

MINUTES OF COUNCIL MEETING #C09-29 of the Council of the City of Dawson called for 7:00 p.m. on Wednesday, December 2, 2009 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor Peter Jenkins
Councillor Stephen Johnson (via teleconference)
Councillor Wayne Potoroka
Councillor Rick Riemer

ALSO PRESENT: A/CAO Jackie Olson
Secretary Karen Fischer

ABSENT Councillor Ashley Doiron

CALL TO ORDER: Mayor Steins called the meeting to order at 7:02 PM.

AGENDA

C09-29-01 Moved by Councillor Riemer, Seconded by Councillor Potoroka that the agenda for Council Meeting #C09-29 be adopted as amended.

CARRIED 4-0

The following items were added to the agenda:

- Under Accounts Payable - Final Cheque Register for AP Batch #497
- Under Correspondence – Letter from Catherine Harwood re WWTP YESA Application.
- Under Correspondence - Letter Re: Solid Waste Action Plan
- Under Correspondence – Letter from Joanne VanNostrand Re: Yoga Training

C09-29-02 Moved by Councillor Johnson, Seconded by Councillor Riemer that Council move into Committee of the Whole for the purpose of hearing Delegations.

CARRIED 4-0

DELEGATIONS

Claudia Heath, Project Manager for the AMF Recreation Centre advised she was present and that Christine Smith, YG Community Services was present via teleconference to provide further information regarding the AMF Recreation Centre upgrade project. Council was advised that the CoD has entered into a 4-year funding agreement with YG to address first the structural issues surrounding the facility and then other upgrades required in order for the facility move towards a functioning recreation centre. The oversight committee has assigned a small portion of the funding for access to the upstairs, a large area currently unusable. Requirements for access, the design & construction documents will be prepared and, if suitable, this would proceed parallel to the structural issues being addressed. Project Manager noted a cost approved of \$200,000 for this project. Council inquired about existing designs for upstairs and was advised that the oversight committee is looking at a “bare bones” space; 2 sets of stairs and a large open space, no kitchen or washroom facilities at this time, to make it usable for a variety of activities. It was noted that the Rec. Dept. and Rec. Board have reviewed the previously existing designs and feel they would not be suitable. It was noted that much of the mechanical system was moved to the upper

floor as well and that some of the space originally planned for rec. use is now used to house this equipment. Question was raised regarding “barrier free access” as no elevator is planned. Project Manager responded ground floor must have “barrier free access” and research was requested re: upper floor access requirements. Project Manager noted that this project is authorized to proceed as soon as tender documents are received. Winter is a more cost effective time for construction and more contractor availability. It was noted that the administration wing of the Recreation Centre is the stable section of the facility although Mayor Jenkins noted there is an issue with water under the building. Project Manager agreed there is a water management issue. There was notation made of the continued need to survey and monitor movement of the structure as well as the fact that computer 3-D modelling has begun using a program that will highlight stress-points on the structure based on surveyed movements. Council inquired re: how money is spent, how is CoD involved? Project Manager reviewed the Oversight Committee, 2 YG representatives, 2 CoD representatives, and the requirement for them to review the annual work-plan with budget amount. CoD tendering requirements are followed, i.e. anything over \$20,000 must be publicly tendered unless it is of benefit to have a past involved contractor do the work; then Mayor and Council may provide for otherwise through resolution. It was noted that the recent work by Chilkoot was approved. Council inquired re: How close is tendering for upstairs and was advised that maybe Feb. as engineers have not been as quick as anticipated. Council suggested other means of completing this work. Project Manager advised Oversight Committee’s requirement to have structural and architectural engineers involved in all aspects, including additions. Project Manager will inquire if there is a means to speed this up. Council inquired if there were any surprises from the drilling and was advised that some of the gravel has a coating of ice and there is new information on the depth of bedrock.

David Black, present via teleconference, advised that he had received a request from the Fire Chief to provide a strategic planning proposal for council. He noted that this is a good time to set up goals, to look at common priorities and set the “have to’s” and the “like to’s” while focusing on the Municipal Responsibilities and goals of Council. Upon request of council Mr. Black confirmed that while he was working with AYC he had assisted with strategic planning for CoD. Council noted an appetite for a strategic plan and Mayor requested time to digest information and subject to budge approval council would look at moving forward early next year.

C09-29-03 Moved by Councillor Riemer, Seconded by Councillor Potoroka that the Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

Recreation Centre Council noted the next step seems to be to decide whether in continuing with the existing MOA is worth doing.

Strategic Planning Council inquired about funding and was advised that there should be monies available under Council or Admin Training Budget

ADOPTION OF MINUTES

a) Special Council Meeting C09-27

C09-29-04 Moved by Councillor Riemer, Seconded by Councillor Potoroka that the minutes of Special Council Meeting C09-27 of November 10, 2009 are approved as presented

CARRIED 4-0

Council inquired re: YESA and the 1902 boundaries; do we have a record? This information should be in archives. Mayor Jenkins advised that he had committed to Yukon Hospital Corp that they would be "grandfathered to the current OCP" Council noted that this must be a Council decision and requested it be included on the next agenda.

b) Council Meeting C09-28

C09-29-05 Moved by Councillor Potoroka, Seconded by Councillor Johnson that the minutes of Council Meeting C09-28 of November 17, 2009 are accepted as amended.

CARRIED 4-0

Council noted the absence of a seconder and requested this be rectified in the minutes on resolution number C09-28-22 and a spelling correction in the item following. The letter sent to Mr. Smith was presented and dissatisfaction with the second sentence is noted.

BUSINESS ARISING FROM MINUTES

Reviewed Above

ACCOUNTS PAYABLE

Final Cheque registers for AP Batch 496 & 497

The following items were questioned:

Trina Buhler	Olympic Torch Relay (Federal Funding received for this project)
Old Man Contracting	Cemetery Brushing during the summer
Westmark Whitehorse	Travel for training
Lackowicz & Shier	Tax Lien, Union, Tax Rate Bylaw, RFP Consultation (Waste Collection), Heritage Bylaws.

Inquiry if we receive regular updates from counsel on legal issues? Council was advised we receive "snippets" here and there and an annual update as part of the audit. It was noted upon request that quarterly reports cost approx \$250.

C09-29-06 Moved by Councillor Riemer, Seconded by Councillor Potoroka that the Accounts Payable Final Cheque Registers dated

- November 25, 2009 in the amount of **\$89,324.07** covering AP Batch # 496
- November 30, 2009 in the amount of **\$9367.52** covering AP Batch # 497

Totalling **\$98,691.59** is approved for payment.

CARRIED 4-0

FINANCIAL

- a) Revenue Expense Report
 - b) Cash Flow Worksheet
- Issues will be discussed at the finance table

- C09-29-07** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council acknowledge as received Memo dated November 26, 2009, Revenue/Expense Report for October 2009 and Cash Flow worksheet provided by SFO for informational purposes.

CARRIED 4-0

REPORTS

a) CAO Council Resolution Status Report

Quigley Oil Cell –We are waiting for final environmental report. A/CAO advised that verbally, the contractor did not see much contamination, however no formal report has been seen yet. \$27,000 has been spent to date.

Former Mayor (Everitt) – How much to expect to get back and how much are we pursuing? A/CAO advised that former mayor agreed he owes in excess of \$40,000, but feels it needs to go through the criminal court system first. There has been no discussion since invoicing. CoD has not spent much. Civil suit is being prepared by Bull Houser whom have estimated \$10,000 - \$ 25,000. Lackowicz is unable to pursue due to a conflict.

Olympic Torch - is currently at the school. Discussion on suitable location ensued with Council suggesting the Recreation Centre.

House Numbering – has any work been done? A/CAO stated Fire Chief would be consulted. This is not just an issue of houses without numbers; there is an issue with the numbering system. A/CAO will advise of Council's recommendation to send letters to property owners.

Skate Park – Councillor Johnson, site manager for Corix, has requested a letter outlining Corix's proposed commitment to the skate park.

- C09-29-08** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council acknowledge as received CAO Council Resolution Status Report for December 2009 for informational purposes.

CARRIED 4-0

b) Superintendent of Works Report

Safety Committee & Safety Program – upon request A/CAO advised the Fire Department compiled an extensive safety program book and we are hoping that not a lot of additional work will be required.

Chlorine Room – Council expressed concern that although this item is noted in March 2007 report the situation has not been rectified and that it is not scheduled to be until the summer 2010. This must be addressed immediately. A/CAO confirmed Gas Tax funding has been approved for this project. Upon request A/CAO confirmed that as Council has noted their support, the upcoming capital projects will proceed.

- C09-29-09** Moved by Councillor Potoroka, Seconded by Councillor Riemer that the A/CAO instruct Public Works Superintendent to tender as soon as possible with the Chlorine Room Ventilation Upgrade and award the contract asap.

CARRIED 4-0

GUDI Water Study – upon request A/CAO advised that this project will give direction on how to move ahead with well head protection...or, Mayor Jenkins added, water treatment.

- C09-29-10** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledge as received Superintendent of Works Report dated November 25, 2009 for informational purposes.

CARRIED 4-0

c) Fire Chief

New OH&S Regulations – Council inquired what are we waiting for? It was noted that there were new regulations that came into effect that have substantial cost implications for bringing departments up to code, particularly rural departments. There was further discussion re: the Audit and why it has not yet happened with possible reasons being the specific qualifications required to conduct an audit as well as the passing of the Yukon Fire Marshall earlier this year.

Councillor Potoroka left Chambers 8:24, returned 8:26

Strategic Planning for Council – Council noted that they are more interested in how it would occur, not why it is needed.

C09-29-11 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledge as received Fire Chief's Report for November 2009 for informational purposes.

CARRIED 4-0

BYLAWS

a) Bylaw 09-4 being the Fee Schedule Bylaw Amendment No.7
Second Reading

C09-29-12 Moved by Councillor Riemer, Seconded by Councillor Potoroka that Bylaw 09-24 Being the Fee Schedule Bylaw Amendment No 7 be given **Second Reading**.

Amendment Moved by Councillor Riemer, Seconded by Councillor Johnson that Second Reading be tabled.

CARRIED 4-0

UNFINISHED BUSINESS

a) Waterfront Building Leases

Upon request A/CAO advised that we receive fax copies for proof of valid insurance. Council was advised that we do have a policy for property leases and that this policy was to be reviewed by Policy Committee, however these leases expire December 31 and these leases were brought to council earlier in the year, however the policy has not been reviewed . A/CAO noted that this lease document is one of our better lease documents, drafted in 2007. Further notation was made that the Property Lease Policy was developed to make it fair across the board for all who wish to lease City owned property. Deficiencies in the document were noted; i.e. provision for cancellation and notification of cancellation of insurance.

C09-29-13 Moved by Councillor Riemer, Seconded by Councillor Johnson that Council acknowledges receipt of memo dated November 26, 2009 re: Waterfront Building Leases and hereby authorizes the renewal of Many Rivers Counselling and Support Services AND Literary Society of the Klondike leases for a 2-year term, expiring December 31, 2011.

CARRIED4-0

b) Solid Waste Management Committee

Council discussed the possible addition to mandate of *investigate purchase of truck and employee*. It was noted that the SWMC is geared more to the operations of the landfill and that the scope reads, "*including, but not limited to...*" Notation was made that the current operator providing collection service has suitable equipment to facilitate the collection of cardboard, compost and garbage in the required manner. First meeting is set for December 7th.

- C09-29-14** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledge and approve the Terms of Reference for the Solid Waste Management Committee (SWMC). Council hereby appoints Suzanne Crocker and 1 representative of Klondike Conservation Society to the SWMC.

CARRIED 4-0

c) Holiday Office Schedule

Council inquired if the request is for pay during the period the office is closed. The memo was reviewed. Council inquired regarding the cost to the City and A/CAO was questioned re: accuracy of the current payroll loading and noting that those required to work would be doing so at a Stat Holiday rate. Discussion ensued regarding legal implications and if precedent has been set in previous years? Upon request A/CAO confirmed that since the current bylaw has been in place the time with pay has been granted. Council was provided with several reasons why and why not to proceed with granting the time with pay. A review of how votes would be counted was conducted with Mayor noting a tie vote defeats the motion and abstention vote would be counted as a vote against. Council expressed a desire to see this bylaw changed.

- C09-29-15** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledge receipt of memo dated November 22, 2009 re: Holiday Office Schedule. Council approves the closure of the office December 29-31 inclusive, recognizing the continued hard work and commitment of staff throughout the year.

2-2 DEFEATED

d) Bylaw 09-24 being the Procedures Bylaw Amendment No. 2

Council inquired why this bylaw was not presented for Second Reading and was advised that administration thought it prudent to conduct a full meeting with fire practice held below before proceeding with second reading. All council present noted they are prepared to proceed with second and third reading

- C09-09-16** Moved by Councillor Johnson, Seconded by Councillor Potoroka that council amends motion re: Procedures Bylaw Amendment No. 2, Bylaw 09-23, to read that this bylaw is given **Second Reading**.

CARRIED 4-0

- C09-29-17** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council give Third and Final reading to Bylaw 02-23, Procedures Bylaw Amendment No.2

CARRIED 4-0

Meeting scheduling for December was discussed.

- C09-29-18** Moved by Councillor Reimer, Seconded by Councillor Johnson that Bylaw 02-23 Procedures Bylaw Amendment No. 2 come into effect commencing January 2010.

CARRIED 4-0

NEW BUSINESS

a) Janitorial Contract

It was noted that this contract received a 1- year extension last year and that it should go out to public tender. Upon request A/CAO confirmed a 60-day extension would allow sufficient time to prepare and award for a new janitorial contract.

C09-29-19 Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council acknowledges receipt of memo dated November 26, 2009 re: Janitorial Contract for Administration Building. Council hereby authorizes a 1-year extension to the Janitorial Services Contract and set an expiry date of December 31, 2010. Council further directs administration to prepare tender documents in time for a January 2, 2011 start date.

Amendment Moved by Councillor Riemer, Seconded by Councillor Potoroka that “1-year “ be removed and replaced with “60-day” and “set an expiry date of December 31, 2010. Council further directs administration to prepare tender documents in time for a January 2, 2011 start date” be removed and replaced with “tender contract prior to December 15, 2009”.

CARRIED 4-0

b) Recreation Board Manual

Council recommends that recipients should be required to recognize the Recreation Board and City of Dawson for funding.

C09-29-20 Moved by Councillor Riemer, Seconded by Councillor Johnson that Council acknowledge receipt of memo re: Recreation Board Manual. Council acknowledges and approves the Recreation Board Manual – Bylaws and Policies as presented.

CARRIED 4-0

c) Proposed Industrial Subdivision

Upon request A/CAO advised that Mr. Smith has been advised of this land development.

C09-09-21 Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council is in receipt of memorandum dated November 25, 2009 from CDO regarding the Callison Phase 5 subdivision update, and directs administration to contact Brian Ritchie and inform him Council is interested in moving ahead on phase 5 of the Callison Industrial Subdivision.

Amendment Moved by Councillor Riemer, Seconded by Councillor Potoroka that “is interested in moving ahead on” is removed and replaced with “supports”.

CARRIED 4-0

Councillor Potoroka left the meeting 9:48 and returned 9:51

C09-29-22 Moved by Councillor Riemer, Seconded by Councillor Johnson that Council Meeting C09-29 be extended for a period not to exceed one hour.

CARRIED 4-0

d) Proposed Country Residential Subdivision

The miner has rights to mine the claims in good standing and noted it would be preferable to work with the miner for a greater benefit. The miner has a right to get the resource out. It was noted that mining rights will always be an issue and that we are years away for something being built. Mayor noted that YG is responsible for subdivision development in most Yukon Communities. Clarification was provided re: large lot sizes; they will be able to accommodate a septic field, smaller lots would require pump out. Water delivery was discussed as well. Water delivery would be the responsibility of the property owner, as in other communities.

- C09-29-23** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council is in receipt of the November 25, 2009 memorandum from the CDO regarding the Dome Country Residential update and directs administration to contact Brian Ritchie to express Council support for this project.

CARRIED 4-0

CORRESPONDENCE

a) Letter from Joanne VanNostrad – Midnight Sun Yoga
Council inquired re: City training policy and how training dollars are spent. Notation was made that the City should not be in competition with private business; there are qualified yoga instructors in the community. A/CAO noted that staff may request training and if there is a demonstrated need, then training may be approved. A/CAO will follow up on Rec Manager's Plans upon her return.

- C09-29-24** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council acknowledge Midnight Sun Yoga Studio and directs admin to respond to questions raised.

CARRIED 4-0

b) Yukon Solid Waste Action Plan
Item not discussed

INFORMATION

a) Municipal Heritage Site Designation
Council noted concerns with heritage designation and a lack of understanding in the community. If municipal buildings can be designated it may be best to try the process first ourselves to see how it would proceed. It was recommended to contact YG and maybe National Historic Sites and Monuments Board on costs associated with designation of sites. The process requires "buy in" from the community to be successful.

b) Land Swap
Councillor Johnson noted he had provided this information and reviewed his initial intention, however this does not seem to be an option now. However, dependant on the YESA outcome, it may be beneficial to have an option available.

c) Catherine Harwood - WWTP YESA Update

- C09-29-25** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledges receipt of the following for informational purposes:

- a) Memo and information package re: Municipal Heritage Designation
b) Document re: Land Swap

c) Letter from Catherine Harwood re: WWTP YESA Application.

CARRIED 4-0

QUESTION PERIOD

C09-29-26 Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council move to the Committee of the Whole for the purpose of Question Period.

CARRIED 4-0

Dan Davidson inquired about the unionization process and was advised that it is before Canada Industrial Relations Board. Upon further request Mr. Davidson was advised that management positions are outside the union and it is unknown how long the process will take.

C09-29-27 Moved by Councillor Riemer, Seconded by Councillor Johnson that Council Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

ADJOURNMENT

C09-29-33 Moved by Councillor Johnson, Seconded by Councillor Riemer that Council Meeting C09-29 be adjourned at 10:35 PM with the next scheduled meeting being Tuesday December 15, 2009 at 7PM in the Council Chambers.

CARRIED 4-0

**THE MINUTES OF COUNCIL MEETING #C09-29 WERE APPROVED BY COUNCIL
RESOLUTION #C09-31-06 AT COUNCIL MEETING #C09-31 ON DECEMBER 15, 2009.**

Originals Signed by:

Peter Jenkins
MAYOR

Jim Regimbal for/
Jackie Olson
A/CAO