

MINUTES of **REGULAR** Meeting #2020-18 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, August 10, 2020, in Council Chambers, City Hall.

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

ALSO PRESENT: Acting City Manager Jeff O’Farrell
Director of Corporate Services Valerie Braga
Acting Director of Development Services Patrick Ross
Director of Infrastructure and Operations Peter O’Blenes
Acting Manager of Financial Services Gloria Kasigazi
Manager of Legislative Services Catherine Constable
Assistant City Clerk Norma Felker

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

CALL TO ORDER

Councillor Cabott declared an interest in the Food Bank, which is one of the organizations on the list to receive a Community Service Grant for 2020. The grant bylaw is on the agenda for third reading, and she advised that since her interest is non-pecuniary, she will be participating in the debate and will vote on the bylaw when it comes forward.

**INTEREST
DECLARED**

2020-18-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the change being the addition of a proclamation for 100 Years of Yukon Aviation and the addition of delegate submissions with respect to the Procurement Policy and the Community Service Grants Bylaw.

AGENDA

Carried Unanimously

Mayor Curtis proclaimed August 16, 2020 to be **100 Years of Yukon Aviation Day** in the City of Whitehorse.

PROCLAMATION

2020-18-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated July 27, 2020 be adopted as presented.

MINUTES
July 27, 2020

Carried Unanimously

DELEGATE SUBMISSIONS

A delegate submission from the Board of Directors of the MacBride Museum was read into the record. It encouraged the City provide a 100% tax abatement for the museum in perpetuity. It was noted that the submission was supported by an additional eight letters from local businesses and individuals, as well as a petition encouraging the City to provide a 100% tax exemption for the MacBride Museum.

MACBRIDE MUSEUM

A delegate submission from the Board of the Whitehorse Chamber of Commerce was read into the record. The submission expressed appreciation for the work done by administration and council on the policy to date, and also for considering recommendations brought forward by the Chamber on behalf of its membership. However, the submission urged Council to make additional changes to the proposed Procurement Policy before it is adopted. The letter expressed appreciation

WHITEHORSE CHAMBER
OF COMMERCE

PUBLIC HEARING

Mayor Curtis called three times for anyone to appear to speak to Bylaw 2020-10, a bylaw to amend the Official Community Plan to allow for commercial-industrial development on a portion of the Upper Tank Farm property.

BYLAW 2020-10

O.C.P. AMENDMENT
Tank Farm Phase 1

25 written submissions were received – 11 in support, 11 opposed, two expressing concerns and one for information.

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

Mayor Curtis called three times for anyone to appear to speak to Bylaw 2020-25, a bylaw to amend the zoning at 39 – 14th Avenue in Porter Creek to allow a living suite as a secondary use in a Restricted Residential zone.

BYLAW 2020-25

ZONING AMENDMENT
39 – 14th Avenue

Three written submissions were received, two in support of the bylaw and one opposed.

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

City Planning Committee

2020-18-03

It was duly moved and seconded THAT Bylaw 2020-26, a bylaw to amend the zoning of Lot 287 REM, Group 804 in the Whitehorse Copper area from IH-Heavy Industrial to IS-Service Industrial, and to amend the zoning of the road right-of-way located within the north-east corner of Lot 287 from PG-Greenbelt to IS-Service Industrial, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT

(Whitehorse Copper
Heavy Industrial Lot)

Carried Unanimously

2020-18-04

It was duly moved and seconded THAT a Housing Development Incentive Agreement with 650139 NB Inc. with respect to an eight-unit rental housing development at 1306 Centennial Street be approved.

HOUSING
DEVELOPMENT
INCENTIVE
1306 Centennial Street

Carried (6 – 1)

A council member expressed concern that only certain developers are benefitting from the incentive programs, and that the cost of the program is not affordable. Other members noted that rental housing is now available in the city, due in large part to these incentives. It was also stated that when the Housing Development Incentives Policy was adopted, Council weighed the cost versus providing incentives to meet a demonstrated need.

Discussion

Administration confirmed that the budget is adjusted annually to meet the costs of the incentive program. One member of council suggested that the current policy be brought forward this fall for a review and an assessment of performance.

- IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu, Roddick and Stick
- OPPOSED Councillor Hartland

Recorded Vote

2020-18-05

It was duly moved and seconded THAT a Housing Development Incentive Agreement with 45358 Yukon Inc. with respect to a 12-unit rental housing development at 51 Keewenaw Drive be approved.

HOUSING
DEVELOPMENT
INCENTIVE
51 Keewenaw Drive

Carried (6 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
Roddick and Stick Recorded Vote
OPPOSED Councillor Hartland

2020-18-06

It was duly moved and seconded HOUSING
THAT a Housing Development Incentive Agreement with Ralph DEVELOPMENT
McBryan with respect a four-unit rental housing development at 24 INCENTIVE
Wann Road be approved. 24 Wann Road

Carried (6 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
Roddick and Stick Recorded Vote
OPPOSED Councillor Hartland

City Operations Committee

Mellisa Murray submitted a written proposal to have the crosswalks at
Front and Main painted to reflect the Black Indigenous and People of
Colour flag and the Queer Trans Black Indigenous People of Colour
flag. Her submission stated that the proposal supports one of the
guiding principles of the Official Community Plan and a goal of the
Sustainability Plan. She proposed that the City’s Operations
department hold the responsibility of implementing this project,
including funding, painting and future maintenance. PROPOSAL FOR
PAINTING CROSSWALKS
AT FRONT AND MAIN

For Information Only

During discussion it was confirmed that City forces do not have the
capacity or materials to implement this project in a timely manner. If
timing is a key point, a temporary solution is possible, but as a
permanent installation it would go through the budget process and be
considered for installation in 2021

In response to a query regarding next steps, it was confirmed that it is
too late in the year to have an installation in place before winter, so the
matter is being passed to the budget process. If the delegate and her
supporters believe that the matter is urgent, they can consider working
to create their own short-term solution. Discussion

2020-18-07

It was duly moved and seconded CONTRACT AWARD
THAT Administration be authorized to award the contract for the Landfill LANDFILL PHASE 2 EAST
Phase 2 East project to Cobalt Construction Inc., for a net cost to the CONSTRUCTION
City of \$ 373,709.50 plus GST.

Carried Unanimously

2020-18-08

It was duly moved and seconded
THAT Administration be authorized to set the weighting for local content
at 15 points in the request for proposals for consulting services for the
City-Wide Transportation Study.

LOCAL CONTENT
WEIGHTING FOR
TRANSPORTATION
STUDY REQUEST FOR
PROPOSALS

Carried Unanimously

Community Services Committee

2020-18-09

It was duly moved and seconded
THAT the new Recreation Grant policy be adopted as presented.

ADOPT NEW
RECREATION GRANT
POLICY

Carried Unanimously

Public Health and Safety Committee

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

No Report

Development Services Committee

The Street Eats Food Truck Event has been hosted in the Downtown
area since 2016. However, the usual location does not provide
enough space for the physical distancing measures required by the
Chief Medical Officer of Health, and the City is proposing that the 2020
event be moved to Shipyards Park.

Shipyards Park offers more space for adequate physical distancing for
vendors and customers, and will help disperse crowd sizes. This
location is being proposed for the 2020 event only. Future events will
return to Steele Street if it is safe to do so.

It is proposed that this year's event will run from August 24th to 28th,
except on Thursday, August 27th when the Fireweed Community is
held. The hours will be from 11:00 a.m. to 7:00 p.m.

STREET EATS
FOOD TRUCK EVENT
For Information Only

The site will be roped off to reinforce a single point of entry and exit,
and signage about physical distancing requirements will be posted. All
vendors will be required to adhere to public health and safety
requirements during the event.

In its messaging for the event, the City would encourage customers to
come for food, but not to stay and visit. For vendors who offer online
ordering, the City would encourage the use of this method of vending
to reduce the number of customers on the event site at a given time.

Generally, vendors have voiced support for the proposed format.

Corporate Services Committee

2020-18-10

It was duly moved and seconded
THAT the 2020-2023 Capital Expenditure Plan be amended by increasing the 2020 Puckett's Gulch Stairs Rehabilitation project in the amount of \$250,000, funded from the capital reserve to cover the additional costs until an amended Gas Tax Transfer Payment Agreement is received; and

BUDGET AMENDMENT
AND CONTRACT AWARD
PUCKETT'S GULCH
STAIRS PROJECT

THAT Administration be authorized to award the contract for the Puckett's Gulch Stairs Rehabilitation project to Wildstone Construction Group for a net cost to the City of \$597,228.00 plus GST.

Carried Unanimously

A council member noted that new Infrastructure Canada funding is now available and asked if this could be used to fund the additional costs.

Administration advised that the funding might be suitable for this project, but an application could not be completed in time for the project to proceed this year. It was confirmed that the City has sufficient funds in its Gas Tax allocation to cover the additional costs.

Discussion

The City's Purchasing and Sales Policy was adopted in 1998 and amended in 2011 to address sustainability. Changes over time in procurement law have necessitated a comprehensive review of the policy. Additional considerations include the provision of preference to local businesses as well as global trends towards sustainability, including environmental, social and economic factors.

The proposed policy is more comprehensive than the existing Purchasing and Sales Policy, and seeks to provide clarity to the public, Administration and Council regarding the procurement of goods, services and construction. It is intended to enhance fairness in the procurement process, and improve the confidence of vendors and tax payers in the City's procurement processes. It also aims to ensure a consistent, fair, transparent and publicly available process.

PROCUREMENT POLICY
For Information Only

Administration proposes to begin implementation of the policy as of January 01, 2021. Deferred implementation will allow a procedures manual to be developed as will also provide time for training for both the vendor community and City employees. In addition, a deferred implementation date will allow for finalisation of an asset disposal policy to replace the "sales" content of the existing policy.

.../continued

The Whitehorse Chamber of Commerce commented on the proposed policy in a written submission that requested clarification on a number of issues including how administration plans to track and report local spending. The Chamber submission also asked for information on how the proposed increase in the amount required for council approval will affect City procurements based on previous contracts.

*It was duly moved and seconded
THAT the meeting continue beyond three hours.*

Carried Unanimously

PROCUREMENT POLICY

For Information Only
(Continued)

Committee members asked questions about a number of provisions and definitions. A member also asked that council be provided with the answers to the Chamber's questions before the policy comes forward for a vote.

Administration advised that some minor changes and corrections could be incorporated into the policy before it comes forward for a vote. The policy as revised would be included as part of the meeting package when it comes forward.

NEW AND UNFINISHED BUSINESS

2020-18-11

It was duly moved and seconded
THAT Administration be authorized to award the contract for the Alexander Street Landscaping project to Lane's Yukon Yardworks Inc. for a net cost to the City of \$242,377.22 plus GST.

Carried Unanimously

A Council member noted that this project was rejected by residents of the area last year and many of the issues that caused that rejection continue to exist. Administration was asked how the project aligns with the Government of Yukon's plans for the emergency shelter.

Administration advised that the landscape design has been modified in response to concerns raised. The funding for the project is only valid for this year, and the general consensus of the neighbourhood is that the project should proceed so that residents and businesses in the area can benefit from the improvements.

Discussion

IN FAVOUR Mayor Curtis, Councillors Boyd, Cabott, Curteanu,
 Roddick and Stick
OPPOSED Councillor Hartland

Recorded Vote

2020-18-12

It was duly moved and seconded
THAT the Procurement Policy be adopted as presented and the existing Purchasing and Sales Policy be repealed, effective January 01, 2021.

PROCUREMENT
POLICY

Some members of council commended the changes made to the policy and supported it as presented, noting that it can be amended in the future if the need arises. One member suggested that section 7.2.1 of the proposed policy should be amended as requested by the Chamber of Commerce and that the policy should be clear that appeals can be made to Council.

Discussion

2020-18-13

It was duly moved and seconded
THAT section 7.2.1 of the Procurement Policy be amended by deleting bullets one and three.

Amendment

A Council member suggested that the first bullet is an important piece of the policy and should remain, but that the third bullet as written is too broad.

Discussion

2020-18-14

It was duly moved and seconded
THAT section 7.2.1 of the Procurement Policy be amended by deleting the third bullet and amending the final statement to read, "A Supplier subject to such an exclusion may apply to the City Manager and/or Council for a review of the exclusion."

Amendment

It was suggested that a cautious approach means that this section of the policy should remain, including all three bullets. However, any appeals under this section should be to Council.

Discussion

2020-18-15

It was duly moved and seconded
THAT section 7.2.1 of the Procurement Policy be amended by deleting the final statement and substituting a new final statement that reads:

Amendment

"A Supplier subject to such an exclusion may apply to City Council for a review of the exclusion."

Carried Unanimously

2020-18-16

It was duly moved and seconded
THAT the meeting continue beyond three hours.

MOTION TO EXTEND
THE MEETING

Carried Unanimously

The Mayor called for a two-minute recess and then reconvened the meeting at 8:33 p.m.

BRIEF RECESS

A Council member commented that the policy as revised eliminates conflicts with procurement law, and the commencement process provides for Council oversight. The delayed implementation date will allow time for the development of a procedures manual.

Discussion

The main motion, being adoption of the Procurement Policy as amended and the repeal of the existing Purchasing and Sales Policy, effective January 1, 2021 was then voted on.

Vote on Main Motion

Carried Unanimously

BYLAWS

2020-18-17

It was duly moved and seconded
THAT Bylaw 2020-12, a bylaw to provide for community service grants and grants for property taxes and other municipal charges for the year 2020, having been read a first and second time, now be given third reading.

BYLAW 2020-12
COMMUNITY SERVICE
GRANTS BYLAW
THIRD READING

Carried Unanimously

2020-18-18

It was duly moved and seconded
THAT Bylaw 2020-17, a bylaw to authorize a ten-year lease agreement with the Tennis Yukon Association, having been read a first and second time, now be given third reading.

BYLAW 2020-17
LEASE AGREEMENT
Tennis Yukon Association
THIRD READING

Carried Unanimously

2020-18-19

It was duly moved and seconded
THAT Bylaw 2020-26, a bylaw to amend the zoning of Lot 287 Remainder, Group 804 in the Whitehorse Copper area from Heavy Industrial to Service Industrial, and to amend the zoning of the road right-of-way located within the north-east corner of Lot 287 from Greenbelt to Service Industrial, be given second reading.

BYLAW 2020-26
ZONING AMENDMENT
Whitehorse Copper IH Lot
SECOND READING

Carried Unanimously

A Council member noted that some traffic and safety issues remain a concern, particularly with respect to the intersection of the access road with the Alaska Highway. However, the jurisdiction regarding highway access resides with the Government of Yukon, and ongoing monitoring should be recommended.

Discussion

2020-18-20

It was duly moved and seconded THAT Bylaw 2020-26, a bylaw to amend the zoning of Lot 287 Remainder, Group 804 in the Whitehorse Copper area from Heavy Industrial to Service Industrial, and to amend the zoning of the road right-of-way located within the north-east corner of Lot 287 from Greenbelt to Service Industrial, having been read a first and second time, now be given third reading.

BYLAW 2020-26

ZONING AMENDMENT
Whitehorse Copper IH Lot
THIRD READING

Carried Unanimously

Mayor Curtis advised that Council will be in recess until September. The next meeting will be a Standing Committee meeting on Tuesday, September 8, 2020.

RECESS ANNOUNCED

There being no further business, the meeting adjourned at 8:50 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 #2020-19 dated September 14, 2020