

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON
MONDAY, APRIL 30, 2018, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 7:30 P.M.**

PRESENT:

Mayor Mitchell Brownstein, B. Comm., B.C.L., L.L.B. presiding
Councillor Sidney Benizri
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Ruth Kovac, B.A.
Councillor Mitch Kujavsky
Councillor Oren Sebag, B.Sc. RN MBA

ALSO PRESENT:

Ms. Tanya Abramovitch, City Manager
Ms. Nadia Di Furia, Associate City Manager
M^e Jonathan Shecter, Associate City Manager and City Clerk
acted as Secretary of the meeting

QUESTION PERIOD

There were no questions asked.

180437

**URBAN DEVELOPMENT – AUTHORIZATION TO SUBMIT A REQUEST FOR
FINANCIAL SUPPORT FOR A STREETSCAN SIDEWALKS ANALYSIS IN THE
CITY OF CÔTE SAINT-LUC**

WHEREAS the City of Côte Saint-Luc (“City”) wishes to perform an analysis of the condition of its sidewalks by using an advanced technology namely, StreetScan;

WHEREAS funds for this type of project are available under the Federation of Canadian Municipalities’ *Municipal Asset Management Program*;

It was

MOVED BY COUNCILLOR SIDNEY BENIZRI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby authorizes the Director of Urban Development and the City Manager to submit an application for a grant pursuant to the Federation of Canadian Municipalities’ *Municipal Asset Management Program*;

THAT the City commits to conducting an analysis of its sidewalks using the advanced technology namely, *Streetscan*, the whole as more amply detailed in its proposed project submitted to the Federation of Canadian Municipalities’ *Municipal Asset Management Program* for the above-mentioned purpose;

THAT the City further commits to disburse its entire portion of the capital and operating costs associated with the *StreetScan* sidewalk analysis to be performed in the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

180438

AUTHORIZATION FOR THE CITY TO ACCEPT A SETTLEMENT WITH LES ENTREPRISES VENTEC INC. FOR AN AMOUNT OF \$2,500 TO DEFEND ITS LEGAL INTERESTS IN A LAWSUIT

WHEREAS on May 11, 2015, the City of Côte Saint-Luc (“the City”) was sued for actions allegedly committed by Les Entreprises Ventec Inc. (“Ventec”), its independent contractor;

WHEREAS considering the City was a named insured on Ventec’s insurance policy, Ventec’s insurer had the legal obligation to assume not only any liability resulting therefrom but *faits et cause* which they refused and/or neglected to do;

WHEREAS the City was successful in defending its legal interests by way of a Judgment holding the City completely blameless and harmless in the aforementioned lawsuit;

WHEREAS the City and Ventec now wish to amicably resolve any fees the City disbursed towards defending its legal interests and wish to agree upon an amount of \$2,500.00 to reflect same;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby authorizes the City to accept an amount of \$2,500 for having to defend its legal interests in the lawsuit entitled: *Ilana Krief versus City of Côte Saint-Luc et al.* bearing docket number 500-32-51423-169;

THAT the Director of Legal Services or the City's General Counsel or the Director of Urban Development be and is hereby authorized to sign any document giving effect to aforedescribed settlement.”

CARRIED UNANIMOUSLY

180439

NOTICE OF MOTION – BY-LAW 2398-2 TO BE ENTITLED: “BY-LAW TO MODIFY BY-LAW 2398 TO REGULATE PARKING AND PUBLIC SAFETY”

Councillor Oren Sebag gave Notice of Motion that By-Law 2398-2 to be entitled: “By-Law to modify By-Law 2398 to Regulate Parking and Public Safety” will be presented at a later meeting for adoption.

The City Clerk then mentioned the object and the scope of the By-Law 2398-2 to be entitled: “By-Law to modify By-Law 2398 to Regulate Parking and Public Safety”.

180440

TABLING OF DRAFT BY-LAW 2398-2 ENTITLED: “BY-LAW TO MODIFY BY-LAW 2398 TO REGULATE PARKING AND PUBLIC SAFETY”

Councillor Oren Sebag tabled (*deposé*) Draft By-Law 2398-2 entitled: “By-Law to modify By-Law 2398 to Regulate Parking and Public Safety”.

180441

AUTHORIZATION TO MANDATE THE FIRM OF BÉLANGER SAUVÉ S.E.N.C.R.L. TO TAKE ALL NECESSARY INJUNCTIVE PROCEEDINGS PRIMARILY TO SUSPEND ALL CONSTRUCTION WORK CURRENTLY BEING PERFORMED AT 5792 PARKHAVEN AVENUE

WHEREAS the City of Côte Saint-Luc (the “City”) was advised on Friday, April 20, 2018 that Les Cours Parkhaven Inc. and 9264-8476 Québec Inc. were illegally building or illegally authorizing construction at 5792 Parkhaven Avenue in the City of Côte Saint-Luc as no permit fees were paid and building plans still require approval;

WHEREAS an injunction is required to ensure that all construction works being performed currently cease;

WHEREAS a further mandate is required to authorize the demolition of any nonconforming structures should circumstances so warrant;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT Côte Saint-Luc City Council (“Council”) hereby authorizes the firm of Bélanger Sauvé S.E.N.C.R.L. (“Attorneys”) to institute any relevant Legal Proceedings to suspend all construction works currently being performed at 5792 Parkhaven Avenue, said Proceedings to be brought against Les Cours Parkhaven Inc. and 9264–8476 Québec Inc.;

THAT Council further authorizes the City to reimburse its Attorneys all reasonable legal expenses related to this legal mandate and a Treasurer’s Certificate will be procured if/when necessary once these said expenses become known;

THAT Council further authorizes the Director of Legal Services to take any further action in damages against Les Cours Parkhaven Inc. and 9264-8476 Québec Inc. as well as their insurers to recover any amounts disbursed (including legal fees) as a result of this incident.”

CARRIED UNANIMOUSLY

180442

AUTHORIZATION FOR THE ELECTED OFFICIALS TO BE DESIGNATED BY THE DIRECTEUR DE L’ÉTAT CIVIL TO SOLEMNIZE AND OFFICIATE MARRIAGES AND CIVIL UNIONS WITHIN THE TERRITORY OF THE CITY OF CÔTE SAINT-LUC

WHEREAS mayors, members of municipal or borough councils and municipal officers are eligible to be designated by the *Directeur de l'état civil* to solemnize and officiate marriages and civil unions;

WHEREAS on May 14, 2012, at a Regular Council Meeting, the Côte Saint-Luc City Council adopted resolution number 120532 (amended by resolution number 120615) authorizing, *inter alia*, the following Elected Officials to officiate and solemnize marriages and civil unions within the territory of the City of Côte Saint-Luc and thus authorizing the Minister of Justice to designate them for said purpose: Mitchell Brownstein, Dida Berku, Michael Cohen, Steven Erdelyi and Ruth Kovac;

WHEREAS the Côte Saint-Luc City Council wishes to authorize all members of Council to officiate and solemnize marriages and civil unions within the territory of the City of Côte Saint-Luc;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby authorizes the following additional Elected Officials to officiate and solemnize marriages and civil unions within the territory of Côte Saint-Luc thus authorizing the *Directeur de l'état civil* to designate them for said purpose, said members of Council listed as follows:

Councillor Sidney Benizri
Councillor Mitch Kujavsky, B. Comm.
Councillor Oren Sebag, B.Sc. RN MBA
Councillor David Tordjman, eng.

THAT the authorization to officiate and to solemnize marriages and civil unions within the territory of the City of Côte Saint-Luc automatically ceases at the end of the Elected Official's term of office;

THAT Me Jonathan Shecter, the City Clerk or Me Frédérique Bacal, the Assistant City Clerk be and is hereby authorized to sign any documentation required to give effect to the foregoing;

THAT this resolution be for immediate action."
CARRIED UNANIMOUSLY

180443

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

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

CARRIED UNANIMOUSLY

**AT 7:42 P.M. MAYOR BROWNSTEIN DECLARED THE MEETING
ADJOURNED.**

MITCHELL BROWNSTEIN
MAYOR

JONATHAN SHECTER
CITY CLERK