

MINUTES of **REGULAR** Meeting #2018-26 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, December 10, 2018, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis  
Councillors Dan Boyd  
Laura Cabott  
Jocelyn Curteanu  
Samson Hartland  
Stephen Roddick  
Jan Stick

ALSO PRESENT: Acting City Manager Mike Gau  
Director of Community and Recreation Services Lindsay Schneider  
Director of Corporate Services Valerie Braga  
Director of Infrastructure and Operations Peter O’Blenes  
Manager of Business and Technology Systems Michael Reyes  
Manager of Financial Services Brittany Dixon  
Manager of Land and Building Services Patrick Ross  
Manager of Legislative Services Catherine Constable  
Manager of Recreation and Facility Services Krista Mroz  
Acting Manager of Strategic Communications Myles Dolphin  
Assistant City Clerk Norma Felker

Mayor Curtis called the meeting to order at 5:30 p.m.

**CALL TO ORDER**

Mayor Curtis announced that the City is embarking on a new Official Community Plan. The Plan is the City’s top-level planning document that sets the future direction of the city over the next 20 years. It focuses on land use, development, conservation, housing, recreation and transportation. Whitehorse residents are invited to participate by visiting the City’s website to learn more about the review process and completing an online survey.

EMBARKING ON A  
NEW OFFICIAL  
COMMUNITY PLAN  
For Information Only

**2018-26-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the addition of Sylvio Lin as a delegate speaking to the sole-source contract award for Microsoft License Renewals.

**AGENDA**

Carried Unanimously

**2018-26-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated November 26, 2018 be adopted as presented.

**MINUTES**

November 26, 2018

Carried Unanimously

**DELEGATIONS**

Sylvio Lin, General Manager of Triniti Technology, addressed Council to ask why local businesses were not given an opportunity to bid on the renewal of the City's computer operating and productivity licenses. Mr. Lin explained that his company is a certified Microsoft partner and would have been able to price match if given the opportunity.

SYLVIO LIN  
License Renewal Contract

**COMMITTEE REPORTS**

**City Budget Committee**

Mayor Curtis presented the budget speech for the 2019 Operating and Maintenance Budget and the 2020 and 2021 provisional budgets.

OPERATING BUDGET  
Mayor's Budget Speech

The 2019 operating budget totals just over 81 million dollars and includes a residential tax increase of 2.3% for 2019.

**Public Health and Safety Committee**

There was no report from the Public Health and Safety Committee.

No Report

**Development Services Committee**

There was no report from the Development Services Committee.

No Report

**Corporate Services Committee**

**2018-26-03**

It was duly moved and seconded THAT Bylaw 2018-58, a bylaw to adopt the 2019 to 2022 Capital Expenditure Program, be brought forward for second and third reading under the bylaw process.

BRING FORWARD  
CAPITAL BUDGET  
BYLAW FOR 2<sup>ND</sup>  
AND 3<sup>RD</sup> READING

Carried Unanimously

**2018-26-04**

It was duly moved and seconded THAT Administration be authorized to waive the public bidding process for the supply of computer operating and productivity software; and THAT Administration be authorized to award the contract for the supply of computer operating and productivity software to Microsoft Canada for a net cost to the city of \$360,000 plus GST covering the three years period of 2019 to 2021 inclusive.

WAIVE PUBLIC BID  
PROCESS AND  
AWARD CONTRACT  
Microsoft License Renewal

Some members of council expressed concern about the proposed contract award after hearing from the delegate earlier in the meeting.

Administration was requested to provide additional information in order for council to make an informed decision that balances the need to support local business while ensuring that citizens receive the best value for their tax dollars

Discussion

Administration confirmed that the contract award could be delayed until January and advised that the information requested could be prepared in time for the first Standing Committee meeting in 2019.

**2018-26-05**

It was duly moved and seconded  
THAT the contract award for the supply of computer operating and productivity software be referred back to Administration pending the receipt of additional information regarding the pricing advantages achieved by partnering with the Government of Yukon and whether local businesses could be competitive.

Motion to Refer

Carried Unanimously

**City Planning Committee**

There was no report from the City Planning Committee.

No Report

**City Operations Committee**

There was no report from the City Operations Committee.

No Report

**Community Services Committee**

Daniel MacKenzie addressed the Committee to allege that his human rights have been violated by the City. The Mayor ruled Mr. MacKenzie out of order and advised him to take the issue to the Human Rights Commission.

DANIEL MACKENZIE  
Human Rights Issue  
For Information Only

**2018-26-06**

It was duly moved and seconded  
THAT a grant in the amount of \$15,000.00 be approved to the Aboriginal Peoples Television Network for Indigenous Day Live 2019, funded from the council donations account in the 2018 operating budget.

GRANT TO APTN  
FOR INDIGENOUS  
DAY LIVE 2019

Carried Unanimously

**2018-26-07**

It was duly moved and seconded THAT a grant in the amount of \$4,697.49 in in-kind services be approved to the Aboriginal Peoples Television Network for Indigenous Day Live 2019, funded from the council donations account in the 2019 operating budget.

IN-KIND GRANT TO  
ATPN FOR INDIGENOUS  
DAY LIVE 2019

Carried Unanimously

A Council member expressed concern that awarding the grant at this time would deplete the available funds in the donation account before the new fiscal year even begins.

Discussion

**NEW & UNFINISHED BUSINESS**

Deputy Mayor Hartland advised that Alpine Aviation ("the appellant") applied for and received a development permit dated July 25, 2018 with conditions permitting use and placement of a container office near its float plane dock on Schwatka Lake until October 31, 2018. The structures were not removed by the deadline.

The appellant received an order dated November 7, 2018 requiring corrective action in the form of removal of the office container structure and all associated materials from the site by November 27, 2018.

On November 16, 2018 the appellant requested a review pursuant to section 349 of the *Yukon Municipal Act*.

Committee of the Whole met and reviewed the order on December 6, 2018 for the purpose of deciding to confirm, vary, substitute or cancel that order. Committee of the Whole received and reviewed submissions from City of Whitehorse administration and from the appellant.

ALPINE AVIATION  
APPEAL CONCERNING  
AN ORDER TO REMOVE  
STRUCTURES FROM  
SCHWATKA LAKE  
DOCK SITES 12 AND 13

The Committee acknowledged that there was some apparent lack of enforcement on the part of the City relating to earlier permits to Alpine Aviation, which are not at issue in this review. The terms and conditions of the July 25, 2018 development permit were clear and the appellant acknowledges the same. While it is regrettable that the City may have caused a misunderstanding per the earlier permits, that does not preclude enforcement now.

Allowing the appellant's structures to remain year round would not only be a contravention of the permit but inconsistent with the Official Community Plan, the Schwatka Lake Area Plan and the reasonably fair and orderly use of that particular site.

Deputy Mayor Hartland advised that, having considered the evidence presented, it is the decision of the committee to uphold the City of Whitehorse Order dated November 7, 2018.

ALPINE AVIATION  
APPEAL  
For Information Only

Decisions made in- camera must be ratified in an open meeting.

**2018-26-08**

It was duly moved and seconded  
THAT the Development Officer's Order to Alpine Aviation dated November 7, 2018 requiring the removal of the office container structure and all associated materials from Schwatka Lake Dock Sites 12 and 13 is hereby confirmed.

DECISION ON APPEAL  
ALPINE AVIATION

Carried Unanimously

**BYLAWS**

**2018-26-09**

It was duly moved and seconded  
THAT Bylaw 2018-58, a bylaw to adopt a capital expenditure program for the years 2019 to 2022, be given second reading

**BYLAW 2018-58**  
2019 to 2022 CAPITAL  
EXPENDITURE PLAN  
SECOND READING

Carried Unanimously

Members of Council expressed their support for the proposed budget but noted that it was primarily developed under the auspices of the previous council and therefore focuses on projects and programs that may not reflect this council's priorities.

It was noted that completing a comprehensive asset management plan is required along with an integrated service delivery system, and resources will be needed to address these and other issues. Some of the projects that will need to be considered include fuel abatement, human-wildlife conflicts and emergency planning. Funding and staff resources will be needed to address these and other issues.

Discussion

Members of Council thanked administration for the work done on behalf of the City, and expressed appreciation for support from other levels of government.

**2018-26-10**

It was duly moved and seconded  
THAT Bylaw 2018-58, a bylaw to adopt a capital expenditure program for the years 2019 to 2022, having been read a first and second time, now be given third reading.

**BYLAW 2018-58**  
2019 to 2022 CAPITAL  
EXPENDITURE PLAN  
THIRD READING

Carried Unanimously

**2018-26-11**

It was duly moved and seconded  
THAT Bylaw 2018-59, a bylaw to adopt the operating and maintenance budget for 2019 and the provisional operating budgets for 2020 and 2021, be given first reading

Carried Unanimously

**BYLAW 2018-59**  
2019 to 2021  
OPERATING BUDGET  
FIRST READING

**2018-26-12**

It was duly moved and seconded  
THAT Bylaw 2018-60, a bylaw to levy taxes for the year 2019, be given first reading.

Carried Unanimously

**BYLAW 2018-60**  
2019 TAX LEVY  
FIRST READING

**2018-26-13**

It was duly moved and seconded  
THAT Bylaw 2018-61, a bylaw to amend the Fees and Charges Bylaw in accordance with the 2019 to 2021 Operating Budget, be given first reading.

Carried Unanimously

**BYLAW 2018-61**  
FEES & CHARGES  
AMENDMENT  
FIRST READING

Mayor Curtis reminded everyone that Council will be in recess until the New Year. Our next meeting will be the Standing Committee Meeting on January 7, 2019.

COUNCIL RECESS  
For Information Only

On behalf of all members of Council Mayor Curtis wished everyone a safe and happy holiday season.

HOLIDAY GREETINGS  
For Information Only

There being no further business, the meeting adjourned at 7:00 p.m.

**ADJOURNMENT**

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"N. L. Felker"

Norma L. Felker, Assistant City Clerk

ADOPTED by resolution at Meeting #2019-01 dated January 14, 2019