

MINUTES OF COUNCIL MEETING #C11-14 of the Council of the City of Dawson called for 7:00p.m. on Wednesday, June 8, 2011 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor Peter Jenkins
Councillor Wayne Potoroka
Councillor Stephen Johnson

ALSO PRESENT: A/CAO Joanne Van Nostrand
Secretary Chelsea Parent

ABSENT Councillor Rick Riemer
Councillor Bill Kendrick

CALL TO ORDER: Mayor Jenkins called the meeting to order at 7:04PM.

AGENDA

C11-14-01 Moved by Councillor Johnson, Seconded by Councillor Potoroka that the agenda for Council Meeting #C11-14 be adopted as amended.

CARRIED 3-0

DELEGATIONS

C11-14-02 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council move into Committee of the Whole for the purpose of hearing delegations.

CARRIED 3-0

Ms. Kathryn Perry was present to address Council with some concerns regarding public services, such as digital cable and garbage pickup. Ms. Perry explained that several weeks ago she informed the City Office about many of her digital cable channels were not working correctly. Ms. Perry noted she then continuously followed up with the City Office as she has paid, and is continuing to pay for channels that she is not receiving. Ms. Perry stated she never heard from the City or the Cable Technician until she requested to be a delegation at this Council Meeting. Ms. Perry noted she was provided a new receiver which did not correct the problems. In addition, Ms. Perry explained that she is still not receiving garbage pickup. Ms. Perry stated that the CAO, Jeff Renaud, informed her that her property does not fit the criteria as far as the problem go with the alleyways or safety concerns. Ms. Perry noted she continues to walk further than one (1) block to deposit her garbage. Ms. Perry added that if garbage pickup is to continue not being picked up, she requests that a garbage stand be built at that end of her driveway.

Council stated that Ms. Perry has some valid concerns and noted that Administration will address them accordingly.

A/CAO provided an update on the problems Ms. Perry noted regarding her digital cable service. A/CAO stated the problems Ms. Perry pointed out are not on the City of Dawson end, but in fact on the Provider's end. A/CAO added within the agreement, it is known there will be periodic interruptions with channels due to maintenance and upgrades, to which the City does not receive a financial break. A/CAO noted the City has been in contact with the provider regarding these issues, and due to this new service, tweaks and upgrades are necessary in order to provide a reliable service down the line.

Ms. Perry stated that she has contacted the Canadian Radio-television Telecommunication Commission (CRTC) regarding this matter, in which they informed her that they no longer regulate providers.

Ms. Perry inquired about why she has yet to receive a response to any of her letters to which she requested information and updates on the garbage pickup issue.

Council requested clarification on the location of Ms. Perry's garbage stand. Ms. Perry clarified where her house is located as well as explained the route she must walk to deposit her garbage.

It was noted the garbage collector used to drive the truck on to Ms. Perry's property to pick up the garbage. Ms. Perry stated that the Garbage by-law states that a property owner cannot deny the contractor access to a property. Ms. Perry also noted that the by-law clearly states that garbage is to be picked up from your household. Ms. Perry stated, in her case, there is nothing to support the position the garbage collector is taking which is refusing to pick up garbage on her property.

Council informed Ms. Perry that they will instruct Administration to look into matter and provide a written response outlining the specifics of the situation. Council added they will look into the matter regarding Ms. Perry's cable service.

Mr. Kevin Hastings was present to address Council regarding the new Dome lots. Mr. Hastings referred to the May 25, 2011, minutes to which it stated, *Council inquired about whether the City has approached the residents on Robert Service Road regarding the new lots. It was said residents should be informed as soon as possible.* Mr. Hastings stated the Robert Service Road residents never received a notice from the City, but did receive a notice from Chief Isaac. Mr. Hastings added the notice entailed brief information that tree slashing will commence May 30th, to which the residents were taken aback by the flagged trees. Mr. Hastings requested if there is any additional information Council can share on this matter.

A/CAO stated there is a meeting scheduled for Friday, June 10, 2011, with Mr. Tony Gaw from Yukon Engineering Services (YES), to which he will report the outcome of the perc tests on the new lots. It was noted should the perc tests reveal the land is suitable for development, tree slashing and clearing are scheduled to commence Tuesday, June 14, 2011.

It was noted a representative from YES accompanied Mr. Hastings by walking the hiking trails.

A/CAO stated the surveying is occurring now to see where the hiking trails are located so that YES can incorporate the hiking trails in or around the lots.

Mr. Hastings noted it is disconcerting that the City has not approached the Dome residents on this important matter.

Council stated it was the City's intention to speak with everyone in advance of any work commencing, and apologized for this oversight.

Mr. Hastings added he is scheduled to meet with Mr. Tony Gaw tomorrow being Thursday, June 9, 2011.

Ms. Kerry Hastings noted should the tests reveal land suitability, will there be an opportunity for residents to address their concerns with as drainage as well as other issues that have arisen over the years.

Council stated Dome residents will have an opportunity to address their concerns.

Mr. Hastings added he heard there are additional lot developments underway down by the Klondike Highway.

Council noted there is a new commercial lot underway behind Guggieville. It was noted Yukon Government (YG) is the developer for said lots. Council added YG is looking at other areas, outside the municipal boundaries, for additional lot development.

Mr. Jim Taggart noted he would like to reiterate Ms. Kathryn Perry's comment regarding not receiving written responses to letters. Mr. Taggart stated he was assured he would receive a written response to two (2) letters he wrote back in April 2011. Mr. Taggart noted he hopes to receive a response soon. Mr. Taggart stated the Slinky Mine operator, Mr. Darrel Carey, has informed City staff that he does not intend to adhere to the municipality's conditional permit. Mr. Taggart added that normally a municipality would receive support from outside regulators; but this is not the case for the City of Dawson as residents have contacted Energy, Mines, and Resources (EMR) to which they have indicated they will not get involved in this situation. Mr. Taggart noted he is continuously speaking to Dawson's MLA, the Hon. Steve Nordick, and received no support from him. Mr. Taggart added there is some political support from YG Party leaders, but the bottom line is the municipality and its residents are going to have to deal with this situation on their own. Mr. Taggart stated he hopes Council will take the initiative to resolve this situation, as well as seek out additional support from the Association of Yukon Communities (AYC). Mr. Taggart inquired about the steps Council is going to take to ensure the proponent complies with the conditions of his permit, for example, if the proponent decides to realign the highways after working hours. Mr. Taggart noted, with the proponents intent in mind, he urges Council to rescind the permit.

It was noted that mining within municipalities is an issue that continuously is discussed at AYC meetings.

Ms. Glenda Bolt stated she is requesting that Council rescind Mr. Darrel Carey's permit or rethink the conditions of his permit. Ms. Bolt noted the conditions currently outlined in said permit exclusively protect municipal infrastructure and not the safety of the residents in the area. Ms. Bolt noted she believes this permit sets out a dangerous precedence for future large-scale projects that might happen in the municipality. Ms. Bolt noted she raised these same concerns to Council in April 2011, and has yet to receive a response from Council. Ms. Bolt inquired about the steps Council is taking to ensure City staff is equipped to handle large-scale industrial projects such as the Slinky Mine operation. Ms. Bolt stated she was dismayed to hear Mr. Darrel Carey intends to disregard the municipality's guidelines. Ms. Bolt noted she cannot help but feel she as well as the community is being played as a fool. Ms. Bolt noted she believes the mining operation has expanded, in addition to the operator not conforming to the conditions in his permit. Ms. Bolt requested that Council rethink the conditions and include the community and neighbourhood in those conditions. Ms. Bolt also requested that Council exhaust every opportunity to find a way to get support and assistance from YG. Ms. Bolt stated it is time for YG to step up to the plate and assist their community.

Council stated there are no intentions on part of this Council or anyone in the City's Administration to make fools of anyone. Council noted they are looking for what is best for the community and how to move it forward. Council added they have done the best as their legal counsel has advised them to do. Council noted Mr. Darrel Carey has threatened to breach the conditions of his permit, but at this point, there is nothing demonstrating he has contravened the conditions and until he does Council cannot react.

Council stated the City has engaged YES to which they have marked flags to that show the limits of where the municipal permit conditions apply. Today, the City's Community Development Officer (CDO) was onsite with Mr. Darrel Carey and demonstrated where the flags are located. Council added that Slinky Mine will be monitored throughout the weekend and beyond. Council added Mr. Darrel Carey submitted a request to YG that they buy out his claims with an attached price tag of approximately four (4) million.

C11-14-03 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 3-0

BUSINESS ARISING FROM DELEGATIONS

A/CAO stated the City contacted our legal counsel and inquired about how the City can be prepared in the event Mr. Darrel Carey does breach his permit. A/CAO noted legal counsel advised that if Mr. Darrel Carey is positioning his equipment to starting working they are to contact him immediately. A/CAO added the City has requested assistance from the RCMP should a stop work order be required.

C11-14-04 Moved by Councillor Johnson, Seconded by Councillor Potoroka that the CAO be directed to immediately obtain a court injunction should the operator of Slinky Mine extend beyond the boundary conditions specified in his municipal permit.

CARRIED 3-0

ADOPTION OF MINUTES

Council Meeting C11-13

It was noted on page 5, under the Recreation Manager's Report, that 'slab jacking' is incorrect and should be replaced with the word, 'foaming'.

Amendment: Council inquired about the foaming of the Skate Park ramps.

It was noted on page 3, under business arising from Council meeting C11-12, that Corix was scheduled to receive the pumps on May 28th, and requested that date replace 'June 8th'.

Amendment: Councillor Johnson stated that Corix is scheduled to receive the pumps on May 28th.

C11-14-05 Moved by Councillor Potoroka, Seconded by Councillor Johnson that the Minutes of Council Meeting C11-13 of May 25, 2011, are approved as amended.

CARRIED 3-0

BUSINESS ARISING FROM MINUTES

Council Meeting C11-13

It was noted, with reference to the new Dome infill lots, that there may be some obligations outlined in the First Nations Agreement.

It was also noted Administration is still trying to figure out a feasible meeting date between Council and the Heritage Advisory Committee (HAC).

ACCOUNTS PAYABLE

Final Cheque register dated June 8, 2011

The following cheques were questioned:

Cheque #	Vendor Name	Further information
42593	AECOM Canada Ltd.	Council inquired about AECOM's involvement with the SCADA system. A/CAO noted she will look into the matter.
42604	Griffiths Heating & Sheet Metal Ltd.	Council inquired about how many hot water tanks were replaced in the arena. A/CAO noted she will look into the matter.
42631	Yukon Energy Corp.	Council inquired about the electrical cost for the Recreation Centre. It was noted May 2011 invoice was for \$7,030.14 .

C11-14-06 Moved by Councillor Potoroka, Seconded by Councillor Johnson that the Accounts Payable Final Cheque Register dated June 8, 2011, in the amount of **\$96,162.42** is approved for payment.

CARRIED 3-0

FINANCIAL

Recreation Department - Honoraria's

C11-14-07 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of Memo dated May 30, 2011, from the SFO re Recreation Honoraria and directs Administration on the following:

- One time annual honoraria's under \$500 in value are to be processed through account payables, in which Administration is to track these payments for WCB purposes; and
- Honoraria's over \$500 per year are to be processed through payroll to comply with Revenue Canada's T4 requirements.

CARRIED 3-0

Financial Statements

Council inquired about whether the City will meet the deadline in providing the Financial Statements to YG. A/CAO noted she will have a better idea once the auditors review the fixed asset schedule. A/CAO added there may be a possibility the City will need to request a four (4) week extension.

C11-14-08 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council schedule a Special Meeting prior to June month-end for purpose of adopting the 2010 City of Dawson Financial Statements.

CARRIED 3-0

REPORTS

a) CDO Report

C11-14-09 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of the CDO's Report dated June 2011, provided for informational purposes.

CARRIED 3-0

b) Superintendent of Public Works Report

Council noted the dewatering of the 5th Avenue excavation has concluded, as well as the new STP-1 Manhole has successfully been installed.

C11-14-10 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledges receipt of the Superintendent of Public Works Report for June 2011, provided for informational purposes.

CARRIED 3-0

c) By-law Officer's Report

It was noted there has been a favourable improvement with the amount of animals picked up in town.

C11-14-11 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of the By-law Officer's Activity Report for May 2011, provided for informational purposes.

CARRIED 3-0

BY-LAWS

NONE

UNFINISHED BUSINESS

NONE

NEW BUSINESS

a) Subdivision and consolidation Application

C11-14-12 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council move to Committee of the Whole for the purpose of discussion re subdivision and consolidation application from Ms. Kathryn Perry.

CARRIED 3-0

It was noted that Ms. Perry owns six (6) lots and is requesting to consolidate them into four (4) lots.

Ms. Kathryn Perry noted should the application be approved, she intends to sell three (3) lots.

Ms. Perry provided drawings to Council.

It was noted the water service runs from 8th Avenue.

Ms. Perry stated the cabin does not have water and sewer service. Ms. Perry noted the lots sizes are currently 50' x 100', in which she is requesting to consolidate to increase the lots to approximately 75' x 100'. Ms. Perry added the lot sizes may slightly vary as she plans to incorporate the driveway.

C11-14-13 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Committee of the Whole revert back to Council and proceed with the agenda.

CARRIED 3-0

It was noted this application demonstrates good use of land as additional homes can be built.

C11-14-14 Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council accepts the Subdivision and consolidation Application as submitted by Ms. Kathryn Perry and will review and advise.

CARRIED 3-0

b) 2011 Summer Community Grants

C11-14-15 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledges receipt of Memo dated May 30, 2011, from the CDO re summer 2011 Community Grants, and adopts the recommendation of the Community Grants Committee and approves the issuance of the Community Grants in the following amounts:

- Percy DeWolfe (Memorial Mail Race) in the amount of **\$1,500**; and
- Highland Games **\$2,500**;
- Royal Canadian Legion (Publicity and Recruitment) **\$800**;
- Klondyke Centennial Society (Discovery Claim Trial Opening) **\$1,000**;
- Dawson Childcare Association (Summer camp) **\$1,200**;
- KVA (Gold Panning Championship) **\$1,000**;
- Anglican Church (thrift Store Renovations) **\$1,000**;
- Dawson Women's Shelter (Food Bank) **\$500**;
- KIAC (Summer Coffee House Series) **\$500**;

For a combined total of **\$10,000**.

CARRIED 3-0

CORRESPONDENCE

NONE

INFORMATION

It was noted a resolution from Council Meeting C11-12 of May 25, 2011, regarding the exploration of incentives and changes to by-laws to encourage vacant lot development, appears to be missing from the tracking document.

It was noted that a Special Meeting should be scheduled for 11:00AM on Friday, June 10, 2011, to address time sensitive issues such as grass cutting on the dyke.

- C11-14-16** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledges receipt of the following for information:
- Resolution Action Items for June 2011.

CARRIED 3-0

QUESTION PERIOD

- C11-14-17** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council move to Committee of the Whole for the purpose of Question Period.

CARRIED 3-0

Ms. Shirley Pennell queried how it is possible for the operator of Slinky Mine to defy the rules and regulations set out by the City. Ms. Pennell stated she was taken aback when she heard Mr. Darrel Carey declared his intent to contravene the conditions in his permit. Ms. Pennell noted should Mr. Carey decide to encroach on Mary McLeod Road, it would inevitably disrupt and/or deter tourists from her business.

It was noted there are clear rules and regulations set out in the Territorial legislation, in which a miner must adhere to should one decide to mine a road. It was also noted that approved Engineer drawings are mandatory, and the municipality could request a bond prior to the road being mined.

Ms. Colleen Smith inquired about what affect Slinky Mine will have on the value of the new Dome lots.

Council stated there is a high demand for residential and country-residential lots. Council noted they are unsure if it will have any effect on the value.

Ms. Pennell inquired about the construction of the new country-residential lots on the Dome, are they the only lots being built due to the topography of the area.

Council stated the new lots are the only ones they can proceed with as they are within the municipal boundary. Council added that should they decide to develop additional lots, the next steps would be to amend the City's Official Community Plan (OCP) and submit a YESSA application, and then lobby YG for funding. It was noted the process would take a minimum of two (2) years from the time the process begins.

Ms. Glenda Bolt inquired about whether, in regards to the new lots, if the land is staked. Ms. Bolt inquired about how the municipality as well as YG is going to protect the owners of these new lots should mining take place near their properties.

Council stated that placer claims cannot be staked within City limits.

Ms. Bolt queried whether the new lots have been staked for either Placer and or Hard Rock mining.

It was noted the area has not been staked for Placer mining, but Council noted they are unsure if it is staked for Hard Rock mining. Council added that an individual would first have to apply for

~~a development permit to which it would have to conform to existing OCP's as well as existing by-laws.~~

Ms. Bolt requested an update on the lawsuit against Mr. Darrel Carey.

Council stated the Examination for Discovery is scheduled for June 27th and June 28th, 2011.

Ms. Bolt inquired about the best avenue for residents to obtain updates in the Slinky Mine activities.

Mr. Jim Taggart noted Council mentioned earlier that Slinky Mine will be monitored after hours as well as on the weekends, and requested the specifics on how such monitoring will occur.

Council stated City staff is working tirelessly on the situation and the City is doing what they can to stay on top of the monitoring.

Ms. Bolt requested how residents are going to contact City staff should trucks be seen on the road in the middle of the night.

Council unanimously stated they can be contacted at home should such an event transpire. Council stated they have done everything in their power to make Mr. Carey aware of his conditions. It was noted that should Mr. Carey decide to breach the conditions of his permit, immediate action will follow.

Ms. Bolt inquired about the surveying near her home.

It was noted that said surveying was coordinated by Yukon Energy for the purposes of installing a new energy distribution system.

Council requested that the A/CAO contact Yukon Energy and find out what their short and long-term plans are for the new energy distribution system.

C11-14-18 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Committee of the Whole reverts to Council and proceeds with the Agenda.

CARRIED 3-0

ADJOURNMENT

C11-14-19 Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council Meeting C11-14 be adjourned at 8:47 PM with the next regular scheduled meeting being Wednesday June 22nd, 2011 at 7PM in the Council Chambers.

CARRIED 3-0

THE MINUTES OF COUNCIL MEETING C11-13 WERE APPROVED BY COUNCIL RESOLUTION #C11-14-05, AT COUNCIL MEETING C11-14 OF June 8, 2011.

Originals signed by

Originals signed by

Peter Jenkins
MAYOR

Jeff Renaud
CAO