

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: December 15, 2020
TO: Committee of the Whole
FROM: Ken T. Kelly, Chief Administrative Officer
SUBJECT: **By-law Services Contract Extension**

RECOMMENDATION:

THAT Committee of the Whole recommends to Council to authorize the Chief Administrative Officer to negotiate an extension to a maximum of twelve (12) months with Municipal Law Enforcement Services (MLES) to provide the following Bylaw Enforcement Services to the Municipality: animal control; parking enforcement; bylaw enforcement;

AND THAT the Mayor and Clerk be authorized to execute any required contractual agreements to grant the extension;

AND THAT staff report back to Council by March 31, 2021 with a comparison of contracted services to development of an internal service.

BACKGROUND:

The majority of this report has been presented to Council in the past to address the issue of by-law enforcement and the provision of services.

The Municipality began using Municipal Law Enforcement Services (MLES) as early as 2006 for bylaw enforcement functions within the Municipality of Mississippi Mills. In 2018, Council authorized the execution of a two (2) year contract with MLES to provide enforcement services to the Municipality for matters related to animal control, parking enforcement and general bylaw enforcement. An extension to the contract was authorized for 2020. The extension is scheduled to terminate on December 31, 2020.

The intention of the contract was to enable the Municipality to hand off the administration and enforcement of the service to the third-party contractor. MLES manage the tracking and response to complaints, enforcement of bylaws, attendance at provincial offences court and manage the administration of Provincial Offences ticketing. All tools, equipment and labour (direct or indirect) is the responsibility of MLES.

Contracted services were retained for up to 15 hours per week for general bylaw and parking enforcement. Animal control would be dealt with separately. During the Spring and

Summer of 2020 additional services for COVID-19 education/intervention patrols were also included in the scope of work. This additional work was included in the pandemic response costs for the Municipality and provided to the Province as a pandemic cost.

In order to provide additional oversight of the work that has been contracted to MLES staff implemented a process of call/complaint intake through the Planning and Building Administration Clerk in August of 2019. This has resulted in additional workload but better information and management of the contract and the work that is being performed. The follow up with members of the public from the Planning and Building Administration Clerk has reduced the number of service complaints.

ALTERNATIVES

While bylaw enforcement is a standard service offering of lower tier municipalities, there are several available options for delivering the service. In a review of Municipality's in the Lanark County, staff concluded the following:

Table 1 – Municipal By-law Services Provision (Data from 2019 Report)

Municipality	In-house	Contract service	Budget for Service
Carleton Place	1 FTE @ 36.25 hr/wk and 2 PTE @25hr/wk	Animal control contracted to MLES	\$238,333.33
Perth	Internal enforcement of misc. bylaw by staff; 15% of directors time for management of service	Parking contracted to 3Sixty Security Animal control contract to individual	\$136,000.00*
Smiths Falls	Internal staff supervise (5-10 hr/wk) / admin process POA (3.5-5 hr/wk)	Contract enforcement for animal control/parking and enforcement to Frontenac Municipal Law Enforcement	\$95,268*
Mississippi Mills	0.5 FTE to administer	Contract enforcement for parking/animal control/enforcement	\$129,850.00

*Budget for contract service only

MLES is the principal service provider for White Water, McNab Breaside, Renfrew, Arnprior, Greater Madawaska and Horton Townships. Service levels in Renfrew and Arnprior include MLES full-time bylaw officers in-house in a turn-key delivery option.

In 2019 when the contract extension was brought forward the recommendation was to continue until the end of 2020 which would allow staff the opportunity to report back to Council on 18 months of service using the new internal call intake approach. We suggest the MLES contract be extended to allow the review to take place and the report back to Council by early March 31, 2021. Given the current budget position of the Municipality significant services enhancements or modifications should be mitigated.

FINANCIAL IMPLICATIONS

The current MLES contract for bylaw enforcement service is budgeted at \$35,000.00/year with an additional \$26,000.00/year for animal control (including pound space). In 2020 we did increase the scope of work to include COVID-19 related patrols which increased the value of this contract. These additional monies will be recovered in Provincially funded pandemic transfers.

Both contracts include 24/7 service which is required in order to enforce Winter Parking restrictions, Animal Control and the Noise Bylaw.

MLES is responsible for all costs associated with fleet vehicles, mileage (both within the Municipality or travel to PO Court), insurance, administrative overhead, and staff remuneration.

Additional internal costs to administer the service now include 0.5 FTE of the Building and Planning Clerk.

The 2021 Budget for these by-law enforcement contracts is \$62,220.

CONCLUSION:

Council wants to investigate developing an internal option for by-law enforcement service provision. The current contract extension was to allow an 18 month timeline for the new approach of internal call /complaint intake by Municipal staff. That timeline is nearing completion and now the analysis of the experience and development of a long term course of action needs to be completed.

Staff will report to Council by March 31, 2021 which will provide Council with ample time after the report to issue a new tender for service or build internal capacity and budget accordingly for subsequent years.

Staff advise negotiating an extension with the current contract provider.

All of which is respectfully submitted by,



Ken T. Kelly
Chief Administrative Officer