\$ 1,329.00	\$ 6,684.00	\$ 1,002.60	\$ 7,686.60	\$ 1,044.36	\$ 10,443.63
			357.05	18	327.91	\$ 100,340.46	\$ 23,922.00	\$ 124,262.46	\$ 18,639.37	\$ 142,901.83	\$ 19,415.78	\$ 194,157.80

* Costs based on the 2015 Fee By-Law

Notes:

- 1) Amounts include 13.54% of 13% H.S.T.
- 2) Frontage has been defined as the shortest side of an individual property/parcel

**Project Cost Allocations
Erie Street South (Askew to Oak) Sewer Separation Project
Municipality of Leamington**

To General Contractor (Heyink Construction) Including net HST

Engineering/Roads	\$921,259.95
Sewers	\$346,913.95
Water	\$137,957.16
Total	\$1,406,131.06

Engineering/Other Charges

Engineering/Roads	\$243,262.29
Sewers	\$58,835.32
Water	\$23,969.95
Total	\$326,067.56

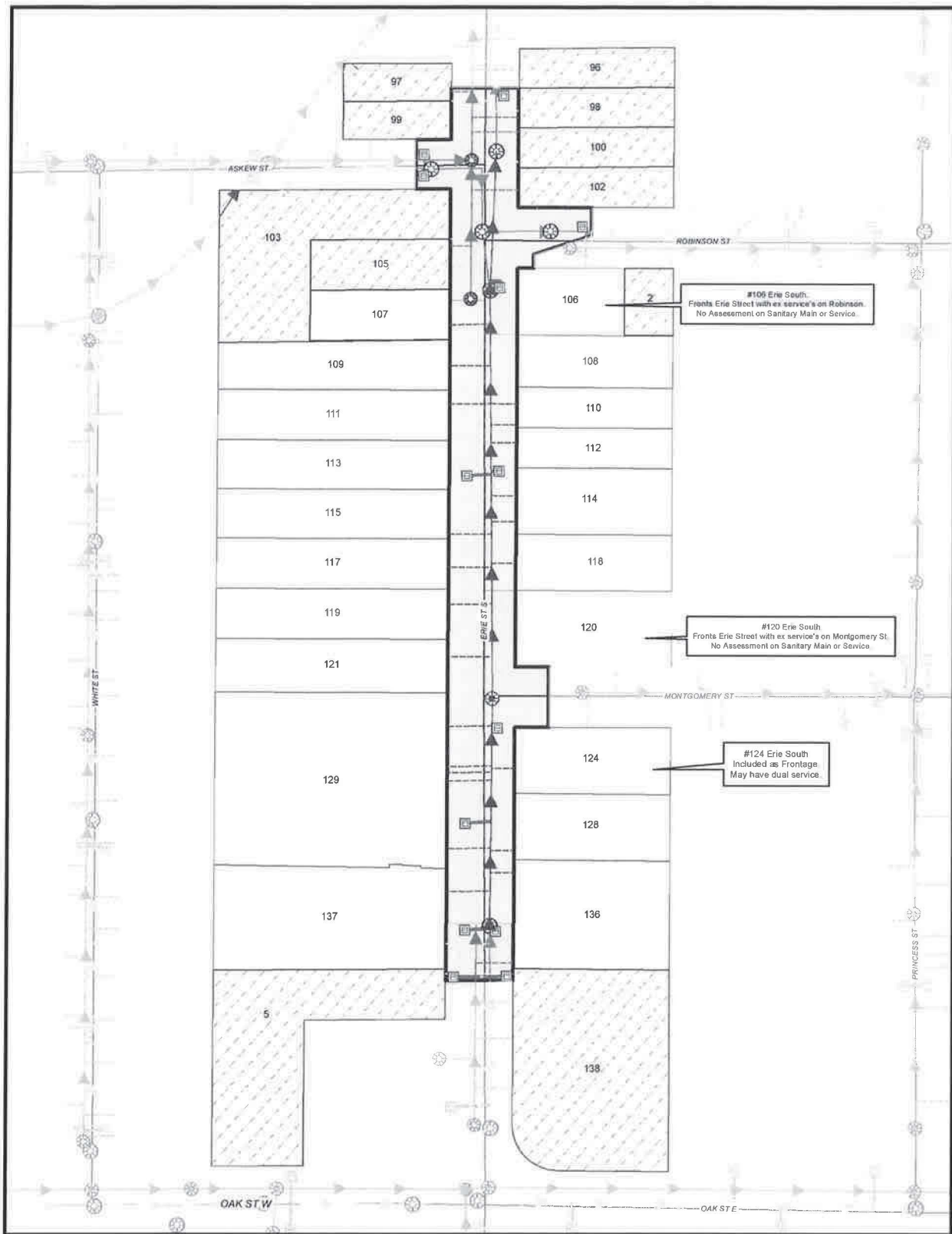
Total Sewer Costs **\$405,749.27**

Cost Assessed as Local Improvement Project
Sanitary Sewer Only **\$142,901.83**

Costs assessed for sanitary sewers is based on the Municipality of Leamington 2015 Fees By-law 429-14.

Sanitary Sewers (per metre of assessable frontage)	\$ 306.00 per metre
Sanitary Connections (each	\$1,329.00 each

Figure 1.0



Legend

- | | | |
|--------------|---------------------------|--|
| CombMH | Storm Sewer Catchbasins | Project Work Limit |
| CombPDC | StormMH | Areas of Assessable Works (ie. Sanitary Sewers) |
| CombMain | Storm Sewer Lateral Lines | Road Work Only, Not Assessable |
| SanMH | StormPDC | Assessable Property by Frontage (Based on Known Information) |
| SanPDC | Storm Main | Property Fronts Work, but Serviced from other St. - Not Assessable |
| SanitaryMain | | Property Not Included in Assessment |

July 24, 2014

Title:

**Erie-Askew Improvements
Draft Reference Map**

Scale: 1:1,100

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Provided by the: Municipality of Leamington - GIS Services
111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-5761



Report

To: Mayor and Members of Council

From: Danielle Truax, Manager of Planning Services

Date: March 6, 2017

Re: Part Lot Control Exemption
Lots 53-60, Plan 12M-563
Southwinds Estate Subdivision Phase 1

Recommendation:

It is recommended that:

1. By-law 11-17 to exempt Lots 53-60, Plan 12M-563 (Southwinds Estates Subdivision) from the provisions of Part Lot Control in accordance with subsection 50(7) of the Planning Act be approved; and
2. By-law 11-17, together with the documentation in support of the Part Lot Control Exemption be forwarded to the County of Essex for final approval. (PLA-07-17)

Background:

Section 50(5) of the Planning Act prevents the owner of land within a registered plan of subdivision from further dividing and conveying those lands except for in the following circumstances:

- i) Lands which are whole lots on an approved plan of subdivision;
- ii) Lands which have obtained the consent to sever lands by the Committee of Adjustment; &
- iii) Lands which are deemed exempt from the provisions of subsection 50(5) the Planning Act, by the passing of a by-law commonly referred to as a Part Lot Control Exemption By-law.

The third option is most commonly used to establish property lines between townhouse and semi-detached units which are located on lots within an approved plan of subdivision. This use of this provision to create lots requires a two-step approval. The first approval is

granted by Council with the adoption of a by-law which outlines the lots the exemption applies to, the requirement for the Municipality to review the draft reference plan prior to the registration of individual deeds and an expiry date to the exemption. The approval does not take effect until the by-law is further approved the County of Essex, as the approval authority. Upon approval by the County, the by-law is registered against the title of the lots identified and subsequently, the owners are able to register the deeds for each unit as individual properties and convey into separate ownership.

Representatives of Southwinds Estate (1690025 Ontario Ltd.) obtained approval to exempt Lots 53-60, Plan 12M-563 from the provisions of Part Lot Control under subsection 50(7) of the Planning Act in 2014. The approval would allow 12 townhouse and 4 semi-detached units to be constructed in accordance with the lot layout attached as Schedule 'D' to the approved development agreement and attached as Figure 1.0 to this report.

The authority to register individual deeds under By-law 390-14 expired on December 31, 2016. The owner is requesting that the same approval be granted for Lots 53-60, Plan 12M-563. At this time, three townhouse units, located on Lots 55 and 56 are under construction and are ready to be conveyed to the builder.



Key Map of Lots 53-60, Plan 12M-563

Comments:

Representatives of Southwinds Estate have requested and obtained approval for Part Lot Control for a variety of lots within the approved plan of subdivision, as follows:

By-law No.		Purpose	Action
55-10	Lots 32-45, 48-60, 94-122, Plan 12M-563	60 townhouse units and 56 semi-detached units	Refused by the County of Essex
123-11	Lots 38-45, 53, 54, 59 and 60 Plan 12M-563	10 townhouse units and 16 semi-detached units	Approved Expiry December 2013
211-12	Lots 53-60, Plan 12M-563	19 townhouse units	Approved By-law 123-11 Repealed Expiry December 2013
390-14	Lots 53-60, Plan 12M-563	12 townhouse units and 4 semi-detached units	Extension Approved Expiry December 2013

The Municipality is satisfied that consideration of the request to exempt Lots 53-60, Plan 12M-563 from the provisions Part Lot Control is appropriate at this time based on the following:

1. The subject lands are located in a designated settlement area which are appropriately serviced by full municipal water, sanitary and storm sewers;
2. The exemption will allow for development to proceed in accordance with the approved lot layout as shown on Schedule 'D' of the Development Control Agreement with Southwinds Estate and the Municipality, as amended, including 12 townhouse and 4 semi-detached units on the north and south side of Summerville Avenue.
3. The lots to be created through the Part Lot Control Exemption must comply with the required minimum lot standards for the Residential Zone (R3) in accordance with Zoning By-law #890-09, as amended;
 - a. The draft reference plan prepared for the constructed townhouse units located on Lots 55 and 56, 12M-563 is in compliance with the zoning by-law;
4. The development can be appropriately serviced and accessed, as the roads and services within Phase 1 have been accepted by the Municipality and the one year maintenance period for the final coat of asphalt has been initiated; and
5. The exemption shall expire on March 27, 2019. This time frame ensures the Municipality has an opportunity to review the appropriateness of the exemption at the end of two years-time.

There are no requirements under the Planning Act to provide notice of the request for an exemption to the provision of Part Lot Control. The Municipality is required to notify the owner of the lands to which the exemption has been approved, which as this time is entirely 1690025 Ontario Ltd.

Financial Impact:

There are no significant financial impacts to the Municipality as a result of the requested exemption from the Part Lot Control provisions of the Planning Act.

Respectfully submitted,

**Danielle
Truax**

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Danielle Truax
Manager of Planning Services

Peter Neufeld, Chief
Administrative Officer

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Paul Barnable
Director of Community and Development Services

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Attachments: Figure 1.0 Schedule 'D' Amending Agreement

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Subdivision.doc





Report

To: Mayor and Members of Council

From: Alexander N. Del Brocco, C.E.T., Engineering Project Manager

Date: Friday March 10, 2017

Re: Tender Results - 2017 Surface Treatment and Gravel Road Elimination Program

Recommendation:

It is recommended that:

1. The 2017 Surface Treatment and Gravel Road Elimination Program be awarded to Shepley Road Maintenance, 2964 County Road 12 Essex Ontario N8M 2X6 in the amount of \$734,067 plus HST; and
2. The Mayor and Clerk be authorized to enter into the necessary agreements. (ENG-04-17)

Background:

The subject tender included the following scope with regards to 2017 Road Resurfacing;

- Tar and chip of Mersea Road D from Essex County Road 33 to Mersea Road 19.

The subject tender included scope of the following with regards to 2017 Gravel Road Elimination Program:

- Mersea Road 19 from Mersea Road C to Mersea Road E.

On Friday March 10, 2017 two (2) tenders were received for the combined 2017 Surface Treatment and Gravel Road Elimination Program.

Contractor	Amount (Excluding All Taxes)
Shepley Road Maintenance	\$ 734,067
MSO Construction Limited	\$ 782,139

No errors were found during the tender check

Comments:

Shepley Road Maintenance has worked for the Municipality in the past and has performed well.

Financial Impact:

The cost of the 2017 Surface Treatment and Gravel Road Elimination Program is \$746,987 (including net HST) and will be allocated to two accounts: Road Resurfacing (10-7-0620-8050-301590-600019) and Gravel Road Elimination (10-7-0620-8050-301550-600014). (Please refer to Table below).

Funding Source	Amount
Gravel Road Elimination	
Federal Gas Tax	\$ 225,000
Net from Revenue	\$ 40,000
Total Gravel Road Elimination Budget	\$ 265,000
Shepley Contract	\$ (270,577)
Variance to Budget	\$ (5,577)
Annual Road Resurfacing	
Annual OCIF Formula Base Funding	\$ 649,042
Federal Gas Tax	\$ 615,985
Net from Revenue	\$ 100,000
Deferred Net from Revenue 2016	\$ 77,000
Total Road Resurfacing Budget	\$ 1,442,027
Shepley Contract	\$ (476,410)
Remaining Gravel Road Elimination Portion	\$ (5,577)
Remaining funding for resurfacing	\$ 960,040

Additional tenders will be let for the remaining resurfacing work planned for 2017. Future reports will be presented to council for award of that work at the appropriate time.

Respectfully submitted,

Alexander N. Del Brocco, C.E.T.
Engineering Project Manager

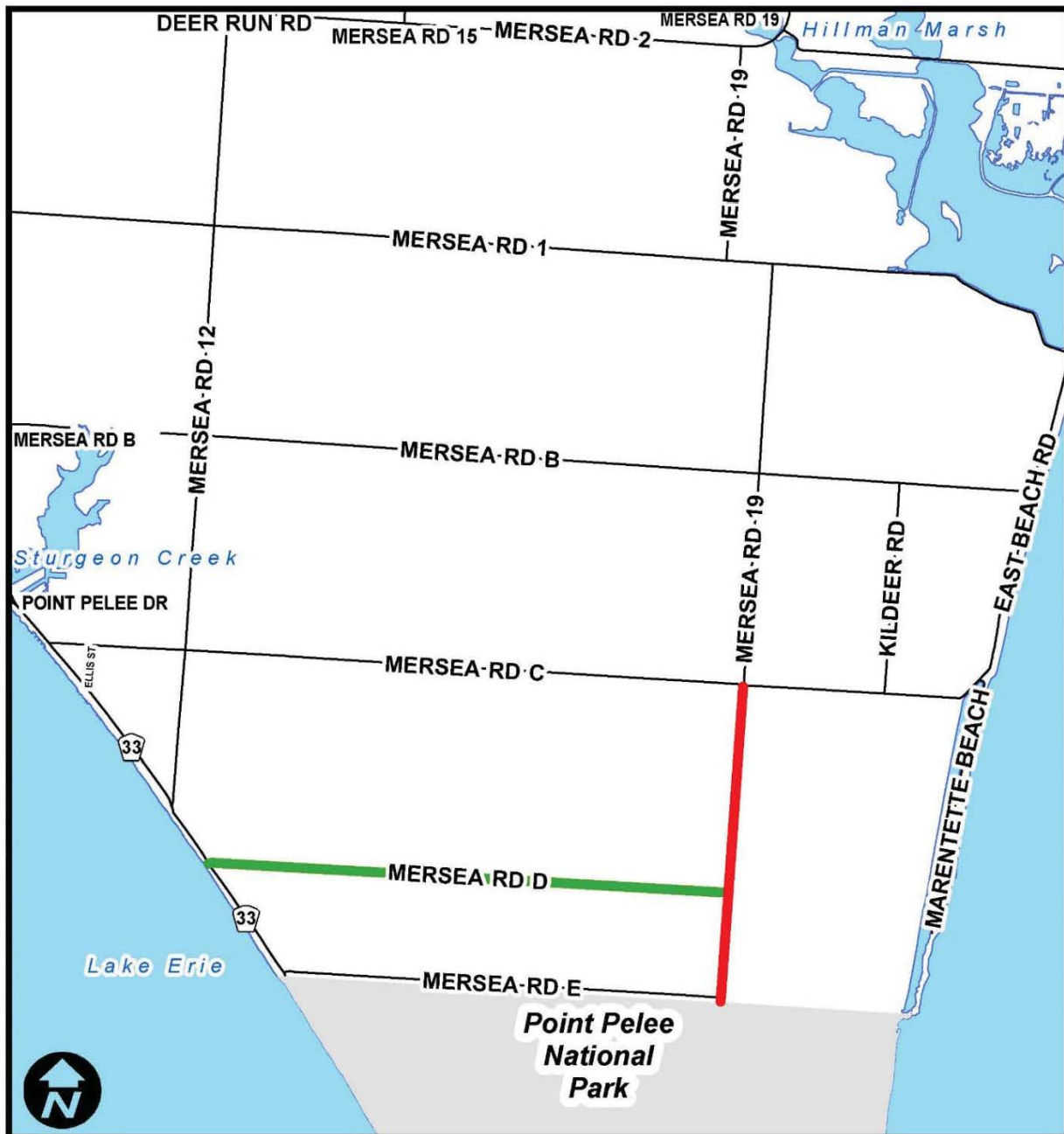
Allan Botham, P.Eng
Manager of Engineering
Services

Robert Sharon, CMO
Director of Infrastructure
Services

Attachments: Schedule 'A' - Key Map
Schedule A: Map of proposed works

Peter Neufeld, Chief
Administrative Officer

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Legend  Gravel Road Elimination  Surface Treatment		Title: Leamington 2017 Road Surfaces	
		Scale: 1:35,000 	Date: March 13, 2017
Prepared For: Eng. Dept.		Prepared By: GIS Services	
File No: NA		Notes: This map is the property of the Corporation of the Municipality of Leamington and may not be reproduced without expressed permission and authorization. 111 Erie Street North, Leamington, Ontario N8H 2Z9 TEL: (519) 326-5761 FAX: (519) 326-2481	

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Report

To: Mayor and Members of Council

From: Ruth Orton, Director of Legal and Legislative Services

Date: March 23, 2017

Re: Amendment to Delegation of Authority By-law and Policy

Recommendation:

It is recommended that:

1. Council pass By-law 15-17, being a by-law to amend the Delegation of Powers and Duties By-law (Report LLS-16-17)

Background:

Sections 9, 10 and 11 of the Municipal Act, 2001 (the “Act”) authorize a municipality to delegate its powers and duties under the Act or any other Act to a person or body subject to certain restrictions.

The powers referred to in the Act are divided between administrative powers which include all matters required for the management of a municipality that do not involve discretionary decision-making; and legislative powers which include all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision-making authority.

At the December 12, 2016 Council Meeting, Council passed By-law 85-16, being a by-law to delegate powers and duties (the Delegation of Powers and Duties By-law).

Comments:

Delegation of Powers and Duties Policy

The Delegation of Powers and Duties Policy previously approved by Council provides guidance to Council to determine whether it is appropriate to delegate powers or duties to another body or an individual.

Council may delegate any administrative power and any legislative power according to the following principles:

- a) The legislative power being delegated is:
 - i) under the Act or the Planning Act;
 - ii) being delegated to:
 - 1. one or more members Council or a Council committee;
 - 2. a body having at least two members of whom at least 50 per cent are:
 - a. members of Council,
 - b. individuals appointed by Council,
 - c. a combination of individuals described in subclauses a. and b.;
- b) If the legislative power is being delegated to an individual who is an officer, employee or agent of the municipality, the legislative power is minor in nature, having regard to the number of people, the size of geographic area and the time period affected by an exercise of the power.
- c) The delegation will provide efficient management of municipal operations and respond to matters in a timely fashion.
- d) There is appropriate accountability assigned to each delegation.

In exercising any delegated authority, the delegate shall ensure the following:

- a) the scope of the delegated power or duty shall not be exceeded;
- b) any condition or limit placed on delegated power or duty is applied;
- c) any associated procedures and any other applicable policies be consistently and equitably applied;
- d) any expenditure related to the exercise of the power or duty has been allocated within the current year's budget;
- e) the power or duty will not be exercised if, having regard to the nature of the power or duty and the circumstances of its exercise, the power or duty is best exercised by Council; and
- f) if, as a condition of the delegation, Council is to be provided notice of the exercise of the power or duty, such notice be provided in a bi-annual report to Council.

Amendment to Delegation of Powers and Duties By-law

In consideration of the requirements of the Act and the principals found within the Policy, the Delegation of Powers and Duties By-law provides as follows:

- 1. All powers and duties delegated by Council under the by-law also remain with Council.

2. Any delegation of a power or duty may be revoked by Council at any time without notice.
3. A delegation of a power or duty under this by-law to an individual as an officer or employee of the Municipality is a delegation to an individual who is in such a position on a permanent, temporary or acting role, as the case may be.
4. A delegation of a power or duty under the by-law to an individual who is an officer or employee of the Municipality is also a delegation to the Chief Administrative Officer.
5. A delegation of a power or duty under the by-law to the Clerk is also a delegation to any person appointed as a Deputy Clerk.
6. A delegation of a power or duty under the by-law to the Treasurer is also a delegation to any person appointed as a Deputy Treasurer.

Since the passing of the Delegation of Powers and Duties By-law, Administration continues find further opportunities to create efficiencies, ensure accountability and improve processes through appropriate delegations of powers and duties. The proposed additions to Delegation of Powers and Duties By-law are highlighted in yellow in the below Schedule A:

SCHEDULE "A"

COLUMN I	COLUMN II	COLUMN III
Delegated Power and Duty	Individual	Condition and/or Limit
Authorize the commencement of legal proceedings for the purpose of collection of accounts receivable	Treasurer	Limit: The total amount claimed is less than \$100,000
Authorize the write off of accounts receivable for non-collectable amounts	Treasurer	Limit: \$10,000, plus any related interest or penalties on a per account basis
Authorize setting of supplementary tax due dates	Treasurer	None
Authorize appeals under section 40 of the Assessment Act	Treasurer	None
Authorize and execute Minutes of Settlement of appeals under section 40 of the Assessment Act	Treasurer	None
Authorize and execute a letter to the Alcohol and Gaming Commission of Ontario (AGCO) indicating that an event is of "municipal significance" in support of an application for a public event special occasion permit	Clerk	None

Authorize and execute a letter of non-objection to the AGCO in connection with a Liquor Licence Application	Clerk	None
Settle legal proceedings against the Municipality that are covered by a policy of insurance	Director of Legal and Legislative Services	Limit: The total amount payable is within the insurance deductible
Settle legal proceedings against the Municipality that are not covered by a policy of insurance	Director of Legal and Legislative Services	Limit: The total amount payable is less than \$100,000
Authorize and execute Quit Claim Deeds to clear defects in title to any property when the Municipality has no property interest	Director of Legal and Legislative Services	None
Execute agreements of purchase and sale with the condition that the transaction is subject to approval by Council	Director of Legal and Legislative Services	None
Execute all documents required to complete acquisition of or disposition of land	Director of Legal and Legislative Services	Condition: Acquisition or disposition has been previously approved by Council
Authorize and execute agreements of purchase and sale and all related documents required to complete acquisition of lands for street widening and other infrastructure works	Director of Legal and Legislative Services	None
Execute Authorization and Direction for the conveyances of reserves, easements and other transfers to the Municipality required as conditions of Subdivision, Site Plan or Development Agreements	Director of Legal and Legislative Services	None
Execute demand for payment under Letter of Credit	Director of Legal and Legislative Services	None
Determine liability pursuant to subsection 4(4) of the Protection of Livestock and Poultry from Dogs Act	Director of Legal and Legislative Services	None
Authorize and execute Encroachment Agreements	Director of Infrastructure Services	Limit: To provide for encroachments of a minor nature, including, but not limited to landscaping, portions of buildings, structures, parking areas, awnings, or Page 17 of 83

		encroach onto property owned by the Municipality or highways under the jurisdiction of the Municipality
Authorize and execute Service Connection Agreements	Director of Infrastructure Services	None
Appoint an engineer to prepare a report for under section 78 of the Drainage Act	Director of Infrastructure Services	Condition: The works: i) are for the construction of a bridge or ii) will benefit only one owner
Approve drainage apportionment agreements filed pursuant to subsection 65(2) of the Drainage Act	Manager of Engineering or Drainage Superintendent	None
Authorize and execute Mutual Drain Agreements under section 2 of the Drainage Act	Manager of Engineering or Drainage Superintendent	None
Authorize temporary road closures for special events	Director of Infrastructure Services or Manager of Public Works	Condition: Notify Council following the exercise of the delegation
Authorize temporary road closures necessitated by emergencies, construction, routine operations, rehabilitation, maintenance and repairs	Director of Infrastructure Services or Manager of Public Works or Manager of Engineering	None
Execute agreements related to the use of municipal facilities intended for recreational use, including, but not limited to marina boat wells, public meeting rooms and outside spaces located on recreational lands	Manager of Recreation or Supervisor of Department	None

Authorize and execute agreements: i) granting rights to others or ii) obtaining rights from others which agreements may obtain indemnities	Director of Department responsible for project or process	Condition: The agreement is of a temporary duration; the rights are minor in nature and the risk is minimal
Execute any document required to effect the purchase of goods or services purchased in accordance with Purchasing Policy	Director or Manager or Supervisor of Department purchasing good or service	None
Execute Employment Agreements	Director or Manager of Department hiring employee or Manager of Human Resources	None
Authorize and execute grant applications to upper levels of government	Director of Department that will manage the project	Condition: Notify Council following the exercise of the delegation if application is for grant that exceeds \$500,000
Authorize and execute funding agreements with upper levels of government	Director of Department that will manage the project	None
Execute all documents required to draw upon funds granted pursuant to funding agreements	Director of Department that is managing the project	None
Designate Fire Routes	Fire Chief	None
Amend Emergency Plan required by subsection 3(4) of the Emergency Management and Civil Protection Act	Fire Chief	None
Deem applications submitted pursuant to the Planning Act complete	Manager of Planning Services or Planner	None

Approve site plans and authorize and execute Site Plan Agreements pursuant to section 41 of the Planning Act	Manager of Planning	Condition: Notify Council following the exercise of the delegation
Authorize and execute Community Improvement Plan Agreements	Manager of Planning	None
Execute any agreement required as a condition of a Consent provisionally granted by the Committee of Adjustment pursuant to section 53 of the Planning Act	Manager of Planning or Planner	None
Execute the release of any agreement required as a condition of a Consent provisionally granted by the Committee of Adjustment pursuant to section 53 of the Planning Act	Manager of Planning or Planner	None

Financial Impact:

There will be no direct financial impact on the Municipality passing this amendment to the Delegation of Powers and Duties By-law; however, it is anticipated that there will be a decrease in administrative time spent preparing reports to Council seeking authorization to take steps in a process or approval to enter into and execute routine agreements.

Respectfully submitted,

Peter Neufeld, Chief
Administrative Officer

Digitally signed by Peter Neufeld, Chief
Administrative Officer
DN: cn=Peter Neufeld, Chief Administrative Officer, o,
ou, email=pneufeld@leamington.ca, c=CA
Date: 2017.03.23 15:45:07 -04'00'

Ruth Orton
Director of Legal and Legislative Services

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The Corporation of the Municipality of Leamington

Minutes of Mayor's Youth Advisory Committee Meeting

Tuesday, February 14, 2017 at 7:15 PM

West End Meeting Room, Leamington Municipal Office

Members Present: Gillian Marocko
Alisha Bapoo
Cameron Stockton
Matthew Prebeg
Kiara Clement
Alexandria Dossantos

Members Absent: Julia Savo
Amber Buston-White

Members Present: Councillor Larry Verbeke
(Non-voting) Council Services Assistant Mary Ann Manley

Members Absent: Mayor John Paterson
(Non-voting) Constable Stephanie Moniz

Chair, Kiara Clement called the meeting to order at 7:16 PM

Adoption of Council Minutes:

Moved by: M. Prebeg
Seconded by: A. Bapoo

That the Minutes of the Mayor's Youth Advisory Committee held January 10, 2017 be adopted.

Carried

Business Arising Out of the Minutes:

C. Stockton advised that he has not spoken to his school Principal as noted in Item # 2 Skateboard Park Committee.

Items for Consideration:

1. MYAC Presentation to Municipal Council on January 23, 2017 at 6:00 PM

Councillor Verbeke congratulated the MYAC on a great presentation to Council. He stated the presentation was well done and well received.

2. MYAC Innovation Fair (Creativity Expo):

There was Committee discussion on the upcoming innovation fair which will now be called the “Creativity Expo.” The following comments were noted:

- Confirmed the following categories for the Expo; art, music, drawing, film, photography, painting;
- Expo theme could be to raise awareness for Mental Health as art is a good outlet for Mental Health;
- The committee was looking for a buzz word that would spark interest or a theme such as the future is yours, innovation, growing up into an individual, outlet for expressing yourself, Generation Y, prospective, growth, etc.;
- The committee discussed ways to incorporate a mental health theme. It was suggested a booth be made available to the organization to provide information to visitors to the expo. It was noted that if the Committee earmarked funds for a specific charity/organization then a representative would probably attend the expo;
- The expo would be open to High School students from grades 9 to 12;
- There was a suggestion of an entry fee to guarantee a commitment from participants such as \$5 or \$10;
- There was discussion on the style of expo whether individual booths or gallery style and the pros and cons for each type;
- There was discussion on whether the art would be available for sale or donation;
- There was discussion on an incentive for participants to display their art such as a prize; booth fee could be divided between the charity, winners and committee;
- Is the lower level of the Leamington Kinsmen Recreation Centre lobby near the Unico rink available or part of rental of the lobby;
- There was discussion about easels for gallery style expo and where they can be obtained;
- Submission of art with description and contact information for possible sale;
- Solicit local businesses for donations for door prizes;
- The Committee decided to create a “To Do” list which will be posted on the “Facebook” group for members to select tasks:
 - Talk to sponsors/businesses for donations, Jose’s, Breaktime Corner, Blondies, Leamington Fitness, Colasantis, Burgess, Home Hardware, Canadian Tire, Shoppers, Tacos Tony, etc. A letter will need to be drafted and signed by the Mayor as an introduction to the business;
 - Talk to Chad Riley, at the Leamington Art Centre regarding suggestions on hanging art;

- Approach the Art Teachers (school) to promote interest and possible easels;
- Approach Mr. Wigfield about a temporary way to display the art;
- Application/entry form with payment (\$5) for entering and provide an incentive by having a prize;
- Marketing;
- Liability contract;
- Admission is a canned good for the Salvation Army foodbank. Contact the Salvation Army regarding donating;

3. Skateboard Park Committee

Councillor Verbeke reported that Council was supportive of a Skateboard Park and funds for a Park will be included 2018 budget. Councillor Verbeke said to forward names to the Mayor of those interested in being part of the Skateboard Park Committee.

New Business:

None noted.

Adjournment:

Moved by: A. Bapoo
Seconded by: C. Stockton

That the meeting adjourn at 8:07 PM.

Carried

Signature on File

Chair, MYAC

Date of Next Meeting:

Tuesday, March 14, 2017 at 7:15 PM