MINUTES OF PROCEEDINGS OF THE MEETING OF THE GENERAL COMMITTEE OF COUNCIL OF THE CITY OF WESTMOUNT HELD AT CITY HALL ON NOVEMBER 21, 2016 AT 4:02 P.M. AT WHICH WERE PRESENT:

Chair                  David Laidley
Mayor                  Peter F. Trent
Councillors            Rosalind Davis
                        Victor M. Drury
                        Nicole Forbes
                        Cynthia Lulham
                        Patrick Martin
                        Theodora Samiotis
                        Christina Smith
Absent                 Philip A. Cutler
Administration         Sean Michael Deegan, Director General
                        Martin St-Jean, Director of Legal Services and City Clerk
Recording Secretary    Andrew Brownstein

NOTE TO THE READER:

The comments, opinions and any consensus views reflected herein are those of the participants in their individual capacity. As such, they are not binding upon the City or the administration.

The City and its administration are only bound by decisions that are authorized by the Municipal Council in the course of a public meeting by way of a resolution or by-law.

GENERAL COMMITTEE AGENDA

Adoption of the General Committee Agenda of November 21, 2016

It was agreed that the Agenda of the November 21, 2016 meeting of the General Committee of Council be adopted, with the addition of the following items under New Business:

- 2016 Sale of Immovables for Non-Payment of Taxes (Councillor Martin);
- Letter to the Westmount Independent regarding Councillor Samiotis (Mayor Trent);
- Date of Adoption of Budget (Mayor Trent);
- Library Book Sale (Councillor Forbes); and
- Vin d’Honneur (Councillor Forbes).

Confirmation of Minutes of the Meeting of General Committee Held on November 7, 2016

The Minutes of the General Committee of Council’s meeting held on November 7, 2016 were adopted with corrections.
Business arising from the Minutes of the Meeting of General Committee Held on November 7, 2016

Confidential items were discussed.

Regarding the Senior Westmount All Star Team’s (SWAT) annual fundraiser event for the Children’s Hospital, the Director General reported that the City has donated rink time, which will be auctioned off at the event, and has purchased an advertisement in their booklet.

ITEMS FOR DISCUSSION / DECISION

RECENT POWER FAILURES

Mr. Benoit Hurtubise, Director of Hydro Westmount and Assistant Director General, and Salah Bouziane, Assistant Director of Hydro Westmount, joined the meeting at 4:13 p.m.

The Assistant Director General briefed Council on two recent power failures.

Firstly, on November 10th, an under-qualified individual working for the apartment building located at 250 Clarke Avenue performed a power transfer between the main 15KV line and the backup line on its equipment. As a result, the protection breakers on these two lines tripped, and it took Hydro Westmount 17 hours to restore the power to five apartment buildings.

The Assistant Director General explained that at 250 Clarke Avenue, and in six other buildings in the City, Hydro Westmount’s transformers are located inside the building, with the electrical equipment belonging to the property owner. As such, the property owners must obtain the services of a certified electrician whenever the City carries out a power transfer. Accordingly, the City has sought to encourage these property owners to work with Hydro Westmount in the removal of these transformers by carrying out the necessary modifications to their electrical equipment.

The Assistant Director General explained that the City cannot force the removal of the transformers from these buildings. He informed Council that the new owner of 250 Clarke Avenue has agreed to participate in this process.

Further to Councillor Forbes’ inquiry, the Assistant Director General confirmed that he will provide Council with a list of the six other buildings that have Hydro Westmount’s transformers inside.

Mr. Bouziane informed Council that the work on 250 Clarke Avenue will be completed in two to six weeks.

Confidential items were discussed.
Then, on November 13th, due to a fire on Victoria Avenue, the Service des incendies de Montréal (SIM) instructed the City to shut down all electricity in the area, obliging the City to cut two circuits. Once the building was isolated from the circuit, the power was restored to the rest of the circuit.

The Mayor pointed out that the two circuits that were cut supply electricity to a third of the population living in lower Westmount. He recommended establishing sub-circuits in order to reduce the size of the areas affected in these situations. He noted that while the November 13th incident only resulted in the circuit being cut for 45 minutes, it could have been for a period of a few hours. The Assistant Director General explained that the buildings are typically isolated and power then restored to the circuit very quickly. Councillor Lulham pointed out that further to the incident at the gas station the previous year, the City was looking into establishing more isolated circuits. The Assistant Director General explained that this process is already underway for the area around the gas station, extending to Prince Albert Avenue. However, it is a labour intensive process, requiring new wires to be run underground. The Mayor recommended that it be continually pursued as a long-term project throughout the City.

Reading from the SIM’s preliminary incident report, the Mayor informed Council that the fire came from the hood in the Lavanderia kitchen.

The Assistant Director General and Mr. Bouziane left the meeting at 4:39 p.m.

**DAYCARE PARKING POLICY**

Mr. Patrick Raggo, Director of Public Works, joined the meeting at 4:40 p.m.

Director Raggo outlined the proposed daycare parking policy, which sets the framework for the implementation of drop-off parking zones in front of daycares. Specifically, the policy allows the Centres de la petite enfance (CPEs) and garderies to request the installation of a zone with a 15-minute maximum on parking during drop-off and pick-up hours, specifying the number of spots needed. The establishment must submit the request, as opposed to a parent or other party. The establishment must demonstrate its need for such a zone, namely its lack of off-street parking. Once granted, the zone’s renewal must be formally requested annually, in order to avoid the unnecessary maintenance of these zones when daycares move. Director Raggo pointed out that the drop-off zone’s use will not be exclusive to daycare parents or staff.

Director Raggo explained that this policy will allow the administration to provide Council with formal proposals for the installation of each requested drop-off zone.

Councillor Lulham and Councillor Smith recommended the inclusion of Jardins d’enfants in the list of types of establishments to which the policy is to apply. Councillor Lulham recommended stipulating a maximum number of parking spaces that can be requested. Director Raggo confirmed that these modifications will be included.
Councillor Smith recommended that the City advise the applicants that if the zone is granted, the establishment should station a staff member outside at the drop-off zone to assist in efficiently bringing students inside and seeing them off.

Further to Councillor Martin’s inquiry, Director Raggo confirmed that there are currently eight establishments to which this prospective policy will apply.

- **It was agreed** that Director Raggo will amend the proposed draft drop-off zone policy, including *Jardins d’enfants* in the list of establishments to which it is to apply, stipulating a maximum number of parking spaces that can be requested, and advancing applicants to station a staff member outside at the drop-off zone to assist in efficiently bringing students inside and seeing them off.

Director Raggo left the meeting at 4:51 p.m.

**PARKING METER REVENUE (FINAL 2016)**

Mr. Claude Vallières, Division Head - I.T., joined the meeting at 4:51 p.m.

Mr. Vallières informed Council that since the new Pay-by-plate Parking system’s installation, monthly revenue from the meters has averaged at $228,000

Mr. Vallières reported that since the new system’s installation, the use of cash as a payment method has decreased while use of the mobile application has increased. Payments by credit card have remained essentially the same. Mr. Vallières explained that payments made by credit card result in the City paying an administration fee while the mobile application shifts that fee to the user.

Mr. Vallières presented the data demonstrating the revenue by zone. He explained that given the consistent proportions, motorists do not seem to be parking in the $3/hour zone and paying for the $2/hour zone.

Mr. Vallières presented the revenue from the most used pay stations. He explained that the most used pay station, situated in the Greene Avenue parking lot, often has a line-up. Accordingly, he recommended installing a second pay station, noting that the City purchased two extras.

Mr. Vallières presented a graph demonstrating the occupancy of the parking spots over the course of the day. Pointing to significantly higher occupancy levels between 8:00 a.m. and 9:00 a.m. than in the evening, Mr. Vallières explained that the City could drastically increase its revenue if it charged for parking as of 8:00 a.m. The Director General explained that under the old system, motorists used to fill their meters at 8:30 a.m., or whenever they would arrive for a morning appointment that would go past 9:00 a.m. Now, motorists can pay from their mobile phones at 9:00 a.m. He pointed out that prior to the new system’s installation, the City used to charge for parking in the Tupper lots as of 7:00 a.m. It currently only charges for parking as of 9:00 a.m.
Councillor Samiotis inquired as to whether the revenue from parking fines has been affected by the new system. Mr. Vallières responded that there has been little variation. The Director General confirmed this.

Councillor Drury recommended considering a return to the original paid parking hours for the Tupper lots.

Mr. Vallières informed Council that had the City been charging $2.25/hour at all of its pay stations since the new system’s installation, as opposed to having two different zones, it would have received the same amount of revenue. The Mayor expressed his support for the creation of one uniform zone across the City. However, he recommended continuing the assessment of the new system and only implementing changes after a full year of it being in place.

The meeting was adjourned at 5:09 p.m., at which point Council held its Regular Sitting.

The meeting was reconvened at 5:13 p.m.

**CODE BLUE SAFETY TELEPHONE SYSTEM**

Mr. Vallières presented a possible implementation plan for the Code Blue emergency telephone system for the parks and Summit Woods.

Twelve units would be installed, with eleven of one model and one of another. The model for the first eleven costs roughly $14,000 per unit. The other model, which would be placed at the Belvedere at Summit Woods, costs roughly $4,000. The system is powered by solar energy panels. Both models are equipped with blue lights in order to be visible. The model for the Belvedere would be in an open space, and therefore need only stand at a height of two-and-a-half feet, but the solar panels for the other eleven units would sit above an eight-foot pole, at a total height of ten feet. Mr. Vallières noted the cost, the aesthetic impact on the parks, and especially on Summit Woods, and the widespread use of cell phones as potential reasons to not pursue the project. However, he presented the option of proceeding with a pilot project in the spring of 2017 with the installation of only one unit, and a re-evaluation of the number of the telephones to ultimately be installed. Alternatively, if Council wishes to proceed with the project immediately, this could be done in the spring of 2017.

Councillor Lulham expressed her opposition to the installation of the telephones, describing them as far more intrusive than the granite stumps that had been proposed to be installed on Mount-Royal and that were met with significant public backlash. She explained that in her twenty years serving as the Commissioner for Parks, she has never received a request for the installation of emergency telephones.

The Director General expressed the administration’s recommendation to either abandon the project or proceed with the installation of one unit as a pilot project.
Further to Councillor Drury’s inquiry, the Director General informed Council that the former emergency telephones were frequently vandalized and repaired, and as a result, often out of order.

The Mayor suggested considering using the smaller, less expensive model at the Lookout, as well as one outside the comfort stations in each park, for a total of five.

Councillor Smith noted that while these emergency telephones are very popular on university campuses, the City’s prospective telephones may not receive much use. Councillor Davis agreed.

Councillor Samiotis recommended installing more security cameras, referring to Stayner Park as an example of their effectiveness in improving security. Councillor Lulham expressed her preference for this approach, adding that the telephones will likely be vandalized as the former ones were.

Council members noted the difficulty of deciding on this item in Councillor Cutler’s absence, as he had initially proposed the idea. The Director General confirmed that he will relay Council’s discussion to Councillor Cutler, allowing him to decide whether he wishes to discuss the project further at an upcoming General Committee meeting.

Mr. Valières left the meeting at 5:26 p.m.

SELWYN HOUSE SCHOOL SYNTHETIC TURF PROPOSAL

Councillor Davis relayed Sports and Recreations’ reasons for its support for the installation of the proposed synthetic field. As the field is weather resistant, it can be used at the beginning and end of the season, as well as on wet days, without concern for the damage that would be caused from playing on a wet grass field. In addition to requiring less maintenance, a consistently level field is also safer. Some general maintenance is still needed, however, such as brushing and occasional irrigation. Unlike with a grass field, lines only need to be painted once at the beginning of the season. While the synthetic field proposed in 2006-2007 was met with strong opposition, it had been proposed for Westmount Park, while the current proposal is for the Westmount Athletic Grounds. Moreover, Selwyn House will contribute to the field’s installation.

Councillor Lulham expressed her opposition to the proposed synthetic field. She emphasized the strong opposition to the synthetic field proposed in 2006-2007, which had been proposed for the lower part of Westmount Park. She explained that this area was initially developed as a playing field and remained as such. Nonetheless, the neighbouring residents insisted it be treated as a park with multiple purposes. She added that the spearheading of the project by Selwyn House, a third party, would likely be a new source of opposition. She also noted the high cost of disposing of the synthetic field when it needs to be replaced, roughly a third of the cost of the field itself. She cautioned that Selwyn House may no longer be willing or able to fund the synthetic field at that stage. Ultimately, Councillor Lulham reiterated her recommendation to focus funding on better field maintenance, prioritizing full resodding as much as possible.
Councillor Drury noted that the current proposed synthetic field is to be made of silica, as opposed to rubber, the substance that was to be used for the synthetic field proposed in 2006-2007. He informed Council that the substance absorbs both heat and shock better than rubber. Councillor Lulham explained that a silica surface was considered ten years prior as well. Councillor Drury noted that the use of silica for synthetic fields was only just being developed at that time, and perhaps more information is now available.

Councillor Samiotis expressed her opposition to the proposed synthetic field, explaining that the removal of more greenery at the WAG will be particularly contentious given the recent removal of many trees.

Councillor Martin expressed his opposition to the synthetic field, referring to the strong opposition expressed by residents in 2006-2007 and agreeing with Councillor Lulham that the current spearheading of the project by Selwyn House, a third party and a private school, may be a new source for contention.

While the Mayor agreed that the benefits of the use of silica for synthetic fields as opposed to rubber are relevant to the discussion, he, on balance, expressed his opposition to the synthetic field.

Councillor Smith supported Councillor Lulham’s recommendation to focus funding on better maintenance of the grass fields, and namely, regular and more efficient resodding.

Councillor Samiotis recommended most, if not all, of the activities on Family Day not be held on the playing fields, particularly if the ground is wet. This will prevent the early season damage to the fields that these activities often cause. The Director General confirmed that he will ensure that Sports and Recreation plans the event in consideration of the playing fields’ maintenance.

Councillor Drury pointed out that the proposed synthetic field has a 16 year warranty.

Councillor Davis affirmed the need for a playing field that can be used without interruption and regardless of whether it is wet. She explained that Westmount’s intercity soccer league has had to limit enrolment because the field cannot accommodate all the players.

- **It was agreed** that the City will inform Selwyn House that as its parks serve as greenspaces as well as playing fields, the City, at least in the short term, will focus its efforts and funding on pursuing more efficient and thorough field maintenance practices, like regular resodding.

- **It was agreed** that Sports and Recreation will plan the activities for Family Day in consideration of the playing fields’ maintenance.

**COMMUNICATIONS POLICY ON PUBLICITY AND PROMOTION OF EVENTS**

The Director General presented the draft communications policy on the publicity and promotion of events. He explained that the City has posted links to the webpages for
community organizations’ events on its website; however, no direct information on these events is provided on the City’s website.

Councillor Forbes pointed out that the City does not have enough communications staff to manage promoting community organizations’ events with which it is not involved.

The Mayor recommended reformulating the first paragraph in the following manner: “The purpose of the Communications Division is to publicize and promote City of Westmount events, programs, services, policies, public meetings, talks, and presentations that originate with, or are organized by, the City of Westmount.”

He recommended modifying the third paragraph in the following manner: “Publicity and promotion are produced either internally by the Communications Division or are provided by the stakeholder.”

Further to Councillor Samiotis’ inquiry, the Mayor explained that community organizations’ events are addressed at the policy’s last paragraph: “Activities and events created or organized by local or non-local organizations that are not created, coordinated or sponsored by the Administration or Council, will not be publicized or promoted through the City of Westmount’s Media network, with the exception of its social media pages. Decisions concerning the promotion of an event on the City’s social media pages will be left up to the Communications Division.”

M. St-Jean informed Council that as the City has permitted community organizations to place posters on the billboard at the entrance to the City Hall building if said posters are bilingual and the event does not have an admission fee, such conditions for promotion on the billboard should be reproduced in the policy.

➢ It was agreed that the draft policy will be amended in accordance with the above modifications. It will then be presented to Council for its approval at an upcoming General Committee meeting.

TARIFTS BY-LAW

M. St-Jean presented the draft “By-law to establish tariffs for the 2017 fiscal year,” to be submitted to Council for its approval at its December 5th Regular Sitting. He explained that Council has also been provided with the consolidated version of By-law 1318, the current “By-law concerning tariffs,” in order to compare the rates highlighted in the draft by-law, denoting a prospective increase, to the current rates outlined in By-law 1318. M. St-Jean drew Council’s attention to one increase that was not highlighted, namely an increase to the tariff for a rock excavation or blasting permit, discussed and agreed upon at a previous General Committee meeting upon the recommendation of Ms. Joanne Poirier, Director of Urban Planning.

Councillor Davis presented the current programme fees and suggested rates for youth, adult, and senior Sports and Recreation programmes as compared to the average Island of Montreal municipality’s rate for the same programme. Overall, the average of the City’s current fees for youth programmes are 58% that of the average Island of Montreal
municipality’s average fee for youth programmes. The average of the City’s current fees for adult programmes are 70% that of the average Island of Montreal municipality’s average fee for adult programmes. The average of the City’s current fees for senior programmes are 63% that of the average Island of Montreal municipality’s average fee for senior programmes. The proposed increases result in an average increase of 9% for youth programmes’ fees and 8% for adult and senior programmes’ fees. With these increases, youth, adult, and senior programmes will still be offered at an average rate of 60%, 66%, and 67% respectively of the average fee for these programmes in other Island of Montreal municipalities. When the programme has no equivalent in the other Island of Montreal municipalities, it is compared to the average cost of the programme offered by associations on the Island.

Councillor Lulham explained that the City opts to devote more tax revenue to funding these programmes than most other municipalities on the Island. However, while this is still the case, since the WRC’s construction, the City has begun to gradually charge more for the new facility’s use by increasing the tariffs for these programmes. Accordingly, she recommended considering the aforementioned percentages in light of this tax-based funding. The Mayor agreed.

Councillor Davis presented a few specific proposed increases. The fee for adult fitness classes is proposed to be made uniform, increasing a few classes by 12% and changing to a per day charge. This will allow users to mix and match the classes for which they sign up.

The Mayor inquired as to when the last substantial increase was made to these tariffs. The Director General responded that the programmes have only been gradually increased by roughly $5 per year. The Mayor recommended approaching the proposed increases as targets to be reached gradually over the next few years.

Councillor Davis drew Council’s attention to the proposed 13% increase to the cost of the masters swim programme, explaining that the current $75 being charged is very low, particularly when compared to the average private association’s fee of $188 for this programme. Councillor Drury pointed out that even with this increase, the City would be charging only 45% of the average association’s fee for this programme.

Further to Councillor Samiotis’ inquiry, the Director General informed Council that the average Island of Montreal municipality’s tariffs is based on those of Dorval, Beaconsfield, Pointe Claire, and Côte Saint-Luc, among others.

Councillor Davis drew Council’s attention to the proposed 11% increase to the tariff for youth baseball (instruction), which, once increased from $45 to $50, will still only cost 49% of the average association’s fee for this programme.

Councillor Davis explained the proposed 20% increase in the fee for karate, a youth programme, namely from $50 to $60, will still result in the City charging only 48% of the average amount charged in other Island of Montreal municipalities. She explained that at one point, this programme was offered for free because it was being taught by volunteers. Accordingly, the City has been gradually increasing this fee in light of this change in circumstance.
For summer camp enrolment, Councillor Davis explained that the tariff used to be set for two-week periods. To increase choice and flexibility for families, Sports and Recreation has proposed registration by individual weeks, at a rate of $90 per week. Weeks with special trips would be $115. As such, the cost for a two-week period would be either $180, or $205 including the special trip. The tariff for summer camp enrolment in 2016 was $160 for each two-week period. However, Councillor Davis explained that Council approved an increase to $190 for this tariff for 2016, but since it was mistakenly not included in the pamphlet, the new rate was not applied.

Councillor Smith expressed her overall approval of the proposed increases. However, she emphasized that increases to the tariffs on youth programmes should be kept to a minimum, and ideally frozen in future years, particularly those for summer camp and swimming lessons, which are the most essential programmes.

Councillor Smith inquired as to the City’s policy when a resident cannot afford to pay for his child’s enrolment in summer camp. The Director General confirmed that the City has never turned a resident away who has been unable to pay for his child's enrolment in summer camp.

Councillor Drury explained that over his years serving as the Commissioner of Finance, Council has consistently discussed increasing tariffs to make it more of a user pay system. He pointed out, however, that even with the increases, many programmes are still being offered at less than 50% of the average cost of the same programme in other Island of Montreal municipalities. He recommended adopting a policy against setting any of these rates below 50% of the average cost of the same programme in other Island of Montreal municipalities.

The Director General explained that in 1988, the City provided residents with its Sports and Recreation programmes free of charge; they were entirely subsidized by tax revenue. Accordingly, the shift towards more of a user pay system has had to be gradual.

Councillor Davis drew Council's attention to the proposed 10% increase to the senior hockey programme (under “Adult Programmes”), from $400 to $440. She explained that even with this increase, this programme is still being offered at an excellent rate as compared to the average fee charged by the associations that offer this programme on the Island, namely representing only 60% of the average association's fee.

The Mayor recommended undertaking a more calculated approach to the increases to tariffs for Sports and Recreation programmes in future years. Firstly, he recommended carefully determining the variable costs (as opposed to the fixed costs which have, by and large, been already paid) for each programme and setting the associated tariffs as a function of these costs. Secondly, he proposed that a target be established for the revenue collected through taxes and user fees that is to be put towards covering the cost of the WRC. Thirdly, he recommended increasing tariffs in light of a 20-year history of the increases for each programme. Lastly, the tariffs for youth programmes should be subsidized by taxes more than other groups in keeping with the important goal of attracting young families to live in the City.
Councillor Samiotis presented the CSDM’s prospective three-year plan for the allocation and destination of the school board’s immovables. The plan suggests a possible relocation of École Internationale de Montréal into another building in Lasalle. She explained the increase in students as a result of the modification of the catchment area’s borders to include a large part of Ville-Marie. She emphasized the need for a new public school to be created in Ville-Marie.

Further to the Mayor’s inquiry, Councillor Forbes and Councillor Davis explained that most students at École Internationale de Montréal reside outside of Westmount.

Councillor Smith explained that public schools are meant to be community schools. This is not possible in a very large elementary school of 680 students. The use of the gym, library, and other services becomes limited, and these form integral parts of the students’ education. Councillor Lulham pointed out that St.-Léon School no longer has a library due to lack of space.

Councillor Lulham recommended that the school board save the money it would spend on bussing students to schools farther away by prioritizing neighbourhood schools and redirecting these funds towards that end. In this case, said funding could be focused on maintaining and adapting the building in which École Internationale de Montréal is currently situated.

Councillor Samiotis recommended that the Mayor send a letter to the CSDM, copying Montreal Mayor Denis Coderre, reiterating Westmount’s position that a new francophone public school is needed in Ville-Marie, to act as a neighbourhood school, which will allow for less funds being allocated to bussing. Accordingly, the catchment areas for St-Léon School and École Internationale de Montréal will then be redrawn, allowing them to once again serve as neighbourhood schools in their current buildings.

- **It was agreed** that the Mayor will send a letter to the CSDM, copying Montreal Mayor Denis Coderre, reiterating Westmount’s position that a new francophone public school is needed in Ville-Marie, to act as a neighbourhood school. Accordingly, the catchment area for St-Léon School will then be redrawn, allowing them to once again serve as neighbourhood school. Councillor Samiotis will draft the letter, to be reviewed by the Mayor and sent without delay.

**THE CANNON**

Councillor Martin presented Council with further information on the two cannon in the context of his previous recommendation for them to be removed from storage and put on display. He outlined the cannon’s historical significance, informing Council that the barrels were manufactured in 1810 and were last fired in the 1890s in commemoration of the Victoria jubilee. The barrels are bigger than those at Fort Henry in Kingston and their serial numbers are sequential.
Councillor Martin distributed copies of photographs of the cannon from 1905, the 1950s, and currently. He explained that the wheels were replaced between the first and second photographs and five new ones, one of which to serve as a spare, were then prepared roughly ten years ago, which have yet to be installed. New carriages, which need to be replaced roughly every 50 years, would have to be acquired.

Councillor Martin relayed the Second Field Regiment’s interest in the restoration of the cannon, as expressed by the one of the generals who was the colonel for artillery across Canada, who described the cannon as a national treasure. Councillor Martin recommended working with the Second Field Regiment in the refurbishing and displaying of the cannon. He estimated the total cost for the restoration of the two cannon between $60,000 and $100,000. If the City determines that the cannon cannot be displayed outdoors for risk of being stolen and there is no appropriate location for their display indoors, Councillor Martin recommended giving the cannon to an organization that can display them.

The Mayor explained that given the value of these cannon as artefacts, which he estimated at $300,000 to $500,000 just for the barrels, they cannot be displayed safely outdoors. He informed Council that when the cannon were last on display years ago, and worth roughly a tenth of their current value, a group of University of Montreal students stole them and put them on the roof of their school building. Accordingly, he suggested displaying them indoors. If no appropriate interior space can be found in Westmount, he recommended lending them to the Second Field Regiment of the Royal Canadian Artillery on the condition that they cover the cost of the carriages, rather than devoting Public Works’ resources to their restoration. If they are loaned to the Second Field Regiment, the City can display them once or twice a year at community events. In any event, Public Works has a huge challenge ahead of them given their massive budgeted increase in infrastructure investment – including the need to rapidly rebuild the greenhouse complex – and has no time to devote to artillery.

➢ It was agreed that the Councillor Martin will look further into how to best approach the cannon’s restoration and display, guided in part by a closer look at their history.

PROCEDURE FOR CLAIMS IN CITY TENDERS

Councillor Martin drew Council’s attention to the situation of a resident on Prince Albert whose land was disturbed further to a contractor carrying out construction adjacent to the property. Specifically, a pipe was made to protrude out of the ground by roughly a foot. The resident approached Public Works to have the matter corrected, but was directed to file a formal claim with Legal Services. Councillor Martin explained that in the past, residents could address Public Works directly further to deficiencies in construction work or when damage had been caused to their grass as a result of sidewalk snow removal. He explained that this approach made for a more efficient resolution of these requests. He recommended that the City return to this original practice and use the notice of claim form for damage caused by accidents, as the form seems to be drafted for this purpose. He pointed out that in the case of damage from construction work, often carried on for a period
of months, it is difficult to ascertain when the damage was done for the purpose of calculating the 15-day time period during which a notice of claim must be filed.

Mº St-Jean confirmed that the City has always required that a notice of claim form be filed for claims of this nature. He explained the importance of proceeding in this manner in order for Public Works to act in accordance with the City’s liability. In the case of the resident under discussion, the City is not liable for the damage caused by the contractor given the application of section 604.3 of the *Cities and Towns Act*. Accordingly, further to receiving these types of claims, Legal Services then informs the resident of the contractor’s liability and provides the contractor’s coordinates, copying the contractor on the correspondence. In the case under discussion, Ms. Elisa Gaetano, Assistant Director of Public Works – Infrastructure and Engineering, followed up with the contractor to ensure the corrective work was carried out. Mº St-Jean confirmed that the contractor carried out the work the previous week.

In relation to the calculation of the 15-day time period for notifying the City of the filing of a claim, Mº St-Jean explained that the City does not avail itself of this protection when section 604.3 of the *Cities and Towns Act* finds application.

Councillor Davis recommended advising residents to take pictures of the areas at risk of damage prior to work being carried out adjacent to their property. Mº St-Jean explained that Public Works takes these photographs. Councillor Davis specified that residents will be more attentive to capturing the base of perennials that are not in bloom at the time.

Councillor Samiotis and Councillor Lulham recommended modifying the notice of claim form to more clearly lay out the different types of claims. Mº St-Jean agreed.

**NEW BUSINESS: 2016 SALE OF IMMOVABLES FOR NON-PAYMENT OF TAXES**

Councillor Martin inquired as to why the administration had sent a letter to taxpayers with unpaid taxes advising them to pay the full amount owing, including taxes due for 2016, prior to presenting this change in policy from previous years with Council.

Mº St-Jean explained that the letter indicated residents’ obligation to pay the entirety of their taxes due, and that subject to Council’s approval, their failure to do so will result in their property being part of the 2016 sale of immovables for non-payment of taxes. Mº St-Jean explained that as discussed at the October 17th General Committee meeting, the City does not have the power to modify this process, and accordingly, the approach taken in previous years was not legal.

Councillor Samiotis agreed that taxpayers were informed too abruptly.

Councillor Lulham explained that the letter was no different this year; it always indicates the full amount owing, and taxpayers can then call the City to be informed of the amount owing excluding what is owed for the present year.

Councillor Martin explained that the message would have been better communicated had an explanation of the City’s intention to collect taxes for the present year been published in
the newspaper prior to the distribution of the letter. Councillor Davis agreed that Council members should have been informed of this intention prior to the letter’s distribution.

The meeting was adjourned at 7:43 p.m. The meeting was reconvened at 8:49 p.m.

Confidential items were discussed.

ONGOING ITEM: MTQ/AMT

Councillor Samiotis reported that the public meeting hosted by KPH-Turcot in conjunction with the City regarding the dismantling of the Autoroute was well-attended. She emphasized the importance of ensuring this type of communication between residents and the MTQ and KPH-Turcot.

In terms of the noise that the new Autoroute is expected to generate, Councillor Samiotis relayed KPH-Turcot’s explanation that as the lanes will be narrower, motorists are expected to drive slower, which will result in much less noise. KPH-Turcot’s sound predictions are based on this premise.

Confidential items were discussed.

NEW BUSINESS: DATE OF ADOPTION OF BUDGET

The Mayor reported that the budget is scheduled to be adopted on December 19th. He explained that it was likely scheduled to be adopted this late in order for the City to be sure of its agglomeration apportionment. He expressed his concern that the City’s good news regarding its budget will not receive sufficient attention if the budget is announced this late.

- It was agreed that Council will adopt the 2017 budget at a Special Sitting on December 12th, as opposed to December 19th, if it can confirm its agglomeration apportionment sufficiently prior to December 12th.

NEW BUSINESS: LIBRARY BOOK SALE

Councillor Forbes informed Council that the carpets in the library will be replaced prior to the book sale. She sought Council’s opinion on the creation of an area for friends of the library, explaining that she will present a more formal proposal at an upcoming General Committee meeting.
NEW BUSINESS: VIN D’HONNEUR

Councillor Forbes reported that the vin d’honneur event is scheduled to be held on April 26th, 2017. She informed Council of the prospective members of the committee that will organize the event.

ABSENCES

Council members were requested to submit their absence sheets to the City Clerk.

The meeting was adjourned at 10:04 p.m.