

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, DECEMBER 8, 2008 AT 8:00 P.M., ADJOURNED TO TUESDAY,
DECEMBER 9, 2008, AT 8:00 P.M. HELD AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC**

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

**AT 8:03 P.M. MAYOR HOUSEFATHER RECONVENED THE REGULAR
COUNCIL MEETING ADJOURNED TO TONIGHT AT 8:00 P.M.**

081201

**EXPRESSION OF CONDOLENCES – FALLEN CANADIAN SOLDIERS 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;

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

WHEREAS the following soldiers were killed in action in Afghanistan, in the service of our country:

Warrant Officer Robert Wilson	-	December 5, 2008
Corporal Mark McLaren	-	December 5, 2008
Private Demetrios Diplaros	-	December 5, 2008

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
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 soldiers, 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 Land Force; Member of Parliament for Mount-Royal, Mr. Irwin Cotler as well as to the President of the Royal Canadian Legion, Branch 97, Carl Garber;

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

QUESTION PERIOD

The question period started at 8:12 p.m. and finished at 8:35 p.m. Five (5) people asked to speak and they were heard.

1) Irving Itman

The resident requested more road signage on Cavendish Boulevard to further clarify that the middle lane is a 'left hand turn only' one onto Fleet Road to which Mayor Housefather responded that the City already has ordered additional signage.

The resident then pointed out that today, while snow clearing, the City cleaned the side of certain C.P. railway tracks instead of the side of certain homes which made it difficult for cars to access city streets to which Mayor Housefather responded that the Public Works Director is in the audience tonight, has taken note of the request and will follow up.

The resident then complained that Mayor Tremblay reneged on his promise to reduce the reconstituted cities' share of agglomeration expenses pursuant to his undertaking to the suburban mayors as well as to the Minister of Municipal Affairs and Regions who gave certain funding to the City of Montreal in light of his undertaking. Mayor Housefather then further clarified that although there were certain items removed from the list of items considered 'collective interest', the Agglomeration budget did not take this fully into account. He then indicated to the resident that he intended to vote against the budget should Mayor Tremblay not reduce agglomeration expenses considering that the agglomeration budget no longer comprises certain items of 'collective interest' such as arterial roads and considering subsidies given to the City of Montreal by the Province of Quebec in light of Mayor Tremblay's promise.

2) Erwin Luden

The resident apprised council that his wife has difficulty with the pedestrian crossing button on Cavendish and Mackle since the button is either malfunctioning or impractical to use to which Mayor Housefather responded that he has already asked the Public Works Director to look into the matter.

3) Dr. Bernard Tonchin

The resident opined that Cavendish Boulevard needs to be extended for which Mayor Housefather reassured the resident that he, along with Councillor Berku, are both consistently proactive on the file as they have been pressuring both the City of Montreal and the Provincial government to do their share for the extension to occur.

4) Bluma Stolow

The resident explained to council that she is the representative for the Sunnybrook Towers. She requested that the City plant trees along Côte Saint-Luc Road – between Westminster Avenue and Robert Burns Avenue – consistent with the manner that they planted trees on Cavendish Boulevard and Fleet Road to which Mayor Housefather responded that the City will look into what could practically be done to enhance that area.

5) Gabriela Artzi

The resident complained that the lights on Cavendish Boulevard were not synchronized to which Mayor Housefather responded that during a time period when the pedestrian crossing mechanism is activated, it is impossible for the lights to be synchronized but otherwise, they are, in principle. He then explained that the City is aiming to perfect the synchronization of the lights in question and as such, has convened its consultants to a meeting so that they can best explain how this can be done.

The resident opined that the City should build a *roundabout* on Cavendish Boulevard similar to the ones in Nun's Island to which Mayor Housefather responded that practically, Cavendish Boulevard is not an ideal location for one but the City can look into other areas where they may be practical. The resident then tabled her research on the viability of *roundabouts* with the City Clerk and requested that each member of Council receive a copy so that they may read it.

081202

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED NOVEMBER 10, 2008**

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated November 10, 2008 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

081203

**CONFIRMATION OF THE MINUTES OF THE PUBLIC CONSULTATION
MEETING OF COUNCIL DATED NOVEMBER 10, 2008**

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Minutes of the Public Consultation Meeting of Council dated November 10, 2008 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

081204

MONTHLY DEPARTMENTAL REPORTS FOR NOVEMBER 2008

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

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

CARRIED UNANIMOUSLY

081205

**HUMAN RESOURCES — APPROVAL OF THE COLLECTIVE AGREEMENT
ENTERED INTO WITH THE “SYNDICAT DES COLS BLEUS REGROUPÉS DE
MONTRÉAL, CUPE LOCAL 301”**

WHEREAS the collective agreement with the “Syndicat des cols bleus regroupés de Montréal, CUPE local 301” expired on June 30, 2006;

WHEREAS the parties have reached a satisfactory settlement in principle;

WHEREAS the Union members comprised in the bargaining unit gathered in a general meeting and authorized by a majority vote, the signing of a new collective agreement;

WHEREAS the Côte Saint-Luc City Council has reviewed the agreement;

It was

MOVED BY MAYOR ANTHONY HOUSEFATHER
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the English and French versions of the collective agreement concluded with the “Syndicat des cols bleus regroupés de Montréal, CUPE local 301” bearing a termination date of December 31, 2012 said agreement entitled: “Collective Agreement Between the City of Côte Saint-Luc and Syndicat des cols bleus regroupés de Montréal, S.C.F.P. section local 301”;

THAT any of the following: the Mayor, the City Manager or the Director of Human Resources are authorized to sign on behalf of the City of Côte Saint-Luc, the aforementioned collective agreement. “

CARRIED UNANIMOUSLY

081206

**HUMAN RESOURCES — PURCHASING — HIRING OF DIRECTOR OF
PURCHSING AND CONTRACT LAWYER - MANAGEMENT POSITION**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the hiring of Sarah Fortier as the Director of Purchasing and Contract Lawyer into a Management position for a fifteen (15) month contract, effective December 2, 2008;

THAT Treasurer's certificate number TC08-0174 dated December 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

081207

HUMAN RESOURCES — INFORMATION TECHNOLOGY – HIRING OF OFFICE SOFTWARE DEVELOPMENT TECHNICIAN - WHITE COLLAR, AUXILIARY POSITION

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the hiring of Tigran Galstyan as an Office Software Development Technician (White Collar, auxiliary position) to work according to a schedule of 21 hours per week, effective November 17, 2008;

THAT Treasurer's certificate number TC08-0175 dated December 1, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

081208

HUMAN RESOURCES — FINANCE - EXTENSION OF CONTRACT – MANAGER, FINANCIAL OPERATIONS

WHEREAS Gilles Pelletier was hired as a Manager, Financial Operations, in the Finance Department, for the period commencing July 24, 2006 and ending December 29, 2006;

WHEREAS the aforementioned Mr. Pelletier's contract was further extended until December 31, 2008; and

WHEREAS the City wishes to further extend his contract;

It was

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

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the extension of the contract of Gilles Pelletier as Manager, Financial Operations, Finance Department, for a six (6) month period ending June 30, 2009."

CARRIED UNANIMOUSLY

081209

**FINANCE – APPROVAL OF THE DISBURSEMENTS FOR THE PERIOD FROM
NOVEMBER 1, 2008 TO NOVEMBER 30, 2008**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the disbursements for the period of November 1, 2008 to November 30, 2008 for a total of \$3,168,920.46 in Canadian Funds are hereby approved;

THAT Treasurer’s certificate number TC08-0176 dated December 2, 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

081210

TABLING OF PERFORMANCE INDICATORS FOR 2007 FISCAL YEAR

In conformity with the law, the performance indicators for 2007 of the municipality of Côte Saint-Luc were tabled at tonight’s Regular Council Meeting.

081211

**NOTICE OF MOTION – BY-LAW 2304 TO BE ENTITLED: “BY-LAW CREATING
THE FEE SCHEDULE FOR: THE ELEANOR LONDON CÔTE SAINT-LUC
PUBLIC LIBRARY FOR 2009 COURSES AND ACTIVITIES AS WELL AS THE
FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR
THE SPRING AND SUMMER OF 2009”**

Councillor Ruth Kovac gave notice of motion that By-Law 2304 to be entitled: “By-law creating the fee schedule for: the Eleanor London Côte Saint-Luc public library for 2009 courses and activities as well as the fee schedule for cultural, sports and leisure activities for the Spring and Summer of 2009” will be presented at a later meeting for adoption.

081212

**RESOLUTION TO WAIVE THE READING OF BY-LAW 2304 TO BE ENTITLED:
“BY-LAW CREATING THE FEE SCHEDULE FOR: THE ELEANOR LONDON
CÔTE SAINT-LUC PUBLIC LIBRARY FOR 2009 COURSES AND ACTIVITIES
AS WELL AS THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE
ACTIVITIES FOR THE SPRING AND SUMMER OF 2009”**

WHEREAS, the above captioned by-law was given to members of Council on Friday, December 5, 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 RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2304 to be entitled: "By-law creating the fee schedule for: the Eleanor London Côte Saint-Luc public library for 2009 courses and activities as well as the fee schedule for cultural, sports and leisure activities for the Spring and Summer of 2009" when it will be presented for adoption, the whole in accordance with the law."

CARRIED UNANIMOUSLY

081213

**PUBLIC WORKS – ENGINEERING – PROFESSIONAL SERVICES FOR
AQUEDUCT REPAIRS - 2009**

WHEREAS the City has made a public call for tenders for professional services to repair eighteen aqueducts throughout the its territory (C-51-08) and received five conforming bids according to the law;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards the contract for professional services to repair eighteen aqueducts throughout the City, pursuant to tender number C-51-08, to CIMA+ s.e.n.c. and authorizes payment of \$86,546.26, including applicable taxes;

THAT Treasurer's certificate number TC08-172 dated November 26, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

081214

PUBLIC WORKS – PURCHASE OF FLOWERS FOR 2009

WHEREAS the City has made an invited call for tender for the purchase of flowers for 2009 (C-54-08) according to the law and received three conforming bids;

It was

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

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby awards the contract to purchase flowers for 2009, pursuant to tender number C-54-08, to Les Serres Riel and authorizes payment of \$38,376.34, plus applicable taxes;

THAT Treasurer's certificate number TC09-001 dated November 26, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

081215

PUBLIC WORKS – AWARDING OF CONTRACT – COLLECTION AND TRANSPORT OF SECONDARY RECYCLABLE MATERIALS APRIL 1, 2009 TO MARCH 31, 2012 WITH TWO (2) RENEWAL OPTIONS (2008-01)

WHEREAS each of the reconstituted cities mandated the City of Dollard-des-Ormeaux, by resolution, to proceed with a common call for tenders for a contract concerning the collection and transport of secondary recyclable materials on each of their respective territories;

WHEREAS a call for public tenders was published in La Presse and by means of the electronic tendering system SÉAO on October 10, 2008 for the collection and transport of secondary recyclable materials from April 1, 2009 to March 31, 2012 with two (2) renewal options, on the territories of the following cities and towns:

- Baie-d'Urfé ;
- Beaconsfield ;
- Côte Saint-Luc ;
- Dollard-des-Ormeaux ;
- Dorval ;
- Hampstead ;
- Kirkland ;
- Montréal-East ;
- Montreal West ;
- Mont-Royal ;
- Pointe-Claire ;
- Sainte-Anne-de-Bellevue ;
- Senneville ; and
- Westmount.

WHEREAS the following tenders were received and opened publicly on October 31, 2008 at 11 a.m.:

	RCI Environnement inc.	Rebuts Solides Canadiens inc.
	Coût total de la soumission (taxes incluses)	Coût total de la soumission (taxes incluses)
Option « A » Collecte et transport une fois par semaine sur l'ensemble des territoires	2 529 778,24 \$	2 805 773,25 \$
Option « B » Collecte combinée Collecte et transport une fois aux deux semaines pour l'unifamiliale et une collecte par semaine pour le multilogements et les ICI	2 529 778,24 \$	2 625 017,32 \$
Option « C » La fourniture, la distribution, le financement et l'entretien des bacs roulants de 120, 240 et 360 litres et de conteneurs de 1 v ³ , 2 v ³ et 6 v ³	5 746 711,32 \$	4 695 773,67 \$
Option « D » La fourniture, la distribution et l'entretien des bacs roulants de 120, 240 et 360 litres et de conteneurs de 1 v ³ , 2 v ³ et 6 v ³	5 079 000,26 \$	3 976 407,68 \$
Option « E »	4 885 354,16 \$	3 617 190,90 \$

La fourniture des bacs roulants de 120, 240 et 360 litres et de conteneurs de 1 v ³ , 2 v ³ et 6 v ³		
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WHEREAS the City of Côte Saint-Luc has provided funds for the aforementioned tender within budget account number 02-420-02-491;

WHEREAS the tenders were verified by the coordinating committee being: Stéphane Beaudoin, City of Dorval; Ginette Leclair, City of Sainte-Anne-de-Bellevue as well as Anna Polito and Stéphanie Roy of the City of Dollard-des-Ormeaux;

WHEREAS the said committee members recommend the awarding of the tender contract according to Option "A" said option only relegated to the collection and transport of secondary recyclable materials said collection to occur once per week on all of the territories of the aforementioned cities and towns; and

WHEREAS the lowest bidder for Option "A" complies with the tender documents' specifications;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the lowest conforming bid for Option "A" made by **RCI Environnement inc.** - for an amount not to exceed \$177,985.64 annually (plus applicable taxes) - be accepted said bid for the collection and transport of secondary recyclable materials, from April 1, 2009 to March 31, 2012;

THAT the awarding of said bid is subject to the fulfilment of Section 2.6 of the special specifications, which reads as follows:

- 2.6 « Sous réserve de ce qui est stipulé à l'article 16 du Cahier des charges générales, un soumissionnaire et les villes participantes seront liés par une soumission du soumissionnaire uniquement si et lorsque les conditions suivantes sont respectées:
- i. si le nombre d'unités situées sur le territoire des villes participantes désirant signer le contrat avec l'Entrepreneur équivaut à un minimum de 75 % du nombre d'unités indiqué au Formulaire de soumission; et
 - ii. lorsque des résolutions acceptant la même option (entre l'option 'A' et l'option 'B') de la soumission du soumissionnaire pour la collecte et le transport seulement auront été adoptées par un nombre de villes participantes suffisant pour respecter le critère mentionné à i. »

THAT it be understood RCI Environment inc. will pick up receptacles of 120, 240 and 360 litres at the option of the household;

THAT collection day shall be on Tuesday;

THAT the Mayor and the City Clerk both be authorized to sign an agreement with **RCI Environnement inc.** on behalf of the City of Côte Saint-Luc, in accordance with the provisions of the tender documents forming part of the call for tenders."

CARRIED UNANIMOUSLY

081216

PUBLIC WORKS – PURCHASE AND PLANTING OF TREES FOR 2009

WHEREAS the City has made an invited call for tender for the purchase and planting of trees for 2009 (C-56-08) according to the law and received only one bid;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards the contract to purchase and plant trees, pursuant to tender number C-56-08, to Entreprises Frères Jabel and authorizes payment of up to a maximum of \$26,950.00, plus applicable taxes;

THAT Treasurer's certificate number TC 08-0177 dated December 8, 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 COUNCILLOR ALLAN J. LEVINE DISSENTING OPINING THAT HE CANNOT VOTE IN FAVOUR OF THE RESOLUTION CONSIDERING THERE WAS ONLY ONE BIDDER

081217

PUBLIC WORKS – RENTAL OF TEN WHEEL TRUCKS FOR THE TRANSPORTATION OF SNOW FOR THE 2008-2009 WINTER SEASON

WHEREAS the City has made an invited call for tender for the rental of trucks for the transportation of snow for the 2008-2009 winter season (C-59-08) and received three (3) conforming bids according to the law;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards the contract for the rental of the first ten (10) wheeler truck with a driver for the transportation of snow for the 2008-2009 winter season to Les Entreprises Canbec Construction Inc. and authorizes payment of \$83.50 an hour, plus applicable taxes, pursuant to tender number C-59-08;

THAT the Côte Saint-Luc City Council hereby awards the contract for the rental of the second, third, fourth and fifth ten (10) wheeler trucks with drivers for the transportation of snow for the 2008-2009 winter season to Les Entreprises Marc Legault Inc. and authorizes payment of up to a maximum of \$84.20 an hour per truck plus applicable taxes, pursuant to tender number C-59-08;

THAT Treasurer's certificate numbers TC08-0173 for up to a maximum amount of \$5,000.00 and TC09-0003 for up to a maximum of \$14,000.00 both dated December 9, 2008 have been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

081218

**PUBLIC WORKS – RENTAL OF TWELVE WHEELER TRUCKS FOR THE
TRANSPORTATION OF SNOW FOR THE 2008-2009 WINTER SEASON**

WHEREAS the City has made an invited call for tender for the rental of trucks for the transportation of snow for the 2008-2009 winter season (C-60-08) and received two (2) conforming bids according to the law;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards the contract for the rental of the first two (2) twelve (12) wheeler trucks with drivers for the transportation of snow for the 2008-2009 winter season to Les Entreprises Canbec Construction Inc. and authorizes payment of up to a maximum of \$93.50 an hour plus applicable taxes, pursuant to tender number C-60-08;

THAT the Côte Saint-Luc City Council hereby awards the contract for the rental of the third (3rd), fourth (4th), fifth (5th) and sixth (6th), twelve (12) wheeler trucks with drivers for the transportation of snow for the 2008-2009 winter season to Les Entreprises Marc Legault Inc. and authorizes payment of up to a maximum of \$94.20 per hour per truck plus applicable taxes, pursuant to tender number C-60-08;

THAT Treasurer's certificate numbers TC08-0178 - for up to a maximum amount of \$5,000.00; and TC09-0005 - for up to a maximum of \$10,500.00 - both dated December 9, 2008, have been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

081219

**PUBLIC WORKS – RENTAL OF ONE (1) SEMI-TRAILER FOR THE
TRANSPORTATION OF SNOW FOR THE 2008-2009 WINTER SEASON**

WHEREAS the City has made an invited call for tender for the rental of one (1) semi-trailer for the transportation of snow for the 2008-2009 season (C-61-08) and received three (3) conforming bids according to the law;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby awards the contract for the rental of one (1) Semi-Trailer for the transportation of snow for the 2008-2009 winter season to Jack Vincelli Inc. and authorizes payment of up to a maximum of \$83.85 per hour plus applicable taxes, pursuant to tender number C-61-08;

THAT Treasurer's certificate number TC09-0004 up to a maximum of \$4,000.00 dated December 9, 2008 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

081220

**URBAN PLANNING – MINOR EXEMPTION – 5817 WOLSELEY –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5817 Wolseley, Lot 1562215, be and is hereby approved, the whole as more amply delineated hereunder:

The minor exemption request is to allow a detached single-family dwelling to be located at 18.34' from the rear lot line instead of the minimum of 18.75' and to have a one-storey rear extension located at 12.34' from the said rear lot line instead of the minimum of 18.75'. The foregoing is in accordance with the provisions of the Zoning By-law 2217, *inter alia*, annex “B” (zone RU-42) of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

081221

**URBAN PLANNING – MINOR EXEMPTION – 6130 BERNARD MERGLER –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6130 Bernard Mergler, Lot 2086902, be and is hereby approved the whole as more amply delineated hereunder:

The minor exemption request is to allow for a detached single-family dwelling to have an artificial pond located in the front yard of the property instead of having a landscaping arrangement with the exception of aquatic gardens and artificial ponds located in the front yard. The foregoing is in accordance with the provisions of Zoning By-law 2217, *inter alia*, article 4-4-1 d);

THAT said exemption shall be awarded on the condition that the depth of the basin be at a maximum of 4 inches and that the fence (presently on City property) be relocated on their private property.”

CARRIED UNANIMOUSLY

081222

**URBAN PLANNING – MINOR EXEMPTION – 5578 PINEDALE –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5578 Pinedale, Lot 2090219, be and is hereby approved, the whole as more amply delineated hereunder:

The minor exemption request is to allow a detached single-family dwelling:

- a. to be located at 14.8’ from the front lot line instead of the minimum distance of 15.0’’; and
- b. to have a proposed rear extension located at 14.1’ from the rear lot line instead of the minimum of 17.75’.

The foregoing is in accordance with the provisions of Zoning By-law 2217, *inter alia*, annex “B” (zone RU-2).”

CARRIED UNANIMOUSLY

081223

**URBAN PLANNING – MINOR EXEMPTION – 5913 BEETHOVEN –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5913 Beethoven, Lot 1560812, be and is hereby approved, the whole as more amply delineated hereunder:

The minor exemption request is to allow a proposed rear extension of a detached single-family dwelling to be located at 19’-0’’ from the rear lot line instead of the minimum of 24’-0’’ as described (and already awarded) by minor exemption DM2000-18.”

CARRIED UNANIMOUSLY

081224

URBAN PLANNING – MINOR EXEMPTION – 6880 EDISON – CÔTE SAINT-LUC

It was

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

AND RESOLVED:

“THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6880 Edison, Lot 1561864, be and is hereby approved the whole as more amply delineated hereunder:

The minor exemption request is to allow a detached single-family dwelling to have the front stairs leading to the ground floor level erected at 6'-6" from the City sidewalk instead of a minimum of 12'-0". The foregoing is in accordance with the provisions of Zoning By-law 2217, *inter alia*, article 4-2-2-1;

THAT said approval shall be subject to the submission of a landscaping plan to be approved by the Urban Planning Department.”
CARRIED UNANIMOUSLY

081225

URBAN PLANNING – MINOR EXEMPTION – 6501 BAILY – CÔTE SAINT-LUC

It was

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

AND RESOLVED:

“THAT as reviewed by the City Council members and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6501 Baily, Lot 2090238, be and is hereby approved, the whole as more amply delineated hereunder:

The minor exemption request is to allow the construction of a one-storey rear extension to an existing building which has only one interior parking space instead of a minimum of two interior parking spaces when the habitable area exceeds 1800 square feet. The foregoing is in accordance with the provisions of Zoning By-law 2217, *inter alia*, article 7-2-1 a).”

CARRIED UNANIMOUSLY

081226

**URBAN PLANNING – MINOR EXEMPTION – 5838 WESTMINSTER –
CÔTE SAINT-LUC**

This item was deferred to the Regular Council Meeting to be held on January 19, 2009 at 8:00 p.m.

081227

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 5454 WESTMINSTER – CITY OF CÔTE SAINT-LUC**

This item was deferred to a subsequent meeting.

081228

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 6595 MACKLE – 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 October 9, 2008 showing the replacement of the existing plastic signage by a new one (the free standing structure will remain the same) on lot 1561097 at 6595 Mackle and prepared by Transglobe, contractor, and submitted to the Planning Advisory Committee meeting held November 4, 2008, be approved, according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

081229

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 6500 MACKLE – 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 October 30, 2008 showing a luminated sign on the canopy in order to identify the address and the name of the multifamily building on lot 1565019 at 6500 Mackle and prepared by Mr. Alain Codère, contractor, submitted to the Planning Advisory Committee meeting held November 4, 2008, be approved, according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

081230

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – MARC CHAGALL, LOT 1560592 – CITY OF
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT the site planning and architectural integration programs received October 28, 2008, showing a revised plan of a 25-unit townhouse project instead of a 21-unit townhouse project on lot 1560592 and prepared by Rubin, Rotman, architects for the Planning Advisory Committee meeting of November 4, 2008, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc on the conditions that:

1. Unit No. 7 should be eliminated in order to create 4 blocks of 6 units each;
2. Other architectural elements should be added in order to “break up” the building mass and reduce its apparent size;
3. The driveway leading to the basement garage must be located as previously approved in order to encourage the placement of landscaping.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS DIDA BERKU AND STEVEN ERDELYI BOTH DISSENTING

Subsequent to the adoption of the resolution, Councillor Berku went on record as not being in favour of building a building in front of Hydro lines. She further explained that the City should not promote a project wherein homes may be purchased by young families with young children who would be obliged to live within a Hydro-Quebec servitude. She further opined that the townhouses to be built were not wide enough and that they will be built too close to Hydro Quebec wires.

081231

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5511 RANDALL – CITY OF CÔTE SAINT-LUC

WHEREAS, due to electrical connection problems for a 400 amp. entry raised by Hydro Quebec, the owners of 5511 Randall are requesting a modification to their drawings and elevations and revised prospectus;

It was

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

AND RESOLVED:

“THAT the site planning and architectural integration programs received November 4, 2008 depicting the mirror image of the revised prospectus approved on October 6, 2008 (resolution 081025), regarding lot 1560608, for 5511 Randall and prepared by the owner, and submitted to the Planning Advisory Committee meeting of November 4, 2008, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

081232

URBAN PLANNING – 8036 GUELPH - REPLACEMENT TREES

WHEREAS, the owner of 8036 Guelph (“the Property”) requested to fell (“Fell”) two (2) trees located in the front yard of the Property and four (4) trees located in the rear yard of the Property;

It was

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

AND RESOLVED:

“THAT, Council hereby requires that the six (6) trees to be Felled be replaced by twelve (12) trees with a diameter of 2 inches the whole pursuant to the terms and conditions of article 11-7-1 *et al.* of Zoning By-law No. 2217;

THAT at least one (1) of the twelve (12) trees to be planted must be planted on the Property.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS RUTH KOVAC AND SAM GOLDBLOOM BOTH DISSENTING

081233

URBAN PLANNING – 7534 MOUNTBATTEN - REPLACEMENT TREES

WHEREAS, the owner of 7534 Mountbatten (“the Property”) requested to fell (“Fell”) one (1) tree located in front yard of the Property;

It was

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

AND RESOLVED:

“THAT, Council hereby requires that the one (1) tree to be Felled be replaced by four (4) trees with a diameter of 2 inches the whole pursuant to the terms and conditions of article 11-7-1 *et al.* of Zoning By-law No. 2217;

THAT at least one (1) of the four (4) trees to be planted must be planted on the Property.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS SAM GOLDBLOOM AND RUTH KOVAC BOTH DISSENTING

081234

RESOLUTION TO ADOPT THE FINAL VERSION OF ZONING BY-LAW 2217-34 ENTITLED: “BY-LAW TO AMEND THE ZONING BY-LAW NO. 2217 OF THE CITY OF CÔTE SAINT-LUC IN ORDER TO MODIFY THE LIMITS OF ZONE CD-6”

It was

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

AND RESOLVED:

“THAT by-law entitled, “By-law to amend the zoning by-law No. 2217, of the City of Côte Saint-Luc in order to modify the limits of zone CD-6” be and is hereby adopted and numbered 2217-34.”

CARRIED UNANIMOUSLY

081235

OFFER TO PURCHASE CITY LANE, LOTS 1 054 785 AND 1052 229

This item was deferred to a subsequent meeting.

081236

FULL AND FINAL SETTLEMENT REGARDING VARIOUS LITIGATIONS AND INVOICES BY AND BETWEEN THE CITY OF CÔTE SAINT-LUC AND THE CITY OF MONTREAL

WHEREAS the City of Côte Saint-Luc and the City of Montreal wish to amicably resolve outstanding invoices and various litigation cases between one another;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT Council hereby authorizes a full and final settlement in which the City of Côte Saint-Luc shall receive a net amount of \$466,277.00 from the City of Montreal the whole as more amply delineated by Annex A to form an integral part of this resolution;

THAT said settlement is made by the City of Côte Saint-Luc without any admission of liability whatsoever and merely to prevent future contestation as well as to put an end to existing litigation;

“THAT any of the following persons be and are hereby authorized to sign any document giving effect to the foregoing:

- 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
- The City Treasurer
- M^e Yvon Denault, Belanger Sauvé”

CARRIED UNANIMOUSLY

081237

APPOINTMENT OF COUNCILLOR RUTH KOVAC AS ACTING MAYOR OF THE CITY OF CÔTE SAINT-LUC – JANUARY 1, 2009 UP TO AND UNTIL MARCH 31, 2009

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT Councillor Ruth Kovac is and shall be named Acting Mayor of the City of Côte Saint-Luc, effective January 1, 2009 up to and until March 31, 2009 inclusively, and further that the aforementioned Councillor Kovac shall have and may exercise the powers of the Mayor when the said Mayor is absent or unable to perform the duties of his office.”

CARRIED UNANIMOUSLY

081238

**RESOLUTION TO RECEIVE THE STATEMENTS OF PECUNIARY INTERESTS
OF THE MEMBERS OF COUNCIL**

Each member of council deposited their statement of pecuniary interests at tonight's council meeting.

WHEREAS, in accordance with the stipulations of an *Act respecting Elections and Referendums in Municipalities*, each Member of a Municipal Council must make a written financial declaration of his/her interests, within sixty (60) days of his/her election or the anniversary thereof;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the Council of the City of Côte Saint-Luc officially declare that such statements of pecuniary interests have been received from Mayor Anthony Housefather and Councillors Dida Berku, Mitchell Brownstein, Mike Cohen, Steven Erdelyi, Sam Goldbloom, Ruth Kovac, Allan J. Levine and Glenn J. Nashen and instructs the City Clerk to deposit same in the Archives of the City."

CARRIED UNANIMOUSLY

081239

SETTLEMENT OF CLAIM WITH ESTHER COHEN AND MEIR OHAYON

WHEREAS the City of Côte Saint-Luc (the "City") invoiced Mrs. Esther Cohen and Meir Ohayon (the "Residents") for an amount of \$3416.57;

WHEREAS the Residents contested the invoice;

WHEREAS the City and the Residents wish to amicably resolve said invoice;

It was

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

AND RESOLVED:

"THAT Council hereby authorizes a full and final settlement in the amount of \$2178.47 including taxes, capital and interest by and between the City and the Residents the whole as more amply set out in a transaction prepared by the Director of Legal Services and City Clerk said transaction comprising one (1) page and an Annex."

CARRIED UNANIMOUSLY

081240

**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 *inter alia*, 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 in December 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 in December 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 in December 2008 based on the information to be presented during those meetings.”

CARRIED UNANIMOUSLY

081241

PUBLIC WORKS – CONTRACT RENEWAL FOR THE MANAGEMENT AND REHABILITATION OF THE LOCAL WATER AND SEWAGE NETWORKS OF CÔTE SAINT-LUC

This item was deferred to a subsequent meeting.

081242

RESOLUTION TO RECONSIDER THE AMOUNT OF REPLACEMENT TREES 7534 MOUNTBATTEN

Councillor Nashen proposed that council reconsider the amount of trees to be replaced for 7534 Mountbatten so that instead of four replacement trees being required, only one is required;

It was

MOVED BY COUNCILLOR GLENN J. NASHEN

SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Council hereby authorizes the reconsideration of the amount of replacement trees required for 7534 Mountbatten.”

081243

**RESOLUTION TO MODIFY THE AMOUNT OF REPLACEMENT TREES FROM
FOUR (4) TO ONE (1) FOR 7534 MOUNTBATTEN**

It was

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

AND RESOLVED:

“THAT Council hereby modifies the amount of replacement trees for the address located at 7534 Mountbatten from four (4) - initially indicated within resolution 081233 - to one (1).”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS ALLAN J. LEVINE, DIDA BERKU AND STEVEN ERDELYI ALL DISSENTING

SECOND QUESTION PERIOD

The Second question period started at 9:55 p.m. and finished at 10:00 p.m. Two (2) people asked to speak and they were heard.

1) Irving Itman

The resident inquired as to the nature and tenor of the aqueduct repairs to which Mayor Housefather responded.

2) Dr. Bernard Tonchin

The resident inquired as to the reason why the aqueduct repairs need to be performed to which Mayor Housefather responded that they are necessary to adequately maintain Côte Saint-Luc's water infrastructure.

**AT 10:00 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK