

MINUTES OF COUNCIL MEETING #C10-26 of the Council of the City of Dawson called for 7:00 p.m. on Wednesday, July 28, 2010 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor Peter Jenkins
Councillor Stephen Johnson
Councillor Bill Kendrick
Councillor Wayne Potoroka

ALSO PRESENT: CAO Jeff Renaud
Secretary Karen Fischer
Secretary Chelsea Parent

ABSENT Councillor Rick Riemer

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

AGENDA

C10-26-01 Moved by Councillor Johnson, Seconded by Councillor Kendrick that the agenda for Council Meeting #C10-26 be adopted as amended.

CARRIED 3-1

DELEGATIONS

C10-26-02 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council move into Committee of the Whole for the purpose of Hearing Delegations.

CARRIED 4-0

Ms. Glenda Bolt was present to inquire about Slinky Mine, noting that work is being done on both Mary McLeod Road and Klondike Highway. Ms. Bolt expressed her concern that it seems as though residents are not supported to issue a further Stop Work Order, and request reconsideration of that approach. She notes that rights of citizens are being infringed upon. Ms. Bolt stated if the municipality does not maintain its own bylaws is it opening itself up to a civil suit by citizens.

Mr. Jim Taggart was present to remind Council of their duty of care to the community and its residents. Mr. Taggart noted that he felt Council is being negligent by allowing Slinky Mine to continue mining, effecting the safety and welfare of its residents. Mr. Taggart stated that he is aware of Slinky Mine's noncompliance with the Stop Work Order, but can the city issue another Stop Work Order until issues and legalities have been addressed? Mr. Taggart was reminded that Slinky Mine has a valid Land Use Permit and valid Water License. Council confirmed that Supreme Court Action has commenced to remedy the road encroachments for health and safety reasons.

C10-26-03 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

Council queried liability to Municipality in regards to Slinky Mine's noncompliance with the Stop Work Order. Council confirmed that Supreme Court Action has commenced to remedy the road encroachment for health and safety reasons. A brief discussion ensued regarding Slinky Mine. City of Dawson is following the recommendations from Counsel.

ADOPTION OF MINUTES

Council Meeting C10-25

- corrected CAO Report comments re: amalgamation and/or re-pricing lots

C10-26-04 Moved by Councillor Potoroka, Seconded by Councillor Johnson that the Minutes of Council Meeting C10-25 of July 14, 2010 are approved as amended.

CARRIED 4-0

BUSINESS ARISING FROM MINUTES

NONE

ACCOUNTS PAYABLE

Final Cheque register for AP Batch 523 and 524

The following items were questioned:

TNT	confirmed local business
Home Owner Grant	evaluate for next meeting

C10-26-05 Moved by Councillor Johnson, Seconded by Councillor Potoroka that the Accounts Payable Final Cheque Register dated

- July 22, 2010 in the amount of **\$1,276.67** Covering AP Batch 523 and
- July 23, 2010 in the amount of **\$77,287.79** Covering AP Batch 524

Total approved for payment **\$78,564.41.**

CARRIED 4-0

FINANCIAL

NONE

REPORTS

a) CAO Report

Council queried lack of available lots, in particular 7th Avenue Development Proposal, and possible funding through Build Canada? Suggestions will be reviewed.

C10-26-06 Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council acknowledges receipt of the CAO Report for July 14 to July 28, 2010 for informational purposes.

CARRIED 4-0

b) Community Development and Planning Report

Questions were raised regarding Spot Land Applications and the lack of available land for development.

- C10-26-07** Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council acknowledges receipt of Community Development and Planning Report for July 2010 provided by the CDO for informational purposes.

CARRIED 4-0

c) Fire Chief Report

- C10-26-08** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of Fire Chief's Report for July 2010 provided by the Fire Chief for informational purposes.

CARRIED 4-0

BYLAWS

10-12 – Zoning and Heritage Management Bylaw Amendment No. 3

Clarification was provided on the Bylaw. Council requests this Bylaw to proceed to Policy Review Committee prior to third reading.

- C10-26-09** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Bylaw 10-12 being the Zoning and Heritage Management Bylaw Amendment No.3 be given **First Reading**.

CARRIED 4-0

- C10-26-10** Moved by Councillor Kendrick, Seconded by Councillor Johnson that Bylaw 10-12 being the Zoning and Heritage Management Bylaw Amendment No.3 be given **Second Reading**.

CARRIED 4-0

UNFINISHED BUSINESS

a) Quigley Landfill

Council reviewed the *Draft* document and commented on issues that needed to be addressed.

- C10-26-11** Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council acknowledges receipt of *Draft* MOA between YTG and City of Dawson regarding operation and joint use of Quigley Landfill for informational purposes.

CARRIED 4-0

b) Waterfront Project Update

- C10-26-12** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of Waterfront Project Report provided by Mark Wickham, Project Manager for informational purposes.

CARRIED 4-0

c) Corporate Review Proposal

CAO requested that the corporate review be delayed at this time.

- C10-26-13** Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council acknowledges receipt of memo re Corporate Review Proposal.

CARRIED 4-0

NEW BUSINESS

a) Land Application - Tao Henderson

That Council acknowledges receipt of memo dated July 28, 2010 re Land Application – Tao Henderson. Council does not provide approval for the land application to create a city lot until this land and its surroundings have undergone community planning.

TABLED by Resolution No. C10-26-14

b) Land Application - Selina Procee

That Council acknowledge receipt of memo dated July 28, 2010 re Land Application – Selina Procee. Council provides approval for the land application to create a city lot.

TABLED by Resolution No. C10-26-14

- C10-26-14** Moved by Councillor Kendrick, Seconded by Councillor Potoroka that Council table Henderson and Procee land applications until next Council meeting and that CDO investigates how in a comprehensive manner, these land dispositions can be easily integrated into partially serviced C. R. Subdivision in the future.

CARRIED 4-0

c) Land Application - Frank Narozny

- C10-26-15** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledges receipt of memo dated July 28, 2010 re Lot Enlargement Application. Council accepts and approves the plan to expand lot 1071.

CARRIED 4-0

d) Subdivision Application - John Hendley

C10-26-16 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council move to the Committee of the Whole for the purpose of discussion re John Hendley Subdivision Request.

CARRIED 4-0

Councillor Johnson was absent from Chambers

Gail Hendley was present to discuss access and zoning issues to her property. There was a brief discussion around the possibility of a future subdivision.

Councillor Johnson returned to Chambers

C10-26-17 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Committee of the Whole reverts to Council and proceed with agenda.

CARRIED 4-0

Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of memo dated July 28, 2010 re Subdivision Request – John Hendley. Council accepts the plan to divide lot 1067 with the understanding that should new utility lines to 1067-2 be installed, they must be installed in accordance with Bylaw 06-17; Water and Sewer Bylaw; and a caveat be registered against the new title regarding water and sewer lines.

TABLED

e) Cable Bylaw

C10-26-18 Moved by Councillor Kendrick, Seconded by Councillor Johnson that Council acknowledges receipt of memo dated July 28, 2010 re DC Cable Bylaw #10-11. Council stays "Appendix A" of Bylaw #10-11 until administration advises Council that technical issues have been resolved.

CARRIED 4-0

CORRESPONDENCE

NONE

INFORMATION

Karen Fischer

C10-26-19 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council acknowledges and appreciates the loyalty, dedication, and hard work by Karen Fischer in her tenure as Executive Assistant for the City of Dawson.

CARRIED 4-0

C10-26-20 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of Resolution Action Listing for July 2010 for informational purposes.

CARRIED 4-0

QUESTION PERIOD

C10-26-21 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Council move to the Committee of the Whole for the purpose of Question Period.

CARRIED 4-0

Jay Armitage was present and spoke about spot land development. Mr. Armitage stated that applicants have done their work and the community as a whole must be considered. He asked that that Council make Community Development and Planning a priority.

Gail Hendley explained she would consider a Subdivision application.

Maureen Abbott inquired about Slinky Mine. Will the city only act if the road is encroached upon? Council informed Ms. Abbott that the City of Dawson has commenced action before the court. Ms Abbott asked if there is anything the citizens of Dawson can do to lobby the Yukon Government to aid with this problem?

Dan Davidson inquired about road concerns on the Dome, the possibility of land development on 7th Avenue, and the lack of updates on the City of Dawson website.

Jim Taggart stated he feels Slinky Mine is now operating illegally. Will Council serve another Stop Work Order due to noncompliance on the original order? Mr. Taggart was advised that Council is following legal advice.

Kathy Selkirk noted that she hopes Council appreciates resident concerns. The City of Dawson is in a similar situation. At this time, all details cannot be provided.

Jim Taggart asked Council to approach Slinky Mine and force the issue of the Stop Work Order.

Glenda Bolt feels that the Yukon Government is watching the City of Dawson squirm with regards to Slinky Mine. Ms. Bolt asked if Council is still trying to get YG on board to assist with this problem? Council has a good working relationship with YG representatives, and CAO speaks with colleagues on a regular basis. Ms. Bolt thanked Karen Fischer for her service with the City of Dawson, and also thanked Joy Taylor for her hard work with Communities in Bloom.

C10-26-22 Moved by Councillor Johnson, Seconded by Councillor Kendrick that Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

ADJOURNMENT

C10-26-23 Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council Meeting C10-26 be adjourned at 9:40 PM with the next scheduled meeting being Wednesday August 11, 2010 at 7PM in the Council Chambers.

CARRIED 4-0

THE MINUTES OF COUNCIL MEETING #C10-26 WERE APPROVED BY COUNCIL RESOLUTION #C10-27-04 AT COUNCIL MEETING #C10-27 August 11, 2010.

Peter Jenkins
MAYOR

Jeff Renaud
CAO