

MINUTES OF PUBLIC HEARING AND COUNCIL MEETING #C16-25 of the Council of the City of Dawson held on Tuesday, August 16, 2016 at 7:00 PM in the City of Dawson Council Chambers.

PRESENT: Mayor Wayne Potoroka
Councillor Jay Farr
Councillor Bill Kendrick
Councillor Kyla MacArthur

ABSENT: Councillor Stephen Johnson

ALSO PRESENT: CAO André Larabie
EA Heather Favron

Agenda Item: Public Hearing

Mayor Potoroka called the Public Hearing to order at 7:00 PM

- a) Bylaw #16-08 being the Zoning Amendment No. 12 Bylaw – Second Reading and Third & Final Reading

Mayor Potoroka called for submissions.

Mayor Potoroka called for submissions a second time.

Mayor Potoroka called for submissions a third time.

Mayor Potoroka declared the Public Hearing closed at 7:02 PM

Agenda Item: Call to Order

Mayor Wayne Potoroka called Council Meeting #C16-25 to order at 7:02 PM.

Agenda Item: Agenda

C16-25-01 Moved by Councillor MacArthur, seconded by Councillor Kendrick that the agenda for Council Meeting # C16-25 of August 16, 2016 be adopted as presented.
Carried 4-0

Agenda Item: Delegations and Guests

C16-25-02 Moved by Mayor Potoroka, seconded by Councillor MacArthur that Council move into the Committee of the Whole for the purposes of hearing delegations.
Carried 4-0

- a) Alice Thompson RE: Bed and Breakfast Bylaw

Alice Thompson was present to bring forward concerns and questions regarding the Bed & Breakfast Bylaw #92-19.

Ms. Thompson explained she had an inquiry from an entrepreneurial couple looking to relocate to Dawson City who were interested in buying a heritage property and renovating it into a Bed & Breakfast business. However, in investigating the bylaws pertaining to Bed & Breakfasts they found several areas of concern.

- 1) The Bed & Breakfast bylaw requires approval of nearby residents, whereas a Bed & Breakfast business under the Zoning Bylaw is an allowed use and not a discretionary use.
- 2) Under the Bed & Breakfast bylaw, bed & breakfast accommodations are not permitted coincidentally with the keeping of boarders and lodgers. Ms. Thompson inquired if Council would look favorably at an exception to this in order to allow for bed & breakfast accommodations in the summer months and rooms for SOVA students during the winter months.
- 3) The heritage property also has a heritage warehouse that could be renovated into bed & breakfast lodging. Would this unique property be a candidate for an exemption to the Bed & Breakfast Bylaw?
- 4) The bylaw sets out the minimum rooms sizes based on the National Building Code for single and double occupancy. The minimum size for double occupancy is smaller than for single occupancy.

C16-25-03 Moved by Mayor Potoroka, seconded by Councillor MacArthur that Committee of the Whole revert to Council and proceed with the agenda
Carried 4-0

Agenda Item: Business Arising from Delegations and Guests

Council requested a report back from Administration including information / answers regarding the following:

- As there is a conflict between the Zoning Bylaw and the Bed & Breakfast Bylaw, does the Zoning Bylaw supersede the Bed & Breakfast Bylaw?
- Is the Bed & Breakfast Bylaw even legal considering some of its content is not within the municipalities' jurisdiction?
- Does our current Zoning Bylaw allow for renting of rooms?
- Is an exterior suite in keeping with the spirit of a bed and breakfast business?

Agenda Item: Adoption of the Minutes

a) Council Meeting Minutes #C16-21 of July 12, 2016

C16-25-04 Moved by Councillor MacArthur, seconded by Councillor Kendrick that the Minutes of Council Meeting C16-21 of July 12, 2016 are approved as presented.
Carried 4-0

b) Special Council Meeting Minutes #C16-22 of July 19, 2016

C16-25-05 Moved by Councillor MacArthur, seconded by Mayor Potoroka that the Special Minutes of Council Meeting C16-22 of July 19, 2016 are approved as presented.
Carried 4-0

c) Council Meeting Minutes #C16-23 of July 26, 2016

C16-25-06 Moved by Councillor Kendrick, seconded by Councillor MacArthur that the Minutes of Council Meeting C16-23 of July 26, 2016 are approved as presented.
Carried 4-0

Agenda Item: Business Arising from Minutes

The suggestion of starting to look at a date to meet with the Farmers' Market vendors was raised by Council.

Council inquired when they could expect an update regarding the Farmers' Market, as well as when they could expect the Business License Bylaw to come back to the table. The CAO informed Council he would bring the matters forward to the management meeting the following day and look at a time to bring forward to Committee.

Agenda Item: Financial and Budget Reports

a) Variance Report for the Period Ending April 30, 2016

C16-25-07 Moved by Councillor MacArthur, seconded by Mayor Potoroka that Council acknowledges receipt of the Variance Report for the period ending April 30, 2016; provided for informational purposes.
Carried 4-0

b) Variance Report for the Period Ending May 31, 2016

C16-25-08 Moved by Councillor MacArthur, seconded by Councillor Kendrick that Council acknowledges receipt of the Variance Report for the period ending May 31, 2016; provided for informational purposes.
Carried 4-0

c) 2016 Cheque Run #16-13 Accounts Payable Report

C16-25-09 Moved by Mayor Potoroka, seconded by Councillor MacArthur that Council acknowledges receipt of the 2016 Cheque Run #16-13 Accounts Payable Reports; provided for informational purposes.
Carried 4-0

Agenda Item: Budget Amendment RE: Administration Reserve; Human Resource Fund

- C16-25-10 Moved by Councillor Kendrick, seconded by Councillor MacArthur that Council approve a budget amendment allocating the - \$264,842 - 2015 operating surplus as follows:
- \$207,342 to Administration Reserve; and
 - \$32,500 to 2016 Public Works Equipment Replacement plan; and
 - \$25, 000 to Human Resource Fund in the Operating Budget
- Carried 4-0

Agenda Item: Lot 1075, Quad 116B/03, Dawson, Yukon, Plan 81962 CLSR RE: Lot Extension Request

Council requested a report back from Administration with the following information:

- The history of the land exchange.
- If any planning has been undertaken regarding any future Callison Phases.
- Confirmation if any exchange of money took place.
- Who is the owner of the land that is being requested for the enlargement of Lot 1075?
- Written confirmation from the owner of the un surveyed land.

- C16-25-11** Moved by Councillor MacArthur, seconded by Councillor Kendrick that Council approves the subdivision / consolidation application to allow for an expansion of lot 1075, Quad 116B/03, Dawson, Yukon, Plan 81962 CLSR; as per the plan presented.
Moved by Mayor Potoroka, seconded by Councillor Kendrick to Table
Carried 4-0

Agenda Item: 2016 Capital Expenditure RE: Backhoe Purchase

- C16-25-12** Moved by Councillor Kendrick, seconded by Councillor MacArthur that Council approves the purchase of a new Caterpillar Backhoe in the amount of \$137,500, as per the quote submitted, to meet the demands of the Public Works Department.
Carried 4-0

Agenda Item: Budget Amendment RE: Replacement of Fill Station for Self-Contained Breathing Apparatus Cylinders

- C16-25-13** Moved by Councillor Kendrick, seconded by Councillor MacArthur that Council approves a budget amendment to the Protective Services Equipment Replacement Plan to move \$8,000 from the 2017 capital budget to the 2016 capital budget for the purchase of required Fill Station equipment for the self-contained breathing apparatus cylinders.
Carried 4-0

Agenda Item: Bylaw #16-08 being the Zoning Amendment No. 12 Bylaw – Second Reading and Third & Final Reading

C16-25-14 Moved by Councillor Kendrick, seconded by Councillor MacArthur that Bylaw #16-08 being the Zoning Amendment No. 12 Bylaw be given second reading.
Carried 4-0

C16-25-15 Moved by Mayor Potoroka, seconded by Councillor MacArthur that Bylaw #16-08 being the Zoning Amendment No. 12 Bylaw be given third and final reading.
Carried 4-0

Council requested Administration contact the Little Blue Daycare to inform them the Zoning Amendment has been completed.

Agenda Item: Correspondence

C16-25-16 Moved by Councillor Kendrick, seconded by Councillor MacArthur that Council acknowledges receipt of the following correspondence:
- RCMP, Dawson Detachment, "M" Division RE: June 2016 Policing Report
- Committee of Whole Meeting Minutes RE: #CW16-10, CW16-11 & CW16-12
For informational purposes.
Carried 4-0

Agenda Item: Public Questions

C16-25-17 Moved by Mayor Potoroka, seconded by Councillor Kendrick that Council move to Committee of the Whole for the purpose of Question Period.
Carried 4-0

Heidi Bliedung RE: Klondike Mud Bog

Ms. Bliedung explained a large invoice for reclamation work, completed after last years' event, was sent to one of the organizers. Ms. Bliedung does not feel this person should be responsible for the bill and inquired if it was possible to have it refunded. Ms. Bliedung noted she became involved in this years' event and is working towards mending relationships and ensuring the event continues for future years.

CAO explained to Council that he feels there should be a refund and he is currently looking into how that can take place. Once the information has been obtained, Administration will bring forward to Council a request for decision for their consideration. The CAO noted a special meeting of Council may be required.

C16-25-18 Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole reverts to Council and proceeds with the agenda.
Carried 4-0

Agenda Item: In Camera Session

C16-25-19 Moved by Mayor Potoroka, seconded by Councillor Kendrick that Council meeting C16-25 move into a closed session of Committee of the Whole for the purposes of discussing:
Land related matters
as authorized by Section 213(3) of the Municipal Act.
Carried 4-0

C16-25-20 Moved by Mayor Potoroka, seconded by Councillor Kendrick that Committee of the Whole reverts to an open session of Council and proceeds with the agenda.
Carried 4-0

Agenda Item: Adjournment

C16-25-21 Moved by Councillor Kendrick, seconded by Councillor MacArthur that Council meeting C16-25 be adjourned at 9:07 PM with the next regular meeting of Council being September 13, 2016.
Carried 4-0

**THE MINUTES OF COUNCIL MEETING C16-25 WERE APPROVED BY COUNCIL RESOLUTION
#C16-29-05 AT COUNCIL MEETING C16-29 OF SEPTEMBER 13, 2016.**

Originals signed by:
Wayne Potoroka, Mayor

André Larabie, CAO