

**MINUTES OF COUNCIL MEETING #C10-39** of the Council of the City of Dawson called for 7:00 p.m. on Wednesday, December 8, 2010 in the Town of the City of Dawson Council Chambers.

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**PRESENT:** Mayor Peter Jenkins  
Councillor Rick Riemer  
Councillor Wayne Potoroka  
Councillor Bill Kendrick

**ALSO PRESENT:** CAO Jeff Renaud  
Secretary Chelsea Parent

**ABSENT:** Councillor Stephen Johnson

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

## **AGENDA**

The following items have been added to the agenda:

- i) 2011 Provisional Operating Budget
- ii) Northwestel

**C10-39-01** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that the agenda for Council Meeting #C10-39 be adopted as amended.

**CARRIED 4-0**

**C10-39-02** Moved by Councillor Riemer, Seconded by Councillor Kendrick that Council move into Committee of the Whole for the purpose of hearing delegations.

**CARRIED 4-0**

## **DELEGATIONS**

Sgt. Dave Wallace was present to update Council on the RCMP's statistical report from September 1, 2010 to December 8, 2010. Sgt. Wallace noted the differences in occurrences from Dawson's report to Watson Lake's statistical report. It was noted that Watson Lake covers a large ground area, which includes Lower Post and Fireside, British Columbia. Sgt. Wallace stated that in comparison to Watson Lake, Dawson has not been as busy. Sgt. Wallace noted that Cpl. Karina Watson will be conducting the DARE program at Robert Service School, which is targeted at the Grade 7 level. Sgt. Wallace stated that a few members attended the Tr'ondëk Hwëch'in first hunt, and another member is working on a proposal to start an archery program for both youth and adults. Sgt. Wallace stated that in the New Year they are looking into organizing a three day East Hastings Street trip. It was also noted that hopefully next summer, the Horse and Rider Program will be available.

Council queried how the City can assist the RCMP with organizing the Horse and Rider Program.

Sgt. Wallace stated the RCMP would first need to partner with a non-profit organization before the City could assist with this program. Sgt. Wallace noted he would follow up with Council in the New Year. Sgt. Wallace suggested having a joint meeting with Mayor and Council and Chief and Council.

Council stated that the RCMP is doing a fantastic job in Dawson.

Council noted at some point the City and the Tr'ondëk Hwëch'in are going to have to deal with the discovery of the remains that were taken out of the old Fort Herkimer site.

Brad Whitelaw was present to inform Council that Hockey Day in Canada will be in Whitehorse from February 8, 2011 to February 12, 2011. The Dawson City Oldtimers Hockey Association has been approached by the Ottawa Senators Alumni to host a rematch game in Dawson on February 10, 2011. Mr. Whitelaw noted there is a long history between the Dawson Nuggets and the Ottawa Senators dating back to 1905. Mr. Whitelaw stated that an Organizing Committee was created to handle this event, in which Mr. Dan Baikie has been appointed Chair of that committee.

Dan Baikie noted the Organizing Committee is working on coming up with a name for this event. Mr. Baikie noted the Dawson Nuggets and Ottawa Senators Alumni will arrive in Dawson on February 10, 2011, and will be flying back to Whitehorse the following day. Mr. Baikie stated that the Committee is looking into various events to be hosted in Dawson, including a greeting and possibly a public skate at the arena. The Organizing Committee is requesting the Recreation Department's assistance with organizing and overseeing the public skate. Mr. Baikie stated not all details have been worked out at this point. Mr. Baikie noted there is a tentative budget of \$17,000, which includes accommodations, food, and an honorarium for the players. Mr. Baikie also noted that this event coincides with the Yukon Quest race, but many players from both teams have expressed an interest in meeting dog teams and perhaps partaking in a dog sled ride. Mr. Baikie stated the Organizing Committee will be actively fundraising, and looking for partnerships to raise money for this event.

Council queried how the City could assist with this event.

Mr. Baikie noted the Organizing Committee would like to invite the City to attend a meeting to discuss areas where the City can assist. It was noted the Organizing Committee will be meeting once or twice a week.

It was also noted the media has expressed an interest in covering the hockey game.

Terry Shadda stated that Ms. Chantal Frangetti could not attend this meeting. Mr. Shadda noted he is present on the behalf of Ms. Frangetti to witness the Third and Final Reading for Bylaw #10-16 Business License Amendment No. 1.

Helmut Schoener was present to address the changes to the garbage collection service. Mr. Schoener verbally provided a brief history on the towns' garbage collection Contractors. Mr. Schoener stated that the current change to the garbage collection service is unreasonable. Mr. Schoener noted that the safety of older residents is at risk as they now have to walk an unreasonable distance to throw their garbage in designated bins. Mr. Schoener stated that if Council does not retract these changes to the garbage collection, that he would then have to decline the service altogether, and would request a reduction on his taxes.

Ralph Nordling requested to address Council in regards to Mr. Helmut Schoener's comments. Mr. Nordling stated that alleyways will be maintained even less should the garbage truck no longer drive through them. Mr. Nordling stated that if the alleyways are not maintained, Ambulances and Fire trucks will not have an alternate access should an emergency occur in a residence.

Kathryn Perry also requested to address Council in regards to Mr. Helmut Schoener's comments. Ms. Perry stated that the alleyways are not the case in her situation. It was noted that she has a long driveway, and is still not receiving garbage collection service. Ms. Perry queried why a Contractor has the final say in whose property is deemed dangerous. Ms. Perry noted she would like to see a copy of the garbage collector's contract.

Council noted there is currently no contract with the garbage collector. Council also noted that the CAO has been working with the Superintendent of Public Works and with the Contractor, to visually see and understand where the concerns are.

It was noted changes have been made to the Occupational Health and Safety (OHS) rules. It was also noted that a Contractor may decline a duty should they evaluate it to be unsafe.

Ms. Perry stated if there are legitimate safety concerns, then the City should be looking into it, and should be consulting with its residents.

CAO noted the City is trying to work with two pieces of legislation; one being the City's bylaw which was passed in 1971, and allows the collector to designate collection points, and the other being the changes to the OHS rules.

It was noted that current collection points are not final. CAO stated that Administration is taking the necessary steps to resolve this issue. It was noted that Administration will be drafting a new garbage collection bylaw, which will set out a new standard in conjunction with the new OHS rules.

**C10-39-03** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that the Committee of the Whole reverts to Council and proceeds with the agenda  
**CARRIED 4-0**

## **BUSINESS ARISING FROM DELEGATIONS**

### Dawson City Oldtimers Hockey Association

Council noted the Dawson Nuggets and Ottawa Senators Alumni event is still in the early planning stages. There was a brief discussion on how the Recreation Department can assist the Organizing Committee with the event.

### Garbage Collection

CAO noted the Contractor is an employee to the City, and it is the City's duty to have a safe working environment for all employees.

It was noted the alleyways are too narrow and there is not a lot of room to turn the truck around, which poses serious liability and safety concerns.

## **ADOPTION OF MINUTES**

### Council Meeting C10-35

Amendment under Financial: Yukon Electric Well, to be changed to, the well in the Yukon Energy yard.

**C10-39-04** Moved by Councillor Riemer, Seconded by Councillor Potoroka that the Minutes of Council Meeting C10-35 of October 27, 2010 are approved as amended.

**CARRIED 4-0**

### Special Council Meeting C10-37

Amendment to Header on page 2: C10-34 of October 18, 2010, to be changed to, C10-37 of November 17, 2010

Amendment on page 2, first paragraph: replace paragraph with, the Appeal Board carefully reviewed all the information provided, and determined by a vote 4-1 not to rescind the permit. Comments were made that some Councillors feel that it is in the best interest of the City of Dawson to control the legally non-conforming development, by way of the conditional development permit as issued to Slinky Mines.

Councillor Riemer left Council Chambers at 8:03PM  
Councillor Riemer returned to Council Chambers at 8:04PM

Amendment on page 2, second paragraph, third sentence: replace with, Councillor Kendrick stated that issuance of this permit should result in tougher terms and conditions, provides better setbacks, and better security provisions for the Dome Road.

**C10-39-05** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that the Minutes of Special Council Meeting C10-37 of November 17, 2010 are approved as amended.

**CARRIED 4-0**

## **BUSINESS ARISING FROM MINUTES**

NONE

## **ACCOUNTS PAYABLE**

### Final Cheque register for AP Batch 545, and 546

The following items have been questioned:

A0525 AECOM Canada Ltd	funded through Gas Tax
S3620 Klondike Development Org	cheque was never issued
P3027 PBK Architects	<b>HOLD CHEQUE - \$1998.01</b>
A2302 Alexander Holburn, LLP	invoice period from June to December 2010

- C10-39-06** Moved by Councillor Potoroka, Seconded by Councillor Riemer that the Accounts Payable Final Cheque Register's dated December 2, 2010, in the amount of:
- **\$238,926.91** covering AP Batch 545; and
  - **\$7,500.00** Covering AP Batch 546;
  - For a total of **\$246,426.91** is approved for payment.
- CARRIED 4-0**

## FINANCIAL

### Water Delivery Service

It was noted phasing out Water Subsidies has occurred over the last four (4) years, and is now approaching cost recovery. CAO stated that Administration needs to know if the City is staying in the Water Delivery business. It was noted that if the City decides to stay in the business, then a Tender needs to be drafted as soon as possible. It was noted the Bylaw and Contract dates are conflicting by one (1) month, in which the Contractor has indicated they will not extend their contract to cover that one (1) month.

- C10-39-07** Moved by Councillor Riemer, Seconded by Councillor Kendrick that Council amend Bylaw #06-17 Water Delivery Rates to state that the City as of April 1, 2011, will no longer be providing Water Delivery service.
- DEFEATED 2-2**

It was noted the resolution was defeated, which means that if we are to continue with Water Delivery, it will have to be retendered. CAO stated that Administration will have to come up with a new recommendation.

## REPORTS

a) CAO Report

The following items were discussed:

- i. Council requested an update on the Slinky Mine court case. CAO stated that the litigation is moving forward. It was also noted that Administration is following legal advice and has provided documents and information to legal counsel.
- ii. CAO noted he will be on vacation from December 12, 2010 until January 9, 2011. It was noted the SFO, Joanne Van Nostrand, will be the Acting CAO during that time.
- iii. CAO stated that he will contact the Safety Inspector and request he take a look at the garbage collection route. CAO noted he has a map in his office which illustrates where the new garbage collection points are located.
- iv. CAO noted a 2011 Provisional Operating Budget must be accepted by Council no later than December 31, 2010.
- v. CAO noted he still has significant issues with the negotiation of the Quigley Landfill Agreement.

- C10-39-08** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council acknowledges receipt of the CAO Report from November 24, 2010 to December 3, 2010 provided for informational purposes.
- CARRIED 4-0**

## **BUSINESS ARISING FROM REPORTS**

Council discussed the necessity to send a letter to the Yukon Government regarding the Quigley Landfill.

CAO left Council Chambers at 8:44PM  
CAO returned to Council Chambers at 8:45PM

It was noted that issues with the Agreement, which both sides are struggling with, has recently been handed to the Department of Community Services.

Councillor Kendrick left Council Chambers at 9:01PM  
Councillor Kendrick returned to Council Chambers at 9:02PM

**C10-39-09** Moved by Councillor Riemer, Seconded by Councillor Potoroka that the City of Dawson advise Yukon Government that Quigley Landfill will be operated solely for the use of the City of Dawson taxpayers effective May 1, 2011.

**CARRIED 4-0**

## **BYLAWS**

It was noted that after Final Reading of Bylaw #10-16 Business License Amendment No. 1, Bylaw # 09-08 is to be brought to the Bylaw and Policy Review Committee for a rewrite.

**C10-39-10** Moved by Councillor Johnson, Seconded by Councillor Kendrick that Bylaw #10-16 being the Business License Bylaw Amendment No. 1 be given **Third and Final Reading.**

**CARRIED 3-1**

Mayor Peter Jenkins noted he voted against the resolution only because he would first like #09-08 Business License Bylaw to be rewritten.

Councillor Potoroka suggested that a Bylaw and Policy Review Committee Meeting be held Wednesday, December 15, 2010.

## **UNFINISHED BUSINESS**

NONE

## **NEW BUSINESS**

a) New Years Closure

**C10-39-11** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council recognizes that a legislative error was made in resolution #C10-38-12, and hereby corrects this error by extending the holiday closure to include Monday, January 3, 2011.

**CARRIED 4-0**

b) Christmas volunteer recognition

**C10-39-12** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledges the dedication and service of the volunteers from the Heritage Advisory Committee, Fire Department, and Recreation Board and in appreciation for their service, the City of Dawson respectively grants each volunteer with a \$50.00 voucher to be used at either the Bonanza Market or Dawson General Store.

**CARRIED 4-0**

c) Rental Agreement Form

It was noted there are many questions regarding this form, and it was suggested to bring it to the Bylaw and Policy Review Committee table.

**C10-39-13** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council approve the amended Rental Agreement Form.

**TABLED**

d) 2011 Provisional Operating Budget

**C10-39-14** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council adopts the 2011 Provisional Operating Budget as presented.

**CARRIED 4-0**

e) Northwestel

It was noted there have been many complaints regarding the internet service in Dawson. CAO stated that a draft letter was previously reviewed by the Mayor, in which modifications were recommended. Council stated they are dissatisfied with the current level of service being provided to Dawson by Northwestel.

**C10-39-15** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council is dissatisfied with the level of reliability and cost of internet service being provided to the Klondike by Northwestel, and expresses our dissatisfaction to Northwestel and Yukon Government.

**CARRIED 4-0**

**CORRESPONDENCE**

**C10-39-16** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledges receipt of the following correspondence:

- Letter dated October 26, 2010 from Tanja Westland re Utility taxes; and
- Letter dated October 27, 2010 from Nadia Sollosy re Utility taxes

**CARRIED 4-0**

## INFORMATION

- C10-39-17** Moved by Councillor Riemer, Seconded by Councillor Kendrick that Council acknowledges receipt of the following information”
- News Article dated December 2, 2010 re Infrastructure Funding Deadlines extended; and
  - Email dated December 2, 2010 from FCM re Infrastructure stimulus projects extended;
- Provided for informational purposes.  
**CARRIED 4-0**

## QUESTION PERIOD

- C10-39-18** Moved by Councillor Riemer, Seconded by Councillor Kendrick that Council move to the Committee of the Whole for the purpose of Question Period.  
**CARRIED 4-0**

Mark Wickham stated he would like the City to consider looking into better ways to communicate information to the public. Mr. Wickham noted the City website is an underutilized resource in communicating information its residents. Mr. Wickham stated at this time he is looking for information on Land Development, and noted that it would be beneficial if such information was available on the City’s website.

CAO agreed with Mr. Wickham and stated that the City can definitely improve on communicating information to its residents.

It was noted that most of the Land Development projects are located outside of the municipality, but adjacent to the City. It was also noted that at this time Yukon Government has all the information on Land Development.

Mr. Wickham stated that Yukon Government has told him the City of Dawson has yet to provide all the information necessary to proceed with the Land Development Projects.

Council stated that the City has provided Yukon Government with all the information they require, specifically the approval to commence with the Phase 5 Callison Subdivision. It was also noted that approval was done by resolution earlier in the year.

Mr. Wickham queried whether Council will be working towards the Official Community Plan (OCP) for 2011.

It was noted the 2011 Provisional Operating Budget was approved earlier this evening, which outlines a budget for the OCP.

Dan Davidson noted the Northwestel internet service interruptions usually occur over the weekends, and agrees that a letter should be sent as soon as possible.

**C10-39-19** Moved by Councillor Reimer, Seconded by Councillor Potoroka that Committee of the Whole reverts to Council and proceed with the agenda.

**CARRIED 4-0**

## **ADJOURNMENT**

**C10-39-21** Moved by Councillor Potoroka, Seconded by Councillor Kendrick that Council Meeting C10-39 be adjourned at 9:45 PM with the next scheduled meeting being Wednesday December 22, 2010 at 7PM in the Council Chambers.

**CARRIED 4-0**

**THE MINUTES OF COUNCIL MEETING #C10-35 WERE APPROVED BY COUNCIL RESOLUTION #C10-39-04 AND THE MINUTES OF SPECIAL COUNCIL MEETING #C10-37 WERE APPROVED BY COUNCIL RESOLUTION #C10-39-05 AT COUNCIL MEETING #C10-39 OF December 8, 2010.**

**Originals signed by**  
Peter Jenkins  
MAYOR

**Originals signed by**  
Jeff Renaud  
CAO