

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, JUNE 12, 2006, 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 Mitchell Brownstein, B. Comm., B.C.L., L.L.B.
Councillor Michael Cohen¹
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Sam Goldbloom
Councillor Ruth Kovac
Councillor Allan J. Levine, B.Sc., M.A.
Councillor Glenn J. Nashen

ALSO PRESENT:

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

PRESENTATION TO VOLUNTEERS OF 20 AND 25 YEARS OF SERVICE

Mayor Housefather opened the Meeting by explaining to the Public that the month of June is the month to celebrate volunteers. He then explained that Côte Saint-Luc volunteers are an integral part of ensuring recreation programs in Côte Saint-Luc are successful. Both he and Councillor Kovac then proceeded to present commemorative plaques to each Côte Saint-Luc volunteer with more than twenty years of service.

QUESTION PERIOD

The question period started at 8:30 p.m. and finished at 9:36 p.m. Twelve (12) people asked to speak and they were heard.

1) Jack Cabot

The resident complained that the law governing pesticide use for railways is not severe enough to control their use of pesticides. He then called upon the City of Côte Saint-Luc to exert pressure on the Federal Government to legislate the use of pesticides more harshly regarding railways. Mayor Housefather then explained to the resident that Côte Saint-Luc in the past has indeed requested that the Federal government be more severe with the railways regarding various issues, but the current voice on the matter is the Federation of Canadian Municipalities. He then stated that nonetheless, he would be prepared to transmit this resident's message to Irwin Cotler, the local Member of Parliament for the Mount Royal riding for him to follow up.

2) Joanne Goldwater

The resident complained that the lights in the Samuel Moscovitch Arena shine too brightly during public free skating and requested that they be dimmed. She then added that she was advised by a staff member that the brightness of the lights during free public skating is governed by a provincial norm to which Mayor

¹ Councillor Cohen left the meeting at 8:30 p.m.

Housefather confirmed that it was not Council who issued the directive to shine the lights so brightly and requested that the Director of Public Works get back to her as to whether this was indeed truly necessary.

3) Louis Cohen

The resident complained that the street in front of the sidewalk adjacent to his driveway has sunken too low and despite complaining several times to the Engineering Department, they have refused and/or neglected to provide proper customer service. Mayor Housefather then encouraged the public to also advise him or the Council member in charge of the portfolio of the department in question so that they can ensure the complaint is followed up. He then reassured the public that he insists that each and every complaint brought to his attention is properly followed up. He then explained to this resident that he should leave any relevant documentation or photos with the City Clerk so that the City can look into this matter for him.

4) Irving Itman

The resident complimented this Council for the manner in which they recognized their volunteers tonight.

The resident then complained regarding the excessive height of shrubs at corner lots to which Mayor Housefather responded that the City is proactively sending out warnings to property owners who do not cut their shrubs and failing action subsequent to these warnings, the City will be issuing Notices of Infraction.

The resident then wished to thank Councillor Brownstein and Director Tordjman regarding their initiative to properly install lighting in Yitzhak Rabin Park.

The resident then requested more detail regarding how the City will logistically enforce the NO OVERNIGHT PARKING hours which recently came into force to which Mayor Housefather responded that the City is presently proactively advising the public of the new hours by way of the media, that they are preparing to install the proper signage for residents to be aware of the new hours and that the City will only start enforcing these new hours on June 15, 2006.

The resident then inquired regarding how someone can obtain a temporary overnight parking permit to which Mayor Housefather responded that a resident can come to City Hall and request such a permit should their situation meet the proper criteria such as insufficient parking space in their garage and driveway. He then added that the City is working on redrafting a new policy.

The resident then inquired as to the status of the appeals made by the City of Côte Saint-Luc opposing the Agglomeration Council Decisions to which Mayor Housefather responded that the (18) eighteen appeals are presently before the Minister of Municipal Affairs and of the Regions and he was hopeful that a decisions of the Minister would be forthcoming regarding these appeals.

5) Bill Xanthopoulos

The resident explained to Council that he wishes to install a chain link fence on his property to close it off but was told that the by-laws of the City preclude him from doing so as he has insufficient land for this fence. Mayor Housefather then responded that one possible viable suggestion is for the resident to purchase a lane from the City of Côte Saint-Luc. He further explained that the prices regarding these lanes have not yet been determined but that Council is looking into the

matter. Councillor Levine then added that the City, in principle must sell the land for valuable consideration as per the requirements of the law.²

6) Debbie Gardos

The resident complained that the traffic redirection at the corner of Cavendish Boulevard and Côte Saint-Luc Road subsequent to a watermain break was poorly handled. She then stated that, "I feel it is a dangerous intersection that became more dangerous" and wondered why no member of the police force was on site to redirect traffic.

Mayor Housefather explained to the resident that when Côte Saint-Luc was reconstituted, it gained control over its *local* water infrastructure but not the *arterial* water infrastructure. He then explained that the principle cause of the problem was an arterial pipe which falls within the purview of the Agglomeration. Nonetheless, he explained, the City of Côte Saint-Luc took the initiative to ensure the pipe would be repaired when the Agglomeration was taking too much time. He then explained that the City obtained assurances in writing from the Agglomeration that they would be reimbursed. He then added that while Côte Saint-Luc has no direct control over police presence, as an added initiative, the City can ensure in future that its Public Security Department is, as much as possible, on scene to redirect traffic. He also pointed out that at that particular juncture, the contractor repairing the area took control over the type of signage erected advising motorists of repairs at the intersection but that the signage was inadequate. In future, he instructed the City to use, whenever possible, its own traffic signage so that the traffic redirection process is as effective and efficient as possible.

The resident then advised Council that she does not have recycling in her apartment building to which Mayor Housefather responded that the City is proactively putting together a pilot project in which more apartment buildings on its territory will have recycling.

7) Karen Gerstein

The resident wished to manifest her disapproval of the proposed request for a Minor Exemption at 5561 Randall on tonight's Council Agenda to which Mayor Housefather responded that members of Council did all they could ensure that they would render an informed and enlightened decision tonight including: studying the recommendation of the Planning Advisory Committee who recommend to adopt the exemption, looking at the plans for the exemption, formally and informally hearing the concerns of the owner of the immovable and the various neighbours. He then explained that each member of Council will have an opportunity to vote on the matter and each will vote their conscience.

8) Dr. Bernard Tonchin

The resident complained that immovable owners' shrubs are blocking Stop Signs in the City.

The resident then requested more police presence in school areas.

The resident then requested further details regarding a potential project which he heard about which was alleged to be erected on the boarder of the City of Côte Saint-Luc and the City of Montreal around the area of Robert Burns Avenue.

² According to Article 28 (1.0.1) of *the Cities and Towns Act* states: "Unless otherwise provided, no property of a municipality may be alienated otherwise than in return for valuable consideration. "

Mayor Housefather then explained that residents, who don't properly trim their shrubs according to Côte Saint-Luc's by-laws, will receive a warning and should they fail to heed to the warning within the prescribed delays, they will receive a Notice of Infraction by the City.

Mayor Housefather then explained that since the City has no direct control over the Police force, all they can do is ask for more police presence.

Mayor Housefather then explained that while in principle, it is ideal to be able to control what projects are erected on a municipality's borders; it may be hard to do at times in practice.

The resident then wished to thank Director Lerner for having settled his issue regarding his recycling not being picked up at the scheduled time.

9) Paula Kimmel

The resident complained regarding how her parking permit application was handled as she felt that the person processing the application did not ask sufficient information of her in order to render an enlightened decision to which Mayor Housefather responded that if she leaves her name and phone number with the City Clerk, someone would be able to follow up.

10) Marven Helfenbaum

The resident wished to thank members of Council and staff for being so attentive regarding his concerns over the request for a Minor Exemption at 5561 Randall.

The resident then explained to Council that he believes that his neighbours are not in favour of granting the request for a Minor Exemption at 5561 Randall to which Mayor Housefather responded that in his discussions and meetings with the neighbours, and after explaining to them the reasons of the exemption, many are now in favour of the request. He nonetheless wished to emphasize that members of council may have different points of view and that he has instructed each of them to vote their conscience.

11) Avrum Shtern

The resident inquired as to who supervised the work to repair the watermain leak at the corner of Cavendish Boulevard and Côte Saint-Luc Road to which Mayor Housefather responded that it was the City of Côte Saint-Luc.

The resident called upon the council to exercise fiscal prudence to which Mayor Housefather responded that this council does indeed exercise prudence when spending and will only authorize expenses when expedient.

The resident then called upon council to request that CP be proactive to advise residents when they are spraying pesticides so that they may exercise cautionary measures such as shutting their windows to which Mayor Housefather responded that he has been advised by CP representatives that the spraying is innocuous and is only being done in minimal areas.

12) Harold Greenspon

The resident (and former member of Côte Saint-Luc's City council) wished to vouch for the credibility of his fellow resident Mrs. Girstein. He then called upon this Council to defer the request for the minor exemption at 5561 Randall to which Mayor Housefather responded that when the issue will be dealt with on tonight's Agenda, members of Council will decide to either decide to adopt the exemption, to refuse the exemption or to defer the matter.

060601

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, and that Captain Nichola Goddard has fallen in the service of our country;

WHEREAS she was killed in action in Afghanistan on Wednesday, May 17, 2006;

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
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 Captain Nichola Goddard, and sends a message of support, encouragement and appreciation to our troops serving abroad;

THAT this resolution also be sent to the Minister of National Defence, Mr. Gordon O'Connor, Chief of Defence Staff, General Rick Hillier, Member of Parliament for Mount-Royal, Mr. Irwin Cotler, President of the Royal Canadian Legion - Frederick Kisch Branch 97, and to the Federation of Canadian Municipalities, the Union of Quebec Municipalities and to the Cities of the Montreal Region;

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

060602

CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF COUNCIL DATED MAY 8, 2006

It was

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

AND RESOLVED:

"THAT the Minutes of the Regular Meeting of Council dated May 8, 2006 be and are hereby approved as submitted."
CARRIED UNANIMOUSLY

060603

CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL DATED MAY 23, 2006

It was

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

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated May 23, 2006 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

Prior to the adoption of the Monthly reports, Councillor Nashen wished to express his disappointment to the public that the Monthly report from the Fire Department of the City of Montreal was never sent to Council.

060604

MONTHLY DEPARTMENTAL REPORTS FOR MAY 2006

It was

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

AND RESOLVED:

“THAT the monthly departmental reports for May, 2006 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

060605

HUMAN RESOURCES – HIRING OF AUXILIARY PUBLIC SECURITY OFFICERS – PUBLIC SECURITY DEPARTMENT

It was

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

AND RESOLVED:

“THAT Antonio LaBattaglia, Erwin Luden, Michel Martel be and are hereby hired as Auxiliary Public Security Officers, effective June 13, 2006;

THAT Treasurer’s certificate number TC06-0107 dated June 7, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses.”
CARRIED UNANIMOUSLY

060606

HUMAN RESOURCES – FINANCE DEPARTMENT – HIRING AUXILIARY OFFICE CLERK

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT Jack Schnarch be and is hereby hired as Auxiliary Office Clerk effective June 5, 2006 through September 1, 2006;

THAT Treasurer’s certificate number TC06-0108 dated June 7, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

060607

HUMAN RESOURCES – HIRING – AUXILIARY EMPLOYEES – PARKS AND RECREATION DEPARTMENT

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the list of auxiliary employees for June 2006, entitled *Part-time employees – for approval (June 2006)* dated June, 2006 and comprising of two one (1) page documents, be approved as submitted;

THAT the employees contained on the aforementioned lists be and are hereby hired and shall commence as per their respective dates indicated on the aforementioned list;

THAT Treasurer’s certificate number TC06-0105 dated June 7, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

060608

HUMAN RESOURCES – HIRINGS AND MODIFICATION OF STATUSES – AUXILIARY EMPLOYEES – PUBLIC WORKS DEPARTMENT

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the following employees be and are hereby hired as per the terms and conditions of a memorandum dated June, 2006 from the Director of Public Works:

- Joseph-Olivier Gonon;
- Yoan Bourgeois-Gravel;
- Thierry Maxwell;
- Patrick Touchette;

THAT the following employee’s statuses be and are hereby modified the whole as per the terms and conditions of a memorandum dated June, 2006 from the Director of Public Works:

- William Clarke;
- Claude Côté;
- Louis Nadeau;

THAT Treasurer's certificate number TC06-0106 dated June 7, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

060609

**ADMINISTRATIVE SERVICES – FINANCE – APPROVAL OF THE
DISBURSEMENTS FOR THE PERIOD FROM MAY 1, 2006 TO MAY 31, 2006**

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR RUTH KOVC

AND RESOLVED:

"THAT the disbursements for the period of May 1, 2006 to May 31, 2006 for a total of \$1 998 685.20 in Canadian Funds and \$1,829.12 in U.S. Funds are hereby approved;

THAT Treasurer's certificate number CT06-0103 dated June 6, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses;

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

060610

**AMENDMENT TO RESOLUTION NUMBER 060555 CONCERNING THE
FINANCING OF A BOND ISSUANCE OF \$23,351.00**

WHEREAS the maturity year of the bonds in the resolution below is 2016 and not 2026 as initially thought;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

Council hereby amends resolution number 060555 to hereinafter read as follows:

**ADJUDICATION RESOLUTION TO FINANCE A BOND ISSUE IN THE AMOUNT OF
\$23,351,000**

WHEREAS the municipality intends to issue a series of bonds or one issue per year (per maturity date), pursuant to by-law numbers 1006, 2204, 2216 and resolution number 060518;

WHEREAS there is an offer presented by the underwriting group headed by National Bank Financial Inc.;

WHEREAS CDS shall be acting as registrar for the book-based system bondholding officer and paying said officer in charge of the transactions for the members;

WHEREAS the Council authorizes CDS to act as its fiscal authenticator agent, as described in the memorandum of understanding with the Minister of Municipal Affairs and Regions and CDS;

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

It was

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

AND RESOLVED:

THAT a request be made to the Minister of Finance, in accordance with Article 563.1 of the *Cities and Towns Act*, to approve the conditions of a **twenty year** loan in the amount of \$23,351,000 effected by bonds issued on June 21st, 2006 and with a maturity date of **2016 at which point new bonds will be issued for the remaining ten years**;

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

THAT the Mayor, Anthony Housefather and the Acting Treasurer, Kenneth Lerner be and are hereby authorized to sign the bonds covered by this issue, or one bond per maturity date."

CARRIED UNANIMOUSLY
CARRIED UNANIMOUSLY

060611

MATERIAL RESOURCES – AGREEMENT WITH “LE MEILLEUR RAMONEUR INC.” FOR 2006 CHIMNEY SWEEPING IN CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT as recommended by Ken Lerner, City Manager, an agreement be ratified with “Le Meilleur Ramoneur Inc.” to sweep the chimneys of dwellings in the City of Côte Saint-Luc, at \$15.00 (including taxes) per chimney or flue, in accordance with their quotation dated June 1st, 2006; the cost of which to be charged directly to the resident.”

CARRIED UNANIMOUSLY

060612

REPLACEMENT AND INSTALLATION OF NEW OUTDOOR AND INTERIOR SIGNAGE - BERNARD LANG CIVIC CENTRE

It was

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

AND RESOLVED:

“THAT the quotation dated June 8, 2006 from Montreal Stencil for the replacement and installation of new outdoor signage on the front and back walls of Bernard Lang Civic Centre, and of interior signage above the City Hall and Library entrances, for an amount of \$12,025.00 plus taxes, is hereby approved;

THAT no Treasurer’s certificate accompanied the aforescribed resolution.”

CARRIED UNANIMOUSLY

060613

MATERIAL RESOURCES – USAGE OF T1 LINE FOR LIBRARY

WHEREAS the City of Côte Saint-Luc needs to use a T1 line for data communication purposes;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Council hereby authorizes the City of Côte Saint-Luc to enter into an agreement with MCI for the usage of a T1 data line for a period of 36 months;

THAT the maximum amount payable under the agreement is to be set at \$28,620 (\$795.00 per month), plus applicable taxes;

THAT any of the Acting City Manager or the Mayor or the Director of Legal Services be and are hereby authorized to sign any and all contracts giving effect to the foregoing;

THAT Treasurer’s certificate number TC06-0112 dated June 12, 2006 has been issued by the Acting City Treasurer attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

060614

URBAN PLANNING – MINOR EXEMPTION – 5729 EDMORE – CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

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 5729 Edgemore, Lot 1053799, be and is hereby approved;

THAT the request is to allow, for a semi-detached two-family dwelling (duplex), to have a total of two interior parking spaces instead of a minimum of two

interior parking spaces per dwelling unit. The foregoing is in accordance with the provisions of zoning by-law 2217, section 7-2-1b);

THAT said exemption includes the proviso that no long-term parking permits shall be issued for the aforementioned property.”

CARRIED UNANIMOUSLY

060615

URBAN PLANNING – MINOR EXEMPTION – 5786 TRINITY – 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 5786 Trinity, Lot 1053489, be and is hereby approved the whole as more amply delineated hereunder:

The request is to allow, for a semi-detached two-family dwelling (duplex), the construction of an exterior door leading to the basement which will be visible from the street. In principle, the zoning by-law only allows an exterior door leading to the basement for only detached or semi-detached single family dwellings, provided that the exterior door does not face the street, even if it is situated at an angle to the street. The foregoing is in accordance with the provisions of zoning by-law 2217, section 4-6-4.”

CARRIED UNANIMOUSLY

060616

URBAN PLANNING – MINOR EXEMPTION – 5754 PARKHAVEN – CÔTE SAINT-LUC

It was

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

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 5754 Parkhaven, Lot 1053616, be and is hereby approved the whole as more amply delineated hereunder:

The request is to allow, for a semi-detached two-family dwelling (duplex), the construction of an exterior door leading to the space under the balcony and front steps. This exterior door will be visible from the street. In principle, the zoning by-law only allows an exterior door leading to the space under the balcony and the front steps of a detached or semi-detached single family dwelling, provided that the exterior doors do not face the street, even if it is situated at an angle to the street. The foregoing is in accordance with the provisions of zoning by-law 2217 art. 4-6-4.”

CARRIED UNANIMOUSLY

060617

URBAN PLANNING – MINOR EXEMPTION – 5510 ROBINSON – 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 5510 Robinson, Lot 1560902, be and is hereby approved the whole as more amply delineated hereunder:

The request is to allow, for a multifamily dwelling, the construction of a canopy over the main entrance which will encroach into the front setback up to the property line, instead of a canopy to be setback at least 5.0' from the property line. The foregoing is in accordance with the provisions of zoning by-law 2217 art. 4-2-2-2.”

CARRIED UNANIMOUSLY

060618

URBAN PLANNING – MINOR EXEMPTION – 5561 RANDALL – 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 5561 Randall, Lot 1560721, be and is hereby approved the whole as more amply delineated hereunder:

The request is to allow a new detached single-family dwelling to have a height of 32.0' measured from the City sidewalk level instead of the maximum permitted of 27.0' in accordance with the provisions of zoning by-law 2217, article 14-11-4.”

Councillor Levine described the issue as a *Soloman situation* in that he felt that not everyone would be pleased with the outcome of the decision. He then explained to the public that the property has a few *prejudices* and the Exemption would help in remedying these prejudices.

Councillor Goldbloom then explained that he really agonized over this decision. He then explained that he concurred with the Mayor that every member of Council should vote their conscience. He then stated that looking into his conscience, he cannot vote in favour of the Exemption because there were neighbours in the area who were opposed to the decision. He then explained that *morally speaking*, council should not override the by-law that is in effect.

Councillor Kovac explained that in her view, the word *morally* was not paramount to the discussion. She explained to the public that when the request was first sent to the City, the gentlemen making the request exercised *due diligence* and took the

initiative to get the neighbours' approval and it was only afterwards, that certain neighbours changed their mind. She then explained that if the height of the roof were lower said roof would have to be flat and for her, this was not an expedient or viable option. She then stated that for those foregoing reasons, she will be voting in favour of the exemption.

Councillor Erdelyi then explained to the public that he pondered the matter and that for him this was not a case analogous to *King Solomon* but rather analogous to *David vs. Goliath*. He then explained that the height of the proposed building is far more excessive when juxtaposed with the neighbouring immovables. He then added that there were other viable solutions for the immovable owner to exercise than to have a roof with the height that the owner proposes. He then explained that he understands that Council has the power to make exceptions but that this time an exception should not be made. Councillor Erdelyi then apprised the public that while Councillor Berku, his colleague on council, was unable to attend tonight's Meeting, she requested that he voice that she is opposed to the exemption. Councillor Erdelyi then apprised the public that in his view, there was nothing wrong with the alternative of a flat roof for the building in question.

Councillor Brownstein apprised the public that it was a difficult decision but that for him, it is important to be liberal regarding the rights of owners to use their property. He then explained that by appropriately increasing the buildable area, the value of the land also increases as well as enhancing the neighbourhood.

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS SAM GOLDBLOOM AND STEVEN ERDELYI DISSENTING

060619

URBAN PLANNING – SITE PLANNING PROJECT AND ARCHITECTURAL INTEGRATION PROGRAMS - 6525 MERTON

It was

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

AND RESOLVED:

“THAT the site planning and architectural integration program received on June 6, 2006 showing the modifications made to the roof of a detached single family dwelling on lot 1560668, at 6525 Merton and prepared by Mr. Louis Arnould, architect, for the Council meeting of June 12, 2006 (following the Planning Advisory Committee of May 30, 2006), be approved provided that the height of the turret conform to City by-laws the whole according to the provisions of Chapter 14 of by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

060620

PARKS AND RECREATION – FALL / WINTER BROCHURE

WHEREAS the city requires the printing, in August of 2006, of 17,000 brochures for the Fall and Winter 2006-2007 activities for the Parks and Recreation Department;

It was

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

AND RESOLVED:

THAT Council hereby awards a services contract to Art Graphique Inc. to produce the Fall and Winter 2006-2007 Brochure for a maximum amount of \$10,678.00 plus all applicable taxes and a 5% for contingencies;

THAT Treasurer's certificate number TC06-0099 dated June 1st, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses;

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

060621

**PARKS AND RECREATION – FIGURE SKATING CLUB – HOST FOR THE
JEANNOT BOUCHARD COMPETITION**

WHEREAS the Côte Saint-Luc Figure Skating Club is a member of the Lac St. Louis Region;

WHEREAS various figure skating clubs who are members of the Lac St. Louis Region participate in the Jeannot Bouchard Figure Skating Competition;

WHEREAS each member takes a turn in hosting the said Competition;

It was

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

AND RESOLVED:

“THAT Council hereby authorizes the Jeannot Bouchard Competition to be hosted by the Côte Saint-Luc Figure Skating Club on Saturday, February 17, 2007 and Sunday, February 18, 2007 at the Samuel Moskovitch Arena;

THAT Council hereby donates the ice time for the Jeannot Bouchard Competition free of charge in exchange for the privilege of hosting this prestigious event;

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

060622

**PARKS AND RECREATION – GRANT APPLICATION FOR FUNDS FOR
PROGRAM TO FIGHT POVERTY**

It was

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

AND RESOLVED:

“THAT Council hereby supports the Communauté Sépharade Unifiée du Québec (“CSUQ”) in their application for a grant in the sum of \$17,523.00 from the Cultural Development and Quality of Life Division of the City of Montreal;

THAT said support is contingent upon the City managing its own Singerman Daycamp programme for which said funds are earmarked in 2006;

THAT the Director of Parks and Recreation be authorized to enter into an agreement with the CSUQ to manage said funds;

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

060623

PARKS AND RECREATION – SAMUEL MOSKOVITCH ARENA – PURCHASE OF NEW LIFT EQUIPMENT

WHEREAS the City requires a lift for the Samuel Moskovitch Arena and the Côte Saint-Luc Gymnasium;

It was

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

AND RESOLVED:

“THAT Council hereby authorizes the purchase of an Aerial Work Platform from Locations d’Outils Simplex S.E.C. for a maximum amount of \$9,185.00 plus all applicable taxes;

THAT Treasurer’s certificate number TC06-0104 dated June 7, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses;

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

060624

PARKS AND RECREATION – NATIONAL RECREATION AND PARKS ASSOCIATION – CONFERENCE - DELEGATION

This item was deferred to a subsequent meeting.

060625

PARKS AND RECREATION – SAMUEL MOSKOVITCH ARENA – PURCHASE OF NEW SCOREBOARD

WHEREAS the city is required to purchase a new scoreboard for the Samuel Moskovitch Arena;

It was

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

AND RESOLVED:

“THAT Council hereby authorizes the purchase and installation of a scoreboard from Nevco Scoreboard Company Ltd. for a maximum amount of \$10,666.92 plus all applicable taxes;

THAT Treasurer’s certificate number TC06-0102 dated June 1st, 2006 has been issued by the Acting City Treasurer, attesting to the availability of funds to cover the described expenses;

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

060626

PUBLIC WORKS – CLEANING OF THE ADDITIONAL 67% OF CATCHBASINS THROUGHOUT THE CITY

WHEREAS the City of Côte Saint-Luc wishes to expand the mandate of Dessau Soprin in order to have them clean 100% of Côte Saint-Luc’s 2050 catch basins in 2006, as opposed to the 33% provided for under their present mandate;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the City authorizes Dessau Soprin to clean the remaining 1367 catch basins not included in the work to be done under the agreement for 2006;

THAT the price for such cleaning is set at \$10.60 per catch basin, plus all applicable taxes;

THAT the maximum amount payable under this resolution is the sum of \$16,667.35, which shall only be paid when the terms of the agreement are triggered;

THAT any of the Acting City Manager or the Mayor or the Director of Legal Services and the City Clerk or the Director of Public Works are authorized to sign any agreement giving effect to the foregoing;

THAT Treasurer’s certificate number TC06-0089 issued by the Acting City Treasurer dated May 17, 2006 confirms the availability of funds in Account 02-413-00-434 to cover the aforescribed expense;

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

060627

PUBLIC WORKS – JANITORIAL CONTRACT

This item was deferred to a subsequent meeting.

060628

PUBLIC WORKS – QUOTATIONS – LIGHT BULBS & BALLASTS

This item was deferred to a subsequent meeting.

060629

PUBLIC WORKS – FINAL PAYMENT FOR THE FLEET SYNCHRONIZED LIGHT PROJECT (PHASE 1) AND (PROJECT ENG 2003-02)

This item was deferred to a subsequent meeting.

060630

APPOINTMENT OF COUNCILLOR STEVEN ERDELYI AS ACTING MAYOR OF THE CITY OF CÔTE SAINT-LUC – JULY 1, 2006 UP TO AND UNTIL SEPTEMBER 30, 2006

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Councillor Steven Erdelyi is and shall be named Acting Mayor of the City of Côte Saint-Luc, effective July 1, 2006 up to and until September 30, 2006 inclusively, and further that the aforementioned Councillor Erdelyi shall have and may exercise the powers of the Mayor when the said Mayor is absent or unable to perform the duties of his office.”

CARRIED UNANIMOUSLY

060631

RELEASE – OBLIGATION TO BUILD – LOT 2 601 906 (6775 BAILY ROAD)

WHEREAS John Cioffi and Marina Rosati (“owners”) purchased an immovable from the City of Montreal bearing lot 2 601 906 for the civic address 6775 Baily Road, Côte Saint-Luc;

WHEREAS within their purchase agreement they had an Obligation to Build (“Obligation”);

WHEREAS this Obligation has now been fulfilled in that the immovable’s foundations are set;

WHEREAS the owners have requested that they receive a release (“*mainlevée*”) from their Obligation to Build;

WHEREAS the City of Côte Saint-Luc succeeds into the rights and obligations of the City of Montreal since the lot is on its territory;

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT Council hereby authorizes the Director of Legal Services and City Clerk to sign a *mainlevée* regarding the owner’s Obligation to Build pursuant to clause 9 of the purchase agreement between the City of Côte Saint-Luc subrogated into the rights and obligations of the City of Montreal, and Mr. John Cioffi and Mrs. Marina Rosati;

THAT Council hereby mandates the notary Maître Martial Lavoie to prepare said *mainlevée*, and this, at the owners’ expense.”
CARRIED UNANIMOUSLY

060632

**EMERGENCY VEHICLES – REQUEST TO SOCIÉTÉ ASSURANCE
AUTOMOBILE DU QUÉBEC**

WHEREAS certain City of Côte Saint-Luc personnel entrusted with performing obligations relating to Emergency Services require the use of their own vehicles to carry out their tasks;

WHEREAS the Société Assurance Automobile du Québec (“SAAQ”) is the governmental body entrusted with declaring a vehicle an emergency vehicle;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT Council hereby authorizes that the Director of Legal Services and City Clerk to send a request to the SAAQ for any and all City of Côte Saint-Luc Emergency Services representatives in view of having their vehicles be declared emergency vehicles should they require said vehicles to carry out their Emergency Services duties.”

CARRIED UNANIMOUSLY

060633

**PUBLIC SECURITY – APPROVAL OF OVERNIGHT PARKING PERMITS FOR
MULTI-FAMILY DWELLINGS**

It was

MOVED BY COUNCILLOR STVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT as per the recommendation of the Public Security Department, Council hereby authorizes the issuing of overnight parking permits for the vehicle owners who reside in multi-family dwellings indicated on the attached list;

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

OTHER BUSINESS – COP PROGRAM

Councillor Nashen apprised the public a meeting will be held on Wednesday, June 14, 2006 at 7:00 p.m. regarding a new program called COP (Citizens On Patrol) and invited all those who were interested to attend.

OTHER BUSINESS – SHRUBS WITH EXCESSIVE HEIGHT

Councillor Levine wished to advise the public that he has indeed been proactive regarding the problem of shrubs on corner lots with an excessive height. He further explained that he has asked the staff to be particularly vigilant and issue warnings and if necessary, Notices of Infraction where the owners are not conforming to the by-laws.

RESUMPTION OF QUESTION PERIOD

Question period resumed at 10:45 p.m. and finished at 11:00 p.m., Six (6) people asked to speak and they were heard.

1) Dr. Bernard Tonchin

The resident inquired as to whether the auxiliary public security officers hired tonight will have a training session to which Mayor Housefather responded in the affirmative.

The resident then opined that a public Register should be held for those residents who object to a minor exemption such as the one on tonight's agenda for 5561 Randall to which all members of council took note.

2) Jack Cabot

The resident inquired as to whether there would be a Special Meeting next Monday and if so at what time to which Mayor Housefather responded that there would be one and it would be at 8:00 p.m.

3) Avrum Shtern

The resident inquired as to whether the City will be using the same Chimney Sweep as last year to which Mayor Housefather responded in the affirmative. The resident then inquired as to whether the price was the same as last year to which Mayor Housefather responded that it would be \$2 more.³

The resident then inquired as to whether this Council decided to retain the Coat of Arms for the building⁴ to which Mayor Housefather responded in the affirmative at which point the resident expressed support for this decision.

The resident then inquired as to whether the City plans to amend its Zoning by-law regarding the height and density of homes and was particularly concerned with the property at 5561 which was granted a Minor Exemption tonight. He alluded to the fact that, in his view, the height of this home is likened to the height of the homes on the *musical streets*. Mayor Housefather then clarified for the resident that this house, as an example, is not using anywhere near the amount of space or density of the lot that they would be able to use under Cote Saint-Luc's by-law. In fact, he explained, the owners made a significant effort to set the house back from the street and do all kinds of things to try to accommodate the neighbourhood. He also explained that he doesn't agree that this is comparable to the size of the houses on *musical streets* and he doesn't agree that in the case of 5561 Randall, that the

³ Last year the price was \$13 and this year it is \$15.

⁴ As per Item 7b on tonight's Council Agenda

neighbours' rights have been flouted. He added that the owners did as much as they could to build their immovable as low as possible to accommodate the wishes of the neighbours. He then stated that Cote Saint-Luc may wish nonetheless to look at the heights rules for buildings.

The resident then apprised council that there may be constant leaks or water flows going into catch basins and in his view there may be piping underneath the streets that is leaking and therefore requested that those cleaning the City's catch basins contemporaneously verify for pipe leakage to which Mayor Housefather responded that he could advise the Director of Public Works but that he was quite certain that this was being done already.

The resident then inquired as to where 6775 Baily exactly was to which Mayor Housefather responded that it is near King Edward.

The resident then inquired as to the definition of a *mainlevée* regarding the property at 6775 Baily to which Mayor Housefather responded that once the landowners' foundations are set he has been released from his Obligation to Build as per the terms and conditions of his contract of with the city.

4) Michael Hirsch

The resident wished to thank this council for helping him solve a parking situation for his tenants. He then beseeched upon this council not to raise fees for overnight parking permits as he feared that the costs of said permits would be far too prohibitive for his tenants to which all members of council took note.

5) Simon Kurt:

The resident inquired as to why the council was encouraging Côte Saint-Luc residents to become members of the library when the library is noisy to which Mayor Housefather responded that the noise is not due to an overabundance of members but rather the renovations presently being done in the library. Moreover, he added, the librarians have reassured him that there is space for more residents to join the library.

The resident then inquired as to why the City reduced the amount of computers they have in their library to which Mayor Housefather and Councillor Erdelyi each explained that the amount of computers are not indeed being reduced but rather added but that temporarily, there may be fewer computers due to library renovations.

6) Mark Wilson

The resident asked council to modify its by-laws to more clearly delineate what constitutes a "City tree" (vs. a tree on private property) to which Mayor Housefather responded the City could look into this suggestion. Councillor Brownstein then added that the Public Works department is preparing recommendations to amend the City's by-law containing issues related to trees and that in his view, the spirit of the by-law should counterbalance and reconcile the notions of the protection of the environment with the property owners' right to use their property.

060634

APPROVAL OF THE CLOSING OF THE MEETING

It was

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

AND RESOLVED:

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

CARRIED UNANIMOUSLY

AT 11:00 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING CLOSED.

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK