

MINUTES OF COUNCIL MEETING #C09-18 of the Council of the City of Dawson called for 7:00 p.m. on Tuesday, August 4, 2009 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor John Steins
Councillor Diana Andrew
Councillor Rick Riemer
Councillor Ashley Doiron

ALSO PRESENT: CAO Eldo Enns
Secretary Karen Fischer

ABSENT

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

AGENDA

C09-18-01 Moved by Councillor Riemer, Seconded by Councillor Andrew that the agenda for Council Meeting #C09-18 be adopted as amended adding Delegations – Sharon Edmunds re: Dawson Gas Prices, Mark Wickham re: Zoning and OCP Bylaw Amendments; add under Minutes – Special Council Meeting C09-17; add under New Business – Dawson Gas Prices and Unfinished Business - Community Economic Development Funding and adding to Delegations – Jayne Fraser

CARRIED 4-0

C09-18-02 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council move into Committee of the Whole for the purpose of hearing Delegations.

CARRIED 4-0

DELEGATIONS

- a.) Grunt Action Willow presented Council with packages containing letters of support and photos of garbage sheds showing the conditions they often have to deal with. Nick provided information regarding the man-hours it takes to collect solid waste – commercial and domestic – noting a total of 5 persons working to maintain the service. It was noted that the recent road construction has had a substantial effect on the length of their days. Nick advised that there are problems within the proposed contract and the issue of the condition of pick up sites. They note that they have requested assistance from bylaw but no assistance has been received. The pick up schedule is unbalanced, contractor is required to separate garbage, cardboard and compost separate but it is not carried out by the customers in the collection bins. The current City budget is not sufficient...there is no one picking up general litter on the streets and contractor is receiving complaints from the community. They note they will continue to provide service, but the service needs to be re-designed, bylaws need updating and need to be enforced. Having the right vehicle will not result in much of a change other than to their fuel cost. Upon request Willow advised that Commercial pick up is approximately 60% of the service they provide. Nick commented that they recommend re-tendering for this service and there may or may not be a more suitable company to provide the service.
- b.) Claudia was present as Project Manager for the AMF Rec Centre project reviewing recent site visit with structural engineer, geotechnical engineer and architect.

Structural engineer needs to determine the load-bearing capacity of the ground and the soil composition to bedrock. Computer modeling would be a great assistance to see what happens when one area is repaired, how it affects the rest of the structure. Structural engineer has requested geotechnical engineer to design such a program. A proposal has been received to conduct drill-testing program – 19 holes, a test pit and 2 holes to bedrock. There has been more movement than anticipated around the curling rink and engineer wants to rule out the bearing capacity noting that recently they were able to drill through where they have been unable to in the past.

Also noted by Claudia is the upstairs area. The architect had immediately inquired at the site visit why this area had not been made usable and recommended to the committee that monies be advanced for the preparation of construction documents enabling the City to acquire estimates/quotes on “bare bones” completion of the upstairs and allowing the City to budget appropriately for making it usable by the public. The oversight committee supports this recommendation of the architect.

- c.) Sharon Edmunds was present representing herself, Boyd Gillis and North 60 Petro to address comments in a recent newspaper article regarding gas prices in Dawson. She presented Mayor, Council and gallery with an information sheet outlining her concerns. She noted that such an article discourages tourists from visiting our community, does not show support for the community businesses and queries why single out gas stations...most consumables cost more in Dawson but other retailers are not subjected to such comments. Sharon’s final request is for a sincere apology to be published in both the Yukon News and Klondike Sun. Helmut Schoener also queried why the cost of gas is so much higher in Dawson than in Whitehorse.
- d.) Mark Wickham – Across the River Consulting - was present to answer questions regarding several bylaws on the agenda. He noted Bylaw 09-06 is a procedural bylaw and will replace the current Planning Board Bylaw. The Heritage Advisory Committee members (5) will be required to have training of which Council will have final say on through budgetary and other means. Discussion ensued regarding voting membership and none voting – advisory membership and the limited pool of people to choose from. Bylaws 09-13 & 09-14 received public hearing at the last meeting; 2 sets of objections were received. He noted that under current zoning mining is not permitted in either location. Rezoning on Dome would not change this, rezoning in Callison would allow mining as a discretionary use and be beneficial for the complainant. Further notation was made that there is no overlap from the proposal on to the complainant’s mining claims. Mr Wickham recommends carrying on as is. Mr. Hawkes advanced his concerns at this time that he has maps showing an overlap onto his claims and further notation that he was promised by YG several times during the period of boundary expansion (early 90’s?) that no development would happen behind his property. Mr Wickham reminded Council at this time that these bylaws do not guarantee the currently proposed development projects will continue and be completed, the bylaws only facilitate possible development...the development need not happen now or any time in the future. The planning for the proposed subdivisions is not the responsibility of this contractor. Second reading of these bylaws triggers the 45-day ministerial review required for OCP amendments. Bylaws 09-18 and 09-19 Mr Wickham advised that similar to the bylaws above, these bylaws facilitate the development of the large infrastructure projects. When questioned re: “PD” and “PI” on different maps of the same area Mr. Wickham advised that OCP and Zoning bylaws have different titles for the same uses.

e.) Jayne Fraser was present to request permission to operate her wiener wagon on Front Street during Arts Festival, August 14, 15 & 16 from lunchtime to 7PM.

C09-18-03 Moved by Councillor Riemer, Seconded by Councillor Doiron that the Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

C09-18-04 Moved by Councillor Riemer, Seconded by Councillor Andrew that Council allows Zorro's Cantina to conduct business on the Dyke during Arts Fest for dates 14, 15 & 16 Aug from Noon to Seven PM. Location to be determined mutually between City and Cantina.

CARRIED 4-0

ADOPTION OF MINUTES

a) Council Meeting C09-16

C09-18-05 Moved by Councillor Doiron, Seconded by Councillor Riemer that the minutes of Council Meeting C09-16 of July 21, 2009 are approved as presented

CARRIED 4-0

b) Special Council Meeting C09-17

C09-18-06 Moved by Councillor Andrew, Seconded by Councillor Doiron that the minutes of Special Council Meeting C09-17 of July 31, 2009 are approved as presented.

CARRIED 4-0

BUSINESS ARISING FROM MINUTES

C09-16 Mr Hawkes has met with CDO and CAO and presented maps differing from the maps being used as well as advised of past promise of no development behind his property. Council was advised that the City will continue to work with Mr. Hawkes in effort to sort out the issue.

ACCOUNTS PAYABLE

Final Cheque registers for AP Batch 484

The following items were questioned:

Bluewater	aluminum gangway for dock project
Campbell Scientific	thermal monitoring equipment at rec centre
Equinox	rock climbing training
Chamaco	Pump parts – Pumphouse
Pointer Bros.	Canada Day entertainment

C09-18-07 Moved by Councillor Riemer, Seconded by Councillor Andrew that the Accounts Payable Final Cheque Register dated July 30, 2009 in the amount of **\$252,493.43** covering AP Batch #484 is approved for payment.

CARRIED 4-0

FINANCIAL

NONE PRESENTED

REPORTS

a) CAO Council Resolution Status Report

Skate Park Funding – CAO clarified \$60k lotteries funding is contingent on CDF funding which was denied. There is a letter forthcoming from Rec Mgr asking for explanation as all items identified in previous denied application were addressed.

GUDI Assessment – Original Gas Tax application turned down. Awaiting results from subsequent applications to ensure suitable format is used.

Front Street Stalls - CAO has requested to be updated on paving schedule in order to advise and relocate vendor stalls if needed. CoD is not involved in scheduling.

Waterfront area around Yukon Rose needs to be cleaned up – steel and garbage - enforce bylaws.

C09-18-08 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledges as received CAO's Council Resolution Status Report, August 2009 for informational purposes.

CARRIED 4-0

b) Superintendent of Public Works

HVAC Chlorine Room Ventilation – this project was listed as a top priority some time ago, we're just at the funding stage...this is a concern

Screen Plant Ventilation – similar concern noted.

South End Sewage Odour - what needs to be done to rectify the problem?

Sidewalk Replacement - Contractor hired, but has been unable to get the project done

Landfill Attendant – if hired directly the attendant would not be responsible for recycling duties and would be available to spend more time supervising and maintaining the landfill site. Council inquired re the additional costs for the City if the attendant became a City employee.

C09-18-09 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledge as received Superintendent of Public Works Report dated July 31, 2009 for informational purposes.

CARRIED 4-0

BYLAWS

a.) Bylaw 09-06 being the "Heritage Advisory Committee Bylaw – First Reading
Council would like to visit " not required to be a Canadian Citizen"

C09-18-10 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-06, being the "Heritage Advisory Committee Bylaw " be given **First Reading**.

CARRIED 4-0

b.) Bylaw 09-13 being the Official Community Plan Bylaw Amendment No. 4 Bylaw –
Second Reading

Council would like an informal briefing and further request clarification and follow up from YG on concerns raised by citizens.

C09-18-11 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-13 Being the "Official Community Plan Bylaw Amendment No. 4 Bylaw " be postponed pending clarification from YTG Community Services - Lands Branch.

CARRIED 4-0

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- c.) Bylaw 09-14 being the Zoning and Heritage Management Bylaw Amendment No.1 Bylaw – **Second Reading**
Council would like an informal briefing and further request clarification and follow up from YG on concerns raised by citizens.
- C09-18-12** Moved by Councillor Riemer, Seconded by Councillor Andrew that Bylaw 09-14 Being the “Zoning and Heritage Management Bylaw Amendment No. 1 Bylaw ” be postponed pending clarification from YTG Community Services – Lands Branch
- CARRIED 4-0**
- d.) Bylaw 09-15 being the Catholic Episcopal Corp Lease Bylaw – **Second Reading**
- C09-18-13** Moved by Councillor Riemer, Seconded by Councillor Andrew that Bylaw 09-15 Being the “Catholic Episcopal Corp Lease Bylaw ” be given **Second Reading**.
- CARRIED 4-0**
- e.) Bylaw 09-16 being the 2009 Municipal Election Bylaw – **Second Reading**
- C09-18-14** Moved by Councillor Riemer, Seconded by Councillor Doiron that Bylaw 09-16 Being the “2009 Municipal Election Bylaw ” be given **Second Reading**.
- CARRIED 4-0**
- f.) Bylaw 09-17 being the Repeal Bylaw 07-15 Bylaw – **Second Reading**
- C09-18-15** Moved by Councillor Riemer, Seconded by Councillor Andrew that Bylaw 09-17 Being the “Repeal Bylaw 07-15 Bylaw ” be given **Second Reading**
- CARRIED 4-0**
- g.) Bylaw 09-17 being the Repeal Bylaw 07-15 Bylaw – **Third and Final Reading**
- C09-18-16** Moved by Councillor Doiron, Seconded by Councillor Andrew that Bylaw 09-17 being the “Repeal Bylaw 07-15 Bylaw” be given **Third and Final Reading**.
- CARRIED 4-0**
- h.) Bylaw 09-18 being the Official Committee Plan Amendment No. 5 – **First Reading**
- C09-18-17** Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-18 being the “Official Committee Plan Amendment No. 5” be given **First Reading**. Public Hearing for bylaw 09-18 will be held Sept. 2, 2009.
- CARRIED 4-0**
- i.) Bylaw 09-19 being the Zoning and Heritage Management Bylaw Amendment No. 2 – **First Reading**
- C09-18-18** Moved by Councillor Andrew, Seconded by Councillor Riemer that Bylaw 09-19 being the “Zoning and Heritage Management Bylaw Amendment No. 2 ” be given **First Reading**. Public Hearing for bylaw 09-19 will be held Sept 2,2009.
- CARRIED 4-0**

UNFINISHED BUSINESS

a) AMF Rec Centre Drilling Program

Council recognizes that this is the drilling is next step and expressed surprise at YG approval for upstairs development. Council is strongly supportive of creating a usable space in the upstairs area of the facility. CAO noted that the oversight committee works well together and PM keeps all groups in the loop.

- C09-18-19** Moved by Councillor Andrew, Seconded by Councillor Doiron that Council approves the ground movement assessment be completed at the AMF Recreation Centre in order to properly address existing movement in the superstructure.

CARRIED 4-0

b) Community Economic Development Funding

Upon request CAO advised that there is a contribution agreement awaiting CoD signature. Community Development Corp must incorporate into society before the funds will be available for their use.

- C09-18-20** Moved by Councillor Doiron, Seconded by Councillor Andrew that Council acknowledge receipt of memo re: Economic Development Funds. Council directs admin to contract with Ec Dev Inc Society to advance the Community Development Plan previously accepted by Council and disburse funds as per agreement.

CARRIED 4-0

NEW BUSINESS

a) Appoint Council Rep to Recreation Board

- C09-18-21** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council hereby appoints Councillor Doiron as the Council representative to the Recreation Board for the term expiring October 15, 2009

CARRIED 4-0

b) Acknowledgement of TH Rec Board Member

- C09-18-22** Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledges the appointment of Michael Mason as the Tr'ondek Hwech'in representative to the Recreation Board

CARRIED 4-0

c) Gas Prices in Dawson

Council noted it is not appropriate to comment nor politicize on such issues.

- C09-18-23** Moved by Councillor Andrew, Seconded by Councillor Riemer that Council remain neutral on any debate on Dawson Gas Prices.

CARRIED 4-0

CORRESPONDENCE

NONE PRESENTED

INFORMATION

- a) KIAG/City Yard Award Presentations

It was clarified that the judging has taken place. Council suggests a plaque for residential as well as commercial winners.

- C09-18-24** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council will present the 2009 Yard Awards during the Discovery Days Celebration August 14 - 17, 2009.

CARRIED 4-0

b) Letter from Downtown Hotel

- C09-18-25** Moved by Councillor Doiron, Seconded by Councillor Riemer that Council acknowledges receipt of correspondence from the Downtown Hotel re: garbage service.

CARRIED 4-0

QUESTION PERIOD

- C09-18-26** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council move to the Committee of the Whole for the purpose of Question Period.

CARRIED 4-0

Wayne Hawkes responded to a request from Council if he was present to address concerns re: proposed industrial subdivision project. He advised that in exchange for mining rights to certain land he gave up and 4 times he had received a verbal guarantee from YG that no development would take place on it. He advised he would meet with CDO on Wednesday to further discuss and share information.

- C09-18-27** Moved by Councillor Doiron, Seconded by Councillor Andrew that Council Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

After a 5-minute recess, Mayor Steins called the meeting back to order

- C09-18-28** Moved by Councillor Riemer, Seconded by Councillor Doiron that Council Meeting C09-18 be extended for a period not to exceed 1 hour.

CARRIED 4-0

IN CAMERA

a) Solid Waste Collection Contract

- C09-18-29** Moved by Councillor Doiron, Seconded by Councillor Riemer THAT Council move to Committee of the Whole for the purpose of discussion re: Solid Waste Collection Contract. Furthermore Council directs Committee of the Whole to move In Camera as per Municipal Act (RSY 2002) section 213 (3) (b) (ii) for a period not to exceed 30 minutes.

Time *In Camera* session commences: 9:40PM

Time *In Camera* session concludes: 10:02PM

- C09-18-30** Moved by Councillor Reimer, Seconded by Councillor Andrew that Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

- C09-18-31** Moved by Councillor Andrew, Seconded by Councillor Doiron that Council direct Admin to:

1. inform public of garbage pick up rules
2. enforcement of existing bylaws re: garbage and nuisance
3. issuing new competition for provision of garbage collection
4. continue existing service on an interim basis

CARRIED 4-0

b) Former Mayor

CAO advised that a letter was sent to former mayor requesting regular payments on his outstanding account and, as no response was received by the deadline, CAO telephoned the former mayor today. CAO was advised that he, former mayor, will be attending a federal court case in the 2nd week of September and that he intends to discuss restitution issue with his counsel after this time. Mayor Steins noted that the City has not been sending regular billing for this outstanding account and we must begin to do so. Mayor reviewed the trail of the initial bounced cheque, which was to cover the acknowledged amount owed by the former mayor to the City of Dawson.

C09-18-32 Moved by Mayor Steins, Seconded by Councillor Andrew that Mayor and Council send a letter to Mr. Everitt re: debt repayment plan and further direct admin. to initiate a regular billing regime to Mr. Everitt.

CARRIED 4-0

ADJOURNMENT

C09-18-33 Moved by Councillor Doiron, Seconded by Councillor Riemer that Council Meeting C09-18 be adjourned at 10:21 PM with the next scheduled meeting being Tuesday August 18, 2009 at 7PM in the Council Chambers.

CARRIED 4-0

THE MINUTES OF COUNCIL MEETING #C09-18 WERE APPROVED BY COUNCIL RESOLUTION #C09-19-04 AT COUNCIL MEETING #C09-19 ON AUGUST 18, 2009.

Originals signed by

John Steins
MAYOR

Eldo Enns
CAO