

MINUTES of **REGULAR** Meeting #2013-12 of the council of the City of Whitehorse called for 7:30 p.m. on Monday, June 24, 2013, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Kirk Cameron
Jocelyn Curteanu
Mike Gladish
Betty Irwin
Dave Stockdale
John Streicker

ALSO PRESENT: Acting City Manager Brian Crist
Director of Community and Recreation Services Linda Rapp
Director of Corporate Services Robert Fendrick
Acting Director of Development Services Wayne Tuck
Acting Director of Infrastructure and Operations Clive Sparks

Mayor Curtis called the meeting to order at 7:30 p.m.

CALL TO ORDER

2013-12-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the addition of Cristina Pekarik and Trevor Meade-Robbins as delegates speaking to the Mount Sima issue.

AGENDA

Carried Unanimously

Mayor Curtis expressed Council's support for the municipalities in southern Alberta that have been so severely impacted by the recent floods, and noted that our hearts are with the people affected by these events, especially in Calgary, High River, and Medicine Hat.

Support Expressed
For Flood Victims

2013-12-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated June 10, 2013 be adopted as presented.

MINUTES

June 10, 2013

Carried Unanimously

DELEGATIONS

Cristina Pekarik addressed Council to express support for Mount Sima and suggest that the City of Whitehorse should add Mount Sima to its facilities as a core non-traditional facility.

CRISTINA PEKARIK
Mount Sima Issue

Ms. Pekarik presented a strategy to support her proposal, outlining a plan involving family and business support, user groups, and a commitment from the City to provide working capital. She stressed that Mount Sima is a major core facility that is open to the public and provides a tangible benefit in health and fitness through sport and recreation. Mount Sima provides a non-traditional facility that is widely used by Whitehorse and periphery residents in the same manner as the Canada Games Centre, Takhini Arena and Mount McIntyre are used. Additionally, Mount Sima provides an essential service by operating the only facility to support the Olympic-accredited sports of alpine skiing, freestyle skiing, and snowboarding. It also allows the City to host national and international events and regional competitive skiing and board events. As such, it is a core facility in Yukon.

CRISTINA PEKARIK
Support for Mount Sima
(Continued)

Ms. Pekarik suggested that the City establish an accreditation system for non-traditional core facilities, and manage the risk to taxpayers through a policy governing consideration of City support for accredited non-traditional core facilities.

Trevor Meade-Robbins spoke in support of Mount Sima. He noted that there is not a great cost differential between keeping the hill open and closing it down. Mr. Meade-Robbins stated that the availability of the chair lift makes Mount Sima an ideal location for the local Para-gliding community, and as both a user and a business owner he would be willing to contribute to keep the facility open. He stated that dissolving the Society and closing or even moth-balling the hill would not serve the community well.

T. MEADE-ROBBINS
Support for Mount Sima

PUBLIC HEARING

Mayor Curtis called three times for anyone to appear to address Bylaw 2013-20, a bylaw to amend the Zoning Bylaw with respect to a number of miscellaneous edits. There was no one present to address the bylaw, but four submissions were received.

BYLAW 2013-20
ZONING AMENDMENT
Miscellaneous Edits

Three submissions received raised some concerns but did not object to the bylaw; the submission from NavCanada confirmed that they have no concerns with the changes proposed.

Submissions Received

Mayor Curtis declared the public hearing closed and advised that a report on the public hearing will be brought forward to the Standing Committee meeting on July 2, 2013.

Public Hearing Closed

COMMITTEE REPORTS

Community Services Committee

2013-12-03

It was duly moved and seconded
THAT the financial requirements outlined in the Great Northern Ski
Society business plan be rejected.

REJECT SKI SOCIETY
BUSINESS PLAN

Carried Unanimously

Council members discussed the proposed business plan and noted
that it is not yet a community plan. They encouraged the community to
continue working on ideas to support the hill's continuity, and also
encouraged prompt action in this regard.

Discussion

2013-12-04

It was duly moved and seconded
THAT the 2013 Capital Budget be amended to include the Mount
Sima project, a project to secure the chair lift by making the final
payment owing to Doppelmayr in the amount of \$192,221.00, funded
from the General Reserve.

BUDGET AMENDMENT
FOR CHAIR LIFT

2013-12-05

It was duly moved and seconded
THAT resolution #2013-12-04 be amended by adding an additional
clause stating that the funding be contingent on a sale and lease-
back arrangement whereby the City of Whitehorse holds title to the
chair lift."

Amendment #1

Carried Unanimously

Council members discussed the funding proposed by the Government
of Yukon for the purposes of paying off the lift.

Discussion

2013-12-06

It was duly moved and seconded
THAT resolution #2013-12-04 be amended by adding an additional
clause stating that funding be contingent on confirmation that funding
support offered by the Government of Yukon for the Doppelmayr lift
be reimbursed to the City."

Amendment #2

Defeated (6 – 1)

The MAIN MOTION as amended was then voted on and CARRIED
UNANIMOUSLY.

Vote on Main Motion

Mayor Curtis commended David Lister and Denis Godin for their recent success at Skills Canada competitions. David Lister received the silver medal in Mechanical CADD, and Denis Godin will represent Canada in Mechanical CADD at the World Skills Competition this October in Germany.

SKILLS CANADA
For Information Only

Public Health and Safety Committee

2013-12-07

It was duly moved and seconded
THAT Bylaw 2013-36, a bylaw to provide for the establishment of a Civil Emergency Measures Commission and an Emergency Measures Plan, be brought forward for due consideration under the bylaw process.

BRING FORWARD
NEW EMERGENCY
MEASURES BYLAW

Carried Unanimously

In light of the recent flood conditions in Alberta and the City's location in proximity to the Yukon River, Council members encouraged a review of the City's Emergency Measures Plan.

Discussion

Tourism & Economic Development Committee

Committee asked for more information on the Planning Department's on-going work with the Yukon Government on a proposal to fund a City Economic Development position.

Economic Development
Position
For Information Only

Administrative Services Committee

2013-12-08

It was duly moved and seconded
THAT the audited City of Whitehorse 2012 Financial Statements be adopted as presented; and
THAT the Water and Sewer Fund deficit of \$414,366.00 be funded from the water and sewer reserve.

2012 AUDITED
FINANCIAL STATEMENTS

Carried Unanimously

2013-12-09

It was duly moved and seconded
THAT Bylaw 2013-27, a bylaw to authorize grants for municipal charges and community services for the year 2013, be brought forward for due consideration under the bylaw process.

BRING FORWARD
GRANTS BYLAW

Carried Unanimously

Council members discussed the consequences to organizations that serve the needy members of our community with the reduction in the grant amount provided this year. They also discussed the apparent disconnect between some of the grant recipients and the eligibility criteria for the community service grants under council policy. Administration confirmed that that certain of the tax and utility grants are included as part of existing lease agreements. Administration also confirmed that notice was given to all of last year's recipients that they would need to adjust their budgets to account for a reduction in the municipal grant this year.

Discussion

2013-12-10

It was duly moved and seconded
THAT Bylaw 2013-32, a bylaw to amend the Fees and Charges Bylaw, be brought forward for due consideration under the bylaw process; and

THAT the 2013 operating and maintenance budget, and the 2014 and 2015 provisional operating and maintenance budgets be amended to increase budgeted revenues in the amounts of \$57,381.00, \$120,474.00 and \$131,145.00 respectively to reflect the changes in the Fees and Charges Bylaw.

BRING FORWARD
FEES & CHARGES
AMENDMENT

Carried Unanimously

City Planning Committee

2013-12-11

It was duly moved and seconded
THAT Bylaw 2013-25, a bylaw to amend the zoning of Lot 1547, located at 900 Range Road, to allow for the development of a church and related projects, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
900 RANGE ROAD

Carried Unanimously

2013-12-12

It was duly moved and seconded
THAT Bylaw 2013-26, a bylaw to change the zoning of the lot located at 227 Moraine Drive in the Whitehorse Copper Subdivision to allow for the development of up to three new country residential lots, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
227 MORaine DRIVE

Carried Unanimously

2013-12-13

It was duly moved and seconded
THAT Bylaw 2013-33, a bylaw to change the zoning of the property located at the northeast corner of Hoge Street and Fourth Avenue to allow for a maximum fence height of 2.13 metres in the front yard, be brought forward for due consideration under the bylaw process.

BRING FORWARD
BYLAW 2013-33
Zoning Amendment
Transition Home Fence

Carried Unanimously

2013-12-14

It was duly moved and seconded
THAT the \$900.00 re-zoning application fee be granted back to the Yukon Women's Transition Home Society.

GRANT BACK
REZONING FEES
(Transition Home Society)

Carried Unanimously

Administration confirmed that options have been explored regarding a requested encroachment adjacent to this property, and a compromise has been reached that will allow a smaller encroachment than was originally requested. The encroachment will come forward for approval in due course. Council requested that the encroachment be handled in tandem with the rezoning process.

Discussion

Councillor Cameron declared a conflict with respect to the lease for the Whitehorse Rifle and Pistol Club and left Chambers for the vote.

Conflict Declared

2013-12-15

It was duly moved and seconded
THAT Bylaw 2013-31, a bylaw to authorize a lease agreement with the Whitehorse Rifle and Pistol Club, be brought forward for due consideration under the bylaw process.

BRING FORWARD
BYLAW 2013-31
Rifle & Pistol Club Lease

Carried Unanimously

Councillor Cameron returned to Council Chambers.

Conflict Over

2013-12-16

It was duly moved and seconded
THAT Bylaw 2013-30, a bylaw to authorize a lease agreement with Biathlon Yukon, be brought forward for due consideration under the bylaw process.

BRING FORWARD
BYLAW 2013-30
Biathlon Yukon Lease

Carried Unanimously

Administration confirmed that both of these leases include a clause requiring the City to make "best efforts" to grant back property taxes.

Discussion

City Operations Committee

2013-12-17

It was duly moved and seconded
THAT the Range Road North Bituminous Surface Treatment
construction contract be awarded to Skookum Asphalt Ltd. for a cost
to the City of \$143,560.00.

CONTRACT AWARD
RANGE ROAD NORTH
BST PROJECT

Carried Unanimously

BYLAWS

2013-12-18

It was duly moved and seconded
THAT Bylaw 2013-03, a bylaw to amend the Official Community Plan
with respect to various Kwanlin Dūn First Nation parcels, having been
read a first and second time, now be given third reading

BYLAW 2013-03

O.C.P. AMENDMENT
Various KDFN Parcels

THIRD READING

Carried (6 – 1)

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish,
Stockdale and Streicker; OPPOSED: Councillor Irwin

Recorded Vote

2013-12-19

It was duly moved and seconded
THAT Bylaw 2013-29, a bylaw to authorize a lease agreement with the
Downtown Urban Gardeners Society, having been read a first and
second time, now be given third reading.

BYLAW 2013-29

D.U.G.S. LEASE

THIRD READING

Carried Unanimously

2013-12-20

It was duly moved and seconded
THAT Bylaw 2013-25, a bylaw to change the zoning at 900 Range
Road to allow for the development of a church and related projects, be
given second reading.

BYLAW 2013-25

ZONING AMENDMENT
900 Range Road

SECOND READING

Carried Unanimously

2013-12-21

It was duly moved and seconded
THAT Bylaw 2013-25, a bylaw to change the zoning at 900 Range
Road to allow for the development of a church and related project,
having been read a first and second time, now be given third reading

BYLAW 2013-25

ZONING AMENDMENT
900 Range Road

THIRD READING

Carried Unanimously

2013-12-22

It was duly moved and seconded
THAT Bylaw 2013-26, a bylaw to change the zoning at 227 Moraine Drive to allow for the development of up to three new country residential lots, be given second reading.

Carried Unanimously

BYLAW 2013-26

ZONING AMENDMENT
227 Moraine Drive

SECOND READING

2013-12-23

It was duly moved and seconded
THAT Bylaw 2013-26, a bylaw to change the zoning at 227 Moraine Drive to allow for the development of up to three new country residential lots, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2013-26

ZONING AMENDMENT
227 Moraine Drive

THIRD READING

2013-12-24

It was duly moved and seconded
THAT Bylaw 2013-22, a bylaw to provide rules governing the proceedings of council and the transaction of the business of council, be given second reading.

BYLAW 2013-22

PROCEDURES BYLAW

SECOND READING

2013-12-25

It was duly moved and seconded
THAT section 3 of Bylaw 2013-22 be amended by adding two new definitions as follows:

“public hearing” means an opportunity for council to hear and consider all submissions respecting a proposed bylaw as required by legislation.

Amendment #1

“public input” means an opportunity, provided by council but not required by legislation, for citizens to provide information, facts, figures, data and opinions respecting a bylaw or issue under consideration by council.

Carried Unanimously

2013-12-26

It was duly moved and seconded
THAT section 3 of Bylaw 2013-22 be amended by deleting the existing definition for “in-camera” and substituting therefore a new definition as follows:

Amendment #2

“in-camera means a meeting closed to the general public or municipal employees as deemed appropriate in accordance with section 213 of the *Municipal Act*.

Carried Unanimously

2013-12-27

It was duly moved and seconded
THAT section 64 of Bylaw 2013-22 be amended by deleting the
existing subsection (1) and substituting therefore a new subsection (1)
as follows:

Amendment #3

“64. (1) When council members direct questions to delegates for
clarification purposes, the time period for the delegate to
reply to each question shall be limited to five minutes.”

Carried Unanimously

2013-12-28

It was duly moved and seconded
THAT Bylaw 2013-22 be amended by deleting the existing section 70
and substituting therefore a new section 70 as follows:

Amendment #4

“70. The time of speaking for any person or delegation appearing
at a public hearing shall be limited to five minutes, and each
delegate may speak only once per public hearing. When
council members direct questions to such persons or
delegations for clarification purposes, the time period for the
delegate to reply to each question shall be limited to five
minutes.”

Carried Unanimously

2013-12-29

It was duly moved and seconded
THAT sections 46 and 86 be amended to read that meetings shall be
scheduled to begin at 7:30 p.m.

Amendment #5

Defeated (5 – 2)

Council members discussed the pros and cons of changing the start
time for meetings. It was suggested that an earlier start will be better
for transit users. Councillor Stockdale appealed to the public to contact
him and let him know what they consider the best time.

Discussion

IN FAVOUR: Councillors Irwin and Stockdale

OPPOSED: Mayor Curtis, Councillors Cameron, Curteanu, Gladish,
and Streicker

Recorded Vote

2013-12-30

It was duly moved and seconded
THAT sections 51 and 52 of Bylaw 2013-22 be deleted and replaced
by a new section 51, with the remaining sections being renumbered
accordingly. The new section 51 will read as follows:

Amendment #7

“51. Documents pertaining to the business listed on the agenda shall
be made available to the public at least 48 hours prior to the
meeting.”

Defeated Unanimously

2013-12-31

It was duly moved and seconded
THAT sections 51 and 52 of Bylaw 2013-22 be deleted and replaced
by a new section 51, with the remaining sections being renumbered
accordingly. The new section 51 will read as follows:

Amendment #8

“51. Documents pertaining to the business listed on the agenda shall
be made available to the public by 4:00 p.m. on the last business
day of the week prior to the meeting.”

Carried Unanimously

2013-12-32

It was duly moved and seconded
THAT existing sections 46 and 86 be amended to change the start time
of meetings to 5:30 p.m.

Amendment #9

Carried (4 - 3)

Council discussed the suitability of an early start time, considering a
variety of issues including family time, meal schedules and transit
service. It was noted that the early start time could be a good test, and
if necessary the time can be changed again at a future date.

Discussion

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish
OPPOSED: Councillors Irwin, Stockdale and Streicker

Recorded Vote

2013-12-33

It was duly moved and seconded
THAT the meeting continue past 10:30 p.m.

EXTEND MEETING
PAST 10:30 P.M.

Carried Unanimously

2013-12-34

It was duly moved and seconded
THAT Bylaw 2013-22 be amended by adding a new section 142 as follows:

“142. Notwithstanding section 141, the start time for meetings as established in sections 46 and 85 of this bylaw shall come into force and effect on and from the 5th day of August, 2013

Amendment #10

Carried (6 – 1)

IN FAVOUR: Mayor Curtis, Councillors Cameron, Curteanu, Gladish, Irwin and Streicker; OPPOSED: Councillor Stockdale

Recorded Vote

2013-12-35

It was duly moved and seconded
THAT Bylaw 2013-22 be amended by adding a new section 134 and renumbering the remaining sections accordingly. The new section 134 shall read as follows:

“134. When a bylaw is scheduled for second and third reading at the same meeting, council may consider postponing third reading to a subsequent meeting if the bylaw is amended at second reading.

Amendment #11

Carried Unanimously

Administration confirmed that council has the option to postpone any matter at any time.

Discussion

Administration advised that Council and Senior Management meetings are not included in this bylaw as they are governed by a council policy.

Council Query

The MAIN MOTION as amended (Second Reading of Bylaw 2013-22) was then voted on and CARRIED Unanimously.

Vote on Main Motion

2013-12-36

It was duly moved and seconded
THAT Bylaw 2013-27, a bylaw to provide for community service grants and grants for property taxes and other municipal charges for the year 2013, be given first reading.

BYLAW 2013-27

GRANTS
Municipal Charges &
Community Service

Carried Unanimously

FIRST READING

2013-12-37

It was duly moved and seconded
THAT Bylaw 2013-27 be given second reading

SECOND READING

Carried Unanimously

Council asked that this issue be discussed at a Council and Senior
Management meeting before the bylaw comes back for third reading.

Discussion

2013-12-38

It was duly moved and seconded
THAT Bylaw 2013-30, a bylaw to authorize a lease agreement with
Biathlon Yukon, be given first reading.

BYLAW 2013-30

LEASE AGREEMENT
Biathlon Yukon

Carried Unanimously

FIRST READING

2013-12-39

It was duly moved and seconded
THAT Bylaw 2013-30 be given second reading.

SECOND READING

Carried Unanimously

Councillor Cameron declared a conflict of interest and left Council
Chambers during discussion of the Rifle and Pistol Club lease.

Conflict Declared

2013-12-40

It was duly moved and seconded
THAT Bylaw 2013-31, a bylaw to authorize a lease agreement with the
Whitehorse Rifle and Pistol Club, be given first reading.

BYLAW 2013-31

LEASE AGREEMENT
Rifle & Pistol Club

Carried Unanimously

FIRST READING

2013-12-41

It was duly moved and seconded
THAT Bylaw 2013-31 be given second reading.

SECOND READING

Carried Unanimously

Councillor Cameron returned to Council Chambers

Conflict Over

2013-12-42

It was duly moved and seconded
THAT Bylaw 2013-32, a bylaw to amend the Fees and Charges Bylaw,
be given first reading.

BYLAW 2013-32

FEES & CHARGES
AMENDMENT

Carried Unanimously

FIRST READING

2013-12-43

It was duly moved and seconded
THAT Bylaw 2013-32 be given second reading.

SECOND READING

Carried Unanimously

2013-12-44

It was duly moved and seconded
THAT Bylaw 2013-36, a bylaw to provide for the establishment of a
Civil Emergency Measures Commission and an Emergency Measures
Plan, be given first reading.

BYLAW 2013-36
EMERGENCY
MEASURES BYLAW

FIRST READING

Carried Unanimously

2013-12-45

It was duly moved and seconded
THAT Bylaw 2013-36 be given second reading.

SECOND READING

Carried Unanimously

2013-12-46

It was duly moved and seconded
THAT Bylaw 2012-33, a bylaw to change the zoning of the property
located at the northeast corner of the intersection of Hoge Street and
Fourth Avenue to allow for a maximum fence height of 2.13 metres in
the front yard, be given first reading.

BYLAW 2013-33
ZONING AMENDMENT
Fence Height for
Transition Home

FIRST READING

Carried Unanimously

There being no further business, the meeting adjourned at 10:46 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"Robert I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2013-13 dated July 9, 2013