

**MINUTES OF COUNCIL MEETING #C10-25** of the Council of the City of Dawson called for 7:00 p.m. on Wednesday, July 14, 2010 in the Town of the City of Dawson Council Chambers.

---

**PRESENT:**

Mayor	Peter Jenkins
Councillor	Stephen Johnson
Councillor	Bill Kendrick – arrived at 7:04PM
Councillor	Wayne Potoroka
Councillor	Rick Riemer

**ALSO PRESENT:**

CAO	Jeff Renaud
Secretary	Karen Fischer

**ABSENT**

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

**AGENDA**

**C10-25-01** Moved by Councillor Johnson, Seconded by Councillor Riemer that the agenda for Council Meeting #C10-25 be adopted as amended  
**CARRIED 4-0**

**ADOPTION OF MINUTES**

a) Council Meeting C10-24

**C10-25-02** Moved by Councillor Johnson, Seconded by Councillor Riemer that the Minutes of Council Meeting C10-24 of June 23, 2010 are approved as presented.  
**CARRIED 4-0**

b) Heritage Advisory Committee Meeting HA 10-10

**C10-25-03** Moved by Councillor Potoroka, Seconded by Councillor Johnson that the Minutes of Heritage Advisory Committee Meeting HA10-10 of June 7, 2010 are accepted as presented.  
**CARRIED 4-0**

c) Heritage Advisory Committee Special Meeting HA 10-11

**C10-25-04** Moved by Councillor Potoroka, Seconded by Councillor Riemer that the Minutes of Heritage Advisory Committee Special Meeting HA10-11 of June 10, 2010 are accepted as presented.  
**CARRIED 4-0**

Councillor Kendrick arrived at 7:04pm

**BUSINESS ARISING FROM MINUTES**

C10-24 None Stated  
HA10-10 None Stated  
HA10-11 None Stated

**C10-25-05** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council move into Committee of the Whole for the purpose of Hearing Delegations.

---

**CARRIED 5-0**

**DELEGATIONS**

Tao Henderson was present to review his land application and to inquire if Council has any questions. Mr. Henderson noted that it appears that as long as CoD has no concerns YG will approve. Council inquired to confirm the location and ask if this is perhaps an area the CoD may consider developing in the future...would the proposed application be easily included in a future development. Further discussion included the Klondike Valley Land Use Plan and the OCP.

**C10-25-07** Moved by Councillor Riemer, Seconded by Councillor Johnson that Committee of the Whole reverts to Council and proceeds with the agenda.

**CARRIED 5-0**

**BUSINESS ARISING FROM DELEGATIONS**

CAO noted that this and other land applications are included in Council's packages for information this evening and that all applications are currently in the "advertising for public comment" stage.

**ACCOUNTS PAYABLE**

Final Cheque register for AP Batch 521 and 522

The following items were questioned:

Budget Plumbing	20plex hook up – the developers will be billed for this cost
Cecil Lampi	Safety equipment
PBK	Rec Centre – CAO to seek details and confirmation
Across the River	Waterfront Project
Claudia Heath	Rec Centre- May & June
Romy Jansen	Confirm contractor requirements
Peter Jenkins	phone charges for council meeting C10-23
Regimbal & Renaud	Dinner & entertainment for SFO recruitment

**C10-25-08** Moved by Councillor Johnson, Seconded by Councillor Potoroka the Accounts Payable Final Cheque Register dated

- July 2, 2010 in the amount of **\$66,530.65** Covering AP Batch 521 and
- July 9, 2010 in the amount of **\$502,836.09** Covering AP Batch 522

Totalling **\$569,366.74** is approved for payment.

**Amendment** Moved by Councillor Johnson, Seconded by Councillor Riemer that Accounts Payable less #P3027-PBK Architects \$11,345.30; totalling **\$558,021.44** is approved for payment

**CARRIED 5-0**

**FINANCIAL**  
NONE

---

## REPORTS

a) CAO Report

It was confirmed that concrete will not be poured this year for the WWTP. Grouting has put the project about 1 month behind.

CAO noted in respect to land development that YG is considering amalgamating and/or re-pricing some lots in the North End to create larger and or re-priced lots that would be more desirable. More information is expected on all YG land development in August.

CAO noted one proposal has been received for the proposed corporate review. This will be on the next agenda

- C10-25-09** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledge receipt of the CAO Report for June 24 to July 14, 2010 for informational purposes.

**CARRIED 5-0**

b) Superintendent of Public Works Report

Upon request CAO advised of potential increased costs. It was confirmed that there is still no waste oil facility at the landfill site. Lengthy discussion ensue with respect to capital and o & m costs, non-municipal users, commercial users and the amount of goods that needs to be removed. It was noted that tires will be removed this year and YG recently tendered for metals removal. Discussions continued on how to best make this issue move forward and be resolved.

- C10-25-10** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledge receipt of Superintendent of Public Works Report for July 2010 provided by PWS for informational purposes.

**CARRIED 5-0**

c) Bylaw Constable Report

- C10-25-11** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledge receipt of Bylaw Services Constable Activity Report for June 4 to July 9 2010 provided by Bylaw Services Constable for informational purposes.

**CARRIED 5-0**

## BYLAWS

NONE

## UNFINISHED BUSINESS

NONE

## NEW BUSINESS

a) Cemetery Expansion

- C10-25-12** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledges receipt of Memo dated July 9, 2010 re: Cemetery Expansion. Mayor and Council will prepare and send a letter to John Cole, Manager Client Service, Lands Branch, YG Dept. of Energy Mines and Resources requesting the transfer of YG Reserve Land surrounding the current City of Dawson Public Cemetery to The City of Dawson for the maintenance and long term usage requirements of the public cemetery.

**Amendment** ~~Mayor and Council will prepare and send a letter to John Cole, Manager Client Service, Lands Branch, YG Dept. of Energy Mines and Resources requesting Council approves the request for the transfer of YG Reserve Land surrounding the current City of Dawson Public Cemetery to The City of Dawson for the maintenance and long term usage requirements of the public cemetery.~~

**CARRIED 5-0**

b) Reciprocal Insurance Appointment

**C10-25-13** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council appoints CAO Jeff Renaud as the City of Dawson Board Member for the AYC Reciprocal Insurance Program.

**CARRIED 5-0**

c) Land Reserve Request

Upon request the location, west of the grader station, was confirmed. Discussion regarding land use and set back requirements in relation to residential properties ensued. CAO noted that this request is for a reserve only. It does not permit any development at this time. YG would have to follow the development permit application and approval process to proceed with crushing or removing material at the site.

**C10-25-14** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledge receipt of memo dated July 12, 2010 re: YG Land Reserve Request. Council provides their approval for the Department of Highways and Public Works to register a reserve as requested.

**CARRIED 4-1**

**CORRESPONDENCE**

- a) Letter dated July 5, 2010 Paul Goodwin, Sr. VP, Holland America Line re: Proposal for Continued Operation of *mv Yukon Queen II* on the Yukon River
- b) Letter dated June 22, 2010 from Christine Smith, YTG Community Services re: Request for Funding Increase.

**C10-25-15** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of the following correspondence:

- Letter dated July 5, 2010 Paul Goodwin, Sr. VP, Holland America Line re: Proposal for Continued Operation of *mv Yukon Queen II* on the Yukon River AND
- Letter dated June 22, 2010 from Christine Smith, YTG Community Services re: Request for Funding Increase.

**CARRIED 5-0**

**INFORMATION**

- a) HAC Member Resignation

**C10-25-16** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledge receipt of letter of resignation of Heritage Advisory Committee Member Jim Williams.

**CARRIED 5-0**

---

It was noted that in light of the situation that community members that volunteer for committees should be provided and with an orientation booklet clarifying their duties and responsibilities.

- C10-25-17** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council express appreciation to Jim Williams for his service to the community and a letter be drafted for the Mayor's signature expressing this appreciation.

**CARRIED 5-0**

- b) Land Application – Tao Henderson
- c) Land Application – Selina Procee
- d) Land Application – Frank Narozny
- e) Subdivision Application – John Hendley

- C10-25-18** Moved by Councillor Johnson, Seconded by Councillor Potoroka that acknowledges receipt of the following for informational purposes:

- Land Application – Tao Henderson, New Lot, North Side Klondike Hwy, Approx km 706.5
- Land Application – Selina Procee, New Lot, North Side Klondike Hwy, Approx 706.5
- Land Application – Frank Narozny, Lot Expansion, South of Lot 1071, Klondike Hwy
- Subdivision Application – John Hendley, Subdivision of Lot 1067, Klondike Hwy

**CARRIED 5-0**

## QUESTION PERIOD

- C10-25-19** Moved by Councillor Johnson, Seconded by Councillor Riemer that Council move to the Committee of the Whole for the purpose of Question Period.

**CARRIED 5-0**

Jim Taggart inquired what is Council doing to enforce the Stop Work Order and was advised that Slinky Mines has a valid Land Use Permit and a valid Water License. The City is pursuing recourse and the mine operator has/will be served by RCMP in respect to the encroachment on the highway right of way.

What action will Council take to penalise Mr. Carey for his continued work while the order was in place. Mr Taggart was advised that CoD has been advised by legal counsel that there are very few options. The city is pursuing legal recourse re: highway encroachments for health and safety reasons.

What is Council's opinion on the need for the proponent to comply with the Municipal Act and the need for a development permit? Mr. Taggart was advised that this has been referred to the City's lawyer and that there is no case law in Yukon in regard to this.

Mr. Taggart asked for a time line and was advised that there is no timeline.

Mr. Taggart asked if Council would consider an independent judicial review and was advised that that is beyond the scope of Council to address.

Councillor Potoroka noted that EMR and Waterboard believe the operator requires a development permit to operate.

Glenda Bolt noted that the Stop Work Order was issued in the spring and the work continued. Will CoD be imposing fines? Ms. Bolt was advised that this is now before the

---

Courts. The CoD has commenced action against Slinky Mines to bring the roads back to a safe condition and restore the right of ways to widths at the time of transfer from YG and CoD requirements on Mary McLeod.

It was noted that while the operator of Slinky Mine has valid land use and Waterboard approvals that provide approval to mine, he has not been issued a development permit.

Dan Davidson noted that while most parties agree that a development permit is required the activity is proceeding based on the land use permit and water license.

Glenda Bolt asked for clarification on the water license wording and was advised that future water licenses will use different wording to indicate that the water license does not over ride other legislation. It was also confirmed that it is the mining inspector that must enforce what is contained in the water license.

Jim Taggart asked if notation could be included on agendas when Slinky Mine updates will be made.

Dan Davidson asked and Mayor Jenkins confirmed that Supreme Court Action has commenced to remedy the road encroachments for health and safety reasons.

**C10-25-20** Moved by Councillor Riemer, Seconded by Councillor Johnson that Committee of the Whole reverts to Council and proceed with the agenda.

**CARRIED 5-0**

#### **ADJOURNMENT**

**C10-25-20** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council Meeting C10-25 be adjourned at 8:43 PM with the next scheduled meeting being Wednesday July 28, 2010 at 7PM in the Council Chambers.

**CARRIED 5-0**

**THE MINUTES OF COUNCIL MEETING #C10-25 WERE APPROVED BY COUNCIL  
RESOLUTION #C10-26-04 AT COUNCIL MEETING #C10-26 July 28, 2010.**

---

Peter Jenkins  
MAYOR

---

Jeff Renaud  
CAO