

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, FEBRUARY 9, 2009, 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

090201

**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:

Sapper Sean David Greenfield - January 31, 2009

It was

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

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 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 8:15 p.m. and finished at 8:30 p.m. Three (3) people asked to speak and they were heard.

1) Steve Rudick

The resident inquired as to whether the City will be looking into geothermal technology for its ice-making equipment at the Samuel Moscovitch Arena to which City Manager Lerner responded that the city is considering various technologies to update its ice-making equipment, including geothermal.

2) Mrs. Ora Friedman

The resident inquired as to whether the City was considering banning wooden stoves on its territory to which Mayor Housefather responded that the City would consider what other municipalities are proposing but at this juncture, this was not a priority for the City to look into.

The resident then stated that next to her house there is a park which she would like to see beautified for which Mayor Housefather clarified that the area in question is predominantly in the Town of Montreal West and is not considered a park but rather a green space and to which Councillor Erdelyi added that he has commissioned students to paint a mural on a shed in the area in question. He then added that the design for the said mural will be first vet and approved by his fellow colleagues on council.

3) Eleanor Kogan

The resident advised council that she has recently moved to Côte Saint-Luc and wished to commend this council for providing its residents with wonderful services such as snow removal and the library.

The resident then requested that the pool for the new proposed aquatic (intergenerational) centre be ozonated (instead of chlorinated) to which Mayor Housefather responded that the City could look into this suggestion once the pool is closer to construction although many pools today do not indeed contain ozone.

The resident then inquired as to the location of the proposed aquatic centre to which Mayor Housefather responded that one possible alternative is next to where Wagar High School was housed but the City is also looking at other possible alternatives.

090202

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED JANUARY 19, 2009**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated January 19, 2009 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

090203

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED JANUARY 28, 2009**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated January 28, 2009 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

090204

MONTHLY DEPARTMENTAL REPORTS FOR JANUARY 2009

It was

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

AND RESOLVED:

“THAT the monthly departmental reports for January, 2009 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

090205

**HUMAN RESOURCES – AWARDING OF A GROUP INSURANCE CONTRACT
TO SSQ GROUPE FINANCIER, STARTING APRIL 1, 2009, FOR A MAXIMUM
OF 5 YEARS (60 MONTHS)**

WHEREAS on January 20, 2009, Groupe financier AGA submitted its bid analysis report regarding a group insurance plan to be provided to all municipalities who are part of the “Regroupement des villes de l’agglomération de Montréal” which was received by the City of Beaconsfield on December 18, 2008;

WHEREAS considering the overall cost for the first twenty-four (24) months of the contract, Groupe financier SSQ was the lowest bid;

WHEREAS Groupe Financier SSQ provided the most favorable administration costs and coverage for the entire duration of the sixty (60) month term of the contract;

WHEREAS the lowest insurance costs for the period of sixty (60) months found within the bids received by AGA was Groupe financier SSQ;

WHEREAS the insurer having scored the highest points on the evaluation grid was Groupe financier SSQ;

WHEREAS Groupe financier SSQ’s bid is in conformity with each participating city and town’s specifications, taking into account certain particularities for each city and town;

It was

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

AND RESOLVED:

“THAT the contract for group insurance be awarded to Groupe financier SSQ as of April 1, 2009, at the cost of \$370,566, taxes included, for the first twenty-four (24) months of the contract;

THAT the duration of this contract, not to exceed five (5) years, shall be renewable in April 2011;

THAT the City Manager or the City Clerk be authorized to sign all necessary documents to give effect to the foregoing contract;

THAT Treasurer’s certificate number TC09-0026 dated February 2, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

090206

**HUMAN RESOURCES – DISCIPLINARY MEASURES – EMPLOYEE NUMBER
2147**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the recommendation of the City Manager to suspend employee number 2147 of the Information Technology Department, for a period of four (4) days.”

CARRIED UNANIMOUSLY

090207

**HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC
LIBRARY – APPOINTMENT OF ART GALLERY AND PROGRAM
COORDINATOR – MANAGEMENT POSITION**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the appointment of Clara Halpern as the Art Gallery and Program Coordinator (management part-time position) effective January 26, 2009;

THAT Treasurer’s certificate number TC09-0018 dated January 28, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

090208

**HUMAN RESOURCES – LEGAL SERVICES AND CITY CLERK – EXTENSION
OF EMPLOYMENT OF OFFICE CLERK, WHITE COLLAR, AUXILIARY
POSITION**

WHEREAS Joseph Berljawsky was hired as an Office Clerk (white collar, auxiliary position), for the period between November 10, 2008 and December 19, 2008; and

WHEREAS the City wishes to extend his employment (part-time);

It was

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

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the extension of employment, part-time, of Joseph Berljawsky as an Office Clerk, Legal Services and City Clerk Department, for a period of six (6) months ending June 30, 2009;

THAT Treasurer's certificate number TC09-0023 dated January 29, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

090209

**HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC
LIBRARY – HIRING OF TWO (2) LIBRARY CLERKS – WHITE COLLAR,
AUXILIARY POSITIONS**

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 Amy Brown as a Library Clerk (White Collar, auxiliary position) effective January 21, 2009;

THAT the Côte Saint-Luc City Council approves the hiring of Jennifer Ricard as a Library Clerk (White Collar, auxiliary position) effective January 28, 2009;

THAT Treasurer's certificate number TC09-0020 dated January 28, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses for the hiring of Amy Brown;

THAT Treasurer's certificate number TC09-0019 dated January 28, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses for the hiring of Jennifer Ricard."

CARRIED UNANIMOUSLY

090210

**HUMAN RESOURCES – PUBLIC WORKS – HIRING OF BLUE COLLAR
AUXILIARY EMPLOYEES**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the hiring of the Blue Collar employees whose names are listed in the documents entitled: “Part-Time Employees – Blue Collars” dated February 2, 2009 and that said employees’ term of employment will commence as per the respective dates indicated on the aforementioned list;

THAT Treasurer’s certificate number TC09-0021 dated January 28, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

090211

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

It was

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

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the hiring of the White Collar auxiliary employees whose names are listed in the document entitled: “White collar auxiliary employees for approval February 2009”, comprised of (4) four names and co-signed by David Taveroff and Ted Cox, and that said employees’ term of employment will be as per the respective dates indicated on the aforementioned list;

THAT Treasurer’s certificate number TC09-0022 dated January 28, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

090212

**FINANCE – APPROVAL OF THE DISBURSEMENTS FOR THE PERIOD FROM
JANUARY 1, 2009 TO JANUARY 31, 2009**

It was

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

AND RESOLVED:

"THAT the disbursements for the period of January 1, 2009 to January 31, 2009 for a total of \$4,116,251.62 in Canadian Funds are hereby approved;

THAT Treasurer's certificate number TC09-0027 dated February 2, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses;

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

090213

RESOLUTION TO AUTHORIZE THE CITY TO PAY THE MONTREAL METROPOLITAN COMMUNITY THE SUM OF \$279,604.18 REPRESENTING THE FIRST INSTALMENT FOR ITS 2009 APPORTIONMENT

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes the payment of \$279,604.18 to the Montreal Metropolitan Community representing the first of two instalments of its 2009 apportionment;

THAT Treasurer's certificate number TC09-0025 dated February 2, 2009 has been issued by the City Treasurer attesting to the availability of funds for the above purpose."

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS RUTH KOVAC, GLENN J. NASHEN AND ALLAN J. LEVINE ALL DISSENTING

Subsequent to the adoption of the resolution, Councillor Erdelyi stated he moved the above-captioned resolution grudgingly, reluctantly and with regret.

090214

RESOLUTION TO AUTHORIZE THE CITY TO PAY THE CITY OF MONTREAL THE SUM OF \$11,103,950.26 REPRESENTING THE FIRST INSTALMENT FOR ITS 2009 APPORTIONMENT

It was

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

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes the payment of \$11,103,950.26 on March 2, 2009 to the City of Montreal representing the first of two instalments of its 2009 apportionment comprised of the following breakdown:

General Apportionment	19,539,146.04
Apportionment for the residual expenses of water service	1,477,091.77
Apportionment of contribution for financial reserve of water service	1,066,409.08
Apportionment of arterials roads debt (2006-2008)	<u>125,253.63</u>
	22,207,900.52

THAT Treasurer's certificate number TC09-0024 dated February 2, 2009 has been issued by the City Treasurer attesting to the availability of funds for the above purpose."

CARRIED UNANIMOUSLY

090215

RESOLUTION TO AUTHORIZE THE CITY TO PAY THE CITY OF MONTREAL THE SUM OF \$426,877.90 REPRESENTING CSST ADJUSTMENTS FOR CLAIMS THAT OCCURRED BETWEEN THE 2002 AND 2005 FISCAL YEARS

It was

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

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby authorizes the payment of \$426,877.90 to the City of Montreal representing CSST adjustments as of January 1, 2006 for claims that occurred between January 1, 2002 and December 31, 2005;

THAT Treasurer's certificate number TC09-0032 dated February 3, 2009 has been issued by the City Treasurer attesting to the availability of funds for the above purpose."

CARRIED UNANIMOUSLY

090216

TRANSFER TO QUEBEC MUNICIPALITIES OF A PORTION OF FEDERAL GASOLINE EXCISE TAX REVENUES – MODIFICATION OF WORK SCHEDULE

WHEREAS the City of Côte Saint-Luc adopted a resolution on January 19, 2009 authorizing the submission of the **modified** work schedule of 2006 and 2007, and the **modified** work schedule of 2008 and 2009;

WHEREAS the City of Côte Saint-Luc subsequently modified the content of the work schedule entitled Appendix III;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby approves the content and authorizes the submission of the **modified** work schedule dated January 19, 2009 for 2008 and 2009 hereby annexed to the minutes as Annex B to form an integral part thereof said document entitled: "APPENDIX III – Revised February 9, 2009" comprising of two pages and all other documents required by the Minister of Municipal Affairs and Regions and the department's Director of infrastructure (Direction des Infrastructures), with a view to obtaining the governmental contribution confirmed to the municipality in a letter by the Minister of Municipal Affairs and Regions;

THAT the City of Côte Saint-Luc hereby undertakes to inform the Director of infrastructure (Direction des Infrastructures) of the Minister of Municipal Affairs

and Regions of any changes made to the work program schedule approved herein.”

CARRIED UNANIMOUSLY

090217

DELEGATION OF SIGNING AUTHORITY FOR CANADA DAY APPLICATION

WHEREAS the City of Côte Saint-Luc (“the City”) wishes to seek funding for its Canada Day activities as part of the “Celebrate Canada Program”;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the Director of Parks and Recreation, Mr. David Taveroff, from the City of Côte Saint-Luc, be authorized to submit a funding request to the Department of Canadian Heritage in relation to the Celebrate Canada Program for organizing activities to celebrate Canada day.”

CARRIED UNANIMOUSLY

090218

INFORMATION TECHNOLOGY – ANNUAL RENEWAL OF SERVICE FEES FOR CESA SOFTWARE

WHEREAS the City of Côte Saint-Luc wishes to renew its annual CESA software license service fees for the 2009 calendar year;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

“THAT Côte Saint-Luc City Council hereby renews its annual CESA service fees payable to PG Govern Inc. for an amount of \$96,885.00, plus applicable taxes;

THAT Treasurer’s certificate number TC09-0029 dated February 3, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

090219

INFORMATION TECHNOLOGY – ANNUAL MILLENNIUM SOFTWARE SERVICE FEES

WHEREAS the City of Côte Saint-Luc wishes to renew its annual Millennium software service agreement for the 2009 calendar year;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI

SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Côte Saint-Luc City Council hereby renews its annual Millennium service agreement with Innovative Interfaces Inc. for an amount of \$34,272.00, plus applicable taxes;

THAT Treasurer's certificate number TC09-0030 dated February 3, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

090220

PUBLIC WORKS – AQUEDUCT REHABILITATION: KILDARE, ADALBERT, BORDEN, MELLING, MCALEAR, DAVIES, AND GLENCREST

This item was deferred to later on in the meeting.

090221

URBAN PLANNING – MINOR EXEMPTION – 6884 BANTING – CÔTE SAINT-LUC

This item was deferred to the Regular Council Meeting in March, 2009.

090222

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

This item was deferred to later on in the meeting.

090223

URBAN PLANNING – MINOR EXEMPTION – 5800 CAVENDISH – 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 5800 Cavendish, Lot 1859558, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow the replacement of the existing "IGA" sign facing Cavendish Boulevard, by two new "IGA" signs facing Cavendish Boulevard in the following manner:

1. one sign with a height of 36" instead of a maximum height of 30";

2. one sign with a height of 72" and an area of 80.25 sq.ft. instead of a maximum height of 30" and a maximum area of 20 sq. ft.
3. a total of four "IGA" signs for a building located on a corner lot instead of a maximum of 2 signs, one on each street.

The foregoing are according to Zoning By-law 2217, *inter alia*, article 9-3-2, article 9-4 and article 9-2a.)"

CARRIED UNANIMOUSLY

090224

**URBAN PLANNING – MINOR EXEMPTION – 7394 CÔTE SAINT-LUC –
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 7394 Côte Saint-Luc, Lot 1290381, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow for a three (3) unit multifamily dwelling to have two (2) interior parking spaces instead of a minimum of five (5) interior parking spaces. The foregoing is in accordance with the provisions of zoning By-law No. 2217, *inter alia*, article 7-2-5."

CARRIED UNANIMOUSLY

090225

**URBAN PLANNING – MINOR EXEMPTION – 5570 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 5570 Pinedale, Lot 2090223, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow an existing detached single-family dwelling to be located at a distance of 14'-11" from the front lot line instead of the minimum distance of 15'-0" and that the proposed rear extension be located at a distance of 15'-1" from the rear lot line instead of the minimum distance of 17'-9". The foregoing are in accordance with the provisions of zoning By-law 2217, *inter alia*, annex "B" (zone RU-2)."

CARRIED UNANIMOUSLY

090226

URBAN PLANNING – MINOR EXEMPTION – 5702 RAND – 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 5702 Rand, Lot 1052995, be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow an existing single-family detached dwelling to be located at a distance of 13.35’ from the front lot line instead of a minimum distance of 15’ and a distance of 9.87’ from the lateral (street side) lot line instead of the minimum of 15’. The foregoing are in accordance with the provisions of zoning By-law No. 2217, *inter alia*, annex “B” (zone RU-21).”

CARRIED UNANIMOUSLY

090227

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5570 PINEDALE – 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 November 19, 2008 showing the elevations of a rear extension for a detached single-family dwelling on lot 2090223 at 5570 Pinedale and prepared by Mr. Vincentiu-Dan Agapi, architect, for the Planning Advisory Committee meeting of December 2, 2008, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

090228

URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS (SPAIP) – 5629 PINEDALE – 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 January 8, 2009 showing modifications to the façades of a detached single-family dwelling on lot 2090259 at 5629 Pinedale and prepared by Mr. Jean René Corbeil, architect, for the Planning Advisory Committee meeting of January 13, 2009, be approved according to the provisions of Chapter 14 of by-law 2217 of the City of

Côte Saint-Luc on the condition that the proposed wood finishing above and on the side of the door to the main entrance be increased and that said door be re-centered.”

CARRIED UNANIMOUSLY

090229

ADOPTION OF THE SECOND DRAFT ZONING BY-LAW 2217-LL-P2 TO BE 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 “IR-15” AND TO REPLACE ITS TABLE OF USES AND NORMS”

It was

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

AND RESOLVED:

“THAT the second draft zoning by-law 2217-LL-P2 to be 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 “IR-15” and to replace its Table of Uses and Norms”, be and is hereby adopted;

THAT the City Clerk be and is hereby instructed to complete the procedure to finalize the draft by-law in accordance with the law;

THAT said resolution shall be for immediate action.”

CARRIED UNANIMOUSLY

090230

AUTHORIZATION OF PAYMENT OF INSURANCE PREMIUMS AND CONSULTANT’S FEE

WHEREAS for the purpose of purchasing group property and liability insurance with a possibility of a group deductible, the City of Côte Saint-Luc (“City”) participated with other cities and towns in a joint agreement (“Agreement”). The Transition Committee (*Comité de transition de l’agglomération de Montréal*) reached this Agreement on May 27, 2005 for and in the name of the Island of Montreal municipalities to be reconstituted and the *Union des municipalités du Québec* (“UMQ”) for a three-year period: January 1, 2006 to December 31, 2008;

WHEREAS the “UMQ” was mandated by the Transition Committee to act as the representative of this association known as the *Regroupement des municipalités de l’Île de Montréal* (RMIM) and, as such, the UMQ assumed the responsibilities of advisor and deductible fund manager;

WHEREAS a call for tenders was made by Optimum Gestion de risques, Division de Optimum Actuaire & Conseiller Inc. and by the “UMQ” for the *Regroupement des municipalités de l’Île de Montréal*;

WHEREAS, it was recommended by the consultant, Optimum Gestion de risques, Division de Optimum Actuaire & Conseillers Inc., to accept the bid made by Aon Parizeau Inc. for municipal liability insurance and the bid by BF Lorenzetti & Associés for other property insurance as they are the most advantageous and allow for the establishment of a \$360,000 civil liability group deductible coverage;

WHEREAS on December 14, 2005, the Côte Saint-Luc City Council, ("Council"), via resolution number 051217, approved the Agreement reached on May 27, 2005 by the Transition Committee for and in the name of the municipalities to be reconstituted on the Island of Montreal and the "UMQ" for the three-year term beginning on January 1, 2006 and ending on December 31, 2008 for the purpose of purchasing group property insurance with a possibility of a group deductible;

WHEREAS at its Regular Meeting of July 14, 2008 Council adopted a new agreement along with the reconstituted municipalities who were party to the previous Agreement said new agreement adopted for a five year period, from January 1, 2009 to January 1, 2014;

WHEREAS in 2009 the City will be covered by the same insurers indicated within the previous Agreement;

WHEREAS at its Regular Meeting of July 14, 2008 Council also awarded a mandate to Optimum Gestion de risques, Division de Optimum Actuares & Conseillers Inc. to act as a consultant concerning its general insurance;

WHEREAS said consultant proposed two sets of fees contingent upon whether or not a call for tenders was to be prepared;

WHEREAS the consultants deemed it expedient not to proceed with a call for tenders;

WHEREAS the actual amount indicated in their offer of services was \$2,585.00¹, (taxes not included) when no tender was prepared;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Council hereby grants the consultant's fees, the City's property insurance and civil liability contracts – with their corresponding premiums and deductibles where applicable - from January 1, 2009 to December 31, 2009 - the whole as more amply delineated hereunder:

THAT Council authorizes the amount to be paid to Optimum Gestion de risques, Division de Optimum Actuares & Conseillers Inc. in the amount of \$2,585.00, plus applicable taxes;

THAT Council authorizes payment to B.F. Lorenzetti, Broker, in the amount of \$119,640.00, plus applicable taxes, for premiums to the insurance companies as is detailed a document entitled: "Déclarations – Avis de garantie – Avis de garantie N° MTL-08-14273";

THAT Council further authorizes payment in the amount of \$47,782.00 for its share contribution of the \$360,000 civil liability group deductible coverage described above herein as well as the U.M.Q. fees of \$1,420.50, plus applicable taxes as the advisor and fund deductible manager;

THAT Council further authorizes payment in the amount of \$11,931.00, plus applicable taxes, to AON Parizeau, broker, in the name of the Insurer, St. Paul

¹ Not \$1,750.00 as was initially indicated on July 14, 2008.

Guarantee Insurance Company, for the City's professional liability/errors and omissions policy;

THAT Treasurer's certificate number TC09-0028 dated February 3, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

090231

BY-LAW 2005-1 ENTITLED: "BY-LAW AMENDING BY-LAW 2005 TO PROHIBIT THE CARRYING OR THE USE OF CUTTING AND THRUSTING WEAPONS IN PUBLIC PLACES IN VIEW OF PROHIBITING AIR GUNS" - ADOPTION

It was

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

AND RESOLVED:

"THAT By-law entitled: "By-law amending by-law 2005 to prohibit the carrying or the use of cutting and thrusting weapons in public places in view of prohibiting air guns" be and is hereby adopted and numbered 2005-1."

CARRIED UNANIMOUSLY

090232

BY-LAW 2312 ENTITLED: "BY-LAW CONCERNING GRAFFITI" - ADOPTION

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT By-law entitled: "By-law concerning Graffiti" be and is hereby adopted and numbered 2312."

CARRIED UNANIMOUSLY

090233

MANDATE TO M^E YVON DENAULT OF BÉLANGER SAUVÉ TO SELL IMMOVABLES TO THE HIGHEST BIDDER DESCRIBED IN THE NOTICE FOR UNPAID TAXES

WHEREAS article 517 of the *Cities and Towns Act* (R.S.Q., c. C-19) allows Council to mandate someone acting for the City Clerk to sell, to the highest bidder, the immovables described in the notice for sale of immovables due to unpaid taxes;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Council hereby mandates M^e Yvon Denault to act on the City Clerk’s behalf to sell, to the highest bidder, the immovables described in the notice for sale of immovables due to unpaid taxes the whole subject to the terms and conditions delineated in the aforementioned *Cities and Towns Act*.”
CARRIED UNANIMOUSLY

090234

**CHANGING OF REGULAR SITTING OF COUNCIL FROM MARCH 9, 2009 TO
MARCH 16, 2009**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Council hereby changes the date of the Regular Sitting to be held in March from March 9, 2009 at 8:00 p.m. to March 16, 2009 at 8:00 p.m.”
CARRIED UNANIMOUSLY

090235

PARTICIPATION OF THE CITY OF CÔTE SAINT-LUC – EARTH HOUR

WHEREAS reducing the world’s emissions is a shared responsibility and each city must commit to reducing its carbon output and every single person, business and community should take it upon themselves to participate;

WHEREAS so far this year, on Saturday, March 28th, 2009 at 8:30 p.m., Sydney, Chicago, Tel Aviv, Manila, Copenhagen, Melbourne, Brisbane and Toronto will all be turning off their lights for an hour in the name of fighting global warming;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc be authorized to turn off all non-essential lighting for one hour on Saturday, March 28th, 2009 starting at 8:30 p.m.;

THAT all residents and merchants of Côte Saint-Luc be encouraged to join the city on March 28th, 2009 in turning off their lights;

THAT all Montreal Agglomeration municipalities be equally encouraged to join the City of Côte Saint-Luc for the Earth Hour on March 28th, 2009.”
CARRIED UNANIMOUSLY

090236

**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 February 2009 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 February 2009 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 February 2009 based on the information to be presented during those meetings."

CARRIED UNANIMOUSLY

MAYOR HOUSEFATHER DECLARED THE MEETING IN RECESS

090237

RESOLUTION DECLARING THE MEETING IN RECESS

It was

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

AND RESOLVED

"THAT Council hereby declares the Council Meeting in recess."
CARRIED UNANIMOUSLY

THE MEETING WAS THEN IN RECESS AT 10:00 P.M. AND RECONVENED AT 10:15 P.M.

090238

**OTHER BUSINESS – PUBLIC WORKS – AQUEDUCT REHABILITATION:
KILDARE, ADALBERT, BORDEN, MELLING, MCALEAR, DAVIES, AND
GLENCREST**

WHEREAS the City has made a public call for tenders for the aqueduct rehabilitation for the following roads: Kildare, Adalbert, Borden, Melling, McAlear, Davies and Glencrest said tender numbered C-57-08;

WHEREAS two companies submitted their proposals, Aqua Rehab Inc. and Sanexen Services Environnementaux Inc;

WHEREAS the lowest conforming bidder was Sanexen Services Environnementaux Inc;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby awards the contract for the aqueduct rehabilitation pursuant to tender number C-57-08, to Sanexen Services Environnementaux Inc. and authorizes payment of \$863,415.00, plus applicable taxes;

THAT Treasurer's certificate number TC09-0031 dated February 3, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

090239

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

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

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 5838 Westminster, Lot 1052229, be and is hereby approved, the whole as more amply delineated hereunder:

- The minor exemption request is to allow for a proposed day-care building:
- a. to have a rear setback of 6'-0" instead of the minimum required of 20'-0" (annex "B", zone CD-6);
 - b. to have a lateral setback on the south side of 15'-0" instead of the minimum required of 15'-6" (annex "B", zone CD-6);
 - c. to have a secondary front setback of 14'-3" instead of the minimum required of 25'-0" (annex "B", zone CD-6);

- d. to have nine (9) exterior parking spaces instead of the minimum required of 17 (article 7-3-1);
- e. to have two (2) parking areas established without having to provide a driveway accessible to a public street instead of having two (2) parking areas with a driveway accessible to a public street (article 7-5-7).

The foregoing is in accordance with the provisions of the Zoning By-law No. 2217 of the City of Côte Saint-Luc as mentioned above.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS ALLAN J. LEVINE, SAM GOLDBLOOM AND RUTH KOVAC ALL DISSENTING

090240

OTHER BUSINESS - BY-LAW 2302 ENTITLED: “BY-LAW TO REGULATE THE COLLECTION AND DISPOSAL OF WASTE MATERIALS” - ADOPTION

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT By-law entitled: “By-law to regulate the collection and disposal of waste materials” be and is hereby adopted and numbered 2302.”

CARRIED UNANIMOUSLY

090241

RESOLUTION SUPPORTING THE BOROUGH OF CÔTE-DES-NEIGES – NOTRE-DAME-DE-GRÂCE IN ITS OPPOSITION OF ANY CASINO PROJECT ON THE HIPPODROME SITE

WHEREAS for the past several years the government of Quebec has been committed to moving the site known as “Hippodrome de Montréal”;

WHEREAS the urban plan of the City of Montreal and of the Borough of Côte-des-Neiges – Notre-Dame-de-Grâce provides for residential development of this site for the construction of 2,000 to 10,000 dwellings within the sector;

WHEREAS considering the value of this land as well as its central location – situated in close proximity to: the downtown core of Montreal, metro stations, the Montréal-Pierre Elliott Trudeau International Airport – the said residential redevelopment will act as a deterrent to urban sprawl and respond to the residential needs of different socio-economic groups for years to come;

WHEREAS the residential development of the Hippodrome site within the center west sector shall revitalize the development of the adjoining and landlocked sectors of: Saint-Laurent, Mount-Royal, Côte-des-Neiges – Notre-Dame-de-Grâce and shall favour a transport link within the axis of Cavendish Boulevard as provided within the City of Montreal’s urban plan (*secteur de planification détaillée 4.13*);

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the Côte Saint-Luc city council (“Council”) supports the Borough of Côte-des-Neiges – Notre-Dame-de-Grâce in its opposition of any project which may authorize the installation of a casino housing over 300 lottery video terminals on the Hippodrome site;

THAT Council confirms its support of the residential redevelopment of the Hippodrome de Montréal site in conjunction with the Cavendish / Royalmount / Cavendish extension in view of opening access to the center west sector of the Island of Montreal;

TO advise the Quebec government of the City’s opposition;

TO advise Lawrence Bergman, M.N.A. of the resolution; and

THAT a copy of said resolution be transmitted to every City and every Borough on the Island of Montreal.”

CARRIED UNANIMOUSLY

090242

OTHER BUSINESS – URBAN PLANNING – SALE OF CITY-OWNED LANE

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

“THAT City of Côte Saint-Luc City Council hereby approves to enter into the Purchase Agreement annexed herewith as Annex A to form an integral part of the minutes for the property consisting of approximately seven hundred and thirty (730) square feet of the lane with cadastral number 1 054785 located behind the property with civic address 5838 Westminster and cadastral number 1 052 229 in the City of Côte Saint Luc for an amount of approximately \$22,500.00 plus applicable taxes.”

CARRIED UNANIMOUSLY

090243

OTHER BUSINESS - AUTHORIZATION OF ALL NINE (9) MEMBERS OF COUNCIL TO ATTEND THE ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES TO BE HELD IN WHISTLER, BRITISH COLUMBIA FROM JUNE 5 TO JUNE 7, 2009

WHEREAS the City of Côte Saint-Luc (“the City”) has been informed that the Annual Conference of the Federation of Canadian Municipalities shall be held in Whistler, British Columbia from June 5, to June 7, 2009;

WHEREAS it is in the City's interest to participate actively and closely in all discussions taking place at this conference;

WHEREAS the Côte Saint-Luc City Council is of the opinion that its presence as well as the presence of the City Manager is beneficial in view of representing the City as well as to protect and to promote the said City’s interests;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT all nine (9) members of council as well as the City Manager ("the Delegates") be and are hereby authorized to represent the City of Côte Saint-Luc at the Annual Conference of the Federation of Canadian Municipalities to be held in Whistler, British Columbia from June 5, to June 7, 2009;

THAT the City will reimburse the Delegates any reasonable expenses incurred for this purpose, the Delegates to submit to the City Treasurer receipts for the expenses incurred."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

Having no residents present, there were no questions asked.

090244

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

**MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC**

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