

MINUTES OF COUNCIL MEETING #C09-19 of the Council of the City of Dawson called for 7:00 p.m. on Tuesday, August 18, 2009 in the Town of the City of Dawson Council Chambers.

PRESENT: Mayor John Steins
Councillor Diana Andrew
Councillor Rick Riemer
Councillor Ashley Doiron

ALSO PRESENT: CAO Eldo Enns
Secretary Karen Fischer

ABSENT

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

AGENDA

C09-19-01 Moved by Councillor Doiron, Seconded by Councillor Andrew that the agenda for Council Meeting #C09-19 be adopted as amended adding under Unfinished Business d) YTG/Yukon Hospital Corp. Project and adding under Delegations – Shirley Pennell re: new hospital location and under Correspondence a) letter from Kathy Webster re: hosp and under item 15 In-Camera re: Legal issue and under reports c) CAO Report - verbal

CARRIED 4-0

C09-19-02 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council move into Committee of the Whole for the purpose of hearing Delegations.

CARRIED 4-0

DELEGATIONS

- a.) Shirley Pennell advised she was present to address Council not as Planning Board Chair, but as a concerned member of the community. Ms. Pennell noted that her strong opinions are related to the site choice, not the structure nor the contents. She commented on the lack of information available to the public on this proposed development and that one can only assume the footprint is larger than originally anticipated. She further notes that the MLA is focused on the Minto Park area only and has not considered other locations. Ms. Pennell provided information regarding the historic value of Minto Park noting that many of today's senior citizens are seen in historic photographs playing in this park. Community organizations, families and individuals heavily use the park alike. The ball field is used within the school curriculum for gym classes in the spring and fall. It is the only historic greenbelt within the city. YG seems only concerned with building a new facility and not concerned with the communities planning, where the community would like the hospital, where it will best fit within our community to best serve our citizens. Ms. Pennell commented that the City is currently reviewing and amending our OCP. Development must take place in an orderly fashion with no person or organization given preferential treatment. Well-advertised public consultation must take place at a time that community members can attend. This decision cannot be left to "a few front line people" but rather a decision based on community input.

Council inquired if Ms. Pennell has spoken with the MLA on this issue. Ms. Pennell advised she has not but cannot answer and does not know if other concerned citizens have or have not spoken with the MLA.

CAO asked if Ms. Pennell would be interested in speaking with Craig Tuton, Yukon Municipal Board with respect to her concerns. Ms. Pennell advised she is prepared to do so.

- C09-19-03** Moved by Councillor Doiron, Seconded by Councillor Riemer that the Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

Item is included on the agenda

ADOPTION OF MINUTES

- a) Council Meeting C09-18

- C09-19-04** Moved by Councillor Riemer, Seconded by Councillor Andrew that the minutes of Council Meeting C09-18 of August 4, 2009 are approved as presented

CARRIED 4-0

- b) Planning Board Meeting P09-08

- C09-19-05** Moved by Councillor Riemer, Seconded by Councillor Andrew that the minutes of Planning Board Meeting P09-08 of July 7, 2009 are accepted as presented.

CARRIED 4-0

BUSINESS ARISING FROM MINUTES

P09-08 Council expressed some concern with the notes re: KPMA signs and wished to remind Planning Board Secretary that the minutes should reflect how the application fits with the guidelines. There are also concerns regarding the process required for these signs. Final notation was made that a Planning Board member has resigned. Mayor Steins is awaiting formal notification from Planning Board before bringing it to Council.

ACCOUNTS PAYABLE

Final Cheque registers for AP Batch 485

The following items were questioned:

NA Jacobsen

Engineering fees for dock project July 1-31/09

Council inquired regarding the final cost for this project and were advised that the budget was \$120,000 with approximately \$112,000 spent to date and a few minor parts still to come in.

- C09-19-06** Moved by Councillor Riemer, Seconded by Councillor Doiron that the Accounts Payable Final Cheque Register dated August 12, 2009 in the amount of **\$107,111.00** covering AP Batch # 485 is approved for payment.

CARRIED 4-0

FINANCIAL

- a) Revenue Expense Report
b) Cash Flow Worksheet

Councillor Andrew re-iterated the need for a Finance/Budget Committee Meeting to review the mid-year numbers

- C09-19-07** Moved by Councillor Andrew, Seconded by Councillor Riemer that Council acknowledge as received Memo dated August 14, 2009, Revenue Expense Report for July 2009 and Cash Flow Worksheet provided by SFO for informational purposes.

CARRIED 4-0

REPORTS

a) CDPO Report

Council requested a paving update and were advised that blacktopping is scheduled to begin August 25, 2009.

Council noted the 7th Ave project is not on this report and were advised that CDPO has not been tasked with this yet.

- C09-19-08** Moved by Councillor Doiron, Seconded by Councillor Andrew that Council acknowledge as received Community Development and Planning Report dated August 14, 2009 for informational purposes.

CARRIED 4-0

b) Recreation Manager Report

Council inquired regarding the ball park issue. CAO advised that there is obviously a historical element as well as the simple fact that people want to play downtown. Admin has concerns regarding maintaining 2 sites when 2 sites are needed only 1 week-end a year. Question was raised on how and why the second park was developed. Council requests further information for next meeting. Upon request CAO provided clarification on the semi-permanent volleyball site and it was noted that this is not included in the KIAG proposed re-development of the Front Street Green-space.

- C09-19-09** Moved by Councillor Doiron, Seconded by Councillor Riemer that Council acknowledge as received Recreation Department Report dated August 14, 2009 for informational purposes.

CARRIED 4-0

c) CAO Verbal Report

Upon request CAO provided an update on the recent court hearing (August 13) noting that it went very well. The only concern seemed to be that the Dept of Environment (Fed) is looking for a parallel option. Having a signed MOA carried substantial weight. It was noted that Judge Liles participated in a site visit for the proposed mechanical plant.

CAO continued his verbal report noting approval received from Gas Tax funding - well intake, HVAC for the Chlorine Room and contract administration. With these approved proposals for water quality and GUDI will be submitted.

Upon request CAO advised the "satellite dish" art installation will be in place for 4 weeks and that part of the project includes restoration of the area to its original condition. Council expressed concern that the trench excavated for the project was left open for 3 days and is a safety concern

- C09-19-10** Moved by Councillor Doiron, Seconded by Councillor Riemer that Council acknowledge verbal report from CAO.

CARRIED 4-0

BYLAWS

- a) Bylaw 09-13 being the Official Community Plan Bylaw Amendment No. 4 Bylaw – Second Reading

C09-19-11 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-13 Being the “Official Community Plan Bylaw Amendment No. 4 Bylaw ” be given **Second Reading**.

CARRIED 4-0

- b) Bylaw 09-14 being the Zoning and Heritage Management Bylaw Amendment No.1 Bylaw – Second Reading

C09-19-12 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-14 Being the “Zoning and Heritage Management Bylaw Amendment No. 1 Bylaw ” be given **Second Reading**.

CARRIED 4-0

- c) Bylaw 09-16 being the 2009 Municipal Election Bylaw – Third Reading

C09-19-13 Moved by Councillor Andrew, Seconded by Councillor Doiron that Bylaw 09-16 Being the “2009 Municipal Election Bylaw ” be given **Third and Final Reading**.

CARRIED 4-0

- d) Bylaw 09-15 being the Catholic Episcopal Corp Lease Bylaw – Third Reading

C09-19-14 Moved by Councillor Riemer, Seconded by Councillor Doiron that Bylaw 09-15 Being the “Catholic Episcopal Corp Lease Bylaw ” be given **Third and Final reading**.

CARRIED 4-0

- e) Bylaw 09-06 being the Heritage Advisory Committee Bylaw – Second Reading

C09-19-15 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-06 Being the “Heritage Advisory Committee Bylaw ” be given **Second Reading**

CARRIED 4-0

UNFINISHED BUSINESS

- a) Solid Waste Collection Services

Council provided several comments on how they would like to see the RFP changed and discussed whether this should be an RFP or a Tender. Council recommends keeping the document simple and provide a clear definition of what CoD is looking for.

C09-19-16 Moved by Councillor Andrew, Seconded by Councillor Doiron that Council acknowledge information re: Solid Waste RFP and further direct admin to rework RFP to offer commercial and residential and commercial compost broken out.

CARRIED 4-0

- b) Fibre Optic Proposal

Council immediately noted that there is no mention of using the system for our telephone service the memo. Where are we on that issue? Concern was expressed regarding the

useful life expectancy of the proposed equipment. CAO reiterated that DCTV is losing customers to satellite tv; this upgrade will provide competitive service at a competitive price and include community tv, something not available to satellite customers.

- C09-19-17** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council acknowledge memo dated August 13 re: Fibre Optics-Digital Dawson City Cable System. Council postpones approval pending more detail re: equipment & potential telephone fibre optic.

CARRIED 4-0

c) Seventh Ave. Residential Development

Council inquired on whom, if anyone, has walked the property in question. It was noted the engineer from Chilkoot has walked it. The type of study being proposed will determine ground stability. It was noted that utility expansion was discussed and approved, pending funding, at the June 16 council meeting. Council questioned why the City is developing, not YG. CAO advised that these lots are already surveyed and are owned by the City.

- C09-19-18** Moved by Councillor Riemer, Seconded by Councillor Andrew that Council acknowledges receipt of memo dated August 13, 2009 re: 7th Ave Expansion. Council hereby directs administration to proceed with assessment and seek funding for the project. Furthermore Council approves the expenditure of no more than \$33,800 for ground evaluation by Chilkoot Geological Engineering.

CARRIED 4-0

Council would like more information on the proposal after geotech work has been completed.

d) YTG/Yukon Hospital Corp Project

CAO advised Council of discussion with Craig Tuton and noted that it seems they are looking for a variance/zoning amendment. Both the Hospital Corp and Yukon Housing are desiring to move ground this fall. Council noted that no application has been submitted and no plans have been seen for the hospital project. Mr. Tuton was advised of potential snags i.e. community wanting this green-space to maintained in town. Council noted that CoD should be advising YTG where we want the hospital to be located and to be sure that the Hospital Corp is treated the same as any citizen preparing for a development.

- C09-19-19** Moved by Councillor Doiron, Seconded by Councillor Riemer that Council acknowledge Development Planning Advisory Note, Yukon Hospital Corporation Follow-up.

CARRIED 4-0

NEW BUSINESS

NONE

CORRESPONDENCE

Email letter from Kathy Webster

- C09-19-20** Moved by Councillor Andrew, Seconded by Councillor Riemer that Council acknowledge email from Kathy Webster re: Hospital Location.
CARRIED 4-0

INFORMATION

- a) Letter from Environmental Health re: Drinking Water
b) City of Dawson Heating Fuel Consumption Report
- C09-19-21** Moved by Councillor Andrew, Seconded by Councillor Riemer that Council acknowledges receipt of the following for informational purposes:
a) Letter dated July 27, 2009 from YTG Environmental Health to Eldorado Hotel
RE: Municipal Water Supply Inquiry
b) City of Dawson Heating Fuel Consumption Report
CARRIED 4-0

QUESTION PERIOD

- C09-19-22** Moved by Councillor Riemer, Seconded by Councillor Doiron that Council move to the Committee of the Whole for the purpose of Question Period.
CARRIED 4-0

Shirley Pennell inquired if there has been discussion of other sites for the hospital proposal and if the public is aware of other site possibilities. CAO advised that there were initial discussions with the YG and the Hospital Corp. Ms. Pennell raised further concerns with the Minto location being a major event venue. She questioned if the Rec Board is aware of the proposal? Ms Pennell was advised that the Rec. Board is aware and has concerns with the proposed location and the potential loss of playground space.

Catherine Harwood was present to advise Council of upcoming potential issues with the proposed site for WWTP. With the apparent lack of funding to move/replace the skate park, this will need to be addressed, as it will soon become unsafe for children and youth to be using the area. If the hospital or Korbo apartments are to be built there discussions will need to be held as the site plan is being developed for the construction site utilizing much of the space around the proposed building area. There may or may not be issues with the ground under the concrete pad. Ms. Harwood is requesting the stakeholders meeting take place for all those with interest in the old grader station property. The last item to be addressed in the near future is the location of education, where does the community want it located? At the plant itself or at the Guggieville lift station?

Council inquired when water/sewer number comparison re costs and fees will be available? Ms. Harwood advised that this is in progress and on target for Jan 2010. She further noted that representatives will be visiting Homer to compare their system with the system proposed for CoD. Ms. Harwood made a final notation that John Sainus is working for Corix and is actively working on means of reducing O&M costs, ie. Alternative heating.

- C09-19-23** Moved by Councillor Riemer, Seconded by Councillor Doiron that Council Committee of the Whole reverts to Council and proceed with the agenda.
CARRIED 4-0

IN CAMERA

- a) Legal Issue

C09-19-24 Moved by Councillor Riemer, Seconded by Councillor Andrew THAT Council move to Committee of the Whole for the purpose of discussion re: Legal Issue. Furthermore Council directs Committee of the Whole to move In Camera as per Municipal Act (RSY 2002) section 213 (3) (b) (vi) for a period not to exceed 30 minutes.

Time *In Camera* session commences: 9:28PM

Time *In Camera* session concludes: 9:33PM

C09-19-25 Moved by Councillor Reimer, Seconded by Councillor Doiron that Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

C09-19-26 Moved by Councillor Andrew, Seconded by Councillor Riemer that Council direct Admin to engage legal services to pursue Mr. Everitt's financial debt to City of Dawson and that the option for civil action remains viable irrespective of statute of limitations.

CARRIED 4-0

ADJOURNMENT

C09-19-33 Moved by Councillor Doiron, Seconded by Councillor Riemer that Council Meeting C09-19 be adjourned at 9:39 PM with the next scheduled meeting being Tuesday September 1, 2009 at 7PM in the Council Chambers.

CARRIED 4-0

**THE MINUTES OF COUNCIL MEETING #C09-19 WERE APPROVED BY COUNCIL
RESOLUTION #C09-20-05 AT COUNCIL MEETING #C09-20 ON SEPTEMBER 1, 2009.**

MAYOR
John Steins

CAO
Eldo Enns