

MINUTES of **REGULAR** Meeting #2019-01 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, January 14, 2019, in Council Chambers, City Hall.

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

ALSO PRESENT: City Manager Linda Rapp  
Director of Community and Recreation Services Lindsay Schneider  
Director of Corporate Services Valerie Braga  
Director of Development Services Mike Gau  
Director of Infrastructure and Operations Peter O'Blenes  
Manager of Financial Services Brittany Dixon  
Manager of Legislative Services Catherine Constable  
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**

**2019-01-01**

It was duly moved and seconded  
THAT the agenda be adopted as presented.

**AGENDA**

Carried Unanimously

**2019-01-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated December 10,  
2018 be adopted as presented.

**MINUTES**

December 10, 2018

Carried Unanimously

**PUBLIC INPUT**

Mayor Curtis called three times for anyone to appear to address Bylaw  
2018-59, a bylaw to adopt the operating and maintenance budget for  
2019 and the provisional operating budgets for 2020 and 2021.

**BYLAW 2018-59**  
2019 Operating Budget

There was no one present to speak to the Operating Budget Bylaw.

No One Present

Mayor Curtis declared the public input session closed and advised that  
a report on the public input received will come forward at the Standing  
Committee meeting on January 21, 2019.

Public Input Closed

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2018-55, a bylaw to amend the zoning of a parcel of vacant Yukon land in Hidden Valley to allow for a lot expansion at 1 Roderick Place.

**BYLAW 2018-55**  
ZONING AMENDMENT  
1 Roderick Place

Violet Matthews spoke on behalf of the proponents, explaining that the residence and septic field were established 30 years ago when there was no other development in the area. Due to the location of the home and the topography of the lot, the only alternative for a new septic field is a lot expansion. This will not impact existing trails in the area.

Proponent

Yolande Vachon stated the opinion that the zoning of Parks and Recreation areas should not be changed.

Yolande Vachon  
Opposed

No written submissions were received with respect to this bylaw.

No Submissions Received

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except the report provided by administration.

Public Hearing Closed

**PUBLIC HEARING**

Mayor Curtis called three times for anyone to appear to address Bylaw 2018-57, a bylaw to amend the zoning of Days Inn, located at 2288 Second Avenue, to allow a child care centre as a principal use.

**BYLAW 2018-57**  
ZONING AMENDMENT  
Days Inn Child Care Centre

Katie Swales spoke against the proposed child care centre on behalf of Healthy Early Development Yukon, stating that access to outdoor and green space at this location is inadequate. She noted that government regulations for child care centres are based on minimum requirements. Children need a natural outdoor experience in an attached outdoor space that does not rely on strollers or walkers in order to be reached.

Katie Swales  
Opposed

Joy Argus and Ed Woloshyn spoke in support of the application, stating that an additional 30' x 30' fenced outdoor area with a sand surface will be located adjacent to the centre. They noted that there is a waiting list for day care space, and a large demand for 24/7 child care.

Proponents

Yolande Vachon noted that child care centres in other jurisdictions rarely have immediate access to outdoor space, and children who are escorted to off-site locations also learn about traffic safety issues.

Yolande Vachon  
In Support

Four written submissions were received, three in support and one in support but expressing some concerns regarding traffic issues.

Submissions Received

Mayor Curtis declared the public hearing closed and advised that no further submissions on the issue will be considered by council except the report provided by administration.

Public Hearing Closed

## **COMMITTEE REPORTS**

### **Public Health and Safety Committee**

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

No Report

### **Development Services Committee**

In response to a query from a Committee member, administration confirmed that Alpine Aviation will be able to lease their dock space this year as long as the company applies in accordance with the provisions of the Schwatka Lake Dock Policy and satisfies all permit requirements. The process to provide for long-term lease space along the Miles Canyon Road has been initiated, and lease sites may be in place for release to the public within the next 12 to 18 months.

SCHWATKA LAKE  
AREA PLAN UPDATE  
For Information Only

### **Corporate Services Committee**

On December 10, 2018 administration brought forward a proposal for a sole-source contract award to Microsoft Canada for the renewal of licenses for computer productivity software. At that meeting a delegate from a local technology company suggested that the City should conduct a request for proposals so that local businesses could have an opportunity to compete for the contract.

Microsoft has confirmed that there are no certified licensing service providers (distributors) in Yukon outside of the Yukon Government's umbrella Enterprise Agreement. The level of pricing being offered to the City from Microsoft Canada is only available as a result of the City's partnership with the Yukon Government. This agreement also provides the City access to other benefits such as planning services and training vouchers for staff without additional charge.

MICROSOFT LICENSE  
RENEWALS  
For Information Only

Microsoft would not bid directly if the City were to conduct a request for proposals on its own. This means that bidders would necessarily be value-added resellers that obtain their pricing from a Microsoft licensing service provider. Each additional layer adds mark-up to the license price, thereby increasing the cost to the purchaser.

The City's licences expired on December 31, 2018 and Microsoft has granted a 30-day grace period. If the existing agreement is allowed to expire, the City will have to re-purchase the Microsoft licences as if they were new, and this will result in increased pricing.

**2019-01-03**

It was duly moved and seconded  
THAT Bylaw 2019-01, a bylaw to authorize the allocation of various grants for the year 2018, be brought forward for consideration under the bylaw process.

BRING FORWARD  
2018 UMBRELLA  
GRANTS BYLAW

Carried Unanimously

**2019-01-04**

It was duly moved and seconded  
THAT Bylaw 2019-02, a bylaw to amend the 2018 to 2021 capital expenditure program with respect to budget adjustments made throughout 2018, be brought forward for consideration under the bylaw process; and  
THAT Bylaw 2019-03, a bylaw to amend the 2018 operating and maintenance program with respect to budget adjustments made throughout 2018, be brought forward for consideration under the bylaw process.

BRING FORWARD  
2018 UMBRELLA  
BUDGET AMENDMENT  
BYLAWS

Carried Unanimously

**2019-01-05**

It was duly moved and seconded  
THAT Bylaw 2019-04, a bylaw to authorize the write-off of uncollectible accounts, be brought forward for consideration under the bylaw process.

BRING FORWARD  
WRITE-OFF BYLAW

Carried Unanimously

**2019-01-06**

It was duly moved and seconded  
THAT Council approve a grant of two adult transit passes to Yukon Cares in the amount of \$1,488.00, funded from the council donation account.

AUTHORIZE  
COUNCIL GRANT  
Yukon Cares

Carried Unanimously

A council member suggested that a grant policy to guide council donations would be preferable for individual grants like this one.

Discussion

In response to questions raised, administration advised that no further information has been received from the Yukon Government regarding a rebate mechanism with respect to the Carbon Tax. The probable costs to taxpayers have been projected based on available information and, in the event that adjustments are required, a budget amendment can be brought forward for consideration. A Committee member urged the Government of Yukon to provide details as soon as possible so that municipalities can proceed with proper planning and budgeting.

CARBON TAX UPDATE  
For Information Only

**City Planning Committee**

There was no report from the City Planning Committee.

No Report

**City Operations Committee**

**2019-01-07**

It was duly moved and seconded

THAT the 2018 capital project for the McIntyre Creek Booster Station be re-budgeted to 2019; and

THAT the 2019 to 2022 capital expenditure program be amended by increasing the budget for the 2019 McIntyre Creek Booster Station project from \$207,258.00 to \$450,000.00, funded by the Water and Sewer Reserve; and

THAT Administration be authorized to waive the public bidding process for the McIntyre Creek Pump House Upgrade Project; and

THAT Administration be authorized to award the contract for the McIntyre Creek Pump House Upgrade Project to Duncan's Ltd. for a net cost to the City of \$375,231.

Carried Unanimously

AUTHORIZE SOLE-SOURCE CONTRACT AWARD – MCINTYRE CREEK PUMP HOUSE UPGRADE PROJECT

Members of council expressed concern regarding this contract and in particular about the process followed. It was recognized that the situation is unique and the work is necessary at this time, but the huge increase in cost over the original estimate is very troublesome. A council member suggested that completing the asset management process will assist the City in being more strategic.

Discussion

**2019-01-08**

It was duly moved and seconded

THAT Bylaw 2019-05, a bylaw to amend the Waste Management Bylaw, be brought forward for consideration under the bylaw process.

Carried Unanimously

BRING FORWARD WASTE MANAGEMENT BYLAW AMENDMENT

In response to questions raised, administration provided an update on snow removal priorities with respect to curb cuts, sidewalks, crosswalks and bus stops. Citizens were encouraged to contact the Snow Line at 633-7669 if they are aware of bus stops or sidewalks and curb cuts adjacent to City facilities that require snow removal. The public was reminded that under the provisions of the City's Maintenance Bylaw property owners and occupiers are required to provide snow removal on sidewalks and curb cuts adjacent to their properties.

SNOW REMOVAL  
For Information Only

**Community Services Committee**

The City's Public Art Policy provides guidelines for procuring public artwork when new City buildings are constructed. The policy states that one percent of a new building's capital construction budget shall be designated for the purchase and installation of public art. The budget for the Operations Building is currently just over forty million dollars, leaving the City approximately \$400,000.00 to procure new works of public art.

In July 2018 a committee was created for the purpose of procuring artwork with the budget from the Operations Building. The purpose of this committee is to identify potential art locations, evaluate submissions from artists, and award multiple art contracts based on value and budget. The arts community is currently being solicited for representatives.

The Public Art Policy states that community value is a high priority. Since the majority of the Operations Building will not experience high volumes of public visitation, many locations around the community have been identified to complement the spaces identified at the Operations Building. Administration has compiled a preliminary list of potential art locations for the purpose of review and consideration by the committee.

Ongoing and future City of Whitehorse projects were taken in to account when identifying potential locations. The request for proposals for public art is scheduled to be released in the spring of 2019. Artists will have three months to visit locations and create submissions for the art committee to evaluate.

UPDATE ON PUBLIC ART  
PROCUREMENT POLICY

For Information Only

**NEW & UNFINISHED BUSINESS**

**2019-01-09**

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 year period of 2019 to 2021 inclusive.

AUTHORIZE SOLE-  
SOURCE CONTRACT  
FOR MICROSOFT  
LICENSE RENEWALS

Carried Unanimously

A council member suggested that administration should reach out to local suppliers before bringing sole-source recommendations forward.

Discussion

A member of council suggested that administration prepare a list of potential sole-source contracts at the beginning of the year so that Council has an opportunity to discuss alternatives in advance of the issue coming forward.

Discussion

Councillor Cabott presented a Notice of Motion as follows:

**NOTICE OF MOTION**

“THAT second and third reading of Operating and Maintenance Budget Bylaw 2018-59, Tax Levy Bylaw 2018-60, and Fees and Charges Amendment Bylaw 2018-61 be postponed to February 11, 2019.”

Motion to Postpone  
Budget and Related Bylaws

Mayor Curtis advised that a Notice of Motion is normally not dealt with at the meeting at which it is presented. However, if all members of council are present and unanimously agree, a notice of motion given at a regular council meeting may be discussed, debated, and voted on at that meeting. He then polled Council to assess their agreement to vote on the proposed motion at this meeting.

Explanation of Procedure

Members of council unanimously agreed to vote on Councillor Cabott’s motion at this meeting.

Approval to Vote on Motion

**2019-01-10**

It was duly moved and seconded  
THAT second and third reading of Operating and Maintenance Budget Bylaw 2018-59, Tax Levy Bylaw 2018-60, and Fees and Charges Amendment Bylaw 2018-61 be postponed to February 11, 2019 in order to ensure full participation by all council members.

POSTPONE READINGS  
OF BUDGET, TAX LEVY  
AND FEES & CHARGES  
AMENDMENT BYLAWS

Carried Unanimously

**BYLAWS**

**2019-01-11**

It was duly moved and seconded  
THAT Bylaw 2019-01, a bylaw to authorize various grants for the year 2018, be given first reading.

**BYLAW 2019-01**  
UMBRELLA GRANTS  
FIRST READING

Carried Unanimously

**2019-01-12**

It was duly moved and seconded  
THAT Bylaw 2019-01 be given second reading.

SECOND READING

Carried Unanimously

**2019-01-13**

It was duly moved and seconded  
THAT Bylaw 2019-02, a bylaw to amend the 2018 to 2021 capital budget to authorize budget adjustments made to the capital expenditure program throughout 2018, be given first reading.

Carried Unanimously

**BYLAW 2019-02**

UMBRELLA CAPITAL  
BUDGET AMENDMENT  
FIRST READING

**2019-01-14**

It was duly moved and seconded  
THAT Bylaw 2019-02 be given second reading.

Carried Unanimously

SECOND READING

**2019-01-15**

It was duly moved and seconded  
THAT Bylaw 2019-03, a bylaw to amend the 2018 to 2020 operating and maintenance budget to authorize budget adjustments made throughout 2018, be given first reading.

Carried Unanimously

**BYLAW 2019-03**

UMBRELLA OPERATING  
BUDGET AMENDMENT  
FIRST READING

**2019-01-16**

It was duly moved and seconded  
THAT Bylaw 2019-03 be given second reading.

Carried Unanimously

SECOND READING

**2019-01-17**

It was duly moved and seconded  
THAT Bylaw 2019-04, a bylaw to write off un-collectible accounts, be given first reading.

Carried Unanimously

**BYLAW 2019-04**

WRITE OFF ACCOUNTS  
FIRST READING

**2019-01-18**

It was duly moved and seconded  
THAT Bylaw 2019-04 be given second reading.

Carried Unanimously

SECOND READING

**2019-01-19**

It was duly moved and seconded  
THAT Bylaw 2019-05, a bylaw to amend the Waste Management Bylaw, be given first reading.

Carried Unanimously

**BYLAW 2019-05**

AMEND WASTE  
MANAGEMENT BYLAW  
FIRST READING

**2019-01-20**

It was duly moved and seconded  
THAT Bylaw 2019-05 be given second reading.

SECOND READING

Carried Unanimously

There being no further business, the meeting adjourned at 6:54 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 #2019-02 dated January 28, 2019