



MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE, HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUÉBEC, ON TUESDAY OCTOBER 4, 2022, AT 7:00 P.M., AFTER DUE NOTICE WAS TRANSMITTED ON FRIDAY SEPTEMBER 30, 2022.

PRESENT: Councillors C. Homan, T. Stainforth and K. Thorstad-Cullen, as well as Councillors P. Bissonnette, B. Cowan, E. Stork and B. Tremblay, chaired by His Worship Mayor Tim Thomas forming a quorum of council.

ABSENT: Councillor E. Tedford.

Mr. Daniel Séguin, Interim City Manager, Mre Caroline Thibault, City Clerk and Director of Legal Affairs, as well as Mrs. Danielle Gutierrez, Assistant City Clerk and Council Secretary, are also in attendance.

2022-534 APPROVAL – AGENDA

It is moved by Councillor Thorstad-Cullen,
Seconded by Councillor Stork

Councillor Cowan moves an amendment to add an item entitled "Motion of censure" at 01.02.

The motion is seconded by Councillor Thorstad-Cullen.

The meeting is suspended at 7:38 p.m.

The meeting is resumed at 7:52 p.m.

Council votes by majority in favour of the proposed amendment. Councillor Tremblay votes against the proposed amendment.

Vote against :
Councillor Tremblay

It is consequently majoritarily:

RESOLVED: TO approve the agenda that has been prepared for this meeting, with the following modifications:

- The addition of item 01.02;
- The withdrawal of item 10.08;
- The withdrawal of item 30.01.

2022-535 MOTION OF CENSURE

WHEREAS in accordance with Mayor Thomas' instruction, on Wednesday 21 September his office broadly disseminated an email communique to Council, broadly through the city administration, and to certain members of the general public, the purpose of which was to distribute as an attachment a private email exchange between Mr. Brian Greenway and Mayor Thomas;

WHEREAS said attachment included statements where Mayor Thomas expressly defamed a colleague on Council and cast aspersions on the workplace environment in which he finds himself and by extension on those members of the Administration and Council he might hold responsible, which is a clear violation of our ethical values;

WHEREAS Mayor Thomas has refused to recognize his obligation to take full responsibility for his breach of our norms of ethical conduct and issue a personal apology;

Vote against :
Councillor Tremblay

It is moved by Councillor Cowan,
Seconded by Councillor Thorstad-Cullen, and majoritarily

RESOLVED: THAT this Council expresses its profound regret that Mayor Thomas caused to be transmitted to the Administration and general public the aforesaid email exchange wherein he employed defamatory and disloyal language thereby causing hurt and distress, and its sharp displeasure that Mayor Thomas has rejected his duty to accept full responsibility for this act and has rejected the simple remedy of issuing a personal apology.

2022-541 NOTICE OF MOTION AND FILING – DRAFT BY-LAW DECREERING THE EXECUTION OF PHASE I OF THE PUBLIC WORKS BUILDING EXTENSION AS WELL AS A LONG-TERM BORROWING IN THE AMOUNT OF \$ 5,500,000

Councillor Stainforth gives notice that a draft by-law decreeing the execution of phase I of the public works building extension as well as a long-term borrowing in the amount of \$ 5,500,000 will be presented for adoption at a subsequent meeting of Council.

Councillor Stainforth files a draft by-law decreeing the execution of phase I of the public works building extension as well as a long-term borrowing in the amount of \$ 5,500,000.

2022-542 NOTICE OF MOTION AND FILING – DRAFT BY-LAW DECREERING THE EXECUTION OF INFRASTRUCTURE WORK ON LAKESHORE ROAD, BETWEEN COOLBREEZE AND LAKEVIEW, AS WELL AS A LONG-TERM BORROWING IN THE AMOUNT OF \$ 3,265,000

Councillor Stainforth gives notice that a draft by-law decreeing the execution of infrastructure work on Lakeshore Road, between Coolbreeze and Lakeview, as well as a long-term borrowing in the amount of \$ 3,265,000 will be presented for adoption at a subsequent meeting of Council.

Councillor Stainforth files a draft by-law decreeing the execution of infrastructure work on Lakeshore Road, between Coolbreeze and Lakeview, as well as a long-term borrowing in the amount of \$ 3,265,000.

2022-543 ADOPTION – BY-LAW DECREERING THE EXIGIBLE TARIFFS FOR THE FINANCING OF PROPERTIES, SERVICES AND ACTIVITIES OFFERED BY THE CITY OF POINTE-CLAIRE, FOR FISCAL YEAR 2023

WHEREAS a copy of the by-law was given to the members of council at least two legal days before the present meeting;

WHEREAS all members of council present declare having read the draft by-law and renounce its reading.

It is moved by Councillor Thorstad-Cullen,
 Seconded by Councillor Stork, and unanimously

RESOLVED: TO adopt a by-law decreeing the exigible tariffs for the financing of properties, services and activities offered by the City of Pointe-Claire, for fiscal year 2023, and this, with a modification at Annexe 1 in order to add Section 12.

2022-544 APPROVAL – SPAIP

WHEREAS the Site Planning and Architectural Integration Programme By-law PC-2787, to which is subject the property listed below, requires that, prior to the issuance of a certificate of authorization and/or of a subdivision permit and/or a building permit, plans be submitted to council for approval;

WHEREAS the Planning Advisory Committee has recommended the approval of the undermentioned site planning and architectural integration plans at its meeting held on September 7, 2022.

It is moved by Councillor Homan,
 Seconded by Councillor Tremblay, and majoritarily

RESOLVED: TO approve the plans and documents relating to the following projects:

Address	Project	Financial guarantee	Condition
30 Cedar Avenue	Extension and renovation of a building of heritage interest	\$ 12,680	None
72 Broadview Avenue	Exterior renovations	\$ 4,000	None
105 Prince Edward Avenue	Construction of a double garage and enlargement of driveway	\$ 4,000	None
118 Broadview Avenue	Replacing existing driveway	\$ 2,000	None
152 Du Bord-du-Lac-Lakeshore Road	Extension and renovations	\$ 5,000	Yes (5)
9 Cavell Avenue	Extension and renovations	\$ 9,000	Yes (1)

subject to conformity to all municipal regulations in force and to other conditions indicated in the approved plans; as these documents are conforming to the criteria and objectives outlined in the Site Planning and Architectural Programme By-Law PC-2787;

TO indicate that the applicants must have completed the works outlined in the approved plans, within a period of twelve (12) months following the issuance of the building permit;

TO indicate that the applicants will have to provide, before the issuance of the permit, a financial guarantee in the amount indicated in the approved plans, in order to ensure that the works be executed in accordance with the approved plans and within the prescribed period.

TO indicate that applicants will also be required to comply with the recommendations made by the various municipal departments.

2022-545 WITHDRAWAL – MINOR EXEMPTION – 91 DU BORD-DU-LAC-LAKESHORE ROAD

The subject related to a request for minor exemption for the property situated at 91 Du Bord-du-Lac-Lakeshore Road is withdrawn from the agenda of the present meeting.

2022-546 REFUSAL – MINOR EXEMPTION – 302-306 DU BORD-DU-LAC-LAKESHORE ROAD

It is moved by Councillor Cowan,
Seconded by Councillor Bissonnette, and unanimously

RESOLVED: TO refuse a minor exemption request to permit at 302-306 Du Bord-du-Lac-Lakeshore Road:

- a) A circulation aisle with a width of 6.4m rather than the required minimum of 6.6m;
- b) A parking area 2.5m from the secondary front setback rather than the required minimum of 3 m;
- c) A parking area 0m from the rear property line rather than the required minimum of 1.5m

2022-547 REFUSAL – MINOR EXEMPTION – 15F CARTIER AVENUE (LOT 4 254 441 OF THE CADASTRE OF QUÉBEC)

It is moved by Councillor Cowan,
Seconded by Councillor Bissonnette, and unanimously

RESOLVED: TO refuse a minor exemption request to permit at 15F Cartier Avenue (lot 4 254 441 of the Cadastre of Québec) the installation of a sign above the common entrance for a non-ground floor establishment.

2022-548 AWARDING – MINOR EXEMPTION – 9 CAVELL AVENUE

It is moved by Councillor Cowan,
Seconded by Councillor Bissonnette, and unanimously

RESOLVED: TO approve a minor exemption request to permit at 9 Cavell Avenue:

- a) A vehicular access lane with a non-constant width from the curb, up to 60cm inside the property line rather than a constant width over the same distance;
- b) A vehicular access with a width of 15m rather than the maximum required width of 6.1m.

2022-549 REFUSAL – MINOR EXEMPTION – 755 SAINT-JEAN BOULEVARD

It is moved by Councillor Cowan,
Seconded by Councillor Bissonnette, and unanimously

RESOLVED: TO refuse a minor exemption request to permit at 755 Saint-Jean Boulevard:

- a) A monument sign identifying a name other than the name of the building;
- b) The installation of said monument sign where is not permitted.

2022-550 FILING – THE LIST OF BUDGET AMENDMENTS FOR THE PERIOD OF AUGUST 25, 2022 TO SEPTEMBER 21, 2022 AND THE REGISTER OF CHEQUES FOR THE PERIOD OF AUGUST 25, 2022 TO SEPTEMBER 21, 2022

The list of budget amendments for the period of August 25, 2022 to September 21, 2022 and the register of cheques for the period of August 25, 2022 to September 21, 2022 are filed and members of Council take note.

2022-551

UNDERTAKING – RESPECT THE TERMS OF THE GUIDE RELATIF AUX MODALITÉS DE VERSEMENTS DE LA CONTRIBUTION GOUVERNEMENTALE AS PART OF THE PROGRAMME DE LA TAXE SUR L'ESSENCE ET DE LA CONTRIBUTION DU QUÉBEC (TECQ) FOR THE YEARS 2019 TO 2023

WHEREAS the City has read the *Guide relatif aux modalités de versement de la contribution gouvernementale dans le cadre du Programme de la taxe sur l'essence et de la contribution du Québec (TECQ)* for the years 2019 to 2023;

WHEREAS the City must respect the terms of this guide which apply to it in order to receive the government contribution which was confirmed to it in a letter from the *Ministre des Affaires municipales et de l'Habitation (MAMH)*;

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously

RESOLVED:

THAT the City undertakes to comply with the applicable terms of the Guide;

THAT the City undertakes to be solely responsible and to release the Government of Canada and the Government of Quebec, as well as their ministers, senior officials, employees and agents, from all responsibility for claims, demands, losses, damages and costs of all kinds based on an injury inflicted on a person, his death, damage to property or loss of property due to a deliberate or negligent act resulting directly or indirectly from investments made in means of financial assistance obtained under the "*Programme de la taxe sur l'essence et de la contribution du Québec (TECQ)*" for the years 2019 to 2023;

THAT the City approves the content and authorizes the sending to the *Ministère des Affaires Municipales et de l'Habitation (MAMH)* of the work program revision no. 3 and all other documents required by the Ministry in order to receive the government contribution that was confirmed in a letter from the *Ministère des Affaires Municipales et de l'Habitation (MAMH)*;

THAT the City commits to reaching the minimum capital threshold imposed on it for all five (5) years of the programme;

THAT the City undertakes to inform the *Ministre des Affaires municipales et de l'Habitation (MAMH)* of any modification that will be made to the work schedule approved by this resolution;

THAT the City hereby certifies that the work program revision no. 3 contains the true costs incurred and reflects the projected costs of eligible work.

2022-552

AUTHORIZATION – ACCESS TO MON DOSSIER WITH REVENU QUÉBEC FOR THE CITY'S FILE

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously

RESOLVED:

TO add the following person to the list of authorized representatives to Revenu Québec for the City of Pointe-Claire and allow them to perform the actions listed below for the City of Pointe-Claire (NEQ: 8831858293 and identification number: 1211515801):

- Mark Cavallo, Manager – Financial Services, whose last three digits of her SIN are 018.

The City of Pointe-Claire authorizes the abovementioned person to register the business in *Mon dossier* and to manage the business file after registration.

In addition, this person shall be authorized to:

- Act in the name and on behalf of the City of Pointe-Claire in accordance with the terms of use of *Mon Dossier* for authorized representatives;
- Register the City of Pointe-Claire in *Revenu Québec* files;
- Sign an authorization or power of attorney in the name and on behalf of the City of Pointe-Claire, waive it or revoke it, as the case may be;
- Register the City of Pointe-Claire for *Mon dossier* for businesses;
- Consult the file of the City of Pointe-Claire and act in the name and on behalf of the City of Pointe-Claire, in accordance with the conditions of use of *Mon dossier* file for businesses;

This includes the power to participate in any negotiation with *Revenu Québec*, with respect to all the information that the latter holds about the City of Pointe-Claire for the application or execution of tax laws, the *Loi sur la taxe d'accise* and the *Loi facilitant le paiement des pensions alimentaires*, by contacting them by telephone, in person, in writing or using online services.

- Perform actions in the name and on behalf of the City of Pointe-Claire in the context of the use of these services, in particular:
 - o Send the digitized Municipal Council resolution to *Revenu Québec* and accept that it legally takes the place of the original;
 - o Accept the *Mon dossier* Terms of Use for Authorized Representatives;
 - o Declare that the company meets the accreditation criteria for professional representatives;
 - o Accept the accreditation conditions that the company must respect when using *Mon dossier* for professional representatives.

TO accept that the *minister du Revenu* communicate with this employee by telephone, in person, in writing or electronically, the information they have on the City of Pointe-Claire and which is necessary for registration in *Mon dossier* for businesses or *Revenu Québec* files.

2022-553

APPOINTMENT – MEMBERS OF THE ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION COMMITTEE

WHEREAS section 8.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (the "Access Act") provides that a committee on access to information and the protection of personal information is responsible for supporting the public body in the exercise of its obligations under the Access Act

WHEREAS section 8.1 of the Access Act provides that this committee reports to the City Manager and is composed of the person responsible for access to documents, the person responsible for the protection of personal information and any other person whose expertise is required, including, where applicable, the person responsible for information security and the person responsible for document management

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously

RESOLVED:

TO appoint the following members to sit on this committee

- Caroline Thibault, Director - Legal Affairs and City Clerk;
- Danielle Gutierrez, Assistant Clerk and Council Secretary - Legal Affairs and City Clerk;
- Josée Ustiniuk Vallée, Paralegal- Legal Affairs and City Clerk;
- André Lavoie, Responsible for Archives and Records Management - Legal Affairs and City Clerk;
- Joseph Greco, Senior Computer Technician - Finance Services.

2022-554

ATHORIZATION – FRANCOPHONE COMMITTEE AND THE TD SUMMER READING CLUB NATIONAL COMMITTEE CONFERENCE

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously

RESOLVED:

TO authorize Mrs. Jacynthe Blanchet, Manager – Youth services at the Library, to represent the City of Pointe-Claire at the Francophone Committee and the TD Summer Reading Club National Committee Conference to be held in Winnipeg from November 23 to 25, 2022.

2022-555

ATHORIZATION – ANNUAL NATIONAL COACHING CERTIFICATION PROGRAM (NCCP) CONFERENCE

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously

RESOLVED:

TO authorize Mr. Jean-Paul Richard - *gestionnaire des clubs sportifs d'excellence*, Mr. Michael Thomas, *entraîneur-chef adjoint*, and Mr. Samuel Raiche – *entraîneur-senior* to represent the City of Pointe-Claire at the annual National Coaching Certification Program (NCCP) conference to be held in Ottawa from November 10 to 12, 2022;

TO authorize expenses incurred by this conference in conformity with the policy in force;

TO charge this expense to budget account 02-701-40-313 as indicated on certificate No. 22-17995 issued by the Treasurer on September 19, 2022.

2022-556 ATHORIZATION – BUDGET AMENDMENT – MECHANICAL AND CARPENTRY OPERATIONAL EXPENSES TO COMPLETE THE FISCAL YEAR 2022

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously
RESOLVED: TO authorize a budget amendment for a total amount of \$ 240 000 from budget accounts 02-877-22-534 and 02-877-43-534 “système électrique” and 02-877-43-535 “mécanique du bâtiment” to budget accounts 02-877-30-533 “ventilation et climatisation” and 02-877-10-538 “menuiserie” in order to cover the mechanical and carpentry operational expenses to complete the fiscal year 2022.

2022-557 GRANTING – FINANCIAL SUPPORT – 54TH ANNUAL BAKED BEANS DAY ORGANIZED BY THE FRATERNITÉ DES POLICIERS ET POLICIÈRES DE MONTRÉAL

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously
RESOLVED: TO grant a financial support in the amount of \$ 1,040, for the 54th annual Baked Beans Day organized by the *Fraternité des policiers et policières de Montréal*;

TO charge this expense to Budget Account 02-193-00-989, as indicated on Certificate No. 22-18018 issued by the Treasurer on September 27, 2022.

2022-558 APPOINTMENT – MEMBER OF THE DEMOLITION COMMITTEE

It is moved by Councillor Tremblay,
Seconded by Councillor Homan, and unanimously
RESOLVED: TO appoint Councillor Brent Cowan, in replacement of Councillor Cynthia Homan, to the Demolition Committee.

Councillor Stainforth leaves her seat at 9:30 p.m.

Councillor Stainforth regains her seat at 9:31 p.m.

2022-559 WITHDRAWAL – TEMPORARY USE OF A PART OF BEACONSFIELD GOLF CLUB LAND, TO IMPLEMENT A CROSS-COUNTRY SKI TRAIL JUXTAPOSED WITH A HIKING TRAIL, FOR THE 2022-2023 WINTER SEASON

The item relating to an agreement for the temporary use of a part of Beaconsfield Golf Club land, to implement a cross-country ski trail juxtaposed with a hiking trail, for the 2022-2023 Winter season, is withdrawn from the agenda of the present meeting.

2022-560 CONTRACT – MEMORANDUM OF UNDERSTANDING TO BE ENTERED INTO BETWEEN THE CITY OF POINTE-CLAIRE AND THE POINTE-CLAIRE CANOE KAYAK CLUB INC.

It is moved by Councillor Stork,
Seconded by Councillor Thorstad-Cullen, and unanimously
RESOLVED: TO approve a memorandum of understanding to be entered into between the City of Pointe-Claire and the Pointe-Claire Canoe Kayak Club Inc. with respect to the annual grant from the City and the use of City facilities and equipment by the Club, to the extent that the final version of said Memorandum of Understanding is substantially consistent with the draft submitted to Council;

TO appoint the following persons as non-voting municipal officers of the Pointe-Claire Canoe Kayak Club Inc.

- Mr. Gilles Girouard (or his replacement) as Secretary of the Club;
- Mr. Jean-Paul Richard as Manager of the City of Pointe-Claire's Sports Excellence Clubs;
- Mrs. Julie Corbeil as Manager of the City of Pointe-Claire's nautical activities;
- Mrs. Cynthia Homan, City Councillor, as Council's liaison and observer to the Club.

TO authorize the Mayor, or in his absence the Pro-Mayor, and the City Clerk, or in her absence the Assistant City Clerk, to sign said memorandum of understanding for and in the name of the City of Pointe-Claire.

- 2022-561** APPROVAL – LEASE TO BE ENTERED INTO WITH ANGELO KYVETOS
- It is moved by Councillor Stork,
Seconded by Councillor Thorstad-Cullen, and unanimously
RESOLVED: TO approve a lease to be entered into between the City of Pointe-Claire and Angelo Kyvetos, operating as Casse-croûte Angelos, for food services for the Bob-Birnie Arena food concession located at 94 Douglas-Shand Avenue, provided that the final version of this lease remains substantially in conformity with the draft previously submitted to Council;
- TO authorize the Mayor, or in his absence the Pro-Mayor, and Mr. Gilles Girouard, Director - Sports and Administrative Management, Culture, Sports, Leisure and Community Development, to sign said lease for and in the name of the City of Pointe-Claire.
- 2022-562** CONTRACT – RENEWAL OPTION – PROFESSIONAL TRANSLATION SERVICES, FOR THE YEAR 2023
- It is moved by Councillor Stork,
Seconded by Councillor Thorstad-Cullen, and unanimously
RESOLVED: TO exercise the renewal option foreseen in the contract entered into with DOCUMENTS TRADUCTION INC., for professional translation services, for the year 2023, for a total amount of \$ 115,262.44, taxes included;
- TO charge this expense to budget account 02-145-00-419, as indicated on certificate No. 22-17955 issued by the Treasurer on September 13, 2022.
- 2022-563** CONTRACT – RENEWAL OPTION – SUPPLY OF SANDING AND PAINTING SERVICES FOR FIRE HYDRANTS, FOR THE YEAR 2023
- It is moved by Councillor Bissonnette,
Seconded by Councillor Stork, and unanimously
RESOLVED: TO exercise the renewal option foreseen in the contract entered into with NETTOYAGE SPÉCIALISÉ GE INC., for the supply of sanding and painting services for fire hydrants, for the year 2023, for a total amount of \$ 15,694.09, taxes included;
- TO charge this expense to budget account 02-413-01-527 as indicated on certificate No. 22-17956 issued by the Treasurer on September 22, 2022.
- 2022-564** AWARDING OF A CONTRACT – THE INSTALLATION, REMOVAL, REPAIRS, PURCHASE OF RELATED ITEMS AND EXECUTION OF UNPREDICTABLE WORKS OF THE MARINE STRUCTURES OF THE CITY, FOR THE YEAR 2023, 2024 AND 2025
- It is moved by Councillor Bissonnette,
Seconded by Councillor Stork, and unanimously
RESOLVED: TO award a contract for the installation, removal, repairs, purchase of related items and execution of unpredictable works of the marine structures of the City, for the year 2023, 2024 and 2025, to INDY-CO, who obtained the highest score, for a total amount of \$ 254,546.03, taxes included, in conformity with tender documents LP220004;
- TO charge this expense to budget account 02-702-41-559, as indicated on certificate No. 22-18010 issued by the Treasurer on September 22, 2022.
- 2022-565** AWARDING OF A CONTRACT – CATCH BASIN CLEANING AND PUMPING SERVICES
- It is moved by Councillor Bissonnette,
Seconded by Councillor Stork, and unanimously
RESOLVED: TO award a contract for catch basin cleaning and pumping services, to EBI ENVIROTECH INC., who submitted the sole conforming bid, for a total amount of \$ 83,314.33, taxes included, in conformity with tender documents TP220047;
- TO charge this expense to budget account 02-415-00-564, as indicated on certificate No. 22-17963 issued by the Treasurer on September 22, 2022.

