

MINUTES OF COUNCIL MEETING #C09-21 of the Council of the City of Dawson called for 7:00 p.m. on Tuesday, September 15, 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

C09-21-01 Moved by Councillor Riemer, Seconded by Councillor Andrew that the agenda for Council Meeting #C09-21 be adopted as amended adding under Delegations Mark Wickham re: OCP and Zoning Bylaws and removing under reports CDPO Report and move from Unfinished Business-Solid Waste Collection Contract to IN CAMERA – Solid Waste Collection Contract.

CARRIED 4-0

C09-21-02 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

Mayor Steins took the opportunity to acknowledge Councillor Andrew's dedication to Council. He advised the gallery that Councillor Andrew is resigning. This will be her last meeting and she will not be submitting her name for the upcoming election. Mayor Steins noted that Councillor Andrew has contributed greatly to the governance of the town.

DELEGATIONS

a.) Mark Wickham – Across the River Consulting was present to address any concerns with respect to OCP and Zoning bylaws currently proceeding through the required process and to provide an update on permitting for the several large infrastructure projects on the horizon. He advised that the revised bylaws before Council this evening are the result of public input received at the Sept 9 public hearing. He noted that the entirety of the government lot would be *public use* with a discretionary use of *health services* and *public apartment housing*. This will provide more flexibility when development applications come forward. The above noted uses would be at the discretion of Council instead of permitted use which requires approval if it is a permitted use. *Discretionary Use* has more advertising requirements, which allows for more public input.

With respect to other OCP amendments, they have been submitted to the minister for approval. Mr. Wickham advised Council that all the work is done to facilitate the proposed projects and upon request provided further review of *permitted use* vs. *discretionary use*.

Mr. Wickham continued providing updates on the proposed projects. Project co-ordinators have been in contact with Mr. Wickham and are working ahead in the

planning stages. The Hospital Corp is working ahead with plans at their preferred location. There is question whether or not this will trigger the YESAB process. The Hospital Corp will be hiring a project manager and noted the City is not holding them up. Final notation on the Hospital Corp is they have a requirement for their design team to include a heritage architect.

Yukon Housing is also working on plans for their preferred site. They have set up for provisional geotech at that site in early October. They have been advised not to submit a development permit application until the OCP is final, as the current zoning does not allow for such development.

Mr. Wickham reiterated that the CoD is moving fast to ensure the possibility of these projects remains viable. The public hearing for bylaw 09-18 and 09-19 was held on the first day possible and not delayed to the first regular Council Meeting. Mr. Wickham recommends contacting the minister's representative if CoD wishes the OCP amendments to be reviewed in an expedient manner; otherwise the 45-day review period tends to be 45 days.

The next step is Site Redevelopment Plans for both Minto Park and the Old Grader Station. This could be done over the winter as development and subdivision permits are being reviewed.

Mr. Wickham provided information with respect to SOVA/Yukon College project. The Zoning amendment will allow for an education institution as a *permitted use* at this site. They *could* proceed with groundwork, but it would be at their own risk until the bylaw receives final reading.

Upon request, Mr. Wickham again clarified the difference between *permitted use* and *discretionary use* and the opportunities for public input on each as well as public input through possible YESAB and subdivision applications.

On a final note Mr. Wickham advised that Council cannot provide approval for any location at this time; this has been delegated to Planning Board through our development permit process. Council must ensure this process is followed.

C09-21-03 Moved by Councillor Riemer, Seconded by Councillor Andrew that the Committee of the Whole reverts to Council and proceeds with the agenda.

CARRIED 4-0

BUSINESS ARISING FROM DELEGATIONS

Further discussion ensued regarding the projects on the horizon for the community. Mayor Steins reiterated that Council cannot provide approval for any location; that it the purpose of Planning Board (PB), or Heritage Advisory Committee (HAC). If applications are denied by PB or HAC the proponents may, as any proponent may, appeal the decision to Council.

Mayor Steins noted a letter of last fall sent to DM of Health and Social Services providing agreement on the part of CoD to relinquish the lease on the playground for a health centre. Mayor Steins continued noting that at that time the discussion was for the replacement of the Nursing Station/Medical Clinic, not a 2-storey hospital.

It was noted that Yukon Housing has requested Council's input in regard to site preference and they are still waiting for the City's comment. They are making effort to work together with CoD

ADOPTION OF MINUTES

a) Council Meeting C09-20

C09-21-04 Moved by Councillor Doiron, Seconded by Councillor Andrew that the minutes of Council Meeting C09-20 of September 1, 2009 are approved as presented.

CARRIED 4-0

b) Recreation Board Meeting R09-09

C09-21-05 Moved by Councillor Andrew, Seconded by Councillor Riemer that the minutes of Planning Board Meeting R09-09 of June 29, 2009 are accepted as presented.

CARRIED 4-0

C09-21-06 Moved by Councillor Riemer, Seconded by Councillor Doiron that the notes of Public Hearing held September 9, 2009 Re Bylaw 09-18 and Bylaw 09-19 are accepted as presented.

CARRIED 4-0

BUSINESS ARISING FROM MINUTES

C09-20 Restoration of the Dyke from the installation is to take place by September 24.

ACCOUNTS PAYABLE

Final Cheque registers for AP Batch 488

The following items were questioned:

Electronic Surveillance Fire Department Alarm System

C09-21-07 Moved by Councillor Doiron, Seconded by Councillor Riemer that the Accounts Payable Final Cheque Registers dated September 10, 2009 in the amount of **\$180,894.21** covering AP Batch # 488 is approved for payment.

CARRIED 4-0

FINANCIAL

NONE

REPORTS

a) Fire Chief Report

House Numbering – CAO noted that Bylaw Officer will be working on this
Burn-house – has it been used for additional training, CAO and Fire Chief have been discussing this and the possibility of inviting other communities to use this facility.
Extrication Trailer – this is a budgeted item

C09-21-08 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledge as received Fire Chief's Report dated September 10, 2009 for informational purposes.

CARRIED 4-0

b) Recreation Department Report

2 positions vacant noted as maintenance, posted as attendants. CAO noted that Rec. Department desires to hire persons with maintenance knowledge and ability.
Olympic Torch – will be here Nov 4 8AM
9th Ave. Trail – how will this affect the 7th Ave residential expansion?

BYLAWS

C09-21-10 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledge receipt of memo re: proposed revisions to bylaws 09-18 and 09-19

CARRIED 4-0

Mayor Steins reviewed the proposed changes to the bylaws as a result of community comments at the public hearing. It was noted that there have been letters received both for and against proposed locations. Comment was made that by proceeding with the proposed changes it would give people false hope with respect to what will or may be developed at the old grader stn property. Further review was provided re: *permitted use* vs. *discretionary use* and the opportunities for public comment for each. Notation was made that by proceeding with the options provided tonight that it is not helping anyone; Council should be providing direction.

- a) Bylaw 09-19 being the Zoning & Heritage Management Bylaw Amendment No. 2 - Second Reading

C09-21-11 Moved by Councillor Riemer, Seconded by Councillor Andrew that Bylaw 09-19 Being the "Zoning & Heritage Management Bylaw Amendment No. 2" be given **Second Reading.**

CARRIED 4-0

- b) Bylaw 09-18 being the Official Community Plan Amendment No. 5 Bylaw - Second Reading

C09-21-12 Moved by Councillor Doiron, Seconded by Councillor Riemer that Bylaw 09-18 Being the "Official Community Plan Amendment No. 5 Bylaw " be given **Second Reading.**

CARRIED 4-0

- c) Bylaw 09-20 being the Lot 1024 Acquisition Bylaw – Second Reading

C09-21-13 Moved by Councillor Riemer, Seconded by Councillor Andrew that bylaw 09-20, being the Lot 1024 Acquisition Bylaw be given **Second Reading.**

CARRIED 4-0

- d) Bylaw 09-21 being the Motorized Vehicles on the Dyke Bylaw – Second Reading

There was a lengthy discussion on enforcement for the proposed bylaw with only part time bylaw officer. Perhaps there is another option, signage, public education. It was noted that without any bylaw there is nothing for RCMP to enforce. Further notation was made that the trail is used respectfully as a transportation corridor. Upon request Council was advised of the TransCanada Trail guidelines.

C09-21-14 Moved by Councillor Doiron, Seconded by Councillor Andrew that Council acknowledge receipt of Cpl. Watson's comments re: Bylaw 09-21. Second Reading postponed pending further discussion with RCMP and public education and input from the snowmobile club.

CARRIED 4-0

UNFINISHED BUSINESS

- a) Infrastructure Project Locations

Council noted the lack of letters of request from Yukon Housing Corp and Yukon Hospital Corp. further noting they have nothing in front of them to offer a response to. Council suggests that each proponent engage the public in meaningful consultation and information sessions. Mayor Steins reminded all present that Council cannot approve

any location and that Council has been working hard to ensure these projects aren't lost by moving Zoning and OCP bylaws through the required approval process.

- C09-21-15** Moved by Mayor Steins, Seconded by Councillor Riemer that Council recognizes the importance of the proposed hospital project, the new Korbo Apts, and WWTP and new playground and skateboard park and new Yukon College addition. Council hereby offers their support and encourage parties to start the development permitting process.

CARRIED 4-0

b) Municipal Phone Lines

It was noted that \$10,000 has been budgeted for this project. It was noted that Parks Canada currently rents fibre from City and there have been issues with the service. Admin needs to ensure Parks' service won't be disrupted.

- C09-21-16** Moved by Councillor Riemer, Seconded by Councillor Doiron that Council acknowledge memo and spread sheet re: Municipal Phone Lines to Fibre. Council hereby directs administration to begin the process of moving forward with moving the municipal telephone system to fibre in 2 stages, beginning with all exterior internet connections and the Recreation Centre phone lines to fibre at a cost of \$16,000.00. The second stage of moving the main phone system over to fibre at a cost of \$50,000.00 in the next budget year.

CARRIED 4-0

NEW BUSINESS

a) Waterfront Building Leases

Council noted the need to complete the policy review prior to moving forward with any leases.

- C09-21-17** Moved by Councillor Doiron, Seconded by Councillor Andrew that Council acknowledges receipt of Memo dated September 11, 2009 re: Waterfront Building Leases. Council will review Lease Policy 07-02 prior to renewal of leases.

CARRIED 4-0

b) Fuel Contract

- C09-21-18** Moved by Councillor Doiron, Seconded by Councillor Riemer that Council acknowledges receipt of Analysis of 2009 City of Dawson Fuel Tenders provided by Superintendent of Public Works. Council hereby directs administration to sign a contract with Mackenzie Petroleum for the provision of vehicle and heating fuel services for the period of September 23, 2009 to September 22, 2010.

CARRIED 4-0

CORRESPONDENCE

NONE

INFORMATION

NONE

QUESTION PERIOD

C09-21-19 Moved by Councillor Doiron, Seconded by Councillor Riemer that Council move to the Committee of the Whole for the purpose of Question Period.

CARRIED 4-0

Dan Davidson noted that the previous Council waited to review policy before renewing a lease. This review led to a lack of lease agreement for 3 years and contributed to the current money owed. Please don't wait too long to review the policy.

Kathy Webster voiced her concern that by cutting out discretionary use in the Grader Station and Minto Park, Council has effectively cut out the public from the process. The community wants to know what other sites have been reviewed, why they are not suitable. Council has effectively given their ok by removing discretionary use. Ms. Webster reviewed the process with building the dyke, noting 5-10 public meetings held in Gertie's to receive public input and noting no one has seen anything with regard to the hospital. Upon inquiry of Mayor Steins on why Ms. Webster doesn't address the MLA with these issues, she advised she has and he has told her "it's done"

Shirley Pennell advised she had hand delivered a letter to MLA and Council today outlining her concerns with the proposed location. She was advised by the MLA that the City had provided their support in a letter of 2008.

Mayor Steins took the opportunity to provide information regarding the letter sent, stating the City agreed to relinquish the lease on the playground portion for the development of a health centre, not a 2-storey hospital. It was made clear that the City would accept no loss of the playground. Unfortunately, this is what the MLA is hanging his hat on.

Ms. Pennell continued noting her regret that Council proceeded with second reading as the bylaws had been submitted for public hearing noting there is nowhere for public input. Ms. Pennell noted that they (Hospital Corp) will be asking for variances and she doesn't want to see the volunteer Planning Board Members to be the scapegoat in this process. Ms. Pennell notes that this is a tough issue and she appreciates the burden that has been placed on council. She made note that it seems the MLA has taken the good intention of the City and moved it to a much larger project. Ms. Pennell noted the need to see site plans, traffic plans, and parking plans, and include side lane use and ambulance planning. There will definitely be an increase to traffic in the area.

Mayor Steins noted the deficiency of the City, i.e. the lack of available resources to employ a City Planner. In an ideal world we would have a planner on staff that would be able to provide a plan for the whole community that would include all of the proposed projects. Those resources are unavailable and Council is working at its best to facilitate \$60 million+ in upcoming projects.

Bill Bowie took the opportunity to thank Council for showing vision and leadership to move these projects forward and making stuff happen.

Julie Leclerc inquired as to Council's position on the Hospital Corp meeting. Mayor Steins advised on the preferred panel format, but the Hospital Corp made a presentation on what the hospital would do for the community. Julie commented that location was not included in the presentation as the poster indicated. Mayor Steins advised that this was a misstep on CoD part. Julie continued noting that she had heard in past discussions (re rec centre) that Council will not be pushed around by YG. She noted that at her recent attendance at the Chamber AGM the MLA stated that the coloured pavement was to protect permafrost and made no mention of the heritage value. The MLA appears to be missing the importance of heritage values to this community. Mayor and Council must stress the importance of this with these projects.

Mark Wickham took the opportunity to provide some clarification on some issues with proposed projects. He noted that all proponents have been advised not to submit applications until the bylaws allowing for such development have been passed. All proponents have been made aware of heritage requirements that must be met. CoD may also require traffic and parking study. Council inquired if it would be possible for any of the proponents to present plans early for a "pre-review" prior to the bylaws being finalized. Mr. Wickham advised this *could* be done, but most are not moving forward with planning contracts until the bylaws are in place. Mr. Wickham made final note that CoD may wish to consider requesting ownership of Minto Park be transferred to the City.

Dan Davidson asked if Council has been receiving comments that Council is holding up the project? He explained that MLA told all assembled members at DCCC AGM that the only hold up would be City Council.

C09-21-20 Moved by Councillor Doiron, Seconded by Councillor Andrew that Committee of the Whole reverts to Council and proceed with the agenda.

CARRIED 4-0

Council took a short break in order for the community members present to depart Council Chambers.

IN CAMERA

a) Solid Waste Collection

C09-21-21 Moved by Councillor Riemer, Seconded by Councillor Doiron that Council move to Committee of the Whole for the purpose of discussion re: Solid Waste Collection Contract. Furthermore Council directs Committee of the Whole to move In Camera as per Municipal Act (RSY 2002) section 213 (3) (b) (ii) for a period not to exceed 30 minutes.

Time *In Camera* session commences: 9:07PM

Time *In Camera* session concludes: 9:29PM

C09-21-22 Moved by Councillor Riemer, Seconded by Councillor Andrew that Committee of the Whole revert to Council and proceed with the agenda.

C09-21-23 Moved by Councillor Andrew, Seconded by Councillor Doiron that Council direct Administration to pursue option "B" in regard to solid waste contract negotiations with Ed Repair

CARRIED 4-0

ADJOURNMENT

C09-21-34 Moved by Councillor Doiron, Seconded by Councillor Riemer that Council Meeting C09-21 be adjourned at 9:32 PM with the next scheduled meeting being Tuesday October 6, 2009 at 7PM in the Council Chambers.

CARRIED 4-0

**THE MINUTES OF COUNCIL MEETING #C09-21 WERE APPROVED BY COUNCIL
RESOLUTION #C09-22-04 AT COUNCIL MEETING #C09-22 ON October 6, 2009.**

Originals Signed by:

John Steins
MAYOR

Eldo Enns
CAO