1. OPENING OF THE MEETING

The Mayor calls the sitting to order.

Unless otherwise indicated in these minutes, the Mayor avails herself of her privilege provided for in section 328 of the Cities and Towns Act (CQLR, chapter C-19) by abstaining from voting.

2. MAYOR’S AND COUNCILLORS’ REPORTS

3. FIRST QUESTION PERIOD

4. ADOPTION OF THE AGENDA

MOVER Councillor Shamie
SECONDER
THAT the agenda of the regular Council sitting of March 21, 2022, be adopted.

5. CONFIRMATION OF MINUTES

MOVER Councillor Shamie
SECONDER
THAT the minutes of the Demolition Committee meeting held on February 17, 2022, and of the regular Council sittings held on February 21 and March 7, 2022, be approved.

6. REPORTS TO COUNCIL

6.1. CORRESPONDENCE Mayor Smith

The following documents are tabled:

- The public notice of the Ville de Montréal for the virtual public meeting pertaining to Racism and systemic discrimination - Progress report; and
- Resolution CG22 0122 of the Montréal Urban Agglomeration Council entitled "Adopter une résolution de contrôle intérimaire relative à la préservation d’un secteur présentant une valeur environnementale". 
6.2. MINUTES OF THE GENERAL COMMITTEE OF COUNCIL

Councillor Shamie

The minutes of the General Committee meeting of Council held on February 21, 2022, are tabled and are available on the City’s website.

6.3. REPORT - PERFORMANCE AUDIT - CONTRACT MANAGEMENT

Councillor D’Amico

The performance audit on contract management is tabled.

7. MODIFICATION - APPOINTMENTS - 2022 ACTING MAYORS

WHEREAS in accordance with the first paragraph of Section 56 of the Cities and Towns Act (CQLR, chapter C-19), Council designates, for the period it determines, a councillor as Acting Mayor;

WHEREAS, at its sitting held on November 15, 2021, Council appointed Acting Mayors for the year 2022 (Resolution No. 2021-11-253);

WHEREAS, at its sitting held on January 17, 2022, Council amended the appointment of the Acting Mayors for the year 2022 (Resolution No. 2022-01-06);

WHEREAS, it is deemed necessary to further amend the appointment of the Acting Mayors.

MOVER Councillor Kez

SECONDER

THAT Councillor Jeff J. Shamie be appointed Acting Mayor for the months of May, June, July, August, September, and October 2022; and

THAT Councillor Conrad Peart be appointed Acting Mayor for the months of November and December 2022, as well as January 2023.

8. APPOINTMENT - SUPERINTENDENT - ROADS AND PARKS - PUBLIC WORKS DEPARTMENT

WHEREAS according to section 71 of the Cities and Towns Act (CQLR, c. C-19), the council shall appoint by resolution such officers and employees as it deems necessary for the administration of the city, and shall fix their salaries;

WHEREAS on April 1, 2019, the Municipal Council adopted the Working Conditions and Remuneration of Management Personnel;

WHEREAS the position of Superintendent – Roads and parks of the Public Works Department is currently vacant;

WHEREAS the Director of Human Resources recommends the appointment of Ms. Linda Savoie to the position of Superintendent – Roads and parks of the Public Works Department.
THAT Ms. Linda Savoie be appointed to the position of Superintendent – Roads and parks of the Public Works Department, grade 8, effective April 4, 2022, in accordance with the salary recommendation of the Director of the Human Resources Department as stipulated in decision-making file No. 2022-1518 and according to the terms provided for in the *Working Conditions and Remuneration of Management Personnel*;

THAT this appointment be on a permanent basis once Ms. Savoie has completed a probationary period in accordance with Section 2 of the *Working Conditions and Remuneration of Management Personnel*.

9. **ADOPTION OF A POLICY ON TELEWORK**

WHEREAS telework has become a must in the offer of working conditions to employees, allowing flexibility in the work-family balance and adding a non-negligible attractiveness in a context of labour shortage;

WHEREAS the City of Westmount is actively involved in promoting initiatives to reduce greenhouse gas emissions;

WHEREAS transportation is one of the largest contributor to greenhouse gas emissions in Québec;

WHEREAS telework would contribute to the reduction of greenhouse gas emissions from vehicles on Montréal roads.

THAT the attached policy on telework be adopted.

10. **PURCHASE OF MICROSOFT 365 SUITE LICENCES - CENTRE D'ACQUISITIONS GOUVERNEMENTALES**

WHEREAS, according to section 573.3.2 of the *Cities and Towns Act* (CQLR, chapter C-19), a municipality may obtain any movable property or service from or through the *Centre d'acquisitions gouvernementales* (CAG) established by the *Act respecting the Centre d'acquisitions gouvernementales* (CQLR, chapter C-7.01);

WHEREAS the City wishes to take advantage of the price negotiated by the CAG for public organizations for the purchase of Microsoft 365 Suite licences.

THAT the City of Westmount confirm its participation in the purchase agreement with the *Centre d'acquisitions gouvernementales* (CAG) for the purchase of Microsoft 365 Suite licences for a three (3) year period, for a maximum amount of $57,430.17, including taxes;
THAT a purchase order be issued to cover the above-mentioned expenses and that the Purchasing Manager be authorized, for and on behalf of the City, to sign all documents required to give full effect to this resolution.

11. REQUEST FOR PROPOSALS - PURCHASE OF A 1000 KVA PAD-MOUNTED TRANSFORMER FOR PROJECT HWSP2201-16 (DDP-2022-002)

WHEREAS a request for proposals was sent for the purchase of a 1000 kVA pad-mounted transformer for project HWSP2201-16 (request for proposals No. DDP-2022-002), and that, in conformity with By-law 1556 on contract management, the Déclaration relative aux mesures prises pour assurer la rotation des cocontractants is submitted to this meeting;

WHEREAS, following the analysis of the received proposals, Hitachi Energy USA Inc. is the selected bidder.

MOVER  
Councillor Shamie

SECONDER  
To authorize an expenditure in the amount of $54,985.00, including tax credits, for the purchase of a 1000 kVA pad-mounted transformer for project HWSP2201-16 (request for proposals No. DDP-2022-002);

To award to Hitachi Energy USA Inc. the contract for this purpose in accordance with its proposal, for a maximum amount of $63,219.00, including taxes, the whole in conformity with the contractual documents of the request for proposals DDP-2022-002;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1501.

12. REQUEST FOR PROPOSALS - PURCHASE OF SERVERS (DDP-2022-007)

WHEREAS a request for proposals was sent for the purchase of servers (request for proposals No. DDP-2022-007), and that, in conformity with By-law 1556 on contract management, the Déclaration relative aux mesures prises pour assurer la rotation des cocontractants is submitted to this meeting;

WHEREAS, following the analysis of the received proposals, CareTek is the selected bidder.

MOVER  
Councillor Shamie

SECONDER  
To authorize an expenditure in the amount of $71,669.65, including tax credits, for the purchase of servers (request for proposals No. DDP-2022-007);

To award to CareTek the contract for this purpose in accordance with its proposal, for a maximum amount of $78,487.61, including taxes, the whole in conformity with the contractual documents of the request for proposals DDP-2022-007;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1503
13. REQUEST FOR PROPOSALS - SUPPLY OF FURNITURE FOR AN EPHEMERAL PLACE ON DE MAISonneuve BOULEVARD WEST (DDP-2022-014)

WHEREAS a request for proposals was sent for the supply of furniture for an ephemeral place on De Maisonneuve Boulevard West (request for proposals No. DDP-2022-014), and that, in conformity with By-law 1556 on contract management, the Déclaration relative aux mesures prises pour assurer la rotation des cocontractants is submitted to this meeting;

WHEREAS, following the analysis of the received proposals, Coopérative Le Comité - Générateurs d'événements is the selected bidder.

MOVER Councillor Gallery
SECONDER
To authorize an expenditure in the amount of $73,396.76, including tax credits, for the supply of furniture for an ephemeral place on De Maisonneuve Boulevard West (request for proposals No. DDP-2022-014);

To award to Coopérative Le Comité - Générateurs d'événements the contract for this purpose in accordance with its proposal, for a maximum amount of $80,379.02, including taxes, the whole in conformity with the contractual documents of the request for proposals DDP-2022-014;

THAT said contract be financed from the appropriated surplus - Revitalization of commercial arteries (Resolution No. 2022-03-49);

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1523.

14. CALL FOR TENDERS BY INVITATION - REPLACEMENT OF THE CITY OF WESTMOUNT'S PARKING TERMINAL DOORS (INV-2022-008)

WHEREAS the City of Westmount is considering entering into a contract pursuant to section 573.3, paragraph 1, subsection 2, of the Cities and Towns Act (CQLR, chapter C-19) with J. J. MacKay Canada Limited for the replacement of the City of Westmount's parking terminal doors;

WHEREAS, in accordance with section 573.3.0.0.1 of the Cities and Towns Act (CQLR, c. C-19), a notice of intention was published on the Système électronique d'appel d'offres du gouvernement du Québec on February 2, 2022, informing of the City's intention to award a contract by mutual agreement to a supplier identified in said notice;

WHEREAS J. J. MacKay Canada Limited is the only supplier designated by the manufacturer, for the replacement of the City of Westmount's parking terminal doors.

MOVER Councillor Kez
SECONDER
To authorize an expenditure in the amount of $391,699.50, including tax credits, for the replacement of the City of Westmount's parking terminal doors (Tender by invitation No. INV-2022-008);
To award to J. J. MacKay Canada Limited the contract for this purpose at its bid price, for a maximum amount of $450,356.50, including taxes, the whole in conformity with the contractual documents of the call for tenders by invitation INV-2022-008;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1512.

15. **CALL FOR PUBLIC TENDERS - PRUNING AND STRUCTURAL CONSOLIDATION (PUB-2021-033)**

WHEREAS tenders were publicly opened on December 3, 2021, for the pruning and structural consolidation (Tender No. PUB-2021-033), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Arboriculture de Beauce inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

**MOVER**

Councillor Gallery

**SECONDER**

To authorize an expenditure in the amount of $173,717.57, including tax credits, for the 2022 fiscal year, for the pruning and structural consolidation (Tender No. PUB-2021-033);

To award to *Arboriculture de Beauce inc.* the contract for this purpose at its bid price, for a maximum amount of $595,564.75, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2021-033;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1515.

16. **CALL FOR PUBLIC TENDERS - RESTORATION OF THE WINDOWS AT THE CITY OF WESTMOUNT’S CITY HALL (PUB-2021-051)**

WHEREAS tenders were publicly opened on February 11, 2022, for the restoration of the windows at the City of Westmount’s City Hall (Tender No. PUB-2021-051), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Maçonnerie Rainville & Frères inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

**MOVER**

Councillor Peart

**SECONDER**

To authorize an expenditure in the amount of $1,107,775.61, including tax credits, for the 2022 fiscal year, for the restoration of the windows at the City of Westmount’s City Hall (Tender No. PUB-2021-051);

To award to *Maçonnerie Rainville & Frères inc.* the contract for this purpose at its bid price, for a maximum amount of $2,426,317.43, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2021-051;
To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1506.

17. CALL FOR PUBLIC TENDERS - DISPOSAL OF STREET SWEEPER RESIDUES FOR THE CITY OF WESTMOUNT (PUB-2022-005)

WHEREAS tenders were publicly opened on February 25, 2022, for the disposal of street sweeper residues for the City of Westmount (Tender No. PUB-2022-005), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, Recyclage Notre-Dame inc. is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER
Councillor Bostock

SECONDER
To authorize an expenditure in the amount of $24,803.30, including tax credits, for the disposal of street sweeper residues for the City of Westmount (Tender No. PUB-2022-005);

To award to Recyclage Notre-Dame inc. the contract for this purpose at its bid price, for a maximum amount of $113,480.33, including taxes, for a period of three (3) years with two (2) renewal options for a period of 12 months each, the whole in conformity with the contractual documents of the call for tenders PUB-2022-005;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1504.

18. CALL FOR PUBLIC TENDERS - PURCHASE OF COBRA LED LIGHTS (PUB-2022-006)

WHEREAS tenders were publicly opened on February 21, 2022, for the purchase of Cobra LED lights (Tender No. PUB-2022-006), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, Lumen, a division of Sonepar Canada Inc., is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

MOVER
Councillor Shamie

SECONDER
To authorize an expenditure in the amount of $72,121.16, including tax credits, for the purchase of Cobra LED lights (Tender No. PUB-2022-006);

To award to Lumen, a division of Sonepar Canada Inc., the contract for this purpose at its bid price, for a maximum amount of $78,982.08, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2022-006;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2022-1500.
19. **CALL FOR PUBLIC TENDERS - CANCELLATION OF THE CALL FOR PUBLIC TENDERS PUB-2021-052**

WHEREAS tenders were publicly opened on November 26, 2021, for the tree cutting and stump removal in King George Park (Tender No. PUB-2021-052), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS a review of the project must be undertaken to mitigate the loss of trees over a longer period of time.

**MOVER**
Councillor Gallery

**SECONDER**

THAT the call for tenders bearing number PUB-2021-052 for the contract for the tree cutting and stump removal in King George Park, be cancelled.

20. **CALL FOR PUBLIC TENDERS - CANCELLATION OF THE CALL FOR PUBLIC TENDERS PUB-2021-053**

WHEREAS tenders were publicly opened on November 26, 2021, for the tree planting in King George Park (Tender No. PUB-2021-053), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS a review of the project will be undertaken to mitigate the loss of trees and the reforestation of the park.

**MOVER**
Councillor Gallery

**SECONDER**

THAT the call for tenders bearing number PUB-2021-053 for the contract for the tree planting in King George Park, be cancelled.


WHEREAS a tender was publicly opened on February 28, 2022, for the purchase of overhead transformers (Tender No. PUB-2022-010), and minutes prepared by the City Clerk’s Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tender, the tender is deemed nonconforming.

**MOVER**
Councillor Shamie

**SECONDER**

THAT the (1) tender submitted as a result of the call for tenders bearing number PUB-2022-010 for the contract for the purchase of overhead transformers, be rejected on the basis of technical nonconformity.
22. NOTICE OF MOTION - BY-LAW 1586 TO ESTABLISH THE CONDITIONS GOVERNING THE SUPPLY OF ELECTRICITY

NOTICE OF MOTION

Councillor Shamie to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1586 entitled By-law to establish the conditions governing the supply of electricity.

OBJECT

The object of this by-law is to establish the conditions governing the supply of electricity.

This by-law repeals By-law 1570 to establish the conditions governing the supply of electricity.

A copy of the draft by-law is tabled and available for public consultation.

23. MODIFICATION OF A CONTRACT - APPROVAL OF SAFETY FENCING AND VEHICLE TUNNEL AROUND 4030 DORCHESTER BOULEVARD

WHEREAS, under section 573.2 of the Cities and Towns Act (CQLR, chapter C-19), in case of irresistible force of such a nature as to imperil the life or health of the population or seriously damage the equipment of the municipality, the mayor may order any expenditure deemed necessary and award any contract necessary to remedy the situation;

WHEREAS a notice of deterioration has been registered in the land register for the immovable located at 4030 Dorchester Boulevard (hereinafter “the Property”) (Resolution No. 2019-02-29);

WHEREAS Council awarded a contract to Scaffolds Plus (Laval) Inc. for the rental of protective fencing on Weredale Park (Resolution Nos. 2021-04-82 and 2021-09-213);

WHEREAS the duration of the installation of the safety measures could not be foreseen or planned at the time the initial mandate was given;

WHEREAS the Property continues to present public safety hazards as established in the Engineer report dated June 1, 2020;

WHEREAS the City of Westmount has repeatedly requested, through repeated notices since 2016, that the owner perform the required emergency work and that such work has not yet begun;

WHEREAS the protective tunnel and safety fencing installed by Scaffold Plus at the request of the City must be maintained for the protection of the public pending the completion of said work.
THAT an additional expenditure be authorized in the amount of $57,331.50, including taxes, for the rental of protective fencing on Weredale Park with Scaffolds Plus (Laval) Inc.;

To allocate this expenditure in accordance with the financial information included in the decision-making files Nos. 2021-1209, 2021-1316, and 2022-1510.

24. TRANSACTION - MARJORIE SHARP

WHEREAS Marjorie Sharp has filed a motion to institute proceedings against the City of Westmount before the Superior Court of Québec, Civil Division, District of Montréal, file No. 500-17-107705-199;

WHEREAS the City of Westmount has agreed, in principle, to enter into a settlement agreement and transaction with Marjorie Sharp to settle the matter out of court;

WHEREAS it is in the best interest of the City to settle this matter.

THAT the City of Westmount agree to settle the legal proceedings brought by Marjorie Sharp against the City of Westmount in Superior Court of Québec file No. 500-17-107705-199;

THAT the City of Westmount execute the out of court settlement, Transaction and Release;

THAT the Director of Legal Services, or the Assistant Director of Legal Services in his absence, be mandated to sign, for in the name of the City of Westmount, the Settlement Agreement and Release.

25. TRANSACTION - THE PERSONNEL GENERAL INSURANCE INC.

WHEREAS The Personal General Insurance Inc. has filed a motion to institute proceedings against the City of Westmount before the Superior Court of Québec, Civil Division, District of Montréal, file No. 500-22-268146-147;

WHEREAS the City of Westmount has agreed, in principle, to enter into a settlement agreement and transaction with The Personal General Insurance Inc. to settle the matter out of court;

WHEREAS it is in the best interest of the City to settle this matter.

THAT the City of Westmount agree to settle the legal proceedings brought by The Personal General Insurance Inc. against the City of Westmount in Superior Court of Québec file No. 500-22-268146-217;
THAT the City of Westmount execute the out-of-court settlement and pay a total amount of $5,546.55 to The Personal General Insurance Inc.;

THAT the Director of Legal Services, or the Assistant Director of Legal Services in his absence, be mandated to sign, for in the name of the City of Westmount, the Settlement Agreement and Release.

26. ADOPTION OF DESIGN CONCEPT - RECONSTRUCTION OF LEXINGTON AND DEVON AVENUES

WHEREAS the sidewalks and roadway on Lexington and Devon Avenues are in advanced state of deterioration and therefore a capital project was developed and initiated for 2022;

WHEREAS the objectives of the capital project include the rehabilitation of underground infrastructure with respect to Hydro Westmount and the public portion of the water services on Lexington Avenue, the review of the geometry in accordance with the objectives and orientations set out in the City's various planning documents, the implementation of traffic calming measures, the review of the allotment of space between active and vehicular modes of transportation, the safe movements of pedestrians, and the increase of green spaces;

WHEREAS the proposed design for Lexington Avenue respects the criteria outlined in the Ville de Montréal's Master Plan and the Westmount traffic and active transportation master plan.

MOVER
Councillor Peart
SECONDER
THAT the proposed design for the reconstruction of Lexington Avenue and of Devon Avenue, between Lexington Avenue and Summit Crescent, be accepted.

27. TABLING OF THE PLANNING ADVISORY COMMITTEE MINUTES

WHEREAS the Planning Advisory Committee held special meetings on March 8 and March 10, 2022 and that minutes are submitted to this Council sitting;

WHEREAS the main role of the Planning Advisory Committee is to analyze and give an opinion on any request that must be submitted to it in accordance with the Land Use Planning and Development Act (CQLR, c. A-19.1) (e.g.: SPAIP, minor exemption, SCAOPI, conditional uses, etc.) and on any other application in matters of land use planning and development that is submitted to it by Council.

MOVER
Councillor Peart
SECONDER
THAT Council acknowledge and accept the minutes of the Planning Advisory Committee's special meetings held on March 8 and March 10, 2022.

28. URBAN PLANNING - APPROVAL OF SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMMES (S.P.A.I.P.)

WHEREAS the minutes of the special meetings of the Planning Advisory Committee held on March 8 and March 10, 2022, were tabled;
WHEREAS the main role of the Planning Advisory Committee is to analyze and give an opinion on any request that must be submitted to it in accordance with the *Land Use Planning and Development Act* (CQLR, c. A-19.1) (e.g.: SPAIP, minor exemption, SCAOPI, conditional uses, etc.) and on any other application in matters of land use planning and development that is submitted to it by Council;

WHEREAS applications have been submitted by the applicants under *By-law 1305 on Site Planning and Architectural Integration Programmes*;

WHEREAS the Planning Advisory Committee has issued opinions regarding these applications, as stated in the Planning Advisory Committee minutes of the special meetings held on March 8 and March 10, 2022;

WHEREAS according to *By-law 1305 on Site Planning and Architectural Integration Programmes*, Council must decide on the opinions of the Committee by way of resolution.

MOVER
Councillor Peart

SECONDER
THAT the Municipal Council act on the opinions of the Planning Advisory Committee (PAC) as set out in the minutes of the special meetings held on March 8 and March 10, 2022 minutes, and adopt for each of them the Site Planning and Architectural Integration Programmes’ conditions for the issuance of a permit, as listed in the following items:

- CCUS 22-03-08.03, CCUS 22-03-08.05, CCUS 22-03-08.06, CCUS 22-03-08.09, CCUS 22-03-08.11, CCUS 22-03-08.13, and CCUS 22-03-08.14 of the agenda of the special PAC meeting held on March 8, 2022;
- CCUS 22-03-10.08, CCUS 22-03-10.09, and CCUS 22-03-10.11 of the agenda of the special PAC meeting held on March 10, 2022.

29. **URBAN PLANNING - DENIAL OF A SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMME (S.P.A.I.P.)**

WHEREAS the minutes of the special meeting of the Planning Advisory Committee held on March 8, 2022, were tabled;

WHEREAS the main role of the Planning Advisory Committee is to analyze and give an opinion on any request that must be submitted to it in accordance with the *Land Use Planning and Development Act* (CQLR, c. A-19.1) (e.g.: SPAIP, minor exemption, SCAOPI, conditional uses, etc.) and on any other application in matters of land use planning and development that is submitted to it by Council;

WHEREAS applications have been submitted by the applicants under *By-law 1305 on Site Planning and Architectural Integration Programmes* and an application does not meet the objectives and criteria;

WHEREAS the Planning Advisory Committee has issued opinions regarding these applications, as stated in the Planning Advisory Committee minutes of the special meeting held on March 8, 2022;

WHEREAS according to *By-law 1305 on Site Planning and Architectural Integration Programmes*, Council must decide on the opinions of the Committee by way of resolution.
MOVER
Councillor Peart
SECONDER
THAT the Municipal Council act on the unfavourable opinion of the Planning Advisory Committee (PAC), as set out in the minutes of the special meeting held on March 8, 2022, in item CCUS 22-03-08.07 of the agenda of said meeting.

30. NEW BUSINESS

31. SECOND QUESTION PERIOD

32. CLOSING OF THE SITTING

The Mayor declares the sitting closed.