

MINUTES of **REGULAR** Meeting #2018-04 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, February 26, 2018, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Dan Boyd
Jocelyn Curteanu
Robert Fendrick – Electronic Participation
Samson Hartland
Betty Irwin
Roslyn Woodcock

ALSO PRESENT: City Manager Linda Rapp
Director of Community and Recreation Services Jeff O'Farrell
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of Infrastructure and Operations Peter O'Blenes
Manager of Legislative Services Catherine Constable
Manager of Financial Services Lindsay Schneider
Acting Manager of Strategic Communications Myles Dolphin

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

CALL TO ORDER

2018-04-01

It was duly moved and seconded
THAT the agenda be adopted as amended with the change being the
addition of Heather Ashthorn and Elaine Carlyle as delegates speaking
to the waste packer decision.

AGENDA

Carried Unanimously

2018-04-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated February 12,
2018 be adopted as presented.

MINUTES

February 12, 2018

Carried Unanimously

DELEGATIONS

Heather Ashthorn, Executive Director of the Centre for Human-Wildlife
Conflict Solutions, encouraged council to do some long-term visioning
before making a decision on the waste packer purchase. She stated
that bear-resistant carts are more expensive, but they are better than
what the city now uses. She also noted that Wild Wise is an
organization that educates, and stated that they would be pleased to
collaborate with the city in an education and information program.

HEATHER ASHTHORN
Waste Packer Purchase

Elaine Carlyle urged council to purchase bear-resistant carts with the funds allocated for the purchase of new carts. She acknowledged that the cost for the bear-resistant carts is higher, and suggested that if they are purchased they could be deployed strategically. Ms. Carlyle also suggested that Council consider adding wildlife conflict avoidance to their strategic priorities.

ELAINE CARLYLE
Waste Packer Purchase

PUBLIC INPUT

Mayor Curtis called three times for anyone to appear to address the application to change the conditional use at 22 Wann Road in Porter Creek to allow for the development of a youth group home.

CONDITIONAL USE
22 Wann Road

Hoby Irwin advised that he lives approximately 250 metres from the property proposed for the conditional use, and is totally in favour of the application. Mr. Irwin stated that the kids that will be housed there need the support of the community, and further suggested that the location is good for the proposed use.

H. IRWIN

Jeff Marynowski spoke on behalf of the Porter Creek Community Association to suggest that neighbourhood tranquillity is being threatened by officials who have not let people know what is proposed. He stated that the proponent has not consulted with the community and concerns have been expressed that the dynamics of the area will change. He asked if the property has been independently assessed and if the existing septic system can handle the increased number of people that would be living there.

J. MARYNOWSKI

Mr. Marynowski asked council to say no to the application at this time and allow the proponent to re-apply after these and other concerns have been addressed and proper consultation has been done.

Geraldine MacDonald, Director of Yukon Family and Children Services, advised that children in care are there through no fault of their own, and each deserves a home. She provided details on the proposed use and stated that there has been no intent for secrecy. She noted that the department has a good neighbour strategy planned but the process required that they submit their application to the city first.

G. MACDONALD

Beatrice Sloan advised council that she only received notice of this application two days prior to this meeting and she does not consider this to be adequate notification. She stated the opinion that the process should not have gone this far without neighbourhood consultation. Ms. Sloan suggested that council take a step back and allow residents to have better input regarding this proposal.

B. SLOAN

Tosh Southwick spoke in support of the application and stated that she is shocked by number of people who are against supporting our youth. She noted that liquor establishments are everywhere, and that crime and nimbyism already exist in every neighbourhood. She reminded council that youth are potential leaders and we should do whatever we can to support them and prevent future problems. Ms. Southwick also stated that consultation should be balanced against the need for progress.

T. SOUTHWICK

Three written submissions were received, one in support and two not specifically opposed to the application but expressing concerns, particularly with respect to the process.

Submissions Received

Mayor Curtis declared the public input session closed and advised that a report on public input will come forward to the standing committee meeting on March 5th.

Public Hearing Closed

COMMITTEE REPORTS

Corporate Services Committee

2018-04-03

It was duly moved and seconded
THAT Bylaw 2018-07, a bylaw to adopt the 2018 operating and maintenance budget and the provisional budgets for 2019 and 2020, be brought forward for second and third reading under the bylaw process; and

BRING FORWARD
OPERATING BUDGET
BYLAW, TAX BYLAW,
AND FEES & CHARGES
AMENDMENT BYLAW

THAT the associated 2018 tax levy bylaw and the budget issues fees and charges amendment bylaw be brought forward for second and third reading under the bylaw process.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock

Recorded Vote

OPPOSED Councillors Boyd and Hartland

City Planning Committee

2018-04-04

It was duly moved and seconded
THAT the Telecommunication Antenna Structures Siting Policy dated February 2018 be adopted as presented.

TELECOMMUNICATIONS
ANTENNA STRUCTURES
SITING POLICY

Carried Unanimously

Yukon Health and Social Services wishes to operate a youth group home at 22 Wann Road in Porter Creek. The proposed use qualifies as “supportive housing” and is a conditional use under the current zoning of the property. This use will allow staff to support and assist youth transitioning from adolescence to young adulthood in a safe, structured environment that promotes autonomy and independence to develop knowledge, decision-making ability and other skills necessary for healthy community living. In accordance with section 4.8 of the Zoning Bylaw, a public input session is scheduled for the council meeting on February 26, 2018 so that council may hear and consider all submissions concerning the proposed conditional use.

CONDITIONAL USE
APPLICATION
Supportive Housing at
22 Wann Road

For Information Only

2018-04-05

It was duly moved and seconded
THAT Bylaw 2018-10, a bylaw to amend the retail service definitions in the Zoning Bylaw and restrict locations for the retail sale of cannabis and cannabis-containing products to the Marwell area, be brought forward for second and third reading under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
BYLAW 2018-10
(Cannabis Retail Sales)

Carried Unanimously

2018-04-06

It was duly moved and seconded
THAT Bylaw 2018-12, a bylaw to amend the Zoning Bylaw with respect to a number of minor housekeeping edits, be brought forward for consideration under the bylaw process.

BRING FORWARD
ZONING BYLAW
AMENDMENT
(Housekeeping Edits)

Carried Unanimously

2018-04-07

It was duly moved and seconded
THAT Bylaw 2018-13, a bylaw to amend the zoning of 112 and 114 North Star Drive to allow for the construction of living suites in the Restricted Residential Detached zone, be brought forward for consideration under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
112 and 114 North Star

Carried Unanimously

City Operations Committee

2018-04-08

It was duly moved and seconded
THAT the construction contract for the Sixth Avenue Reconstruction project be awarded to PS Sidhu Trucking Ltd. for a net cost to the City of \$2,569,300.30.

CONTRACT AWARD
(Construction Contract)

SIXTH AVENUE
RECONSTRUCTION

Carried Unanimously

2018-04-09

It was duly moved and seconded
THAT the consulting services contract for design and construction supervision for the Fire Hall #1 Project be awarded to Charles McLaren Architects Ltd. for a net cost to the City of \$298,573.00.

CONTRACT AWARD
(Consulting Services and
Contract Supervision)
FIRE HALL #1 PROJECT

Carried Unanimously

2018-04-10

It was duly moved and seconded
THAT the 2018 to 2021 capital expenditure program be amended by adding the 2018 project titled Stations Non-Destructive Testing in the amount of \$100,000.00, funded by Gas Tax; and

BUDGET AMENDMENT
AND CONTRACT AWARD
(Consulting Services)

THAT the consulting services contract for stations non-destructive testing, being the performance of an American Petroleum Institute 570 inspection of 16 water and wastewater stations, be awarded to Vision Integrity Engineering Ltd. for a net cost to the City of \$46,015.00.

NON- DESTRUCTIVE
TESTING (Water and
Wastewater Stations)

Carried Unanimously

In response to delegate presentations regarding bear-resistant carts and bear-smart communities, more information was requested about alternative systems before council proceeds with a contract award for new solid waste packers.

The majority of bear-resistant collection systems on the market are compatible with side-loading packer trucks. Administration looked at several different systems currently available, most notably a bear-resistant container system similar to that used by the Carcross-Tagish First Nation and the Town of Canmore, Alberta. A review of this type of system with potential contractors indicated that it would take months to determine the appropriate number and location of bins and to install the concrete pads and fencing required. The system also creates education, public acceptance and enforcement challenges and costs for diversion compliance and illegal dumping.

SOLID WASTE PACKERS
For Information Only

Preliminary capital cost estimates for such a system are in the millions and operational budget impacts would be significant as well. Converting entirely to an alternative system would take a minimum of three to four years, and the city will still have to maintain current residential service during the transition. Meanwhile, the current equipment is nearing the end of its lifecycle.

In 2017, Environment Yukon invited the city to participate in a review of historic incidents of human-wildlife conflict. The city specifically assessed incidents with bears inside city limits from 2010 to 2017.

.../continued

On average there have been a consistent number of confirmed incidents per year, of which 70% list waste or organics as a primary attractant. Approximately two-thirds of the incidents occur in rural residential areas outside the urban containment boundary and the residential collection system area. Administration recommends that the city's first action on human-bear conflicts focus on education, with the option to explore infrastructure solutions for rural residents.

SOLID WASTE PACKERS
For Information Only
(Continued)

Elaine Carlyle addressed the Committee to express satisfaction that discussions are taking place on this issue. She asked the city to consider bear-resistant containers and a risk mitigation approach to the bear-human problem as it pertains to new areas such as Whistle Bend.

Community Services Committee

Committee members highlighted a number of recent community events including the conclusion of the Yukon Quest. Citizens and visitors were encourage to participate in Sourdough Rendezvous events.

COMMUNITY EVENTS
For Information Only

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

NEW & UNFINISHED BUSINESS

2018-04-11

It was duly moved and seconded
THAT the 2018 to 2021 capital expenditure program be amended by re-budgeting \$309,797.98 in unspent funds from 2017 to 2018 in job 320c00112; and
THAT the contract for the supply of two compost-waste packers be awarded to Superior Truck Equipment Inc. in the amount of \$619,252.00.

BUDGET AMENDMENT
AND CONTRACT AWARD
SUPPLY OF COMPOST-
WASTE PACKERS

Carried Unanimously

Council members discussed the time it will take to implement a bear-resistant system. The consensus was to proceed with the purchase of the packers in order to have the equipment necessary to provide waste collection services. Members suggested that the Council and Senior Management meeting process be utilized to discuss a long-term strategy to deal with human-wildlife conflicts.

Discussion

2018-04-12

It was duly moved and seconded
THAT travel expenses from the council representative allocation and per diem expenses from the councillor-initiated allocation be authorized for Councillors Fendrick and Irwin to attend the March board meeting of the Association of Yukon Communities being held in Teslin.

AUTHORIZE COUNCIL
TRAVEL EXPENSES

Carried Unanimously

BYLAWS

2018-04-13

It was duly moved and seconded
THAT Bylaw 2018-11, a bylaw to provide for the remuneration to be paid to the mayor and councillors for the 2018 to 2021 council term of office, having been read a first and second time, now be given third reading.

BYLAW 2018-11
2018 TO 2021 COUNCIL
REMUNERATION
THIRD READING

Carried (4 – 3)

IN FAVOUR Mayor Curtis, Councillors Fendrick, Irwin & Woodcock
OPPOSED Councillors Boyd, Curteanu and Hartland

Recorded Vote

2018-04-14

It was duly moved and seconded
THAT Bylaw 2018-07, a bylaw to adopt the 2018 annual operating and maintenance budget and the provisional budgets for 2019 and 2020, be given second reading.

BYLAW 2018-07
OPERATING BUDGET
2018 TO 2020
SECOND READING

Carried (5 – 2)

Two members of council spoke against the budget, suggesting that the city is charging more taxes than are needed, that unnecessary and unplanned top-ups of reserves lead to an increased tax burden, and that the business community is being asked to carry an unfair burden compared to residential rates. Other members noted that this budget meets the goals established last year at budget time, and stated that service level adjustments to decrease taxes would be felt by the public. A core services review with public participation was recommended for the next council.

Discussion

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

Recorded Vote

2018-04-15

It was duly moved and seconded
THAT Bylaw 2018-07, a bylaw to adopt the 2018 annual operating and maintenance budget and the provisional budgets for 2019 and 2020, having been read a first and second time, now be given third reading.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

BYLAW 2018-07

OPERATING BUDGET
2018 TO 2020
THIRD READING

Recorded Vote

2018-04-16

It was duly moved and seconded
THAT Bylaw 2018-08, a bylaw to levy taxes for the year 2018, be given second reading.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

BYLAW 2018-08

TAX LEVY FOR 2018
SECOND READING

Recorded Vote

2018-04-17

It was duly moved and seconded
THAT Bylaw 2018-08, a bylaw to levy taxes for the year 2018, having been read a first and second time, now be given third reading.

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

BYLAW 2018-08

TAX LEVY FOR 2018
THIRD READING

Recorded Vote

2018-04-18

It was duly moved and seconded
THAT Bylaw 2018-09, a bylaw to amend the Fees and Charges bylaw in accordance with the operating and maintenance budget, be given second reading.

Carried (5 – 2)

Two members of council spoke against some of the increases in the fees and charges bylaw and suggested that a cost recovery review should be done as part of a core services review.

Discussion

BYLAW 2018-09

FEES & CHARGES
AMENDMENT (Budget)
SECOND READING

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

Recorded Vote

2018-04-19

It was duly moved and seconded
THAT Bylaw 2018-09, a bylaw to amend the Fees and Charges bylaw in accordance with the operating and maintenance budget, having been read a first and second time, now be given third reading.

BYLAW 2018-09

FEES & CHARGES
AMENDMENT (Budget)
THIRD READING

Carried (5 – 2)

IN FAVOUR Mayor Curtis, Councillors Curteanu, Fendrick, Irwin and Woodcock
OPPOSED Councillors Boyd and Hartland

Recorded Vote

2018-04-20

It was duly moved and seconded
THAT Bylaw 2018-10, a bylaw to amend the retail service definitions in the Zoning Bylaw and restrict locations for the retail sale of cannabis and cannabis-containing products to the Marwell area, be given second reading.

BYLAW 2018-10

ZONING AMENDMENT
(Cannabis Retail Sales)
SECOND READING

Carried (6 – 1)

A council member went on record as opposed to this bylaw due to the sales monopoly proposed by the Yukon Government and also because the bylaw restricts public sale to only one area of the city.

Discussion

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Fendrick, Hartland and Woodcock
OPPOSED Councillor Irwin

Recorded Vote

2018-04-21

It was duly moved and seconded
THAT Bylaw 2018-10, a bylaw to amend the retail service definitions in the Zoning Bylaw and restrict locations for the retail sale of cannabis and cannabis-containing products to the Marwell area, having been read a first and second time, now be given third reading.

BYLAW 2018-10

ZONING AMENDMENT
(Cannabis Retail Sales)
THIRD READING

Carried (6 – 1)

IN FAVOUR Mayor Curtis, Councillors Boyd, Curteanu, Fendrick, Hartland and Woodcock
OPPOSED Councillor Irwin

Recorded Vote

2018-04-22

It was duly moved and seconded
THAT Bylaw 2018-15, a bylaw to amend the 2018 to 2021 capital
expenditure program to provide for the repair of the Porter Creek Flush
System, be given first reading.

Carried Unanimously

BYLAW 2018-15

BUDGET AMENDMENT
(Flush System Repair)

FIRST READING

2018-04-23

It was duly moved and seconded
THAT Bylaw 2018-15 be given second reading.

Carried Unanimously

SECOND READING

2018-04-24

It was duly moved and seconded
THAT Bylaw 2018-12, a bylaw to amend the Zoning Bylaw with respect
to a number of housekeeping edits, be given first reading.

Carried Unanimously

BYLAW 2018-12

ZONING AMENDMENT
(Housekeeping Edits)

FIRST READING

2018-04-25

It was duly moved and seconded
THAT Bylaw 2018-13, a bylaw to amend the zoning at 112 and 114
North Star Drive to allow for the development of living suites, be
given first reading.

Carried Unanimously

BYLAW 2018-13

ZONING AMENDMENT
(112 & 114 North Star)

FIRST READING

There being no further business, the meeting adjourned at 7:12 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 #2018-05 dated March 12, 2018