



**AGENDA  
REGULAR MUNICIPAL COUNCIL MEETING  
OF THE CITY OF WESTMOUNT  
MONDAY, APRIL 3, 2023**

**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 Bostock**

**SECONDER**

THAT the agenda of the regular Council sitting of April 3, 2023, be adopted with the addition of the following items under New Business:

- 19.1 Appropriation - Appropriated Surplus;
- 19.2 Appointment - Director and Treasurer - Finance Department;
- 19.3 Appointment - Head of Division – Parks and green spaces - Public Works Department;
- 19.4 Call for public tenders - Reconstruction of Mount Pleasant Avenue between Rosemount Crescent and Sherbrooke (PUB-2023-002);
- 19.5 Bank of hours - McCarthy Tetrault LLP;

and the removal of the following item:

- 17. Adoption - By-law 1600 concerning solid-fuel heating and cooking devices and fireplaces.

**5. CONFIRMATION OF MINUTES**

**MOVER**

**Councillor Bostock**

**SECONDER**

THAT the minutes of the regular Council sitting held on March 20, 2023, and of the special sitting held on March 22, 2023, be approved.

**6. REPORTS TO COUNCIL**

**6.1. CORRESPONDENCE**

**Mayor Smith**

The following documents are tabled:

- List of by-laws adopted at the regular Urban Agglomeration Council meeting on March 23, 2023;
- ERRATUM - Public notice from the City of Montreal for the public consultation on the 2024 Pre-budget consultation;
- Resolution No. 2023-03-047 of the *Municipalité de Saint-Étienne-de-Beauharnois*: "*Ministère de la culture et des communications - Demande pour garantir l'assurabilité de tous les immeubles patrimoniaux à coût raisonnable*".

**6.2. MINUTES OF THE GENERAL COMMITTEE OF COUNCIL**

**Councillor Bostock**

The minutes of the General Committee of Council meeting held on March 6, 2023, are tabled and are available on the City's website.

**6.3. MINUTES OF THE TRANSPORTATION ADVISORY COMMITTEE**

**Councillor Bostock**

The minutes of the Transportation Advisory Committee meetings held on November 8, 2022 and January 10, 2023, are tabled and are available on the City's website.

**6.4. WORKFORCE REPORT**

**Councillor Shamie**

The workforce report for the month of February 2023, is tabled.

**7. ADOPTION OF COUNCIL'S POSITION ON THE ITEMS TO BE SUBMITTED TO THE MONTREAL URBAN AGGLOMERATION COUNCIL**

**MOVER  
SECONDER**

**Councillor Bostock**

THAT the Mayor, or in her absence the Acting Mayor, be authorized to make any decisions she deems necessary and in the best interest of the City of Westmount and its residents regarding the items on the agenda of the Montreal Urban Agglomeration Council meeting to be held on April 20, 2023.

**8. RENEWAL OF THE GROUP INSURANCE COVERAGE - BENEVA INC.**

WHEREAS following a call for tenders for group insurance services for employees of the reconstituted cities of the Island of Montreal, the contract for the group insurance coverage for employees, retirees, and elected officials of the City of Westmount, was

awarded to La Capitale Civil Service Insurer Inc. for a maximum period of five (5) years, from April 1, 2019 to March 31, 2024 (Resolution No. 2019-05-115);

WHEREAS La Capitale Civil Service Insurer Inc. is now known under the name of Beneva;

WHEREAS a provision provides for the annual renewal of the coverage.

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT the renewal of the group insurance coverage for active employees, retired employees, and elected officials, be authorized for the period from April 1, 2023 to March 31, 2024;

THAT the payment of the premiums in the total amount of \$828,757.00, including taxes, be authorized for the period of April 1, 2023 to March 31, 2024;

To authorize an expenditure in the amount of \$620,068.00, including taxes, for the 2023 fiscal year, in accordance with the financial information included in the decision-making file No. 2023-1861;

THAT the Director General be authorized to sign, for and on behalf of the City, any documents necessary or required to give effect to the foregoing resolution.

**9. CALL FOR TENDERS BY INVITATION - MAINTENANCE OF CLAY TENNIS COURTS (INV-2023-008)**

WHEREAS tenders were publicly opened on March 15, 2023, for the maintenance of clay tennis courts (Tender by invitation No. INV-2023-008), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *Terrassements Jopat 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 \$54,420.27, including tax credits, for the maintenance of clay tennis courts (Tender by invitation No. INV-2023-008);

To award to *Terrassements Jopat inc.* the contract for this purpose at its bid price, for a maximum amount of \$59,597.29, including taxes, the whole in conformity with the contractual documents of the call for tenders by invitation INV-2023-008;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2023-1863.

**10. CALL FOR PUBLIC TENDERS - REPAIR AND REINFORCEMENT OF THE HYDRO WESTMOUNT CROSSWALK (PUB-2023-010)**

WHEREAS tenders were publicly opened on March 17, 2023, for the repair and reinforcement of the Hydro Westmount crosswalk (Tender No. PUB-2023-010), and minutes prepared by the City Clerk's Office are submitted to this meeting;

WHEREAS, following the analysis of the opened tenders, *C.M.S. Entrepreneurs généraux inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Manager, which is submitted at this meeting.

**MOVER**  
**SECONDER**

**Councillor Shamie**

To authorize an expenditure in the amount of \$151,549.46, including tax credits, for the repair and reinforcement of the Hydro Westmount crosswalk (Tender No. PUB-2023-010);

To award to *C.M.S. Entrepreneurs généraux inc.* the contract for this purpose at its bid price, for a maximum amount of \$165,966.41, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2023-010;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2023-1868.

**11. CALL FOR PUBLIC TENDERS - PURCHASE OF WASHINGTON STREETLIGHTS HWSP23-011 (PUB-2023-012)**

WHEREAS tenders were publicly opened on March 17, 2023, for the purchase of Washington streetlights HWSP23-011 (Tender No. PUB-2023-012), and minutes prepared by the City Clerk's Office are submitted to this meeting;

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

**MOVER**  
**SECONDER**

**Councillor Shamie**

To authorize an expenditure in the amount of \$148,527.92, including tax credits, for the purchase of Washington streetlights HWSP23-011 (Tender No. PUB-2023-012);

To award to Pro Ballast Inc. the contract for this purpose at its bid price, for a maximum amount of \$162,657.43, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2023-012;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2023-1872.

**12. NOTICE OF MOTION - BY-LAW 1599 AMENDING BY-LAW 1575 TO ESTABLISH A PLANNING ADVISORY COMMITTEE**

**NOTICE OF MOTION**

Councillor Peart to give notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1599 entitled *By-law amending By-law 1575 to establish a planning advisory committee.*

Councillor Peart to table and present the draft of said by-law.

**OBJECT**

The object of this by-law is to modify the composition of the Planning Advisory Committee (PAC) and of the Westmount Heritage Council (WHC).

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

**13. NOTICE OF MOTION - BY-LAW 1603 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. 1603 entitled *By-law to establish the conditions governing the supply of electricity.*

Councillor Shamie to table and present the draft of said by-law.

**OBJECT**

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

This by-law repeals *By-law 1586 to establish the conditions governing the supply of electricity.*

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

**14. ADOPTION OF A FIRST DRAFT - BY-LAW 1601 TO FURTHER AMEND ZONING BY-LAW 1303 - MEDICAL CLINICS AND DOCTORS' OFFICES**

WHEREAS Councillor Peart gave notice of the intention to submit for adoption at a subsequent meeting of Council, By-law No. 1601 entitled *By-law to further amend Zoning By-law 1303 - Medical clinics and doctors' offices.*

WHEREAS the object of this by-law is to repeal the quota and maximum area standards for medical clinics and doctor's office uses in certain zones.

**MOVER  
SECONDER**

**Councillor Peart**

THAT the first draft of By-law No. 1601 entitled *By-law to further amend Zoning By-law 1303 - Medical clinics and doctors' offices* be adopted for submission to public consultation in accordance with the provisions of the *Act respecting Land Use Planning and Development* (CQLR, chapter A-19.1); and

THAT a public consultation meeting be held in accordance with the provisions of said Act.

**15. ADOPTION - BY-LAW 1597 TO ESTABLISH RATES AND CERTAIN CONDITIONS FOR THE SUPPLY OF ELECTRICITY FOR THE YEAR 2023-2024**

**City Clerk**

The City Clerk to report that copies of the by-law have been remitted to all members of Council and are available for public reference in due course.

**OBJECT**

The City Clerk to explain that the object of this by-law is to establish the electricity rates for Hydro Westmount customers, as of April 1, 2023.

The object of this by-law is also to establish certain conditions respecting the supply of electricity for the year 2023-2024.

This by-law repeals *By-law 1587 to establish the rates and certain conditions for the supply of electricity for the year 2022-2023*.

**Mayor Smith**

**Declaration by each member of Council present that he or she has read the by-law.**

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT By-law No. 1597 entitled *By-law to establish rates and certain conditions for the supply of electricity for the year 2023-2024* be adopted.

**Declaration**

**Mayor Smith**

THAT By-law No. 1597 entitled *By-law to establish rates and certain conditions for the supply of electricity for the year 2023-2024* having been duly adopted; it is ordered that notices be given as required by law.

**16. ADOPTION - BY-LAW 1598 CONCERNING PLUMBING**

**City Clerk**

The City Clerk to report that copies of the by-law have been remitted to all members of Council and are available for public reference in due course.

**OBJECT**

The City Clerk to explain that the object of this by-law is to update the regulations concerning plumbing and operates in conjunction with Chapter III of the *Quebec Construction Code* to regulate plumbing.

This by-law repeals *Plumbing By-law 1368* and its amendments.

**Mayor Smith**

**Declaration by each member of Council present that he or she has read the by-law.**

**MOVER**

**Councillor Peart**

**SECONDER**

THAT By-law No. 1598 entitled *By-law concerning plumbing* be adopted.

**Declaration**

**Mayor Smith**

THAT By-law No. 1598 entitled *By-law concerning plumbing* having been duly adopted; it is ordered that notices be given as required by law.

**17. ADOPTION - BY-LAW 1600 CONCERNING SOLID-FUEL HEATING AND COOKING DEVICES AND FIREPLACES**

*This item was removed.*

**18. TRANSACTION - CHUBB INSURANCE COMPANY OF CANADA**

WHEREAS Chubb Insurance Company of Canada et al. has filed a Statement of Claim against the City of Westmount before the Court of Quebec, Civil Division, District of Montreal, under Court File No. 500-22-274842-221;

WHEREAS the City of Westmount has agreed in principle to enter into a settlement agreement and transaction with Chubb Insurance Company of Canada et al. to resolve the matter out of court;

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

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT the City of Westmount agree to settle the legal proceedings brought by Chubb Insurance Company of Canada et al. against the City of Westmount in Court of Quebec file No. 500-22-274842-221;

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

THAT the Director of Legal Services, or the Assistant Director of Legal Services in his absence, be authorized to sign, for and on behalf of the City of Westmount, the Release and Transaction.

**19. NEW BUSINESS**

**19.1. APPROPRIATION - APPROPRIATED SURPLUS**

WHEREAS by allocating surpluses to specific projects or elements, these amounts cannot be used for purposes other than those approved by Council;

WHEREAS projects to be funded by the “PAYG Accumulated Surplus” budget line have occurred, and monies have been spent;

WHEREAS to this date, no amount of the PAYG Accumulated Surplus has been allocated to the 2022 results;

WHEREAS sufficient funds are available in the “PAYG Projects” appropriated surplus account;

WHEREAS the amounts to be allocated to the projects must be authorized by Council;

WHEREAS the appropriation to the 2022 results must be made prior to the completion of the audit work for fiscal year 2022;

WHEREAS the appropriation has been discussed with the City’s auditors.

**MOVER**

**Councillor Kez**

**SECONDER**

THAT an amount of \$4,607,347, from the appropriated surplus in the “PAYG Projects” account, be allocated to the results of the 2022 fiscal year.

**19.2. APPOINTMENT - DIRECTOR AND TREASURER - FINANCE 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 Director of the Finance Department and Treasurer is currently vacant;

WHEREAS the Assistant Director of Human Resources recommends the appointment of Mr. Claude Ladouceur to the position of Director of the Finance Department and Treasurer.

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT Mr. Claude Ladouceur be appointed to the position of Director of the Finance Department and Treasurer, grade 3, effective April 4, 2023, in accordance with the salary recommendation stipulated in the decision-making file No. 2023-1879 and according to the terms provided for in the *Working Conditions and Remuneration of Management Personnel*.



**19.3. APPOINTMENT - HEAD OF DIVISION – PARKS AND GREEN SPACES - 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 Head of Division – Parks and green spaces of the Public Works Department to optimize the department's operations and advance various projects;

WHEREAS the Assistant Director of Human Resources recommends the appointment of Ms. Dominique Landry to the position of Head of Division – Parks and green spaces of the Public Works Department.

**MOVER**  
**SECONDER**

**Councillor Bostock**

THAT Ms. Dominique Landry be appointed to the position of Head of Division – Parks and green spaces of the Public Works Department, grade 7, effective April 11, 2023, in accordance with the salary recommendation stipulated in the decision-making file No. 2023-1884 and according to the terms provided for in the *Working Conditions and Remuneration of Management Personnel*.

**19.4. CALL FOR PUBLIC TENDERS - RECONSTRUCTION OF MOUNT PLEASANT AVENUE BETWEEN ROSEMOUNT CRESCENT AND SHERBROOKE (PUB-2023-002)**

WHEREAS tenders were publicly opened on March 17, 2023, for the reconstruction of Mount Pleasant Avenue between Rosemount Crescent and Sherbrooke (Tender No. PUB-2023-002), and minutes prepared by the City Clerk's Office are submitted to this meeting;

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

**MOVER**  
**SECONDER**

**Councillor Peart**

To authorize an expenditure in the amount of \$3,411,263.05, including tax credits, for the reconstruction of Mount Pleasant Avenue between Rosemount Crescent and Sherbrooke (Tender No. PUB-2023-002);

To award to Cojalac Inc. the contract for this purpose at its bid price, for a maximum amount of \$3,735,777.77, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2023-002;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2023-1875.

**19.5. BANK OF HOURS - MCCARTHY TETRAULT LLP**

WHEREAS in accordance with Section 52 of the *Cities and Towns Act* (CQLR, c. C-19), the mayor shall exercise the right of superintendence and control over all the departments and officers of the municipality;

WHEREAS a relationship of trust has been established between the firm of McCarthy Tetrault LLP and the City of Westmount.

**MOVER**

**Councillor Shamie**

**SECONDER**

THAT McCarthy Tetrault LLP be awarded a bank of hours for a maximum of \$11,000 to provide legal services to the City of Westmount.

**20. SECOND QUESTION PERIOD**

**21. CLOSING OF THE SITTING**

The Mayor declares the sitting closed.