



CITY OF POINTE-CLAIRE

MINUTES OF THE **REGULAR MEETING OF THE COUNCIL** OF THE CITY OF POINTE-CLAIRE, HELD AT THE CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC ON **MONDAY, DECEMBER 20, 2010** AT 7:30 P.M. AFTER DUE NOTICE HAD BEEN DELIVERED BY THE PUBLIC SECURITY DIVISION ON **FRIDAY, DECEMBER 17, 2010**.

PRESENT: His Worship the Mayor Bill McMurchie and Councillors P. Bissonnette, R. Geller, J.-P. Grenier, A. Iermieri, J.R. Labbé, D. Smith and M. Trudeau, forming a quorum of Council.

ABSENT: Councillor E. Sztuka

Me J.-D. Jacob, Director General and Me Lucie Tousignant, City Clerk, are also in attendance.

At the opening of the meeting, the Mayor wishes Happy Holidays and a Happy New Year to all citizens of the municipality on behalf of members of Council.

2010-688 **ADOPTION OF THE AGENDA**

RESOLVED: It is moved by Councillor Iermieri
Seconded by Councillor Trudeau, and unanimously
TO approve the agenda submitted for this meeting by adding the following items:

- 60.01 To postpone the deadline for the execution of the works within the framework of the "PRECO" and "FCCQ" grant programmes; and
- 60.02 To grant financial support in the amount of \$38,425 to various sports associations.

2010-689 **QUESTION PERIOD**

A question period is held during which the public may ask questions to the members of Council.

Judith Boivin, 2 Victoria Avenue: Noise and peacefulness problems with her neighbour, the Pointe-Claire Volunteer Rescue Unit.

Claude Arsenault, on behalf of the « Société pour la sauvegarde du patrimoine de Pointe-Claire »: Filing of the 2011 Budget and of the 2011, 2012 and 2013 Capital Expenditure Programme and amounts allocated for the restoration and improvement of the Pointe-Claire heritage as well as for the restoration of the Pointe-Claire Windmill. Filing of two compact discs on windmill restoration.

2010-690 **ADOPTION – BY-LAW AMENDING BY-LAW NUMBER PC-2713 RESPECTING THE DELEGATION OF POWERS TO CERTAIN OFFICERS AND EMPLOYEES**

WHEREAS a copy of a draft by-law has been submitted to the Council members at least two juridical days prior to the present meeting;

WHEREAS all Council members present hereby acknowledge having read the proposed draft by-law and they hereby waive its reading.

It is moved by Councillor Smith
Seconded by Councillor Iermieri, and unanimously

RESOLVED: TO adopt By-law Number PC-2713-3 amending By-law Number PC-2713 with respect to the delegation of powers to certain officers and employees regarding the creation of a selection committee for the granting of certain professional services contracts.

2010-691 NOTICE OF MOTION – DRAFT BY-LAW DECREERING A LONG TERM LOAN AND AN EXPENSE OF \$9,560,000 AND TO EARMARK AN AMOUNT OF \$525,000 FROM VARIOUS LOAN BY-LAWS IN ORDER TO FINANCE AN EXPENSE OF \$10,085,000

Councillor Grenier gives notice that a draft by-law decreeing a long-term loan and an expense of \$9,560,000 and to earmark an amount of \$525,000 from various loan by-laws in order to finance an expense of \$10,085,000 for various works with respect to the laying out and construction of buildings, of roads, watermain, storm and sanitary sewers, sport areas and the consolidation of river bank installations will be submitted for adoption at a subsequent Council meeting.

2010-692 ADOPTION – BY-LAW DECREERING THE IMPOSITION OF THE GENERAL REAL ESTATE TAX, COMPENSATION FOR MUNICIPAL SERVICES AND THE TARIFFS EXIGIBLE FOR THE WATER SUPPLY AS WELL AS THE FINANCING OF PROPERTIES, SERVICES AND ACTIVITIES OFFERED BY THE CITY OF POINTE-CLAIRE, FOR FISCAL YEAR 2011

WHEREAS a copy of the by-law has been given to the Council members at least two juridical days prior to the present meeting;

WHEREAS all Council members present hereby acknowledge having read the draft by-law and they hereby waive its reading.

It is moved by Councillor Trudeau

Seconded by Councillor Grenier, and unanimously

RESOLVED: TO adopt By-law Number PC-2779 decreeing the imposition of the general real estate tax, compensation for municipal services and the tariffs exigible for the water supply as well as the financing of properties, services and activities offered by the City of Pointe-Claire, for fiscal year 2011.

2010-693 NOTICE OF MOTION – DRAFT BY-LAW AMENDING CONSTRUCTION BY-LAW NUMBER 2495C OF THE CITY OF POINTE-CLAIRE

Councillor Labbé gives notice that a draft by-law amending construction By-law Number 2495C of the City of Pointe-Claire to authorize the installation of a masonry heater on lot P56-47 – 139 Broadview Avenue (Zone Ra141) will be submitted for adoption at a subsequent Council meeting.

2010-694 APPROVAL – SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS – 101 MAITLAND AVENUE

WHEREAS By-law Number PC-2628-9 on the Site planning and architectural integration programme applicable to buildings of heritage interest and the older areas of Pointe-Claire of which is subject the property located at 101 Maitland Avenue, requires that prior to the issuance of a certificate of authorization and/or a subdivision permit and/or a building permit, plans be submitted to Council for approval;

WHEREAS the Planning Advisory Committee recommended at its meeting held on November 29, 2010, the approval of the site planning and architectural integration plans mentioned hereinbelow.

It is moved by Councillor Bissonnette
Seconded by Councillor Geller, and unanimously
TO approve the following documents:

RESOLVED:

1. Plan bearing No. 2/8 prepared by Patrice Leduc and submitted on to the Planning Advisory Committee on June 8, 2010;
2. Plan bearing No. 6/7 prepared by Patrice Leduc and submitted to the Planning Advisory Committee on November 11, 2010;

Pertaining to a residential extension and an enclosed veranda to the property located 101 Maitland Avenue (D. Furlotte & E. Williams), the documents are conforming to the criteria and objectives aimed by By-law Number 2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and to the older areas of Pointe-Claire.

2010-695

APPROVAL – SITE PLANNING AND ARCHITECTURAL
INTEGRATION PLANS – 45 CIRCLE AVENUE

WHEREAS By-law Number PC-2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and the older areas of Pointe-Claire of which is subject the property located at 45 Circle Avenue, requires that prior to the issuance of a certificate of authorization and/or a subdivision permit and/or a building permit, plans be submitted to Council for approval;

WHEREAS the Planning Advisory Committee recommended at its meeting held on November 29, 2010, the approval of the Site planning and architectural integration plans mentioned hereinbelow.

It is moved by Councillor Labbé
Seconded by Councillor Trudeau, and unanimously
TO approve the following documents:

RESOLVED:

1. Plan bearing No. A-1 prepared by Irma Da Sie and submitted to the Planning Advisory Committee on October 25, 2010;
2. Plan bearing No. A-3 prepared by Irma Da Sie and submitted to the Planning Advisory Committee on November 16, 2010;
3. The samples or its equivalent;

Pertaining to the construction of a new house at 45 Circle Avenue (F. Gesualdi), as these documents are conforming to the criteria and objectives aimed by By-law Number 2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and to the older areas of Pointe-Claire;

To require that the conditions expressed by the City's Parks and Horticulture Division with respect to the landscaping and planting of trees on the property be met by the owners.

2010-696

APPROVAL – SITE PLANNING AND ARCHITECTURAL
INTEGRATION PLANS – 36 GOLF AVENUE

WHEREAS By-law Number PC-2628-9 on the Site planning and architectural integration programme applicable to buildings of heritage interest and the older areas of Pointe-Claire of which is subject the property located at 36 Golf Avenue, requires that prior to the issuance of a certificate of authorization and/or a subdivision permit and/or a building permit, plans be submitted to Council for approval;

WHEREAS the Planning Advisory Committee recommended at its meeting held on November 29, 2010, the approval of the site planning and architectural integration plans mentioned hereinbelow.

It is moved by Councillor Geller

Seconded by Councillor Iermieri, and unanimously

RESOLVED:

TO approve the following documents:

1. The plan bearing No. SP-1, rev.8, prepared by Patrick McGee, architect, McGee and Associates Inc., and submitted to the Planning Department on November 18, 2010, subject to certain conditions, namely, that the natural retaining stone wall not be moved from its current site, the access to the parking area not be widened from its original width and the entire parking area be located behind the retaining stone wall;
2. Plans bearing Nos. A-4 and A-7, rév. 8, prepared by Patrick McGee, architect, McGee and Associates Inc., and submitted to the Planning Department on October 13, 2010;
3. Colour samples Benjamin Moore “Westcott Navy” No.1624 or the equivalent for the cedar shingles, and BP “bois de rivage” or the equivalent for the roof’s asphalt shingles and “off white” or the equivalent for windows, woodwork and contours.

Pertaining to construction of an extension to the house located at 36 Golf Avenue (Gitta and Robert Kerr), as these documents are conforming to the criteria and objectives as outlined in By-law Number 2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and to the older areas of Pointe-Claire.

2010-697

REFUSAL - SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS – 35 CARTIER AVENUE

WHEREAS By-law Number PC-2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and the older areas of Pointe-Claire of which is subject the property located at 35 Cartier Avenue, requires that prior to the issuance of a certificate of authorization and/or a subdivision permit and/or a building permit, plans be submitted to Council for approval;

WHEREAS the Planning Advisory Committee recommended at its meeting held on November 29, 2010, the approval of the Site planning and architectural integration plans mentioned hereinbelow.

It is moved by Councillor Geller

Seconded by Councillor Grenier, and unanimously

RESOLVED:

TO refuse the Site planning and architectural integration plans filed by Mrs. Mandanici on November 17, 2010 with respect to the approval of the installation of a new style door to replace the door already approved by Council at its meeting held on November 1, 2010 (Resolution No. 2010-608).

2010-698

APPROVAL - SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS – 11 WILTON AVENUE

WHEREAS By-law Number PC-2628-9 on the site planning and architectural integration program applicable to the buildings of heritage interest and the older areas of Pointe-Claire of which is subject the property located at 11 Wilton Avenue, requires that prior to the issuance of a certificate of authorization and/or a building permit and/or a subdivision, plans be submitted to Council for approval;

WHEREAS the Planning Advisory Committee recommended at its meeting held on November 29, 2010, the approval of the site planning and architectural integration plans mentioned hereinbelow.

It is moved by Councillor Geller
Seconded by Councillor Smith, and unanimously
TO approve the following documents:

RESOLVED:

1. Plans bearing page numbers 1/3, 2/4 et 3/4, prepared by H.V. Concepts and submitted to the Planning Department on November 1, 2010, subject that the horizontal siding underneath the veranda be replaced by a trellis;
2. Colour samples Benjamin Moore No. 2148-70 “sopirs de bébé” or the equivalent for the brown shingle asphalt and stucco, Benjamin Moore No. OC-29 “rosée du matin” or the equivalent for the wood decline, the veranda and the railing, Benjamin Moore No. CC-500 “camellia perlé” or the equivalent for the woodwork, window frames, the door and windows and Benjamin Moore “black” or the equivalent for the entrance doors;

Pertaining to the exterior renovations of the veranda, the paint, the siding material of the second floor of the house located at 11 Wilton Avenue (Luc Patry), as these documents are in conformity with the criteria and objectives aimed by By-law Number 2628-9 on the Site planning and architectural integration programme applicable to the buildings of heritage interest and to the older areas of Pointe-Claire.

2010-699

MODIFICATION – RESOLUTION NUMBER 2009-508 – APPROVAL – SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS – 172 SUNNYSIDE AVENUE

WHEREAS at its meeting held on October 1st, 2009, the Council approved the Site planning and architectural integration plans pertaining to the exterior side coverage for the property located at 172 Sunnyside Avenue (Resolution No. 2009-508);

WHEREAS the works carried out are not subject to the approval of the Site planning and architectural integration plans;

It is moved by Councillor Labbé
Seconded by Councillor Trudeau, and unanimously

RESOLVED:

TO modify Resolution Number 2009-508 as follows:
To not approve the plans and samples submitted to the Planning Department as the works carried out on the property located at 172 Sunnyside Avenue are not subject to SPAIP approval.

2010-700

MODIFICATION – RESOLUTION NUMBER 2010-176 – APPROVAL – SITE PLANNING AND ARCHITECTURAL INTEGRATION PLANS – 101, DIEPPE AVENUE, POINTE-CLAIRE

WHEREAS at its meeting held on April 6, 2010, the Council approved, the Site planning and architectural integration plans pertaining to the construction of a second floor at the property located at 101 Dieppe Avenue (Resolution Number 2010-176);

WHEREAS the owners of the property no longer wish to carry out the construction works of the second floor.

It is moved by Councillor Iermieri
Seconded by Councillor Trudeau, and unanimously

RESOLVED:

TO modify Resolution Number 2010-176 as follows:
To not approve the documents submitted to the Planning Department with respect to the approval of the Site planning and architectural integration plans for the construction of a second floor at 101 Dieppe

2010-706 FILING – LIST OF PURCHASE ORDERS FOR THE PERIOD OF NOVEMBER 1, 2010 TO NOVEMBER 30, 2010 AND THE LIST OF BUDGET TRANSFERS FOR THE PERIOD ENDING NOVEMBER 30, 2010

Members of Council take note of the filing of the list of purchase orders for the period of November 1, 2010 to November 30, 2010 and the list of budget transfers for the period ending November 30, 2010, as prepared by the Treasurer.

2010-707 AUTHORIZATION – CREATION OF A NEW RESERVE FUND (CENTENNIAL)

RESOLVED: It is moved by Councillor Smith
Seconded by Councillor Iermieri, and unanimously
TO appropriate the sum of \$200,000 of the unaffected accumulated surplus of the City for the creation of a new reserve fund;

TO create a new reserve fund for the City of Pointe-Claire Centennial celebration activities to be held during the course of the year 2011;

To authorize a payment \$50,000 to the "Comité du centenaire de la Ville de Pointe-Claire" (1911-2011), the whole as indicated on certificate number 10-3160 issued by the Treasurer.

2010-708 ADOPTION – CONTRACT MANAGEMENT POLICY

RESOLVED: It is moved by Councillor Trudeau
Seconded by Councillor Labbé, and unanimously
TO adopt the policy entitled "Contract Management Policy" concerning the attribution of municipal contracts.

2010-709 AWARDING OF CONTRACT – CLEANING AND CORING OF SANITARY AND STORM SEWERS FOR THE YEAR 2011

RESOLVED: It is moved by Councillor Trudeau
Seconded by Councillor Labbé, and unanimously
TO award a contract for an amount of \$96,346.37 for the cleaning and coring of sanitary and storm sewers for the year 2011 to Kelly Sani-Vac Inc. (Tender PT110001); and

TO charge this expense to budget account number 1-02-415-00-564, the whole as indicated on certificate number 10-3152 issued by the Treasurer.

2010-710 AWARDING OF CONTRACT – SUPPLY AND DELIVERY OF STONES OF VARIOUS SIZES FOR THE YEAR 2011

RESOLVED: It is moved by Councillor Labbé
Seconded by Councillor Iermieri, and unanimously
TO award a contract for an amount of \$163,070.91 for the supply and delivery of stones of various sizes for the year 2011 to "La Compagnie Meloche Inc." (Tender PT110003); and

TO charge this expense to budget account numbers 1-02-320-00-621, 1-02-413-01-621, 1-02-320-01-621, 1-02-330-00-621 and 1-02-415-00-621, the whole as indicated on certificate number 10-3163 issued by the Treasurer.

2010-711 FILING – LIST OF STAFF CHANGES BY DELEGATED DECISION FOR THE MONTH OF NOVEMBER 2010

Members of Council take note of the filing of the list of staff changes by delegated decision for the month of November 2010, as prepared by Mr. André Lévesque, Division Manager, Human Resources

2010-712 CREATION AND MODIFICATION OF CERTAIN MANAGEMENT POSITIONS OF THE AQUATIC ACTIVITIES DIVISION AND OF THE RECREATION DIVISION AND TEMPORARY APPOINTMENT OF STAFF MEMBERS

RESOLVED: It is moved by Councillor Bissonnette
Seconded by Councillor Geller, and unanimously
TO create and modify certain management positions of the Aquatic Activities Division and the Recreation Division; and

TO proceed with the temporary nomination of certain employees, the whole as indicated on the list attached to SGD Report Number 10-161-3136.

2010-713 EXTENSION OF DEADLINE – COMPLETION OF PROJECTS RELATED TO PRECO AND FCCQ GRANT PROGRAMMES

WHEREAS the Government of Canada announced that, under certain conditions, it would allow until October 31, 2011 to complete projects which were subsidized pursuant to the “Programme de renouvellement des conduites (PRECO) or under the 1.3 of the “Fonds Chantiers Canada-Québec” (FCCQ 1.3) grant programmes;

WHEREAS in order that the deadline for these projects be extended until October 31, 2011, these projects must be admissible expenses such as professional fees, purchase of materials or material works made before March 31, 2011, as well as a claim submitted to the “ministère des Affaires municipales, des Régions et de l’Occupation du territoire” before March 31, 2011;

WHEREAS the “ministère des Affaires municipales, des Régions et de l’Occupation du territoire” must receive before January 12, 2011, a resolution by which the beneficiary of such grant undertakes to complete these projects and to accept the responsibility for paying the expenses for the works completed after October 31, 2011;

WHEREAS the “ministère des Affaires municipales, des Régions et de l’Occupation du territoire” must have received with this resolution a detailed agenda, signed by an engineer, outlining the realization of each project until October 31, 2011;

RESOLVED: It is moved by Councillor Iermieri
Seconded by Councillor Smith, and unanimously
TO undertake to complete projects listed on the document attached to the present resolution and to accept responsibility for paying the expenses for the works completed after October 31, 2011;

TO furnish together with the said resolution, a detailed agenda, signed by an engineer, outlining the carrying out of the projects until December 31, 2011 and this, for each project listed on the document on the list attached to the present resolution;

TO accept that the projects not listed on the document attached to the present resolution be completed by respecting the initial terms of the completion of works of targeted programmes.

2010-714 **GRANT – FINANCIAL SUPPORT TO SPORT ASSOCIATIONS**

It is moved by Councillor Trudeau
Seconded by Councillor Grenier, and unanimously
RESOLVED: TO grant a financial support of \$38,425.00 to the sport associations
listed hereinbelow; and

TO charge this expense to budget account numbers also listed
hereinbelow, the whole as indicated on certificate number 10-3082
issued by the Treasurer.

ASSOCIATION	AMOUNT	BUDGET ACCOUNT NUMBER
Hockey West Island	11 650 \$	1-02-701-36-979
Pointe-Claire Ringuette Association	5 000 \$	1-02-701-37-979
Pointe-Claire Figure Skating Club	4 500 \$	1-02-701-38-979
Pointe-Claire Lawn Bowling Club	3 000 \$	1-02-701-53-979
Pointe Claire Amateur Soccer Association	8 500 \$	1-02-701-54-979
Baseball West Island	2 750 \$	1-02-701-58-979
Pointe-Claire Curling Club	2 025 \$	1-02-701-35-979
Valois Tennis Club	1 000 \$	1-02-701-51-979

2010-715 **CLOSURE**

It is moved by Councillor Bissonnette
Seconded by Councillor Geller, and unanimously
RESOLVED: TO hereupon adjourn the meeting at 8:02 p.m.

Bill McMurchie
Mayor

Lucie Tousignant
City Clerk