

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, OCTOBER 15, 2018, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

Mayor Mitchell Brownstein, B. Comm., B.C.L., L.L.B. presiding
Councillor Sidney Benizri
Councillor Dida Berku, B.C.L.
Councillor Mike Cohen, B.A.
Councillor Ruth Kovac, B.A.
Councillor Mitch Kujavsky
Councillor Oren Sebag, B.Sc. RN MBA
Councillor David Tordjman, ing.

ALSO PRESENT:

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

181001

**PROCLAMATION – RESOLUTION RECOGNISING THE SACRIFICE MADE BY
JEWISH CANADIAN SOLDIERS DURING THE TWO WORLD WARS**

WHEREAS 579 Jewish members of the Canadian Armed Forces made the supreme sacrifice in the prime of their lives in the First and Second World Wars and the Korean war;

WHEREAS Jewish members of the Canadian Armed Forces fought not only to help liberate countries invaded by Nazi Germany but also for the survival of the Jewish people of Europe;

WHEREAS The City of Côte Saint-Luc recognizes the contributions and sacrifices made by Canadian soldiers each year on Remembrance Day and Victory in Europe Day;

WHEREAS Jewish Community Organizer Larry G. Rosenthal organizes an annual memorial service at the Baron de Hirsch Cemetery at the monument to the Canadian Jews who fell in service;

WHEREAS Larry G. Rosenthal has made it his mission to ensure that those young people who sacrificed their lives are not forgotten, including his older brother, William Guy Rosenthal, who was killed in action in Sicily in 1943;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED:

“THAT The City of Côte Saint-Luc (“City”) recognizes and remembers the contribution of Jewish Canadian soldiers during the First and Second World Wars and the Korean war and the ultimate sacrifice made by 579 Jewish members of the Canadian Armed Forces who died during these wars;

THAT the City acknowledges the work done by Jewish Community Organizer Larry G. Rosenthal in organizing an annual memorial service for fallen Jewish Canadian soldiers to ensure they are never forgotten.”
CARRIED UNANIMOUSLY

QUESTION PERIOD

The question period started at 8:08 p.m. and finished at 9:18 p.m. Ten (10) people asked to speak and they were heard.

1) Marla Pinsler

The resident stated that much to her surprise, there was a skateboarding and biking bowl at Rembrandt Park which was removed approximately six weeks ago and inquired why this was done. Mayor Brownstein responded that the City invests heavily in its parks, that this particular infrastructure was removed as it was deemed to be unsafe because it was old, not in great condition and not highly used. Mayor Brownstein then explained to the resident that there is similar infrastructure in Fletcher Park which is heavily used and which will be properly maintained.

2) Harry Oberman

The resident inquired regarding the Site Plan and Minor Exemption requests regarding 6801 (6809) Abraham de Sola. The resident expressed concern as there is no swimming pool or exercise room in the proposed building and inquired as to whether rentals for this building can be for a very short-term purpose only. He then stated that he was concerned that the individual air conditioning units for each building unit would be protruding from each balcony. Mayor Brownstein explained that the Site Plan and Minor Exemption requests will both be deferred until next month in order for Councillor Sebag to set up a meeting between the developer and the residents of the neighbourhood. Mayor Brownstein further stated that the City can look into any legislation that it can enact related to the builder being able to have short short-term versus long-term leases.

3) Morty Benjamin

The resident complained regarding the existing traffic density on Vezina which he deemed as being *impossible*. He then stated that a lot can be achieved if Vezina can be made a one-way going East in the morning (during rush hour). He then inquired as to the impact of this new building (6801 Abraham de Sola) on traffic. Mayor Brownstein responded to the resident that the Urban Development department can work with their counterparts in the City of Montreal to see how the traffic congestion can be better managed in that area.

4) Mario Cicora

The resident complained related to congestion on Vezina and then inquired if Councillor Sebag can verify a couple of mornings a week to ascertain the issue. Councillor Sebag then responded that during his election campaign he spent several mornings evaluating the traffic issue. He further stated that he not only understands the issue but the frustrations felt by neighbouring residents. Councillor Berku then added that the City is very aware of the problem, that they formed a Committee of Inter-municipal leaders and invited Mayors and their teams to sit around and review how Decarie will be navigated. She then stated that if you have to cross Decarie, you are up for a *major challenge*. She then explained that the City of Côte Saint-Luc requires the cooperation of the City of Montréal, that

Decarie must be made more fluid and that all partners must work together in order for this to happen. Lastly, she stated the issue of congestion must be addressed in a global manner.

5) Irving Itman

The resident inquired as to whether his fellow residents will be able to erect tempos to which Mayor Brownstein responded that the City will explain this in further detail later on in the meeting, but did state that the City would adopt a by-law (at a future Special Meeting in two weeks time) for any zone where no valid application was received (where there were no concerned and/or contiguous zones).

The resident then inquired as to what the (municipal by-law) legislation would be concerning smoking cannabis to which Mayor Brownstein stated that the City is currently looking into it. Councillor Berku then added that the City will be holding an information session with regards to landlords and their ability to put clauses in leases prohibiting smoking on the properties.

6) Evelyn Ruckenstein

The resident expressed concern related to the potential size of the proposed building at 6801 Abraham de Sola (6809) to which Councillor Sebag responded within the next few weeks a meeting will be convened with neighbouring residents to explain the project in further detail. The resident then expressed concern that the building in question is a rental building, the units are small and that the concept in those units can be *Air B & B* like (more in the short term). She emphasized that she lives in a residential area and that the proposed building next door *really bothers* her.

7) Dr. Bernard Tonchin

The resident expressed concern with the results of the provincial election in particular its negative impact on the progress of the Cavendish extension. The resident then inquired as to what the progress was related to the Cavendish extension. Mayor Brownstein stated that irrespective of whether there is a new provincial party in power, the Cavendish extension project is continuing and ongoing.

8) Yosi Knecht

The resident explained that the whole traffic configuration for his neighbourhood (i.e. right turns on Baily) must be looked at. He stated that this summer, traffic was very quiet in his area while maintenance work forced the City to deviate traffic from his residential neighbourhood. He then stated that now that certain traffic deviation measures have been lifted, there will be a traffic saturation in his area. He then inquired as to whether the City can gather empirical data to ascertain whether or not traffic rules in his neighbourhood can be properly configured according to said empirical data. Councillor Berku then concurred that data analytics was indeed useful. The resident then went on record as supporting the concept of *window permits/zone parking*.

9) M^e Ian Copnick

The resident explained that some of his fellow residents were using their garages for purposes other than parking vehicles and inquired as to why the rules of tempos cannot be likened to overnight parking permits so that tempos will only be permitted for residents who do not have garages to park their cars. The resident then went on record as stating that he finds it odd that the by-law looks like

patchwork to which Mayor Brownstein reassured the resident that that such was not the case.

10) Bevef Rory

The member of the public stated that she looks after the elderly and that she drops off a 101-year-old woman at the Cavendish Mall. She then complained related to a Statement of Offense she received while dropping the woman off. Mayor Brownstein stated that while he has no purview to adjudicate upon Statements of Offense, he will refer the matter to the Director of Public Safety, in the audience tonight. The resident then inquired as to whether or not the City can work with the Cavendish Mall to see if there could be a potential drop-off zone to which Mayor Brownstein responded in the affirmative, however Councillor Kovac cautioned the resident that because at least some of the area in question may be potentially reserved for a fire lane, this may not be feasible.

181002

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED SEPTEMBER 4, 2018 AT 7:15 P.M.**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated September 4, 2018 at 7:15 p.m. be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

181003

**CONFIRMATION OF THE MINUTES OF THE PUBLIC CONSULTATION
MEETING OF COUNCIL DATED SEPTEMBER 4, 2018 AT 7:30 P.M.**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Public Consultation Meeting of Council dated September 4, 2018 at 7:30 p.m. be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

181004

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED SEPTEMBER 4, 2018 AT 8:00 P.M.**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated September 4, 2018 at 8:00 p.m. be and are hereby approved as submitted with the following paragraph describing the source of financing for resolutions 180931 and 180932 amended, “THAT the described expenses shall be financed from the City’s water reserve;”.”

CARRIED UNANIMOUSLY

181005

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED SEPTEMBER 26, 2018 AT 5:55 P.M.**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated September 26, 2018 at 5:55 p.m. be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

181006

MONTHLY DEPARTMENTAL REPORTS FOR SEPTEMBER 2018

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the monthly departmental reports submitted for September, 2018 be and are hereby approved as submitted.”

CARRIED UNANIMOUSLY

COUNCILLOR DAVID TORDJMAN LEFT THE MEETING

181007

**ADJUDICATION RESOLUTION TO FINANCE A BOND ISSUE IN THE AMOUNT
OF \$4,920,000**

WHEREAS the City of Côte Saint-Luc (“City”) intends to issue a series of bonds or one issue per maturity date, pursuant to loan by-law numbers: 2445, 2447, 2480, 2481, 2482, 2485, 2486 and 2483;

WHEREAS the City has requested, in this respect, through the electronic system entitled “*Service d’adjudication et de publication des résultats de titres d’emprunts émis aux fins du financement municipal*”, tenders for the sale of a bond issue, dated October 30, 2018, in the amount of \$4,920,000;

WHEREAS as a result of the public call for tenders for the sale of the bond issue described above, the *Ministère des Finances* received the following four compliant bids, all in accordance with article 555 of the *Cities and Towns Act*; (CQLR,

chapter C-19) or article 1066 of the *Quebec Municipal Code* (CQLR, chapter C-27-1) (“Section”) and the requirement to adopt a resolution pursuant to that Section;

Name of Bidder	Bid Price	Amount	Rate	Term	Real Cost
FINANCIÈRE BANQUE NATIONALE INC.	98,68300	\$283,000	2,35000%	2019	3,28838%
		\$292,000	2,60000%	2020	
		\$300,000	2,75000%	2021	
		\$310,000	2,90000%	2022	
		\$3,735,000	3,00000%	2023	
SCOTIA CAPITAUX INC.	98,66350	\$283,000	2,40000%	2019	3,29036%
	\$292,000	2,55000%	2020		
	\$300,000	2,70000%	2021		
	\$310,000	2,90000%	2022		
	\$3,735,000	3,00000%	2023		
VALEURS MOBILIÈRES DESJARDINS	98,65600	\$283,000	2,40000%	2019	3,29222%
	\$292,000	2,55000%	2020		
	\$300,000	2,70000%	2021		
	\$310,000	2,90000%	2022		
	\$3,735,000	3,00000%	2023		
MARCHÉS MONDIAUX CIBC INC.	98,67332	\$283,000	2,35000%	2019	3,29435%
	\$292,000	2,65000%	2020		
	\$300,000	2,80000%	2021		
	\$310,000	2,90000%	2022		
	\$3,735,000	3,00000%	2023		
BMO NESBITT BURNS INC.	98,62200	\$283,000	2,20000%	2019	3,29506%
	\$292,000	2,45000%	2020		
	\$300,000	2,70000%	2021		
	\$310,000	2,90000%	2022		
	\$3,735,000	3,00000%	2023		
VALEURS MOBILIERES BANQUE LAURENTIENNE INC. / RBC DOMINION VALEURS MOBILIÈRES INC.	98,60570	\$283,000	2,45000%	2019	3,30751%
	\$292,000	2,65000%	2020		
	\$300,000	2,75000%	2021		
	\$310,000	2,85000%	2022		
	\$3,735,000	3,00000%	2023		

WHEREAS based on the calculation of the real costs, the most advantageous offer is presented by the firm FINANCIÈRE BANQUE NATIONALE INC.;

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the preamble of this resolution shall form an integral part thereof as if cited hereinafter at length;

THAT the bond issue in the amount of \$4,920,000 of the City of Côte Saint-Luc be awarded to the firm FINANCIÈRE BANQUE NATIONALE INC.;

THAT a request be made to the aforementioned firm to mandate The Canadian Depository for Securities Limited ("CDS") to register this issue in the book-based system;

THAT CDS shall be acting as registrar for the book-based system bondholding officer and paying officer in charge of the transactions for the members, as described in the memorandum of understanding signed with the Minister of Municipal Affairs and Land Occupancy of Quebec and CDS;

THAT CDS will perform fund transfers in accordance with legal requirements regarding bonds; in this regard, the Côte Saint-Luc City Council authorizes the City Treasurer to sign the document required by the Canadian Banking System entitled: "Authorization for a Business Pre-Authorized Debit Plan";

THAT the Mayor and the City Treasurer be authorized to sign the bonds covered by this issue, or one bond per maturity date."
CARRIED UNANIMOUSLY

COUNCILLOR DAVID TORDJMAN RETURNED TO THE MEETING

181008

**RESOLUTION OF CONCORDANCE AND SHORT-TERM FOR LOAN BY-LAWS
IN THE AMOUNT OF \$4,920,000 TO BE ISSUED ON OCTOBER 30, 2018**

WHEREAS, in accordance with the following borrowing by-laws and for the amounts indicated for each of them, the City of Côte Saint-Luc ("City") wishes to issue a series of bonds, one bond per maturity date, for a total amount of \$4,920,000 to be issued on October 30, 2018 and distributed as follows:

Loan By-Law #'s	Amount
2445	\$185,000
2447	\$161,000
2480	\$1,700,000
2481	\$767,000
2482	\$567,000
2485	\$715,000
2486	\$300,000
2483	\$525,000

WHEREAS it is expedient to amend the loan by-laws accordingly;

WHEREAS, in accordance with the first paragraph of article 2 of the *Act respecting municipal debts and loans* (CQLR, chapter D7) ("Act"), for the purpose of this bond issue and for the following loan by-law numbers: 2445, 2447, 2480, 2481, 2485, 2486 and 2483, the City wishes to issue a series of bonds for a shorter term than the term originally assigned to these by-laws;

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT the loan by-laws mentioned in the first paragraph of the preamble be financed by bonds, in accordance with the following conditions:

1. The bonds, one bond per maturity, will be dated October 30, 2018;
2. Interest will be payable semi-annually on April 30th and October 30th of each year;
3. The bonds will not be redeemable in advance; however, they may be redeemed with the consent of the holders in accordance with the *Act Regarding Municipal Debts and Loans* (RLRQ, chapter D-7);
4. The bonds will be registered in the name of The Canadian Depository for Securities Limited (“CDS”) and filed with it;
5. CDS shall act on behalf of its members as a registrar for the book-based system, bondholding officer and paying officer in charge of the transactions for the members as described in the agreement protocol duly signed by the Minister of Municipal Affairs and Land Occupancy of Quebec and CDS;
6. CDS will proceed with the transfer of funds, according to the legal requirements of the bonds and for that purpose; the Côte Saint-Luc City Council authorizes the City Treasurer to sign the documents required by the Canadian Banking system entitled “*Autorisation pour le plan de débits pré-autorisés destinée aux entreprises*”;
7. CDS will make payments of the principal and the interest to Members through electronic funds transfers and, for this purpose, CDS will directly withdraw the required amounts from the following account:

ROYAL BANK OF CANADA
Cavendish and Kildare branch
5755 Cavendish boulevard
Côte Saint-Luc, Quebec
H4W 2X8

8. That the bonds shall be signed by the mayor and the City Treasurer. The City of Côte Saint-Luc, as entitled by Law, has mandated CDS to act as its fiscal authenticator agent and the bonds will only become valid once they have been authenticated;

THAT, with regard to the annual depreciation of capital planned for the calendar years 2024 and following, the future term of the following loan by-law numbers 2445, 2447, 2480, 2481, 2485, 2486 and 2483 is shorter than the term originally assigned; namely for a term of five (5) years (as of October 30, 2018), instead of the prescribed term for such amortization, each subsequent issue being for the balance or part of the balance due on the loan.”

CARRIED UNANIMOUSLY

181009

AUTHORIZED REPRESENTATIVE AND AUTHORIZATION TO SIGN ON BEHALF OF THE CITY OF CÔTE SAINT-LUC DOCUMENTS REQUIRED FOR REGISTRATION IN clicSÉCUR

WHEREAS the City of Côte Saint-Luc uses the electronic services of the Ministry of Revenue of Quebec to facilitate its various dealings with the government;

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT Angelo Marino, Treasurer of the City of Côte Saint-Luc, is appointed authorized representative (the representative) and the person responsible for the purposes of this resolution;

THAT Angelo Marino, Treasurer of the City of Côte Saint-Luc, be authorized to sign any document required for registration in clicSÉQUR and generally to do whatever he deems useful and necessary for that purpose;

THAT The Minister of Revenue is authorized to communicate to the representative the information at its disposal and which is necessary for registration in clicSÉQUR.”
CARRIED UNANIMOUSLY

181010

**RESOLUTION TO APPROVE THE DISBURSEMENTS FOR THE PERIOD OF
SEPTEMBER 1, 2018 TO SEPTEMBER 30, 2018**

It was

MOVED BY COUNCILLOR MITCH KUJAVSKY
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the attached list of disbursements for the period of September 1, 2018 to September 30, 2018 for a total amount of \$5,082,218.90 in Canadian Funds;

THAT Treasurer’s certificate No.18-0171 dated October 9, 2018 has been issued by the City Treasurer attesting to the availability of funds to cover the described expenses.”
CARRIED UNANIMOUSLY

181011

**GENERAL MANAGEMENT – INTERMUNICIPAL AGREEMENT REGARDING A
MUNICIPAL DOG RUN**

This item was deferred to a subsequent meeting.

181012

**HUMAN RESOURCES – ADOPTION OF THE HUMAN RIGHTS AND
ANTI-HARASSMENT/DISCRIMINATION POLICY**

WHEREAS on August 5, 2005 the City of Côte Saint-Luc (“City”) adopted an *Anti-Harassment Policy*;

WHEREAS the City wishes to replace said *Anti-Harassment Policy* with an updated, more comprehensive policy entitled: “*Human Rights and Anti-Harassment/Discrimination Policy*”;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT Council hereby approves and adopts the *City of Côte Saint-Luc Human Rights and Anti-Harassment/Discrimination Policy* annexed hereto as Annex A to form an integral part hereof.”

CARRIED UNANIMOUSLY

181013

**HUMAN RESOURCES – APPOINTMENT OF A RESPONDENT IN TERMS OF
ACCOMODATIONS ON RELIGIOUS GROUNDS**

This item was deferred to a subsequent meeting.

181014

**HUMAN RESOURCES – LIBRARY – APPOINTMENT OF LIBRARY CLERK –
WHITE COLLAR, PERMANENT POSITION**

It was

MOVED BY COUNCILLOR DAVID TORDJMAN
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the appointment of Lianna Black in to a permanent position as a Library Clerk, effective September 23, 2018.”

CARRIED UNANIMOUSLY

181015

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

It was

MOVED BY COUNCILLOR RUTH KVOAC
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the hiring of the White Collar auxiliary employee whose name is listed on the document entitled “Auxiliary Employees – White Collars - Hiring”, dated September 28, 2018 and that said employee’s term of employment will be as per the conditions of the collective agreement;

THAT Treasurer’s certificate number 18-0166, dated October 2, 2018 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

181016

HUMAN RESOURCES — EXTENSION OF 2018 STUDENTS' MANDATE

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the extension of the students' mandates' for those employees whose names are listed in the document entitled “2018 Students – Extension of Mandate” dated September 17, 2018 and that said employees' term of employment will be as per the respective dates indicated on the aforementioned document;

THAT Treasurer's certificate number 18-0168, dated October 3, 2018 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

181017

2019 REGULAR COUNCIL MEETING SITTING SCHEDULE

WHEREAS the Côte Saint-Luc City Council (“Council”) must set a Sitting Schedule for its regular monthly sittings;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED:

“THAT Council hereby authorizes to hold its Regular Monthly Sittings for the 2019 calendar year as set out in the Sitting Schedule annexed herewith as Annex B to form an integral part of the Minutes.”

CARRIED UNANIMOUSLY

181018

BY-LAW 2517 ENTITLED: “BY-LAW REGULATING THE TRAFFIC OF TRUCKS AND TOOL VEHICLES” - ADOPTION

It was

MOVED BY COUNCILLOR DAVID TORDJMAN
SECONDED BY COUNCILLOR OREN SEBAG

AND RESOLVED:

“THAT By-Law 2517 entitled: “By-Law regulating the traffic of trucks and tool vehicles” be and is hereby adopted.”

CARRIED UNANIMOUSLY

181019

BY-LAW 2519 ENTITLED: “BY-LAW TO FIX THE REMUNERATION OF THE MAYOR AND MEMBERS OF COUNCIL” - ADOPTION

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT By-Law 2519 entitled: “By-Law to fix the remuneration of the Mayor and Members of Council” be and is hereby adopted.”
CARRIED UNANIMOUSLY WITH MAYOR BROWNSTEIN ALSO VOTING IN FAVOUR OF THE BY-LAW¹ AND COUNCILLOR DAVID TORDJMAN DISSENTING

(GIVEN THAT OVER TWO-THIRDS MAJORITY VOTED IN FAVOUR OF THE BY-LAW (ART. 2 L.T.E.M.) AND GIVEN THAT THE MAYOR VOTED IN FAVOUR OF THE BY-LAW, THE RESOLUTION CARRIED.)

181020

AUTHORIZATION TO EXTEND AN IRREVOCABLE LETTER OF CREDIT IN ORDER TO SECURE THE COMPLETION OF THE CONSTRUCTION OF THE MIXED-USE BUILDING LOCATED WITHIN ZONE HM-6

WHEREAS, pursuant to by-law 2345 governing the demolition of buildings, on October 4, 2010, the City of Côte-Saint-Luc (“the City”) received an irrevocable letter of credit (“Letter”), given by Otera Capital issued by the Scotiabank and in favour of the City, said Letter annexed herewith as Annex A to form an integral part of this resolution;

WHEREAS the Letter was issued for an amount of 3.5 million dollars to secure the completion of various phases of the Cavendish Mall redevelopment project, including, but not limited to, the sale of lots destined and zoned for single-family homes;

WHEREAS on June 27, 2012, the City requested that the Letter be renewed for its full value;

WHEREAS, pursuant to by-law 2345 and upon the fulfillment of its terms and conditions:

- On August 13, 2012, the monetary guarantee was reduced by \$510,601.00 since thirteen (13) lots destined and zoned for single-family homes were sold (resolution number 120813);
- On September 10, 2012, Council further reduced the amount of the monetary guarantee to \$667,709.00 since seventeen (17) additional lots destined and zoned for single-family homes were sold (resolution number 120911);
- On October 20, 2014, (resolution number 141018) the monetary guarantee was completely reduced save and except for:
 - The building of the mixed-use building (zoned HM-6) for which an amount of \$387,139.00 must be withheld; and
 - \$386,642.00 representing the construction of four (4) semi-detached homes (\$101,294) and fourteen (14) townhouses (\$284,178);
- On December 15, 2014, Council adopted a revised timeline to dovetail with the two (2) remaining phases (building of mixed-use building and receipt of occupancy permits of townhouses) (resolution number 141242); and
- On September 21, 2015, Council authorized a full reduction in the 3.5 million dollar monetary guarantee save and except an amount of \$387,139.00 for the building of the mixed-use building (Zone HM-6), the only remaining phase, and Council declared that the construction of the mixed-use building located within Zone HM-6 shall be completed by October of 2018 (resolution number 150919).

¹ The Mayor does not vote unless otherwise indicated.

WHEREAS on September 11, 2017 Council renewed the current letter of credit until September 25, 2018 (resolution number 170914);

WHEREAS, (notwithstanding the delays imposed by resolution 150919) the construction of the mixed-used building located within Zone HM-6 is still ongoing;

WHEREAS the current Letter expired on September 25, 2018 but was renewed for one more year;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT Côte-Saint-Luc Council hereby ratifies the granting of the extension of an irrevocable letter of credit for one full year (until September 25, 2019) under the same terms and conditions in order to secure the completion of the construction of the mixed-use building located within Zone HM-6.”

CARRIED UNANIMOUSLY

181021

PUBLIC WORKS – AWARDING OF A CONTRACT FOR THE PURCHASE OF SIXTY (60) TWO-STREAM COMPARTMENTALIZED BINS (K-54-18)

WHEREAS on October 13, 2016, pursuant to resolution no. 161035, the City of Côte Saint-Luc (“City”) awarded a contract to Corporation Norme Internationale Inc., the lowest conforming bidder as per the terms of the tender no. C-32-16, for the purchase of 120 two-stream compartmentalized bins;

WHEREAS on September 11, 2017, pursuant to resolution no. 170921, the City purchased an additional amount of 50 two-stream compartmentalized bins from Corporation Norme Internationale Inc., in conformity with the terms of the tender C-32-16;

WHEREAS the City wishes to enter into a contract by mutual agreement with Corporation Norme Internationale Inc. for the purchase of an additional amount of 60 two-stream compartmentalized bins;

WHEREAS as per Article 12.1 of the City’s By-law concerning contract management, the City is allowed to award a contract by mutual agreement for an amount between \$25,000 and \$100,000 if it is in the best interests of the City (criterion (c) and (f));

It was

MOVED BY COUNCILLOR SIDNEY BENIZRI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

“THAT the Côte Saint-Luc City Council (“City Council”) hereby awards a contract to Corporation Norme Internationale Inc. for the purchase of 60 two-stream compartmentalized bins for a total amount of \$46,075.00, plus applicable taxes;

THAT the described expenses shall be financed from the City’s 2018 Small Parks Project, number Sur2018-Rec5.PW01;

THAT Treasurer's Certificate No. TC 18-0170 dated October 5, 2018 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

181022

PUBLIC WORKS – APPROVAL OF CONTRACT FOR PURCHASE AND PLANTING OF TREES (C-31-18)

WHEREAS the City of Côte Saint-Luc ("City") issued an invited call for tenders under Tender No. C-31-18 for the purchase and planting of trees and received one (1) conforming bid from *Les Terrassements Multi-Payages Inc.*;

It was

MOVED BY COUNCILLOR SIDNEY BENIZRI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT the Côte Saint-Luc City Council hereby awards a contract to *Terrassements Multi-Payages Inc.* for the purchase and planting of trees pursuant to the terms of Invited Tender C-31-18, in the amount of \$86,740.00, plus applicable taxes;

THAT the described expenses shall be financed from loan By-law 2503 entitled: "By-law 2503 authorizing a loan of \$262,000 for the purchase and planting of various trees on Cavendish boulevard and within other parts of the territory of the City of Côte Saint-Luc" previously approved by the Ministère des Affaires municipales et Occupation du territoire;

THAT Treasurer Certificate 18-0169 dated October 5, 2018 has been issued by the City Treasurer attesting to the availability of funds to cover the above-described expense."

CARRIED UNANIMOUSLY

181023

URBAN DEVELOPMENT – AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A SCOREBOARD FOR THE GARY CARTER BASEBALL FIELD IN PIERRE ELLIOTT TRUDEAU PARK (C-05-18C4)

WHEREAS the City of Côte Saint-Luc ("City") issued a public call for tenders under C-05-18C4 for the purchase and installation of a scoreboard for the Gary Carter baseball field in Pierre Elliott Trudeau Park and received three (3) bids;

WHEREAS the lowest bidder, Services d'enseignes Instal-Pro Inc., was found documentarily non-conforming;

WHEREAS the City deems Les Installations Sportives AGORA Inc. to be the lowest conforming bidder;

It was

MOVED BY COUNCILLOR OREN SEBAG
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

““THAT the City of Côte Saint Luc Council (“City Council”) hereby declares the bid received from Services d’enseignes Instal-Pro Inc. documentarily non-conforming, thus hereby declaring this bid rejected;

THAT pursuant to the terms of tender no. C-05-18C4, the Côte Saint-Luc City Council (the “City Council”) hereby awards a contract to Les Installations Sportives AGORA Inc., the lowest conforming bidder for up to a maximum of \$75,000.00, plus applicable taxes;

THAT furthermore, the City may consider an amount of 10% plus applicable taxes for any potential contingencies and extras, if required, that shall first be approved according to the City’s procedures;

THAT the above-described expenses shall be financed from loan by-law 2504 entitled: *“By-Law 2504 authorizing a loan of \$457,000 for various facility upgrades for Trudeau Park”*, previously approved by the Ministère des Affaires municipales et de l’Occupation du territoire (MAMOT);

THAT the City Treasurer has issued Treasurer’s Certificate TC 18-0172 on October 10, 2018 attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

181024

URBAN DEVELOPMENT - PURCHASE OF A PORTION OF CITY-OWNED LANE ADJACENT TO 5783 HUDSON AVENUE (K-25-18)

WHEREAS the City of Côte Saint-Luc (“City”) wishes to enter into a Purchase Agreement in regards to a 367.05 square feet City-owned property, cadastral number 6 160 559 (“Secondary Property”), adjacent to 5783 Hudson Avenue (“Principal Property”) owned by Gertrude Wolf Pearson (“Purchaser”);

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MITCH KUJAVSKY

AND RESOLVED:

“THAT the City hereby accepts the Offer to Purchase Agreement with the Purchaser in regards to the Secondary Property and this, for an amount of \$53.88 per square foot, for a total of \$19,776.65, plus applicable taxes;

THAT the Côte Saint-Luc City Council hereby ratifies the City’s General Counsel’s signature of the Offer to Purchase Agreement with the Purchaser;

THAT the City’s General Counsel’s be authorized to sign, on the City’s behalf, a notarial Deed of Sale incorporating the terms of the aforementioned Offer to Purchase Agreement to give effect to the foregoing.”

CARRIED UNANIMOUSLY

181025

URBAN DEVELOPMENT – URBAN PLANNING DIVISION - DRAFT BY-LAW 2217-XX CONTAINING PROVISIONS OF THE SECOND DRAFT BY-LAW TO AMEND ZONING BYLAW NO 2217 OF THE CITY OF COTE SAINT-LUC IN ORDER TO AUTHORIZE THE INSTALLATION OF TEMPORARY CAR SHELTERS IN ZONES RU AND RB IN RESPECT OF WHICH NO VALID APPLICATION HAS BEEN RECEIVED

This item was deferred to a Special Council Meeting to be held on Monday, October 29, 2018 at 7:00 pm.

181026

**URBAN DEVELOPMENT – URBAN PLANNING DIVISION - ADOPTION OF
BYLAW 2275-2 CONCERNING A MODIFICATION TO URBAN PLANNING
TARIFF RELATED TO THE FEE TO INSTALL A TEMPORARY CAR SHELTER**

This item was deferred to a Special Council Meeting to be held on Monday, October 29, 2018 at 7:00 pm.

181027

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 6809 ABRAHAM DE SOLA – CITY OF CÔTE SAINT-
LUC**

This item was deferred to the November 12, 2018 Regular Council Meeting.

181028

**URBAN PLANNING – SITE PLANNING AND ARCHITECTURAL INTEGRATION
PROGRAMS (SPAIP) – 7171 CÔTE SAINT-LUC – CITY OF CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the site planning and architectural integration programs received August 31, 2018 showing the installation of two new illuminated channel-letters signs, on the front canopy and one on the corner of the upper part of the side wall of the building on lot 1054267, at 7171 Côte Saint-Luc Road, and prepared by Signalisation SAIC; following the Planning Advisory Committee meeting of August 7, 2018, be approved according to the provisions of Chapter 14 of by-law 2217, of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

181029

URBAN PLANNING – MINOR EXEMPTION – 5723 LEGER – CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5723 Leger, Lot 1052928, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow for an existing, single-family, semi-detached dwelling built in 1958 under permit no. 476 to be located at 1,89m (6.2 ft.) from the

South/East side property Land line instead of the minimum required side setback of 1,98m (6.5 ft.). The whole notwithstanding the provisions of Zoning By-law no. 2217, Annex "B" (zone RU-21)."

CARRIED UNANIMOUSLY

181030

**URBAN PLANNING – MINOR EXEMPTION – 6809 ABRAHAM DE SOLA –
CÔTE SAINT-LUC**

This item was deferred to the November 12, 2018 Regular Council Meeting.

181031

**URBAN PLANNING – MINOR EXEMPTION – 7171 CÔTE SAINT-LUC –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 7171 Côte Saint-Luc Road, Lot 1054267, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow a multifamily dwelling with specific complementary uses to have:

- i) two illuminated channel-letters signs installed on the building identifying the name of the building instead of the maximum allowable amount of one sign per building;
- ii) the first sign be installed on the front canopy and having a total area of 4,1 sq.m. (44.1 sq.ft.) instead of the maximum allowable area of 1,85 sq.m. (20 sq.ft.);
- iii) the second sign be installed at the front corner of the side wall of the last floor level of the building and having a total area of 9,1 sq.m. (97.1 sq.ft.) instead of the maximum allowable area of 1,85 sq.m. (20 sq.ft.).

The whole notwithstanding the provisions of the Zoning by-law no. 2217, article 9-2 and article 9-3-2."

CARRIED UNANIMOUSLY

181032

**URBAN PLANNING – MINOR EXEMPTION – 8036 KILDARE –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 8036 Kildare, Lot

1052577, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow an existing, single-family detached dwelling built in 1954 under permit no. 84 to be located:

- i) at 4,3m (14.1 ft.) from the front property Land line instead of the minimum allowable front setback of 4,57m (15.0 ft.) and;
- ii) at 1,11m (3.64 ft.) from the North/East side property Land line instead of the minimum allowable side setback of 1,98m (6.5 ft.).

The whole notwithstanding the provisions of Zoning By-law no. 2217, Annex "B" (zone RU-20)."

CARRIED UNANIMOUSLY

181033

**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* (CQLR, 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 agglomeration council meetings may be held in November 2018 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 OREN SEBAG

AND RESOLVED

"THAT Council take the following stance in view of any Agglomeration Council meetings to be held in November 2018 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 meetings to be held in November 2018 based on the information to be presented during those meetings."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The second question period started at 10:10 p.m. and finished at 10:21 p.m. Six (6) people asked to speak and they were heard.

1) Harry Oberman

The resident inquired as to whether the by-law adopted tonight prohibiting trucks would apply to Town of Hampstead heavy vehicles which wish to travel within Côte Saint-Luc to which Mayor Brownstein stated that the City can look into this.

2) Ian Copnick

The resident inquired as to the criteria for when petitions, registers and referendums are used to which Mayor Brownstein stated they are used in by-law subject-matter such as zoning.

3) Rhoda Albert

The resident inquired as to why the City spent \$75,000 to purchase a scoreboard tonight (at Gary Carter Field) and went on record as stating that money for a crosswalk light on Marc Chagall would be better earmarked. Mayor Brownstein then explained that the City can look into making a crosswalk for Leonard Cohen Lane safer and then instructed staff to put the matter on the Traffic Committee Agenda for adjudication.

4) Tamar Hertz

The resident inquired related to item 8.c concerning By-law 2519 entitled: "By-law to fix the remuneration of members of Council" more particularly, whether, if the federal government would also deem members of Council's expense allowance a taxable benefit, would members of Council ask for a second increase in salary (to offset the tax implications) to which Mayor Brownstein stated that such was not necessarily the case and that he would have to discuss this with Council if/when such a time would come.

5) Irving Itman

The resident inquired as to what the process going forward was related to tempos to which Mayor Brownstein reiterated that the City will only be adopting a by-law in zones were no valid application was received (concerned zones/contiguous zones).

6) Lisa Korman

The resident inquired as to how the tempo by-law would be enforced to which Mayor Brownstein responded by explaining its logistical enforcement.

181034

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

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

**AT 10:21 P.M. MAYOR BROWNSTEIN DECLARED THE MEETING
ADJOURNED.**

MITCHELL BROWNSTEIN
MAYOR

JONATHAN SHECTER
CITY CLERK

LIST OF ANNEXES		
Resolution number	Corresponding Annex	Document
181012	Annex A	Anti-harassment/discrimination policy
181017	Annex B	Sitting Schedule 2019 Council Meeting Dates

ANNEX A

THE CITY OF CÔTE SAINT-LUC'S HUMAN RIGHTS AND ANTI-HARASSMENT/DISCRIMINATION POLICY (the "Policy")

1. SCOPE AND APPLICATION

It is the policy of the City of Côte Saint-Luc (the "City") that all its employees, including but not limited to unionized and non-unionized, full time, part time, contract, fixed term, seasonal, etc., volunteers, Council and Mayor ("Employees") are entitled to work in a healthy environment that is respectful and secure. To this end, the City will not tolerate any form of harassment, discrimination or violence and wishes to provide an atmosphere that is free of all forms of harassment on all legally prohibited grounds of discrimination, including sexual and psychological harassment and all forms of violence. As a result, the City has a zero-tolerance policy for any form of harassment, discrimination or violence in the workplace, or within programs under the control of the City. Each Employee shall conduct themselves with respect and dignity towards each other.

This Policy applies to all Employees and to all incidents in relation to work, on work grounds, as well as outside the regular workplace (including external business meetings, office related social functions, during work related travel and via electronic communication methods), during the regular work hours, as well as outside the regular work hours.

The City will make every effort to respond appropriately to any complaint where an Employee claims that he/she has been subjected to any form of harassment, discrimination or violence. The City undertakes to treat each file with diligence, impartiality, sensitivity, discretion, and confidentiality.

Furthermore, the City will take disciplinary measures, as it deems appropriate, against any individual, under the City's direction, who is found responsible of subjecting any Employee to any form of harassment or violence.

2. DEFINITIONS

Civility in the workplace

This comprises an overall attitude and sensitivity that favours communication, dialogue, and co-operation between Employees as well as participating in the maintenance of a climate and work environment that is healthy, respectful, harmonious and free of harassment. Incivility in the workplace includes all of the following definitions.

Psychological harassment

Psychological harassment is defined by the *Act Respecting Labour Standards* as "vexatious / unwanted behaviour that manifests itself in the form of conduct, verbal comments, actions or gestures characterized by the following four criteria:

- 1) the behaviours are repetitive;
- 2) they are hostile or unwanted;
- 3) they affect the person's dignity or psychological integrity; and
- 4) they result in a harmful work environment."

Please note that the term *vexatious* is defined as "humiliating or abusive behaviour that lowers a person's self-esteem or causes him / her torment." Furthermore, *vexatious* behaviour is also defined as "behaviour that exceeds what a person considers to be appropriate and reasonable in the performance of his work."

The law states that *vexatious* behaviour can be "a single serious incidence of such behaviour that has a lasting harmful effect on an employee." Psychological harassment includes the abuse of power and authority, and violence, threats and intimidation.

Abuse of power and authority

Abuse of power and authority is defined as a form of harassment that occurs when someone exercises their authority or power that is linked to their position in a manner that is unwarranted that endangers an Employee's job, undermines the Employee's ability to perform that job, threatens the economic livelihood of that Employee or in any way interferes with or influences the career of the Employee. It includes intimidation, threats and coercion.

The definition of abuse of power and authority should not in any way prohibit or restrict the authority of Employees in a management role who need to manage, evaluate and discipline the Employees.

Violence, threats and intimidation

Violence, threats and intimidation are defined as every act, utterance or gesture that violates human dignity or the psychological or physical integrity of a person or that is susceptible to have that person act against his/her will with means of force, threats or intimidation. The violence can be physical, verbal or psychological.

Examples of behaviours that do not constitute harassment:

- legitimate performance/probation management;
- appropriate exercise and delegation of managerial authority;
- operational directives;
- a disagreement or misunderstanding;
- conflict between co-workers;
- work related change of location, co-workers, job assignment;
- appropriate discipline;
- less than optimal management;
- a single comment or action unless it is serious and has a lasting harmful effect;
- rudeness, unless it is extreme and repetitive;
- conditions in the workplace that generate stress (technological change, impending layoff, a new boss, friction with other employees, workload, etc.).

Discrimination

Discriminatory harassment manifests in the form of conduct, verbal comments actions or gestures that are generally repeated and not desired and are vexatious and derogatory with respect to another person based on one or more of the enumerated or analogous grounds in article 10 of the *Quebec Charter of Human Rights*, be it harassment based on: race, place of origin, citizenship, colour, sex (including pregnancy and breastfeeding), sexual orientation, gender identity, marital or family status, age (only as based on the law), creed or religion, political convictions or affiliation, language, ethnic origin or nationality, social condition, record of offences, disability or the use of means to palliate any disability, level of literacy, membership in a union or staff association.

It is essential to note however, that every insisting or irritating conduct does not necessarily constitute harassment. As defined in the law, psychological harassment is NOT: normal exercises of the management right; work conflicts; work-related stress; difficult conditions of employment and professional constraints.

Examples of harassment/discrimination based on a prohibited ground include, but are not limited to:

- slurs or derogatory remarks;
- racial slurs or jokes;
- verbal or e-mail threats
- intimidating behaviours - slamming doors, throwing objects, inappropriate jokes, innuendos, name-calling, teasing;
- insulting gestures;
- practical jokes which result in embarrassment;
- displaying pin-ups, pornography, racist, homophobic or other offensive materials;
- use of electronic communications such as the internet and e-mail to harass;
- actions that invade privacy;
- spreading rumours that damage one's reputation;
- refusing to work with another;
- condescending or patronizing behaviour;
- abuse of authority which undermines performance or threatens careers;
- frequent angry shouting/yelling or blow-ups;
- regular use of profanity and abusive language;
- excluding, shunning, impeding work performance;
- retaliation, bullying, sabotaging;
- unsubstantiated criticism, unreasonable demands;
- frequent insults and/or name calling;
- public humiliation;
- communication that is demeaning, insulting, humiliating, mocking.

There is no legal obligation for an individual to tell a harasser to stop. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it does not mean that the behaviour is not harassing or that it has been consented to.

Sexual harassment

Sexual harassment means “any conduct, comment, gesture or contact of a sexual nature, that is likely to cause offence or humiliation to any employee or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.”

Examples of sexual harassment:

- a sexual advance or solicitation from anyone if the person knows or ought to know the advance is unwelcome - especially if the advance is from a person in a position to give or deny a benefit, to engage in a reprisal, or if a threat of reprisal is made if the advance is rejected;

- sexually suggestive or obscene remarks or gestures;
- leering (suggestive staring) at a person's body;
- unwelcome physical contact;
- having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities);
- circulation or posting of sexist jokes or cartoons, display of pin-up calendars or other objectifying images;
- negative stereotypical comments based on gender, sex or sexual orientation;
- gender related comments about an individual's physical characteristics or mannerisms and/or behaviours that reinforce traditional heterosexual gender norms.

3. RESPONSIBILITIES UNDER THIS POLICY

Upholding human rights principles and obligations is a shared responsibility.

Responsibilities of the City management:

The City has the firm belief that every Employee has the right to a work environment that is free from any form of harassment and violence. As a result of the City's legal and moral responsibility, it engages to ensure that its Employees are not the object of harassment or violence and that the City will take all corrective measures against those Employees who are found guilty of harassment and violence. These measures can lead up to termination.

All management staff have the following general responsibilities with respect to human rights:

- modelling respectful behaviour; setting and enforcing standards of appropriate workplace conduct; and remaining alert to incidents of discrimination and harassment that may be occurring in the workplace;
- not engaging in behaviour that would constitute discrimination or harassment under the policy;
- knowing this policy and complaint resolution options;
- posting the Human Rights and Anti-Harassment/Discrimination Policy in the workplace;
- educating employees to ensure they know what constitutes harassment and discrimination; that neither will be tolerated; and what their rights and responsibilities under the policy are;
- taking all necessary steps to deal with allegations/incidents of discrimination and harassment in a timely fashion while maintaining as much confidentiality as possible (even if a direct complaint has not been made);
- implementing remedies where there are findings of discrimination or harassment.

Responsibilities of the Employees:

The Employees must also conduct themselves in a manner that is respectful, decent and civil with the objective to contribute to a work environment that is healthy and exempt of harassment.

All employees have the following general responsibilities with respect to human rights:

- being familiar with their rights and responsibilities under this Policy;
- ensuring behaviour is respectful related to all employment activities;
- not engaging in behaviour that would constitute discrimination or harassment towards members of the public, co-workers, and management;
- if he believes to be a victim or a witness of discrimination or harassment - make his disapproval clear to the alleged harasser and request that the alleged harasser cease his behaviour; it is important that this message be clear and unambiguous;
- if the situation does not resolve itself, or if it is a violent act - immediately reporting any incidents of harassment, discrimination, reprisal experienced and/or witnessed - refer to the Section 4 below;
- documenting details of harassment and discrimination that are experienced or witnessed;
- co-operating in good faith in interventions and investigations to resolve human rights and harassment issues;
- maintaining confidentiality related to human rights investigations.

Responsibility of the Union:

The Union engages to take measures and collaborate with the City to ensure a work environment that is free from any form of harassment, discrimination or violence. However, the City is in charge with conducting the investigation in case a formal complaint is filed. Any unionized employee is allowed to have union representation during the interviews held within the scope of the investigation.

Responsibilities of the Investigation Committee:

The role of the Investigation Committee is to impartially explore and investigate allegations of harassment and discrimination for any Employee. All complaints will be dealt with in an unbiased manner. Its objective is to establish if indeed psychological or discriminatory harassment took place and, if that is the case, correct and remedy harassing and/or discriminating behaviours that are contrary to this Policy.

The Investigation Committee has the following general responsibilities:

- receive, evaluate the pertinence of and treat the complaint in the shortest possible delays;
- undertake impartial, independent and confidential investigations;
- recommend any provisional measures if the situation so justifies;
- once the investigation is complete, prepare a report with its assessment of the complaint and with recommendations as to resolution options.

4. PROCEDURE FOR RESOLVING A COMPLAINT OF DISCRIMINATION OR HARASSMENT:

The following procedure has been established so that complaints of discrimination and harassment can be resolved internally and are intended as an alternate dispute resolution process. The goal of this procedure is to prevent, correct and remedy situations of discrimination or harassment and not to be punitive, although discipline may result.

It is essential to note that the City's internal procedure does not deprive any Employee the right to go to the Labour Commission or directly to the courts.

Confidentiality:

All persons involved with a harassment/discrimination complaint, including complainants, respondents, support persons, witnesses, and management and/or union/association representatives are expected to treat the matter as confidential. Parties to a complaint must not advise anyone in the workplace or otherwise connected to the workplace and/or service provision about the investigation, any involvement in the investigation and/or the contents of an investigation interview and/or report. Parties are not to ask individuals if they have participated in an investigation process or discuss any details about any investigation interviews. Employees may be disciplined if confidentiality is breached by communicating with any person other than their union representative, health care practitioner or another legal authority at any time before, during or after an investigation or resolution of a harassment/discrimination complaint.

Persons involved with a harassment/discrimination complaint will be required to sign a confidentiality waiver.

Time Limits:

The time limit for the filing complaints under this Policy is ninety (90) days following the date of the last incident of alleged discrimination or harassment, such as provided by the *Act respecting labour standards*.

Informal action:

The City encourages the Employees to try, with the assistance of their superiors, to use the informal process of solving issues before ultimately going to the formal investigation process. With that in mind, when an Employee feels that this Policy has been violated by another Employee, he can see his direct supervisor and/or Director of his department and/or the Director of Human Resources to discuss and try to find a way to deal with the situation to find a solution that would be suitable for both parties.

Formal complaint:

If the situation is not resolved at this level, the Employee must call a meeting with the City's Human Resources department ("HR Department"). The HR Department will provide the Employee with the Policy and with the legal definition of psychological/discriminatory harassment within the context of his complaint.

If the Employee decides he wants to file a formal complaint, he will be asked to fill out an Investigation Form within the Time Limit. Where necessary, the HR Department will assist the Employee in filling out the form. The City engages to keep all information gleaned from the process confidential (unless the information must be disclosed for the purposes of the investigation).

Investigation:

Once the Investigation Form is filed with the HR Department, an Investigation Committee of three (3) members, comprised of two (2) representatives from the HR Department and one (1) additional member from the Legal Department, will be established to assess the complaint in order to evaluate its admissibility and, if necessary, conduct a formal investigation.

Upon recommendation from the City's management, the City may opt to hire an external Investigation Committee to conduct the investigation.

If the Investigation Committee decides that the complaint is admissible, it will conduct a thorough, fair investigation, including interviewing all the parties involved (the complainant(s), respondent(s) and all relevant witnesses), gathering and reviewing documentary evidence, etc.

Complainants and respondents have the right to be accompanied by a support person during meetings regarding a complaint under this Policy, including a union representative if they are subject to a collective agreement. The support person for a non-unionized employee is of their choice whereas a unionized employee's support person must be the union delegate. Where the Investigation Committee is of the opinion that the presence of the support person selected is inappropriate or that it may or is hindering the process, the Investigation Committee will advise the relevant party and he or she may be entitled to select another support person provided that doing so does not hinder or unduly delay the meeting/process. The purpose of the

support person is simply to be present to support the complainant or respondent. They are not permitted to participate in any way.

At the conclusion of an Investigation, the Investigation Committee will decide if the allegations in the complaint are well-founded in part or in totality and if a violation of this Policy occurred. If so, the Investigation Committee will make recommendations to correct any existing problems (including which penalties or reprimands should be handed out) and/or to prevent similar problems from occurring in the future.

Final decisions regarding the disposition of a complaint will be made by the City Council, including the administration of any penalties/reprimands as deemed fit, following due consideration of all the evidence and the Investigation Committee's recommendations. A note concerning the complaint will be added to the file of the respondent only if the Investigation Committee has decided that the complaint was founded.

A letter detailing the Investigation Committee's decision will be sent to the complainant and the respondent once the investigation is over.

Reprisals:

The City strictly prohibits any retaliation, either direct or indirect, against an individual for: exercising their rights under this Policy, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness or respondent. Appropriate discipline for a policy violation (or other workplace misconduct) is not considered a reprisal.

5. DISCIPLINARY MEASURES:

Any employee who engages in discrimination or harassment, reprisals, or breaches confidentiality before, during, or after an investigation or resolution may be subject to appropriate disciplinary action, up to and including termination of employment. Staff who are in a supervisory position and fail to take action when they become aware of or are advised of alleged discrimination and/or harassment may also be subject to disciplinary action. Disciplinary action may also be taken if a complaint is found to be vexatious, made in bad faith and/or an abuse of process.

Consequences for policy violations may include but are not limited to: an apology, counselling, education and training, a verbal or written reprimand, suspension with or without pay, a transfer or termination of employment. In determining appropriate consequences, factors including, but not limited to, the following will be taken into account: the nature of the violation, the severity, whether the individual has previously violated the Policy and/or whether there is relevant discipline on file.

6. REVISION:

This Policy will be reviewed every 4 years.

ANNEX B

**SITTING SCHEDULE
2019 COUNCIL MEETING DATES**

January	February	March	April	May	June	July	August	September	October	November	December
*21 st	11 th	11 th	8 th	13 th	**11 th	8 th	12 th	9 th	***16 th	11 th	9 th

**CALENDRIER
DATES DES SÉANCES DU CONSEIL 2019**

janvier	février	mars	avril	mai	juin	juillet	août	septembre	octobre	novembre	décembre
*21	11	11	8	13	**11	8	12	9	***16	11	9

All Regular Council Meetings are held at 8:00 P.M., (on the second Monday of the month) at 5801 Cavendish Boulevard, unless otherwise indicated.

*Held on the third Monday of the month / *Tenue le troisième lundi du mois

**Held on the second Tuesday of the month / **Tenue le deuxième mardi du mois

***Held on the third Wednesday of the month / ***Tenue le troisième mercredi du mois