

MINUTES OF COUNCIL MEETING #C08-17 of the Council of the City of Dawson called for 7:00 p.m. on Tuesday, August 5, 2008 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor John Steins
Councillor Diana Andrew
Councillor Ed Kormendy
Councillor Rick Riemer

ALSO PRESENT CAO Paul Moore
Secretary Karen Fischer

ABSENT Councillor Ashley Doiron

CALL TO ORDER: Mayor Steins called the meeting to order at 7:00p.m.

AGENDA

C08-17-01 Moved by Councillor Riemer, Seconded by Councillor Andrew that the Agenda for Council Meeting #C08-17 be adopted as amended to add under New Business item h) Waterfront Development

CARRIED 4-0

C08-17-02 Moved by Councillor Kormendy, Seconded by Councillor Andrew that Council move to Committee of the Whole for the purpose of hearing delegations

CARRIED 4-0

DELEGATIONS

- a) Sgt. Dan Gaudet was present to update Council on recent RCMP activities. Council was presented with the community stats. Sgt. Gaudet noted that 25-30% of the call volume was Music Festival related and further noted that the RCMP planning for Music Festival was successful with no major hiccups. He advised that the weather likely kept the large groups of people off the streets. Of further interest Sgt. Gaudet noted that RCMP have conducted 2 drug related searches of local properties resulting in charges being laid. RCMP are also moving forward with their policing plan and working on traffic and youth issues. Upon request Sgt. Gaudet advised that Const. Wallingham's position was named prior to his departure, but the new member has been delayed in arriving in Dawson. Councillor Andrew inquired regarding Pelly RCMP's practice of parking an unoccupied RCMP vehicle to deter speeding. Sgt. Gaudet advised that one cannot be parked at the entrance to town, but he would look into another location, perhaps across from the police station, and further noted that this has been done on occasion in the past.
- b) Mayor Bev Buckway (Whitehorse)-AYC President expressed her pleasure at being in Dawson and noting that AYC Executive is following up on mandate to strengthen government relations. Mayor Buckway continued, noting that they are looking for feedback via the enclosed or the online survey, on what the communities are requiring for support and training. She advises that a Training Coordinator has recently been hired. Joint training is available to First Nation and Municipal Government. Mayor Buckway continued noting that the next AGM will be held in

Watson Lake. She stressed the importance of attending such events, noting that all members have experience, knowledge and ideas in their heads that can be brought forward and shared with all the members. Councillor Riemer noted that the issues in the communities would be different than those of Whitehorse. Councillor Andrew questioned if Council would consider working together on the survey.

- C08-17-03** Moved by Councillor Riemer, Seconded by Councillor Kormendy that Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

Mayor Steins expressed his gratitude for Mayor Buckway's attendance and her reminder of the importance of AYC, further noting that AYC supported and stood firmly behind CoD during trusteeship.

ADOPTION OF MINUTES

- a) Council Meeting C08-16

- C08-17-04** Moved by Councillor Riemer, Seconded by Councillor Andrew that the minutes of Council Meeting C08-16 of July 15, 2008 are approved as amended correcting the title section to **Tuesday** July 15 from Wednesday July 15.

CARRIED 4-0

- b) Planning Board Meeting P08-08

- C08-17-05** Moved by Councillor Kormendy, Seconded by Councillor Riemer that the minutes of Planning Board Meeting P08-06 of June 23, 2008 be accepted as presented.

CARRIED 4-0

- c) Special Planning Board Meeting P08-09

- C08-17-06** Moved by Councillor Kormendy, Seconded by Councillor Andrew that the Minutes of Special Planning Board Meeting P08-09 of June 26, 2008 be accepted as presented.

CARRIED 4-0

- d) Planning Board meeting P08-10

- C08-17-07** Moved by Councillor Andrew, Seconded by Councillor Kormendy that the minutes of Planning Board Meeting P08-10 of July 15, 2008 be accepted as presented.

CARRIED 4-0

BUSINESS ARISING FORM MINUTES

P08-08 New Business, Dawson Hardware: CAO advised that not all projects require Planning Board approval, but still require a permit and CDO approval.

ACCOUNTS PAYABLE

Final Cheque Registers dated

July 29, 2008 in the amount of **\$209,547.70** for AP Batch #447 and
August 1, 2008 in the amount of **49,426.33** for AP Batch #448

The following items were questioned:

Cotter Enterprises	regular cable technician fees + approx. 15 hours for additional bucket truck work
Mueller Flow	finishing off the York Street Project and part of the 1M infrastructure funds from YG

C08-17-08 Moved by Councillor Kormendy, Seconded by Councillor Andrew that Accounts Payable Final Cheque Registers dated

- July 29, 2008 in the amount of **\$209,547.70** covering AP Batch #447 and
- August 1, 2008 in the amount of **\$49,426.33** covering AP Batch #448
Totalling **\$258,974.03** is approved for payment.

CARRIED 4-0

FINANCIAL

- a) Revenue Expense Report for June 2008
- b) Cash Flow Worksheet

Upon request CAO noted that we have almost reached the projected revenues for 2008 and are at less than half of the projected expenses for 2008. RE: Cable TV expenditures of 14K this covers new receivers and extra cable work done recently by the contractor.

C08-17-09 Moved by Councillor Riemer, Seconded by Councillor Kormendy that Council acknowledge as received memo dated July 24, 2008, Revenue/Expense Report for June 2008 and Cash Flow Worksheet provided by SFO for informational purposes.

CARRIED 4-0

REPORTS

- a) CAO Report

CAO provided further information on the following

- Rec Dept van – issue is still unresolved. The van is being used locally and operated only by a CoD employee.
- Dredge Pond subdivision – deadline for compliance was July 31, 2008. The Bylaw officer will be following up on this upon return from vacation. Further notation made on related matter of Amica's building.... deadline passed and CoD had the required maintenance work completed by local contractor.
- YG Highway Project – informal agreement in place that CoD will be involved in planning. CAO will work towards a more formal agreement. The surveyors are expected next week.
- Trail Development - contractor on vacation, the report is in progress and should be completed by fall.
- ICSP – has not yet been submitted to YG. The final draft is at the printers and expected to be completed soon.

Councillor Andrew noted that there are a lot of items on this report and inquired if CAO required further direction or assistance with any. CAO noted that he would like to see the Heritage Management Plan and Docking issues taking a higher priority. With regard to the docks, the goal should be to have something in place by next year, no more temporary solutions.

BYLAWS

- a) Bylaw 08-13 being the Fee Schedule Bylaw Amendment No.6 –**Second Reading**
CAO clarified the “non-refundable deposit” required for the pool facility, noting that for any rental at the pool lifeguard staff is required.
Notation was made to be sure this information goes out to all organizations that use the facilities.

C08-17-11 Moved by Councillor Kormendy, Seconded by Councillor Riemer that Bylaw 08-13 being the Fee Schedule Amendment No. 6 Bylaw be given **Second Reading**.
CARRIED 4-0

UNFINISHED BUSINESS

- a) Yukon Energy Invoices
Councillor Kormendy inquired if there are any other instances when of pole use fees are charged and paid? CAO confirmed Whitehorse Cable as well as Faro pays pole use fees. Further confirmation was made that the total owing = 3years at 16k/yr + GST. The funds have been budgeted for in each year. The pole fees are a legitimate expense; the easements are a larger issue. A plan needs to be developed to deal with YEC issues.

C08-17-12 Moved by Councillor Kormendy, Seconded by Councillor Riemer that Council acknowledge as received memo dated July 29, 2008 form SFO regarding Yukon Energy Pole Chare-Cable TV. Council postpone payment until Council has met to discuss the invoice.
CARRIED 4-0

- b) Beautification Committee
Councillor Andrew noted that KIAG (Klondike Improvement Action Group) wants to do good things for the town and has already begun work on some projects.

C08-17-13 Moved by Councillor Andrew, Seconded by Councillor Riemer that Council hereby supports the development of the City of Dawson and Klondike Improvement Action Group (KIAG) and further provides approval of the Draft Terms of Reference as presented. Furthermore Council hereby appoints Councillors Diana Andrew and Ashley Doiron to be members of KIAG
CARRIED 4-0

NEW BUSINESS

- a) Council Committees
Councillor Andrew noted her feeling that Council is not completing enough projects and further that sub-committees could do much of the legwork and report back to Council. In the 14 months before the current terms expire, alot could be accomplished in that time.

C08-17-14 Moved by Councillor Andrew, Seconded by Councillor Riemer that Councillor Andrew meet with CAO to draw up a list of possible subcommittees for next meeting.

CARRIED 4-0

b) Berton House Request

CAO provided a review of the request noting that annual property taxes on this property are around \$1200.00/yr. CAO further noted that no properties in Dawson, regardless of standing with Societies Act are eligible for their property tax to be forgiven. This is not permissible per the Municipal Act.

- C08-17-15** Moved by Councillor Kormendy, Seconded by Councillor Riemer that Council acknowledge receipt of correspondence from the Writer's Trust of Canada regarding Property Tax consideration at the property roll # 85061208, Berton House Writers Retreat. Council hereby directs administration to reply to the Writer's Trust indicating it cannot offer tax relief and that they should consider applying to the City of Dawson Community Grants program to help offset the property tax.

CARRIED 4-0

c) Historic Bylaw Book

CAO provided a brief review noting that there is a dispute over whether this book should be going to Archives in Whitehorse or the museum in Dawson. Notation was made that this is a *printed and bound book*, not the original signed bylaws.

- C08-17-16** Moved by Councillor Riemer, Seconded by Councillor Kormendy that Council acknowledge receipt of memo dated July 30, 2008 from CAO regarding the 1903 Bylaw Book. Council directs administration to contact the Dawson City Museum and make the necessary arrangements to donate this bylaw book ensuring that is properly conserved.

CARRIED 4-0

d) Zoning Amendments re: signage

Councillor Andrew inquired on how this got back to the table, as it was defeated at the last meeting. CAO confirmed this bylaw was defeated at first reading at the last Council meeting, but no clear direction was given on what to do next...if Council was interested in a more lenient form.... Signage is an important issue and Planning Board has concerns. A lengthy discussion ensued on what may or may not be acceptable, what was present at the turn of the century and how the issue could be dealt with. Concerns were raised that the City should be working more on implementing recommendations of the Heritage Management Plan and getting the community to "buy in" instead of focusing on this issue.

- C08-17-17** Moved by Councillor Kormendy, Seconded by Councillor Riemer that Council acknowledge as received memo dated July 30, 2008 from CDO regarding neon and animated signage. Council directs administration to revise proposed Sign Bylaw (08-12) making it less restrictive in scope and still in keeping with Zoning and Historical Controls. A revised draft to be presented to council at the September 02, 2008 Council Meeting.

VOTES FOR-2
VOTES AGAINST-2
DEFEATED

- e) Zoning Amendment re: development fee changes
Councillor Riemer noted that it is not clear when a permit is needed. CAO clarified that all developments require a permit, but not all require Planning Board approval. Further discussion ensued noting that some onus should be on the contractor to ensure permits are in place. Having the community buy in is the best option, but unfortunately there are times when enforcement is needed. Penalties are preferable to fines as fines may result in court costs. The suggestion is to double current fee for developments that commence without a permit.

C08-17-18 Moved by Councillor Riemer, Seconded by Councillor Kormendy that Council acknowledge as received memo dated July 30, 2008 from CDO regarding Enforcement and Penalties. Council directs administration to update Bylaw 97-25, Part 1, Sec 13- Enforcement and Penalties, to double permit fees for construction commenced without a development permit.

3-1 CARRIED

- f) Mayor Meeting Approval
Mayor Steins clarified that this would allow for retroactive Council approval for indemnity. Recommendation was made that this should apply to all Councillors, not just Mayor.

C08-17-19 Moved by Councillor Riemer, Seconded by Councillor Kormendy that Council acknowledge receipt of memo dated July 30, 2008 from CAO regarding Mayor Indemnity. Council hereby directs administration to amend bylaw 04-21 to remove the word "prior" and reference to "Advisory Committee" from section 3.03. Amendments to be returned to Council for first reading at August 19, 2008 Council Meeting.

CARRIED 4-0

- g) City Open House
CAO provided a verbal update and outlined the plans noting confirmed attendance by Rec. Department, Public Works Superintendent, Community Development/Heritage Development, KIAG and CKS
- h) Waterfront Development
Councillor Riemer noted his desire to this issue moving forward by gathering information now from past planning and striking a committee in the fall. Councillor Kormendy commented that the waterfront a jewel of the community that has been under nourished and under planned. If developed correctly could be a real attraction.

C08-17-20 Moved by Councillor Riemer, Seconded by Councillor Andrew that Council instructs administration to begin preliminary information gathering on waterfront/dock planning

CARRIED 4-0

CORRESPONDENCE

- a) Letter from Eldorado Hotel
CAO provided some history on water issues with the Eldorado hotel and noting that the current issue dates back to April 2007. CAO further noted that there has been follow up on the issue in the form of a water study. CoD water is well within the regulatory parameters for municipal standards. A second study completed by a

separate and independent organization. Council further recommends investigation into the metering system.

- C08-17-21** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council acknowledge receipt of correspondence and invoice from Peter Jenkins, Dawson City Hotels/Eldorado Hotel regarding piped water supply. Council directs administration to continue to pursue legal counsel re: issue and to cost out meter inventory and 2nd water testing survey.

CARRIED 4-0

INFORMATION

NONE

QUESTION PERIOD

- C08-17-22** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council move to Committee of the Whole for the purpose of Question Period.

CARRIED 4-0

Mayor Buckway complimented Mayor and Council on the orderly and effective conduct of the council meeting.

Nancy Schmidt inquired if the parking lot area of the arena is available for separate rent. CAO advised that it doesn't generally rent the parking area separately from the arena. Ms. Schmidt further inquired if Council recognizes a difference between a "Costco" neon sign out of the box and a custom made neon sign. Mayor Steins advised that corporate logos are permitted. It is not what the sign says, but the technology that was not available at the turn of the century is where the issue lies.

Councillor Andrew inquired if she could question Captain Al of the Yukon Queen II, present at the meeting. Councillor Andrew asked if Captain Al liked what he heard at tonight's meeting. Captain Al commented "its about time", noting the current dock is not suitable, currently held by only 3 chains instead of the +/-20 it should have. Captain Al noted there are homeland security requirements for both countries that need to be addressed as well.

Dan Davidson inquired if Mayor Steins received the column regarding vandalism at the graveyard, further noting that metal grave markers have riddled with bullet holes. Councillor Riemer noted this is a very "touristy" area and needs to be addressed.

- C08-17-23** Moved by Councillor Andrew Seconded by Councillor Kormendy that Committee of the Whole revert to Council and proceed with the agenda.

CARRIED 4-0

Mayor Steins advised that Council would be moving "in camera" for a brief period before adjourning for the evening.

- C08-17-24** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council move to Committee of the Whole for the purpose of discussion. Furthermore Council directs Committee of the Whole to move In Camera, for a period not to exceed 30 minutes, for the purpose of discussion per section 213 (3) (b) of the Municipal Act.

Time In-Camera session begins: 9:30pm

Time In-Camera session end: 9:38 pm

C08-17-25 Moved by Councillor Kormendy Seconded by Councillor Riemer that Committee of the Whole revert to Council and proceed with the agenda.

CARRIED 4-0

ADJOURNMENT

C08-17-27 Moved by Councillor Andrew, Seconded by Councillor Kormendy that Council Meeting C08-17 be adjourned at 9:41 PM with the next scheduled meeting Tuesday August 19, 2008 at 7PM in Council Chambers.

CARRIED 4-0

THE MINUTES OF COUNCIL MEETING #C08-17 WERE APPROVED BY COUNCIL RESOLUTION #C08-18-04 AT COUNCIL MEETING #C08-18 ON August 19, 2008

Originals Signed by

JOHN STEINS
MAYOR

PAUL MOORE
CAO