

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, MAY 12, 2008, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

Mayor Anthony Housefather, B.C.L., L.L.B, M.B.A. presiding
Councillor Dida Berku, B.C.L.
Councillor Mitchell Brownstein, B. Comm., B.C.L., L.L.B.
Councillor Mike Cohen, B.A.
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Sam Goldbloom, B.A.
Councillor Ruth Kovac, B.A.
Councillor Allan J. Levine, B.Sc., M.A., DPLI
Councillor Glenn J. Nashen

ALSO PRESENT:

Mr. Ken Lerner, City Manager
Mr. Jonathan Shecter, Director of Legal Services and City Clerk,
acted as Secretary of the meeting

080502

**EXPRESSION OF CONDOLENCES – FALLEN CANADIAN SOLDIER IN
AFGHANISTAN**

WHEREAS the Canadian Armed Forces have been called up to serve in Afghanistan in an effort to help restore order and protect the peace as part of a multi-national force; and

WHEREAS the brave soldiers of the Canadian Armed Forces are often in harm's way in service to Canada and all Canadians;

WHEREAS the following soldier was killed in action in Afghanistan, in the service of our country:

Corporal Michael Starker

- May 6, 2008

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the City of Côte Saint-Luc extends its deepest sympathies to the family, friends and comrades of the above-named fallen soldier, and sends a message of support, encouragement and appreciation to our troops serving abroad;

THAT this resolution be sent to the Minister of National Defence, Mr. Peter Mackay, who shall transmit a copy of the resolution to the family of the fallen soldier; Member of Parliament for Mount-Royal, Mr. Irwin Cotler; as well as to the President of the Royal Canadian Legion, Robert Feldstein, Branch 97;

THAT said resolution shall be for immediate action.”
CARRIED UNANIMOUSLY

QUESTION PERIOD

The question period started at 8:00 p.m. and finished at 9:00 p.m. Seven (7) people asked to speak and they were heard.

1. Karen Gerstein

The resident complained regarding the construction at 6521 Merton road as she opined that the owner has languished in completing the process and requested that the house be expeditiously completed.

Mayor Housefather explained to the resident that from the point of view of council, the matter is unacceptable and council has done its best to ensure construction is properly completed in a timely manner. Mayor Housefather then expressed council's openness to receiving feedback from the residents regarding whether or not they wish to see the exemption granted tonight.

2. Dr. Bernard Tonchin

The resident opined that members of the public who are present tonight to issue comments regarding the immovable located at 6521 Merton should remain until the end of the meeting so that they may ask further questions or issue further comments during the second question period.

The resident then inquired as to what was occurring with the City's composting program to which Councillor Erdelyi responded that on May 25th, the City will be holding an ECO-Action Committee event in which free composting will be given out and the City will be having speakers such as M.N.A. Lawrence Bergman and Professor Joe Schwartcz.

The resident inquired as to when the City will be painting lines on its roads to which Mayor Housefather responded that the City went out to tender early for the contract but did not receive any eligible bids and would be going out to tender again to receive bids so that it may start the process in a timely manner.

3. Toby Benlolo

The resident advised council that she sent the City a letter regarding a traffic-calming request and solicited feedback from council to which Mayor Housefather responded that he could not comment on the request since he has not seen the letter but that the Traffic Committee would examine her request and someone from the City would respond to her in a timely manner.

4. Mortie Braunstein

The resident opined that the purpose of the door to the garage which was the object of a minor exemption request for the immovable situated at 6521 Merton was dubious.

The resident then complained regarding the construction site at 6521 Merton to which Mayor Housefather responded that potentially, by granting the exemption tonight, the house would be built in a timelier manner which would ultimately alleviate the nuisance of the construction site.

The resident then complained that McDowell Park requires work and is presently messy to which Mayor Housefather responded that the City could look into this.

The resident then complained that motorists were speeding on Randall to which Mayor Housefather responded that the City took proactive measures to install

traffic-calming measures on Randall and has done all it could do to alleviate speeding on this street.

5. Hershey Fellig

The resident claimed that he is speaking on behalf of his wife (who is the property owner) and requested that the request for a Minor Exemption on tonight's agenda not be granted until his immediate neighbour resolves his outstanding issues with him and his wife. He requested that the City, 'not give an inch' until his neighbour shows good faith. He further called upon the City to compel the owner of 6521 Merton to respect City by-laws.

Mayor Housefather then reassured the resident that the City will expend all possible efforts to assist this resident in resolving outstanding problems with his neighbours but considering there are civil matters beyond the purview of the City's jurisdiction, not all issues can be resolved by the City.

6. Eric Berman

The resident opined that he does not want the minor exemption request for 6521 Merton to be granted tonight as it would be *giving up an inch of his neighbourhood*. He then called upon the owner of 6521 Merton to enact restorations to his property which has, according to him, been directly affected by the construction. He also called upon the owner of 6521 Merton to issue him restitution.

7. Daniel Hazan

The resident advised council that it is his home which forms the object of tonight's minor exemption request and opined that the inch he is requesting is negligible. He further explained that he is baffled by tonight's reaction from his fellow neighbours as he had previously thought that they were his friends and supported his request. He then explained to council that while his immediate neighbour complained that he dumped dirt on his land, his immediate neighbour requested that the dirt be dumped but that his neighbour's wife was not happy with the dumping of the dirt hence the conflict today. He then explained to council that all he wants to do is build his home and that, in his view, his fellow neighbours are using the City as a weapon to get the City to resolve their civil matters with him.

Mayor Housefather then inquired as to whether the resident would be willing to sit down with his neighbours to try to resolve his outstanding issues with them to which the resident responded in the affirmative. Mayor Housefather then added that the City, on a best efforts basis, could agree to mediate the process and would attempt to set up a meeting sometime this week.

Councillor Berku then went on record as stating the City is responsible to maintain peaceable enjoyment of existing residents and to minimize the negative impact of new construction. Whereas the new construction at Randall and Merton has created drainage problems for the neighbours downhill on Borden and Randall the City should ensure that these problems are corrected.

Councillor Levine then went on record as requesting that the resident withdraw his request for a Minor Exemption concerning the door adjacent to his garage since the purpose for which it was initially intended is no longer required.

AT 9:00 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING IN RECESS.
AT 9:20 P.M. MAYOR HOUSEFATHER RECONVENED THE MEETING.

080503

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED APRIL 14, 2008**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated
April 14, 2008 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

080504

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED MAY 5, 2008**

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated
May 5, 2008 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

080505

MONTHLY DEPARTMENTAL REPORTS FOR APRIL 2008

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the monthly departmental reports for April, 2008 be and are hereby
approved as submitted.”
CARRIED UNANIMOUSLY

080506

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT – HIRING
OF AUXILIARY WHITE COLLARS**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the employees whose names are contained on the list entitled: “*Part-Time Employees – White Collars*” are hereby hired and shall commence as per the respective dates indicated;

THAT Treasurer’s certificate number TC08-0070 dated May 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

080507

HUMAN RESOURCES – PUBLIC WORKS – HIRING OF AUXILIARY BLUE COLLARS

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the employees whose names are contained on the list entitled: “*Part-Time Employees – Blue Collars*” are hereby hired and shall commence as per their respective dates indicated on the said list;

THAT Treasurer’s certificate number TC08-0071 dated May 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

080508

HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC LIBRARY – HIRING OF AN AUXILIARY LIBRARY CLERK

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT Kaitlin Duffy is hereby hired as an auxiliary Library Clerk for the City of Côte Saint-Luc, posting number 2008-174, effective April 17, 2008;

THAT Treasurer’s certificate number TC08-0072 dated May 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

080509

HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC LIBRARY – HIRING OF AN AUXILIARY LIBRARY CLERK

It was

MOVED BY COUNCILLOR STEVEN ERDELYI

SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Samantha Thomas is hereby hired as an auxiliary Library Clerk for the City of Côte Saint-Luc, posting number 2008-174, effective April 18, 2008;

THAT Treasurer's certificate number TC08-0073 dated May 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080510

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT –
APPOINTMENT OF A RECEPTION/TICKET ATTENDANT**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Brian Blumer is hereby appointed as a Reception/Ticket Attendant, permanent status, Parks and Recreation Department, retroactive to January 3, 2008;

THAT Treasurer's certificate number TC08-0076 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080511

**HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC
LIBRARY – ABOLITION OF POSITIONS**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the City of Côte Saint-Luc abolishes seven (7) Librarian positions, as per the attached list annexed hereto as Annex A to form an integral part of the Minutes, the whole effective May 12, 2008."

CARRIED UNANIMOUSLY

080512

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT –
APPOINTMENT OF A COMMUNITY OUTREACH COORDINATOR**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Gloria Caplan is hereby appointed as a Community Outreach Coordinator for the Library, effective May 12, 2008."
CARRIED UNANIMOUSLY

080513

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT –
APPOINTMENT OF A CUSTOMER SERVICE COORDINATOR – LIBRARY**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Karen Morris is hereby appointed as a Customer Service Coordinator for the Library, effective May 12, 2008;

THAT Treasurer's certificate number TC08-0086 dated May 7, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

080514

**FINANCE – APPROVAL OF THE DISBURSEMENTS FOR THE PERIOD FROM
APRIL 1ST TO APRIL 30TH, 2008**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the disbursements for the period of April 1, 2008 to April 30, 2008 for a total of \$2,217,972.55 in Canadian Funds;

THAT Treasurer's certificate number TC08-0075 dated May 5, 2008 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses;

THAT said resolution shall be for immediate action."
CARRIED UNANIMOUSLY

080515

**FINANCE – MARCH COMPARATIVE STATEMENT – TABLING BY
TREASURER**

In conformity with article 105.4 of the *Cities and Town's Act*, the City Treasurer filed his first comparative statement between the current and preceding fiscal year.

080516

ENGINEERING – SALT DOME ROOF REPAIR

WHEREAS the City has made a public call for tender to repair the salt dome roof (C-19-08) according to the law for the above-mentioned services and received six (6) bids;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes an expense of \$138,000.00, plus applicable taxes, payable to Toiture Couture et Associés Inc. to repair the salt dome roof, the whole according to tender number C-19-08;

THAT Treasurer's certificate number TC08-0078 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080517

PUBLIC WORKS – PLAYGROUND IMPROVEMENT FOR NATHAN SHUSTER PARK

WHEREAS the City has made an invited call for tender for professional services to improve Nathan Shuster Park (C-15-08) according to the law for the above-mentioned services and received four (4) bids;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes an expense of \$87,618.00, plus applicable taxes, payable to Les Entreprises Canbec Construction Inc. for the improvement of Nathan Shuster Park;

THAT Treasurer's certificate number TC08-0082 dated May 7, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080518

INFORMATION SYSTEMS – PURCHASE COMPUTERS

WHEREAS the City has made an invited call for tender to purchase forty (40) computers (C-17-08) according to the law for the above-mentioned services and received three (3) bids;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes the purchase of 40 computers for an amount of \$26,800.00, plus applicable taxes, payable to Micoserv Inc., the whole according to tender number C-17-08;

THAT Treasurer's certificate number TC08-0084 dated May 7, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080519

PUBLIC WORKS – ADDITIONAL EXPENSES FOR SNOW REMOVAL FOR MAIN STREETS FOR THE 2007-2008 WINTER SEASON

WHEREAS the City authorized by resolution number 070916 an expenditure of \$502,620.00 for up to 239 cm of snow;

WHEREAS the actual amount of snow accumulated was 372 cm and the corresponding total expense was \$579,760.00;

WHEREAS the unit price per centimetre is \$580.00;

WHEREAS the total costs in excess of those already approved are \$77,140.00;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT, Côte Saint-Luc City Council hereby authorizes a payment of \$77,140.00, plus applicable taxes, payable to CMS Entrepreneurs Inc. for the additional snow removal for the 2007-2008 winter season;

THAT Treasurer's certificate number TC08-0079 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080520

PUBLIC WORKS – ADDITIONAL EXPENSES FOR SNOW REMOVAL FOR SECONDARY STREETS FOR THE 2007-2008 WINTER SEASON

WHEREAS the City authorized by resolution number 070917 an expenditure of \$182,217.00 for up to 239 cm of snow;

WHEREAS the actual amount of snow accumulated was 372 cm and the corresponding total expense was \$209,585.30;

WHEREAS the unit price per centimetre is \$206.00;

WHEREAS the total costs in excess of those already approved are \$27,368.00;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT, Côte Saint-Luc City Council hereby authorizes the expense of \$27,368.00, plus applicable taxes, payable to Les Entreprises Canbec Construction Inc. for the additional snow removal;

THAT Treasurer's certificate number TC08-0080 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.

CARRIED UNANIMOUSLY

080521

PUBLIC WORKS – ADDITIONAL EXPENSES FOR SNOW REMOVAL FOR PARKING, DEAD-END STREETS AND SIDEWALKS FOR THE 2007-2008 WINTER SEASON

WHEREAS the City authorized by resolution number 070918 an expenditure of \$98,346.10 for up to 239 cm of snow;

WHEREAS the actual amount of snow accumulated was 372 cm and the corresponding total expense was \$120,541.69;

WHEREAS the unit price per centimetre is \$162.15;

WHEREAS the total costs in excess of those already approved are \$21,567.00;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT, Côte Saint-Luc City Council hereby authorizes a payment of \$21,567.00 plus applicable taxes, payable to Les Entreprises Canbec Construction Inc. for the additional snow removal for the 2007-2008 winter season;

THAT Treasurer's certificate number TC08-0081 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080522

PUBLIC WORKS – SHOVEL RENTAL WITH OPERATOR

WHEREAS the City has made an invited call for tender to rent a shovel with an operator (C-09-08) according to the law for the above mentioned goods and services and received 3 bids;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT, Côte Saint-Luc City Council hereby authorizes an expense of \$154.00 per hour for a maximum of 100 hours which shall not exceed \$15,400.00, plus applicable taxes, payable to Les Entreprises Canbec Construction Inc. for the rental of a shovel with an operator, the whole according to tender C-09-08;

THAT Treasurer's certificate number TC08-0083 dated May 7, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS ALLAN J. LEVINE AND GLENN J. NASHEN BOTH DISSENTING

080523

PURCHASING – REJECT BIDS FOR TENDER C-22-08 FOR TWO PICK UP TRUCKS

WHEREAS the City of Côte Saint-Luc made an invited call for tender (C-22-08) for two pick-up trucks and received a single bid;

WHEREAS the City wishes to modify the specifications of the above-mentioned call for tender;

WHEREAS pursuant to section 11 of the above-mentioned call for tender, the City reserves the right to reject all bids and make a new call for Tender;

WHEREAS the City of Côte Saint-Luc wishes to reject the submitted bid and call for a new tender;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT Council hereby rejects the bid received for tender C-22-08 for two pick-up trucks and hereby authorizes the City's purchasing department to call a new tender, for immediate action."

CARRIED UNANIMOUSLY

080524

URBAN PLANNING – PROFESSIONAL SERVICES FOR THE "PAD" PROGRAM

WHEREAS the City has made an invited call for tender for professional services for the PAD program (C-11-08) according to the law for the above-mentioned services and received a single bid;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes an expense of \$41,000.00, plus applicable taxes, payable to Daniel Arbour et Associés Inc. for professional services for the PAD program, the whole according to tender number C-11-08;

THAT Treasurer's certificate number TC08-0085 dated May 6, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080525

PUBLIC WORKS – CLEANING OF STREET AND PARK CATCH BASINS

WHEREAS the City has made an invited call for tender for professional services to clean catch basins (C-16-08) according to the law for the above-mentioned services and received two (2) bids;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes an expense of \$36,329.15, plus applicable taxes, payable to Kelly Sani-Vac Inc. to clean street and park catch basins throughout the City, the whole according to tender number C-16-08;

THAT Treasurer's certificate number TC08-0077 dated May 7, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

080526

PURCHASING – MANDATE TO THE TOWN OF HAMPSTEAD TO CARRY OUT A GROUP CALL FOR TENDERS FOR THE SUPPLY OF ROAD SALT FOR THE 2008-2009 WINTER SEASON

WHEREAS the Town of Hampstead has offered to orchestrate a group call for tender on behalf of itself, the Town of Montreal West and the City of Côte Saint-Luc for the supply of road salt for the 2008-2009 winter season;

WHEREAS the Division Chief of Purchasing for the Town of Hampstead will act as a representative for the City of Côte Saint-Luc in this regard;

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Côte Saint-Luc City Council authorizes the City of Côte Saint-Luc's participation in a group call for tender for the supply of road salt for the 2008-2009 winter season;

THAT Côte Saint-Luc City Council delegates to the Town of Hampstead to:

- prepare the specifications and other tender documents;
- proceed with the call for tender;
- receive and analyze the tenders; and

- report the results, in writing, to the participating municipalities;

THAT the City of Côte Saint-Luc reserves the right to award the proposed contract;

THAT after opening the tenders and evaluating the cost to each of the municipalities, the City of Côte Saint-Luc reserves the right to confirm or cancel its participation in the proposed group contract for the supply of road salt for the 2008-2009 winter season; and

THAT the City Manager or, in his absence, the Director of Purchasing be and is hereby authorized to sign any document to give effect to the foregoing.”
CARRIED UNANIMOUSLY

080527

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5501 CAVENDISH – CITY OF CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the site planning and architectural integration programs received April 22, 2008 showing the installation of two signs (one facing Cavendish Boulevard and the other facing Côte Saint-Luc Road) on the main floor level on lot 1561094 at 5501 Cavendish and prepared by Fiducie Marnia, owner, for the Planning Advisory Committee meeting of April 29, 2008, be refused as proposed because the signs do not integrate well with the building and that the Planning Advisory Committee members wish to obtain a master plan on the localization of signs to be installed on the façade of the building according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

080528

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5705 WOLSELEY – CITY OF CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the site planning and architectural integration programs received April 21, 2008 showing the construction of a new detached single-family dwelling on lot 1052854 at 5705 Wolsley and prepared by Mr. Basile Nakouzi, architect, for the Planning Advisory Committee meeting of April 29, 2008, be refused for the following reasons:

1. the treatment on the front façade lacks articulation;
2. the proportion of the main entrance is inadequate considering the mass of the dwelling;
3. the front windows are disproportionate with respect to the whole look on the front façade; and

4. the front setback and the lot coverage as proposed are not in conformity with the by-law.

The foregoing is according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

080529

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – LOT 1290381 – CITY OF CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the site planning and architectural integration programs received April 22, 2008 showing elevations for the construction of a new three unit multifamily dwelling on lot 1290381 at the corner of Robert Burns and Côte Saint-Luc and prepared by Mr. Marco Manini, architect, for the Planning Advisory Committee meeting of April 29, 2008, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

080530

URBAN PLANNING – MINOR EXEMPTION – 6521 MERTON – CÔTE SAINT-LUC

This item was deferred to a subsequent meeting.

080531

NOTICE OF MOTION – BY-LAW NO. 2217-JJ-P1 TO BE ENTITLED: “BY-LAW TO AMEND THE ZONING BY-LAW NO. 2217 OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO RENAME THE ACTUAL ZONE “CA-1” BY THE ZONE “RM-61” ”

Councillor Allan J. Levine gave notice of motion that By-Law 2217-JJ-P1 to be entitled: “By-law to amend the zoning by-law No. 2217 of the City of Côte Saint-Luc in order to rename the actual zone “CA-1” by the zone “RM-61” ” will be presented at a later meeting for adoption.

080532

RESOLUTION TO WAIVE THE READING OF BY-LAW 2217-JJ-P1 TO BE ENTITLED: “BY-LAW TO AMEND THE ZONING BY-LAW NO. 2217 OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO RENAME THE ACTUAL ZONE “CA-1” BY THE ZONE “RM-61” ”

WHEREAS, the above captioned by-law was given to members of Council on Thursday, May 8, 2008;

WHEREAS, all Council members present hereby declare that they have read said by-law and waive the reading thereof;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc waives the reading of By-Law No. 2217-JJ-P1 to be entitled: “By-law to amend the zoning by-law No. 2217 of the City of Côte Saint-Luc in order to rename the actual zone “CA-1” by the zone “RM-61” ” when it will be presented for adoption, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

080533

RESOLUTION TO ADOPT THE FIRST DRAFT ZONING BY-LAW NO. 2217-JJ-P1 TO BE ENTITLED: “BY-LAW TO AMEND THE ZONING BY-LAW NO. 2217 OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO RENAME THE ACTUAL ZONE “CA-1” BY THE ZONE “RM-61” ”

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT in conformity with “*An Act respecting Land Use and Development*”, the Council of the City of Côte Saint-Luc hereby adopts the first draft By-Law No. 2217-JJ-P1 to be entitled: “By-law to amend the zoning by-law No. 2217 of the City of Côte Saint-Luc in order to rename the actual zone “CA-1” by the zone “RM-61” ”;

THAT In conformity with section 125, paragraph 2 of the *Land Use Planning and Development Act*, Council hereby delegates to the City Clerk the power to set the date, time and place of the Public Consultation meeting.”

CARRIED UNANIMOUSLY

080534

NOTICE OF MOTION – BY-LAW 2275-1 TO BE ENTITLED: “BY-LAW TO AMEND BY-LAW NO. 2275 ENTITLED BY-LAW AMENDING: THE CONSOLIDATED CONSTRUCTION BY-LAW NO. 2088, BY-LAW 2217 BEING THE ZONING BY-LAW OF THE CITY OF CÔTE SAINT-LUC BY-LAW 2089 GOVERNING CADASTRAL OPERATIONS, BY-LAW NO. G-18-0005 CONCERNING MINOR EXEMPTIONS THE WHOLE IN ORDER TO MODIFY THE TARIFFS RELATED TO MINOR EXEMPTION REQUESTS, CADASTRAL OPERATION REQUESTS, PERMIT AND CERTIFICATE REQUESTS AS WELL AS TO INSTITUTE OTHER NEW TARIFFS CONCERNING OTHER URBAN PLANNING BY-LAWS OF THE CITY OF CÔTE SAINT-LUC”

Councillor Allan J. Levine gave notice of motion that By-Law 2275-1 to be entitled: “By-law to amend By-law no. 2275 entitled by-law amending: the consolidated construction By-law no. 2088, By-law 2217 being the zoning by-law of the City of Côte Saint-Luc By-law 2089 governing cadastral operations, by-law no. G-18-0005 concerning minor exemptions the whole in order to modify the tariffs related to minor exemption requests, cadastral operation requests, permit and certificate requests as well as to institute other new tariffs concerning other urban planning by-laws of the City of Côte Saint-Luc” will be presented at a later meeting for adoption.

080535

RESOLUTION TO WAIVE THE READING OF BY-LAW 2275-1 TO BE ENTITLED: "BY-LAW TO AMEND BY-LAW NO. 2275 ENTITLED BY-LAW AMENDING: THE CONSOLIDATED CONSTRUCTION BY-LAW NO. 2088, BY-LAW 2217 BEING THE ZONING BY-LAW OF THE CITY OF CÔTE SAINT-LUC BY-LAW 2089 GOVERNING CADASTRAL OPERATIONS, BY-LAW NO. G-18-0005 CONCERNING MINOR EXEMPTIONS THE WHOLE IN ORDER TO MODIFY THE TARIFFS RELATED TO MINOR EXEMPTION REQUESTS, CADASTRAL OPERATION REQUESTS, PERMIT AND CERTIFICATE REQUESTS AS WELL AS TO INSTITUTE OTHER NEW TARIFFS CONCERNING OTHER URBAN PLANNING BY-LAWS OF THE CITY OF CÔTE SAINT-LUC"

WHEREAS, the above captioned by-law was given to members of Council on Thursday, May 8, 2008;

WHEREAS, all Council members present hereby declare that they have read said by-law and waive the reading thereof;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2275-1 to be entitled: "By-law to amend By-law no. 2275 entitled by-law amending: the consolidated construction By-law no. 2088, By-law 2217 being the zoning by-law of the City of Côte Saint-Luc By-law 2089 governing cadastral operations, by-law no. G-18-0005 concerning minor exemptions the whole in order to modify the tariffs related to minor exemption requests, cadastral operation requests, permit and certificate requests as well as to institute other new tariffs concerning other urban planning by-laws of the City of Côte Saint-Luc" when it will be presented for adoption, the whole in accordance with the law."
CARRIED UNANIMOUSLY

080536

URBAN PLANNING – APPOINTMENT OF THE REPRESENTATIVES OF THE BOARD OF DIRECTORS OF THE CLD-CENTRE WEST

WHEREAS Resolution number CM04 1468 adopted by the City of Montreal Municipal Council on June 21, 2004, approved an agreement between the City of Montreal and the Minister of the Municipal Affairs with regard to the role and the responsibilities of the City in local economic development, appointing Local Development Centres (CLD) on the island of Montreal and approving a distribution method with a budgetary envelope;

WHEREAS It is in the interest of the parties to band together, said parties being the Borough of Saint Laurent, the City of Côte Saint-Luc, the Town of Hampstead and the Town of Montreal West to allay the administrative burden and to benefit from economies of scale offered by the constitution of a CLD by grouping together their territories;

WHEREAS Maître Dida Berku, Councillor, Madam Rachel Chemtob, manager of Pro-Montréal Entrepreneurs (small and medium-sized firms) and Mr. Christian Chaisson, Urban Planning Coordinator, represented respectively the elected

members, the business and the municipal administration (observer) of the City of Côte Saint-Luc, Town of Hampstead and Town of Montreal West as members of the board of directors of the CLD Ouest/Centre West in 2007 and the Côte Saint-Luc City Council wish to re-appoint them for another mandate;

WHEREAS the three reconstituted municipalities of Côte Saint-Luc, Hampstead and Montreal West must pursue common goals for the continuation of their participation within the CLD Centre West;

WHEREAS all three reconstituted municipalities have agreed upon their representatives in principle;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT Council hereby reappoints, as Members of the Board of Directors, M^e Dida Berku, Councillor of the City of Côte Saint-Luc, Mrs Rachel Chemtob, Manager Pro-Montréal Entrepreneurs (small and medium-sized firms) and, as a non-voting member, Mr Christian Chiasson, Urban Planning coordinator of the City of Côte Saint-Luc for the CLD Centre West said members to act as representatives of the City of Côte Saint-Luc, the Town of Hampstead and the Town of Montreal West;

That said reappointment shall be for a one year period commencing April 1, 2008 and ending April 1, 2009.”
CARRIED UNANIMOUSLY

080537

URBAN PLANNING – 6502 MERTON, REPLACEMENT TREES

This item was deferred to a subsequent meeting.

080538

URBAN PLANNING – 5616 EDMORE, REPLACEMENT TREES

WHEREAS the owner of the 5616 Edgemore asked that three trees of 12 inch, 24 inch and 48 inch diameter located in his backyard be cut down in order to permit the installation of an in-ground swimming pool;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the trees to be cut down described above herewith be replaced by ten (10) trees with a two inch diameter as per Section 11-7 of Zoning by-law No. 2217 of the City of Côte Saint-Luc.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS ERDELYI, BERKU, AND NASHEN DISSENTING OPINING 20 WOULD HAVE BEEN MORE ADEQUATE.

Councillor Berku then proposed an amendment to have 20 replacement trees instead of 10.

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT Council hereby amends resolution 080538 to indicate twenty (20) replacement trees instead of ten (10).”

VOTED IN FAVOUR: Councillor Dida Berku
 Councillor Steven Erdelyi
 Councillor Glenn J. Nashen

VOTED AGAINST: Councillor Ruth Kovac
 Councillor Sam Goldbloom
 Councillor Mike Cohen
 Councillor Mitchell Brownstein
 Councillor Allan J. Levine

Since the majority of Council voted against the motion, the motion was defeated.

080539

BY-LAW ENTITLED: “BY-LAW CONCERNING THE DIVISION OF THE MUNICIPALITY OF CÔTE SAINT-LUC INTO EIGHT (8) ELECTORAL DISTRICTS” – ADOPTION – FINAL VERSION

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the final version of by-law entitled: “*By-law concerning the division of the municipality of Côte Saint-Luc into eight (8) electoral districts*” be and is hereby adopted and numbered 2295;

THAT it be promulgated according to law.”
CARRIED UNANIMOUSLY

080540

RESOLUTION TO SETTLE A CLAIM BY THE CITY OF CÔTE SAINT-LUC AGAINST ING ASSURANCES

WHEREAS on or about November 12, 2007, a motorist, ("The Motorist"), caused damage to City of Côte Saint-Luc ("City") property, namely, a traffic light;

WHEREAS on or about March 17, 2008, the City invoiced the Motorist's insurance company said company being ING Assurances ("the Insurer");

WHEREAS the Insurer has tendered an offer of \$7,672.93 which the City wishes to accept;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT Council hereby authorizes the Director of Legal Services and City Clerk to settle a claim, pursuant to invoice number 2008-000087, for an amount of \$7,672.93, with ING Assurances bearing their file number 24338601, for damages caused by their insured to a traffic light;

THAT any of: Mayor Anthony Housefather, B.C.L., L.L.B., M.B.A., Councillor Dida Berku, B.C.L., Councillor Mitchell Brownstein, B.Comm., B.C.L., L.L.B., The City Manager, The Director of Legal Services and City Clerk or the City's Director of Purchasing and Contracts be and are hereby authorized to sign any document to give effect to the foregoing."

CARRIED UNANIMOUSLY

080541

**REQUEST FOR EXTENSION OF DELAY TO DEMOLISH, BUILD AND
PROCURE THE NECESSARY MONETARY GUARANTEE - JANA SIMANDL
AND LARRY JACOBSON - 5511 RANDALL**

WHEREAS Council, acting as the Demolition Committee in accordance with the law, rendered a decision on November 12, 2007 granting a Certificate of Authorization to demolish the immovable located at 5511 Randall;

WHEREAS the decision stipulates, *inter alia*, that the Certificate of Authorization was effective as of November 12, 2007 and consequently obliged the owners to provide the corresponding monetary guarantee within 30 days of said decision;

WHEREAS on December 11, 2007, the owners of the immovable located at 5511 Randall requested that the City of Côte Saint-Luc delay the issuance of their Demolition Certificate of Authorization as well as the furnishing of the necessary Monetary Guarantee;

WHEREAS these two aforementioned requests were granted at the Regular Council Meeting held on Monday, January 21, 2008 adjourned to Monday, January 28, 2008 as per resolution number 080148;

WHEREAS on April 2, 2008, the owners of the immovable located at 5511 Randall filed a second request that the City of Côte Saint-Luc delay the issuance of its Demolition Certificate as well as the furnishing of the necessary Monetary Guarantee;

WHEREAS Article 148.0.15 of the Act *Respecting Land Use Planning and Development* (R.S.Q., C.A-19) states that the Demolition Committee may, for reasonable cause, change the time set, provided that the application for the change is made before the time has expired;

WHEREAS articles 16 and 18 the City of Côte Saint-Luc's Demolition By-Law 2235 governing the Demolition of Immovables states namely, that:

"Council may prescribe a delay in which the Demolition work must start and finish. It can, for a justifiable reason, modify the delay, provided that a request is made before the expiry date of the delay.

19. Once Council modifies the delay to execute the Demolition according to article 15 of the present By-law, it can require that the monetary guarantee be modified accordingly."

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT Council hereby grants an extension of a second delay for the Certificate of Authorization to demolish the immovable located at 5511 Randall as well as the corresponding obligation to issue a monetary guarantee until June 17, 2008 pursuant to the request for an extension of delay by the owners of 5511 Randall, Jana Simandl and Larry Jacobson, said request dated April 2, 2008."

CARRIED UNANIMOUSLY

080542

**MANDATE TO THE DIRECTOR OF LEGAL SERVICES AND/OR FASKEN
MARTINEAU TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE OWNER
OF 6521 MERTON**

This item was deferred to a subsequent meeting.

080543

**CERTIFICATE OF THE DIRECTOR OF LEGAL SERVICES AND CITY CLERK
RE – REGISTER FOR PERSONS QUALIFIED TO VOTE ON BY-LAW 2296**

The Director of Legal Services and City Clerk reported that, after the registration proceedings called for and held at 5801 Cavendish Boulevard from 9:00 a.m. to 7:00 p.m., on May 12, 2008, concerning by-law 2296 entitled: *"By-law ordering the acquisition of vehicles and the application of the sum of \$182,459 taken from the available balances on by-laws 2247, 2255, 2269 and 85-5-008 in view of financing an expense of \$182,459"*:

The number of persons qualified to vote on the by-law is 22,543;

The number of signatures of persons qualified to vote required to make the holding of a referendum poll obligatory is 564;

The number of persons qualified to vote who have registered is 0.

Therefore, by-law 2296 has been deemed approved by the persons qualified to vote.

080544

**RESOLUTION TO ESTABLISH THE STANCE OF THE CITY OF
CÔTE SAINT-LUC COUNCIL ON ISSUES TO BE PRESENTED AT THE
MONTREAL URBAN AGGLOMERATION COUNCIL MEETING**

WHEREAS according to section 4 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., c. E-20.001)

(hereinafter "the Act"), the urban agglomeration of Montreal is made up namely, of the City of Côte Saint-Luc since January 1, 2006;

WHEREAS according to section 58 of the Act, every central municipality has an urban agglomeration council, the nature, composition and operating rules of which are set out in an order in council and that this agglomeration council constitutes a deliberative body of the municipality;

WHEREAS under section 59 of the Act, every municipality must be represented on the urban agglomeration council;

WHEREAS according to section 61 of the Act, at a meeting of the council of a related municipality, the mayor informs the council of the matters that are to be considered at a future meeting of the urban agglomeration council, sets out the position the mayor intends to take on any matter referred to at the urban agglomeration council meeting, discusses that position with the other members present and proposes the adoption of a resolution establishing the council's stance;

WHEREAS an agglomeration council meeting shall be held on May 29, 2008 for which members of the municipal council shall establish the stance that it wishes to take;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT Council take the following stance in view of the Agglomeration Council meeting to be held on May 29, 2008 as follows:

- to authorize the Mayor or his duly authorized replacement to make any decisions he deems necessary and in the best interest of the City of Côte Saint-Luc and its residents regarding the items on the agenda of the Agglomeration Council meeting to be held on May 29, 2008 based on the information to be presented during those meetings."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The Second question period started at 10:25 p.m. and finished at 10:30 p.m. One (1) person asked to speak and was heard.

1. Dr. Bernard Tonchin

The resident regretted that his fellow residents who complained regarding the immovable at 6521 Merton did not heed his suggestion to remain for the entire meeting and voice their opinion regarding, *inter alia* the minor exemption request as well as their neighbourly dispute. The resident then opined that there were issues which didn't seem proper regarding the immovable situated at 6521 Merton and found it dubious that the owner only decided last week to pay his outstanding fines.

Mayor Housefather explained to the resident that the public was consulted on the Minor Exemption request on tonight's agenda during the first question period. He further explained to the resident that in principle, the City will not get involved in neighbourly disputes as if the neighbours felt aggrieved, they could have taken one

another to court but the City is nonetheless trying, on a best efforts basis, to assist the neighbours to resolve their outstanding conflicts.

080545

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT Council hereby authorizes the Mayor to declare the Meeting adjourned.”

CARRIED UNANIMOUSLY

**AT 10:30 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK