

MINUTES of **REGULAR** Meeting #2013-15 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, August 12, 2013, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis – Electronic Participation
Deputy Mayor Betty Irwin
Councillors Kirk Cameron
Dave Stockdale
John Streicker

ABSENT: Councillors Jocelyn Curteanu
Mike Gladish

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

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

CALL TO ORDER

2013-15-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the addition of Dennis Senger, Tracey Twa, and Dr. Brendan Hanley as delegates speaking to the Copper Ridge communications tower, and Julie Gilbert as a delegate speaking to the renaming of First Avenue.

AGENDA

Carried Unanimously

Deputy Mayor Irwin proclaimed September 9, 2013 to be Fetal Alcohol Spectrum Disorder Awareness Day in the City of Whitehorse.

PROCLAMATION

2013-15-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated July 22, 2013 be adopted as presented.

MINUTES

July 22, 2013

Carried Unanimously

DELEGATIONS

Brock Enderton, representing Bell Mobility Inc., and Kiersten Enemark of Standard Land Services, addressed Council in support of the proposed communications tower at 228 Falcon Drive in Copper Ridge. Mr. Enderton noted that the height of the proposed tower has been minimized and the site was carefully chosen to facilitate cell service.

BROCK ENDERTON
Copper Ridge Cell Tower

Mr. Enderton also advised that medical opinions reveal a very low level of harm from emissions from this type of tower. At the public meeting held with area residents there was also some support for the tower at this location, although others felt that towers should be located outside of residential areas. Alternative sites suggested at that meeting would either cause interference with the rest of the system, or would require the addition of a second tower that would be much closer to residents and far more visible. Mr. Enderton also confirmed that Transport Canada has not yet indicated if paint or lights will be required for a tower at this location, but it is believed that these measures will not be required. Ms. Enemark confirmed that Bell has taken all appropriate steps to communicate to the public on this issue

BROCK ENDERTON
KIERSTEN ENEMARK
Copper Ridge Cell Tower
(Continued)

Dennis Senger expressed concern that the health effects from cell phones and towers are not yet known. He also raised doubts about the facts that have been distributed with respect to the proposed tower's strength, and stated that the tower represents visual pollution. Mr. Senger suggested that more consultation would be appropriate in this case and referred to a resident's documentation on the subject. He also stated his impression that the installation of a tower at this location is a foregone decision.

DENNIS SENGER
Copper Ridge Cell Tower

Tracey Twa appeared to reiterate her opposition to the proposed tower. She advised that she deposited a petition with the Clerk's Office that was signed by 127 residents in opposition to the proposal. Ms. Twa also questioned if the decision has already been made and encouraged Council to more carefully consider the consequences of the proposal. She noted that other jurisdictions such as Toronto have more stringent standards, including consultation, and others have also established that 'microwave sickness' is a risk from cell towers. She also noted that all other services in the area are buried, yet the tower would be above ground and visible. Ms. Twa encouraged Bell and the City to find another option over and above the alternative proposed.

TRACEY TWA
Copper Ridge Cell Tower

Dr. Brendan Hanley, Yukon Chief Medical Officer of Health, advised that research from other jurisdictions has shown that the health effects from cell towers is minimal. He noted that the microwaves emitted are a 'medium' frequency range of a non-ionizing nature, and therefore are not considered harmful. Additionally, the energy level is also low and the emissions dissipate rapidly. Dr. Hanley noted that cell phones may cause health effects with intense use, but again the risks for ordinary use are low. A prudent avoidance policy may be good; but at this time there is no proof that it is needed based on medical studies.

DR. BRENDAN HANLEY
Copper Ridge Cell Tower

Dr. Hanley advised that the World Health Organization is reviewing the issue and no concerns have been raised as yet. He confirmed that he has no concerns with tower proposals like this one when they are implemented properly in accordance with established regulations.

DR. BRENDAN HANLEY
Copper Ridge Cell Tower
(Continued)

Julie Gilbert spoke against the renaming of First Avenue and noted that others share her concerns. Ms. Gilbert stated the opinion that the proposal to change the name is ill advised and should be defeated.

JULIE GILBERT
Renaming First Avenue

COMMITTEE REPORTS

Community Services Committee

Jon Heaton and Guillaume Levesque advised that the Whitehorse Urban Cycling Coalition is a new group in the City that promotes cycling and cycle commuting in the community. The group is offering to act as consultants with regard to any infrastructure projects that involve cycling, noting that there are areas in the City where the bike lanes and paths are causing conflicts with motor vehicle traffic. Mr. Heaton confirmed that their organization has been involved in the drafting of the new Bicycle Bylaw that will be coming before Council in the near future.

YUKON URBAN
CYCLING COALITION
For Information Only

Daniel Ashley, representing the student union at Yukon College, and Chris Rider of Bringing Youth Toward Equality (BYTE), addressed the Committee to express support for the upcoming new transit schedule. They advised that the Future Roots Festival will be taking place at the Yukon College campus on September 6th and 7th, and requested that the City supply free transit service for the festival. They also invited the City to be presenters at the festival, indicating that the City's participation as well as the free transit service would be ideal advertising for Whitehorse Transit and could potentially expand public buy-in for transit use. Additionally, Mr. Rider asked the City to consider expanding Saturday service to 11:00 p.m. during the event.

DANIEL ASHLEY &
CHRIS RYDER
Future Roots Festival
For Information Only

The Committee asked for more information on the event, including the budget and details on other sponsors.

Activity reports for July 2013 were received from the Director of Community and Recreation Services, Recreation and Facility Services, Outreach and Events, Parks and Trails, and the Transit Department.

ACTIVITY REPORTS
For Information Only

Administration confirmed that:

- the Persons with Disabilities Advisory Committee will be involved with the upcoming review of the Handy Bus Policy;
- the City is planning for a Mayor's Welcome Reception as part of the Conference Board of Canada's North Summit being held here in October;
- work continues and is progressing on the preparation of Terms of Reference for the advisory committee on the Canadian Coalition of Municipalities Against Racism and Discrimination (CCMARD);
- the extended transit service schedule will come into effect on September 1st; and
- a new access and egress control system for the entrance to the Rotary Centennial Bridge is currently being fabricated.

Issues Arising from Reports

The Committee highly commended the organizers and participants in the Sister City visit from Ushiku, Japan, and also commended the significant increase in transit ridership.

Public Health and Safety Committee

The City of Whitehorse is participating in a Canadian Armed Forces exercise called Operation NANOOK 2013. This is an annual preparedness exercise carried out by the Armed Forces to ensure their readiness to assist local governments in emergency response to a simulated disaster. This year the exercise is taking place from August 4th to 9th in the Whitehorse area. Participation in Operation NANOOK 2013 provides an opportunity to test the City's response to a simulated emergency. A large number of Canadian Armed Forces personnel, fire-fighters, R.C.M.P. and other emergency responders are working together as part of this exercise. While citizens may encounter realistic-looking emergency events, this is an exercise only and there are no planned disruptions to travel or services.

UPDATE ON 2013
OPERATION NANOOK
For Information Only

Administration confirmed that, in the event of a real emergency, the Armed Forces could have a team on the ground in Whitehorse within 24 hours.

2013-15-03

It was duly moved and seconded

THAT the purchase of new hydraulic rescue tools from KGC Fire Rescue be approved for a cost of \$ 50,490.28; and

THAT the repair and refurbishing of the existing air-operated hydraulic pump by KGC Fire Rescue be approved for secondary and training use at a cost not to exceed \$5,000.00; and

THAT the 2013 capital budget be amended by reducing the Training Centre Improvements project by \$35,000.00, and the SCBA Replacement/Upgrades project, the Technical Rope Rescue project, and Turnout Gear Replacement Project by \$5,000.00 each, with funds returning to the General Reserve; and

THAT the 2013 capital budget be amended by adding a new project for Hydraulic Rescue Tools in the amount of \$55,000.00, funded from the General Reserve.

Carried Unanimously

PURCHASE OF NEW
HYDRAULIC RESCUE
TOOLS FOR THE
FIRE DEPARTMENT

Council asked administration to develop best practices for sole-source purchases to put more rigour into the process. Administration confirmed that this is being incorporated into the review of the Contract Administration Manual.

Discussion

Activity reports for July 2013 were received from Bylaw Services and the Fire Department.

ACTIVITY REPORTS
For Information Only

The Committee asked for additional information with respect to

- the Memorandum of Understanding with Yukon Housing regarding dangerous dogs;
- the number of complaints received and tickets issued with respect to All Terrain Vehicle violations; and
- the number of responses by the Fire Department to vehicle accidents.

Issues Arising from Reports

Administration confirmed that issues such as downed power lines would be classified as public hazards attended to by the Fire Department. It was also explained that “alarm, no fire” incidents are not confined to alarm malfunctions. They also include calls where an alarm such as smoke has been reported and the situation must be investigated to confirm there is no fire.

Fire Department
Incident Response

Development Services Committee

2013-15-04

It was duly moved and seconded
THAT the 2013 Solid Waste Action Plan dated July 2013 be adopted
as presented, and

SOLID WASTE
ACTION PLAN

THAT the 2013 Capital Budget be amended by adding a new project
for the implementation of the Solid Waste Action Plan in 2013,
funded from the General Reserve in the amount of \$50,000.00.

Carried Unanimously

Council commended the ambitious goals of the plan and noted that it
may address some of the concerns that have been expressed by the
public, especially with respect to apartment buildings.

Discussion

Activity reports for July 2013 were received from the Director of
Development Services and the Environmental Sustainability
Department.

ACTIVITY REPORT
For Information Only

Corporate Services Committee

2013-15-05

It was duly moved and seconded
THAT the 2013 Operating Budget and the 2014 and 2015 Provisional
Operating Budgets be amended to reflect the revenue and
expenditures associated with a 20 minute increase in daily transit
service:

BUDGET AMENDMENT
FOR INCREASE IN
TRANSIT SERVICE

Year	Revenue	Expenses	Net Transfer to Contingency Reserve
2013	\$39,567.00	\$23,335.00	\$16,232.00
2014	\$90,800.00	\$66,973.66	\$23,826.34
2015	\$90,800.00	\$73,554.76	\$17,245.24

Carried Unanimously

Council commended the additional service, and administration clarified
that this extended service is not intended as a pilot project. However,
service levels are subject to budget approval year to year.

Discussion

2013-15-06

It was duly moved and seconded

THAT the formation of a Finance Committee be authorized; and

FINANCE COMMITTEE

THAT the revised Finance Committee Terms of Reference be adopted as presented.

Carried Unanimously

Administration confirmed that a selection committee will review applications to ensure that persons with accounting or government financial reporting experience are recommended to Council for appointment to this committee.

Discussion

Activity reports for July 2013 were received from the Acting City Manager, the Director of Corporate Services, and the Business and Technology Systems, Financial Services, Human Resources, and Strategic Communications Departments.

ACTIVITY REPORTS
For Information Only

City Planning Committee

Mayor Curtis called three times for anyone to appear to address Bylaw 2013-39, a bylaw to rename First Avenue as "Front Street".

PUBLIC INPUT
RENAME FIRST AVENUE

Mayor Curtis advised that Wayne Potoroka, the Mayor of Dawson City, phoned to express his support for restoring the historic name of Front Street.

WAYNE POTOROKA

Davina Harker suggested that First Avenue should be re-named as Waterfront Avenue instead of Front Street. She stated that the avenue designation would be in keeping with the current naming of streets and avenues in the downtown area, and the word "waterfront" is more useful and would promote a better understanding of the area.

DAVINA HARKER

Carol Boschman suggested that First Avenue should be named Waterfront Way to represent the water, Front Street, and the adjacent railway. She asserted that this name would be consistent with names already in place, would facilitate the easy location of addresses in the area, and would suggest an inviting and pleasant place.

CAROL BOSCHMAN

Mayor Curtis declared the public input session closed.

Public Input Closed

Dennis Senger addressed the Committee to present some suggestions for public communications with respect to public initiatives such as communications towers. He commended Bell for the public meeting held, but criticized the overall process that was employed with respect to the Copper Ridge tower. He questioned whether the City has a communications policy in place for these types of initiatives. Administration confirmed that there is no City requirement for communication on cell towers. The Committee commended Mr. Senger for his presentation.

DENNIS SENGER
Copper Ridge Cell Tower

Marni Bramadat encouraged Council to consider what will be best for all Copper Ridge residents when they vote on the lease agreement for the proposed communications tower. She noted that if the proposed site is not approved the alternative location will be in much closer proximity to a lot of area residents, and stated the opinion that the current location is more desirable than the secondary option.

MARNI BRAMADAT
Copper Ridge Cell Tower

2013-15-07

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

BRING FORWARD
TRANSITION HOME
REZONING BYLAW

Carried Unanimously

2013-15-08

It was duly moved and seconded
THAT Bylaw 2013-42, a bylaw to authorize the sale and transfer of Lots 7, 8 and 9, Block 56, Downtown, located at 607 – 611 Steele Street, be brought forward for due consideration under the bylaw process.

BRING FORWARD
STEELE STREET
LAND SALE BYLAW

Carried Unanimously

Administration confirmed that discussions are on-going with the Government of Yukon regarding land transfers in Downtown South.

Discussion

2013-15-09

It was duly moved and seconded
THAT a Heritage Restoration Incentive Grant to the Yukon Church Heritage Society be approved in the amount of \$14,445.00 to assist with the cost of repairs to the Old Log Church building and the wooden walkway leading to the church.

HERITAGE RESTORATION
INCENTIVE GRANT
Old Log Church Repairs

Carried Unanimously

Administration advised that the balance of this fund is approximately \$69,000.00, and it is funded in the amount of \$2,500.00 annually. Withdrawals vary depending on the applications approved in any given year.

Discussion

An activity report for July 2013 was received from the Planning Services Department.

ACTIVITY REPORT
For Information Only

In response to issues raised regarding community signage that is not removed in a timely fashion following an event, administration confirmed that the City can control signage in municipal road rights-of-way and in the community signage areas. However, policing such signs would be difficult, time-consuming, and an inefficient use of resources relative to current capacity.

Sign Regulations

Administration confirmed that the investigation into bore-hole technology in Whistle Bend will not delay the submission of the next phases of the development to the Yukon Environmental and Socio-economic Assessment Board.

Administration advised that the current clearing of trees being done in Whistle Bend may be for road rights-of-way or in preparation for site drainage to ensure the safety of potential homes in the area.

Whistle Bend Issues

Administration confirmed that there will be a storm water retention pond in Whistle Bend that will be a feature of the neighbourhood and will prevent storm water drainage from being discharged into the Yukon River or McIntyre Creek.

City Operations Committee

2013-15-10

It was duly moved and seconded
THAT the contract for the installation of the emergency generator at the Canada Games Centre be awarded to Arcrite Northern for a net cost of \$490,316.90.

CONTRACT AWARD
INSTALLATION OF
EMERGENCY GENERATOR
CANADA GAMES CENTRE

Carried Unanimously

Activity reports for July 2013 were received from the Acting Director of Infrastructure and Operations, and the Engineering, Operations, and Water and Waste Services Departments.

ACTIVITY REPORTS
For Information Only

Administration confirmed that:

- the upcoming Fire Symposium will be in Whitehorse and will be attended by members of the City Fire Department;
- the functional programming component of the new municipal services building project is nearing completion and the final product will be ready for the end of August;
- the traffic lights at the Hospital Road intersection have been installed, and the signals will be activated once the programming of the software has been completed; and
- the widening of the Robert Campbell Bridge will be integrated with existing bike paths.

Issues Arising from Reports

The Committee asked for additional information on the public engagement with the biking community with respect to the bridge widening project.

NEW & UNFINISHED BUSINESS

2013-15-11

It was duly moved and seconded
THAT Bylaw 2013-39, a bylaw to rename First Avenue as “Front Street”, be brought forward for third reading under the bylaw process.

BRING FORWARD
FIRST AVENUE
RENAMING BYLAW

Carried Unanimously

Council discussed the pros and cons of changing the name as proposed, as well as the possibility of considering alternate names. Administration confirmed that the idea was brought in response to a request to revert to the historical name, and there was no intention to open the naming up to other alternatives.

Discussion

2013-15-12

It was duly moved and seconded
THAT Bylaw 2013-40, a bylaw to authorize a lease agreement with Bell Mobility Inc., for the installation and maintenance of a communications tower at 228 Falcon Drive in the Copper Ridge Subdivision, be brought forward for third reading under the bylaw process.

BRING FORWARD
COPPER RIDGE
CELL TOWER LEASE

Carried Unanimously

Council discussed the information received on both sides of this issue and contemplated a further delay to allow the public to review the summary report issued from the public meeting held with area residents. The consensus was to proceed to third reading, at which time another postponement may be proposed if desired.

Discussion

BYLAWS

2013-15-13

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 given second reading.

Carried Unanimously

BYLAW 2013-33

ZONING AMENDMENT
Transition Homes

SECOND READING

2013-15-14

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, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2013-33

ZONING AMENDMENT
Transition Homes

THIRD READING

2013-15-15

It was duly moved and seconded
THAT Bylaw 2013-39, a bylaw to rename First Avenue as Front Street to better reflect its historical character, having been read a first and second time, now be given third reading.

RENAME FIRST AVENUE

THIRD READING

BYLAW 2013-39

2013-15-16

It was duly moved and seconded
THAT third reading of a bylaw to rename First Avenue as Front Street be postponed to September 23, 2013 to allow time for more public consultation.

Motion to Postpone

Defeated (4 – 1)

IN FAVOUR: Councillor Cameron
OPPOSED: Mayor Curtis, Deputy Mayor Irwin, and Councillors
Stockdale and Streicker

Recorded Vote

The MAIN MOTION was then voted on and CARRIED (3 – 2)

Vote on Main Motion

IN FAVOUR: Mayor Curtis, Deputy Mayor Irwin, Councillor Streicker
OPPOSED: Councillors Cameron and Stockdale

Recorded Vote

2013-15-17

It was duly moved and seconded
THAT Bylaw 2013-40, a bylaw to authorize a lease agreement with Bell Mobility Inc. for the installation and maintenance of a communications tower at 228 Falcon Drive in the Copper Ridge Subdivision, having been read a first and second time, now be given third reading.

BYLAW 2013-40

LEASE AGREEMENT
Copper Ridge Cell Tower

THIRD READING

2013-15-18

It was duly moved and seconded
THAT third reading of a bylaw to authorize a lease agreement for a communications tower in Copper Ridge be postponed to September 9, 2013 to allow time for receipt of a response with respect to the query regarding the requirement for a light at the top of the tower.

Motion to Postpone

Carried (3 – 2)

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

Recorded Vote

2013-15-19

It was duly moved and seconded
THAT Bylaw 2013-41, a bylaw to authorize an encroachment agreement with the Yukon Women's Transition Home Society with respect to a fence and an outdoor amenity area in the Hoge Street right-of-way, having been read a first and second time, now be given third reading.

BYLAW 2013-41

ENCROACHMENT
AGREEMENT
Transition Homes

THIRD READING

Carried Unanimously

2013-15-20

It was duly moved and seconded
THAT Bylaw 2013-43, a bylaw to amend the Building and Plumbing Bylaw with respect to a number of minor changes, having been read a first and second time, now be given third reading.

BYLAW 2013-43

AMEND BUILDING AND
PLUMBING BYLAW

THIRD READING

Carried Unanimously

2013-15-21

It was duly moved and seconded
THAT Bylaw 2013-42, a bylaw to authorize the sale and transfer of
three lots located at 607, 609 and 611 Steele Street in the Downtown
area to the Government of Yukon, be given first reading.

BYLAW 2013-42

LAND SALE & TRANSFER
607 – 611 Steele Street

FIRST READING

Carried Unanimously

2013-15-22

It was duly moved and seconded
THAT Bylaw 2013-42 be given second reading.

SECOND READING

Carried Unanimously

There being no further business, the meeting adjourned at 8:10 p.m.

ADJOURNMENT

ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"R. I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

ADOPTED by resolution at Meeting #2013-16 dated September 9, 2013