

**MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING OF COUNCIL  
of the Town of Banff in the Province of Alberta  
Town Hall Council Chamber  
Monday, April 23, 2018 at 1:00 pm**

**COUNCIL MEMBERS PRESENT**

Karen Sorensen	Mayor
Grant Canning	Councillor
Ted Christensen	Councillor and Acting Mayor
Corrie DiManno	Councillor and Deputy Mayor
Chip Olver	Councillor
Peter Poole	Councillor
Brian Standish	Councillor

**COUNCIL MEMBERS ABSENT**

**ADMINISTRATION PRESENT**

Robert Earl	Town Manager
Darren Enns	Manager, Development Services
Silvio Adamo	Director, Protective Services, Fire Chief
Chris Hughes	Manager, Finance
Kelly Gibson	Director, Corporate Services
Jennifer LaForest	Planner
PH Gagnon	Engineering Coordinator
Hailey Monod	Asset Management Coordinator
Chris McGregor	Manager, Fleet
Tara Johnston-Lee	Municipal Clerk

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**1.0 CALL TO ORDER**

The Mayor called the regular meeting of council to order at 1:00 p.m.

**2.0 IN CAMERA SESSION**

**2.1 2017 Audit Findings Report – Confidential (s. 24 FOIP)**

COU18-91 Moved by Councillor Christensen that council in compliance with Section 24(1) of Part 1 Division 2 of the *Freedom of Information and Protection of Privacy Act* go in camera at 1:00 p.m. to receive advice from representatives of KMPG LLP Chartered Accountants, the Town's appointed auditors. The disclosure could reasonably be expected to reveal:

- advice developed for the public body; and
- the contents of an audit report.

**CARRIED**

In attendance with council for all of the in camera meeting:

- Colin Mitchell and Laura Rivero representing KMPG LLP Chartered Accountants.

COU18-92 Moved by Mayor Sorensen that council return to the public meeting at 12:59 p.m.

**CARRIED**

### **3.0 PUBLIC HEARING**

#### **3.1 Public Hearing Process**

The Mayor outlined the public hearing process for the gallery.

#### **3.2 Bylaw 393 – Land Use Bylaw Amending Bylaw – Schedule F – Wild Fire Risk Zones**

##### **3.2.1 Call to Order**

The Mayor called the public hearing for Bylaw 393 – Land Use Bylaw Amending Bylaw – Schedule F – Wild Fire Risk Zones to order at 2:08 p.m.

The Municipal Clerk confirmed that notice of hearing and advertising were done in accordance with the Municipal Government Act.

##### **3.2.2 Staff Report**

Received as information.

##### **3.2.3 Public Verbal Submissions**

None received.

##### **3.2.4 Public Written Submissions**

None received.

##### **3.2.5 Council Question Period**

There were no questions from council.

##### **3.2.6 Close of the Public Hearing**

The Mayor closed the public hearing at 2:12 p.m.

### **4.0 APPROVAL OF AGENDA**

#### **4.1 Regular Meeting Agenda**

COU18-93 Moved by Councillor Christensen that council approve the agenda for the April 23, 2018 regular meeting of council as presented.

**CARRIED**

#### **4.2 2018 Council Workplan**

Received as information.

### **5.0 ADOPTION OF PREVIOUS COUNCIL MINUTES**

#### **5.1 Minutes of the April 9, 2018 Regular Meeting of Council**

COU18-94 Moved by Councillor Olver that council adopt the minutes of the April 9, 2018 regular meeting of council as presented.

**CARRIED**

### **6.0 DELEGATIONS**

There were no delegations.

## 7.0 PUBLIC INPUT ON AGENDA ITEMS

Councillor Canning declared a conflict of interest on agenda item 9.5 – Sidewalk Seating Policy - as he owns a businesses that currently participates in the sidewalk seating program and left the meeting at 2:13 p.m.

Councillor Poole declared a conflict of interest on agenda item 9.5 – Sidewalk Seating Policy – as he is the landlord businesses that currently participate in the sidewalk seating program and left the meeting at 2:13 p.m.

### 7.1 Leslie Taylor – Resident - Sidewalk Seating Policy

Ms. Taylor spoke to her written submission which has been added to the agenda package for this meeting.

### 7.2 Charles Scott - Resident– Sidewalk Seating Policy

Mr. Scott spoke to his written submission which has been added to the agenda package for this meeting. He also expressed his concern with enforcement and compliance of the policy.

### 7.3 Trudy Allen and Kathy Johnson – Caribou Business Owners – Sidewalk Seating Policy

Ms. Allen and Ms. Johnson spoke to changes to the sidewalk seating program and requested that council consider bringing forward the Caribou refreshing project in 2018. It is their opinion that this would provide for more equity between businesses and add to the vibrancy of Caribou Street.

Councillor Canning and Councillor Poole returned to the public meeting at 2:31 p.m.

### 7.4 Hugh Pettigrew – Resident– Audited Financial Statements

Mr. Pettigrew spoke to his written submission which has been added to the agenda package for this meeting.

### 7.5 Leslie Taylor – Resident– Additional Means on Contributing to the Housing Reserve

Ms. Taylor spoke to her written submission which has been added to the agenda package for this meeting.

### 5.6 Jon Whelan – Resident– Audited Financial Statements

Mr. Whelan is council had sufficient time to meet with the auditors.

## 8.0 UNFINISHED BUSINESS

None considered.

## 9.0 BYLAWS AND STAFF REPORTS

### 9.1 Bylaw 393 – Land Use Bylaw Amending Bylaw – Schedule F Fire Risk Zones Map

COU18-95 Moved by Councillor Olver that council give second reading to Bylaw 393 – Land Use Bylaw Amending Bylaw – Wild Fire Risk Zones.

**CARRIED**

COU18-96 Moved by Councillor Canning that council give third reading to Bylaw 393 – Land Use Bylaw Amending Bylaw – Wild Fire Risk Zones.

**CARRIED**

**9.2 Expansion of the Combustible Roof Replacement Incentive Program**

COU18-97 Moved by Councillor Olver that council direct administration to expand the combustible roof replacement incentive program to include all residential combustible roofs within the Town of Banff with the \$64,800 coming from the budget stabilization fund.

**CARRIED**

**9.3 2017 Audited Financial Statements**

COU18-98 Moved by Mayor Sorensen that council approve the 2017 Consolidated Financial Statements as presented.

**CARRIED**

COU18-99 Moved by Councillor Poole that council direct administration to return council with a public report commenting on the recommendations on page 10 of the auditor's report.

**CARRIED**

**9.4 Bylaw 55-12 – 2018 Supplementary Assessment Bylaw**

COU18-100 Moved by Councillor Standish that council give first reading to Bylaw 55-12 – 2018 Supplementary Assessment Bylaw.

**CARRIED**

COU18-101 Moved by Councillor Olver that council give second reading to Bylaw 55-12 – 2018 Supplementary Assessment Bylaw.

**CARRIED**

COU18-102 Moved by Councillor DiManno that council go to third reading of Bylaw 55-12 – 2018 Supplementary Assessment Bylaw.

**CARRIED**

COU18-103 Moved by Councillor Canning that council give third reading to Bylaw 55-12 – 2018 Supplementary Assessment Bylaw.

**CARRIED**

Councillor Canning declared a conflict of interest on agenda item 9.5 – Sidewalk Seating Policy - as he owns a businesses that currently participates in the sidewalk seating program and left the meeting at 3:52 p.m.

Councillor Poole declared a conflict of interest on agenda item 9.5 – Sidewalk Seating Policy – as he is the landlord businesses that currently participate in the sidewalk seating program and left the meeting at 3:52 p.m.

**9.5 Sidewalk Seating Policy C7005 and Bylaw 395 – Fees and Charges Bylaw Amendment No.1.**

COU18-104 Moved by Councillor Olver that council approve Sidewalk Seating Policy C7005 as presented.

COU18-105 Moved by Councillor Olver that council amend motion COU18-104 by deleting the following words in ~~strikeout~~ and adding the following words in underline:

“that council approve Sidewalk Seating Policy C7005 ~~as presented.~~ with the following amendments:

- Amend section 11.1 by adding the word “pro-active” before the word “enforcement”.

**CARRIED**

COU18-106 Moved by Councillor Olver that council further amend motion COU18-104, as amended, by adding the following bullet to the motion:

- Amend section 12.1b by adding the words “including public fixtures surrounding the seating area” after the word “metric”.

**CARRIED**

COU18-107 Moved by Councillor Olver that council lay on the table motion COU18-104.

**CARRIED**

COU18-108 Moved by Councillor Olver that council direct administration to mark on the sidewalk the extent of the sidewalk seating areas.

**CARRIED**

COU18-109 Moved by Mayor Sorensen that council direct administration to return with options for Caribou and Wolf Street Refreshing in 2019 as either a trial or on a permanent basis.

**DEFEATED  
Christensen in favour**

COU18-110 Moved by Mayor Sorensen that council schedule a special meeting at 9:00 a.m. on Monday, April 30, 2018 to consider options for moving the Banff Refreshing - Caribou Wolf Street project PW189-16 to 2018.

**CARRIED**

Motion COU18-104 was returned to the table.

The vote followed on motion COU18-104 as amended: that council approve Sidewalk Seating Policy C7005 with the following amendments:

- Amend section 11.1 by adding the word “pro-active” before the word “enforcement”
- Amend section 12.1b by adding the words “including public fixtures surrounding the seating area” after the word “metric”.

**CARRIED**

COU18-111 Moved by Mayor Sorensen that council repeal Sidewalk Seating/Café Policy C109.

**CARRIED**

COU18-112 Moved by Mayor Sorensen that council give first reading to Bylaw 395 – Fees and Charges Bylaw Amendment No. 1.

**CARRIED**

COU18-113 Moved by Councillor Olver that council give second reading to Bylaw 395 – Fees and Charges Bylaw Amendment No. 1.

**CARRIED**

COU18-114 Moved by Councillor Standish that council go to third reading of Bylaw 395 – Fees and Charges Bylaw Amendment No. 1.

**CARRIED**

COU18-115 Moved by Councillor DiManno that council give third reading to Bylaw 395 – Fees and Charges Bylaw Amendment No. 1.

**CARRIED**

Councillor Canning and Councillor Poole returned to the public meeting at 4:48 p.m.

**9.6 Forward Electricity Supply Purchase**

COU18-116 Moved by Councillor Olver that council authorize administration to purchase the Town's electricity supply for the fiscal years of 2021-2013 for a cost not exceeding \$50.38/MWh.

**CARRIED**

COU18-117 Moved by Mayor Sorensen that council postpone agenda items 9.7 and 9.8 and 9.9 and 9.12 and direct administration to place them the agenda for the special meeting of council scheduled for Monday, April 30<sup>th</sup>, 2018 for consideration.

**CARRIED**

**9.7 Taxation Briefing**

Postponed to the April 30<sup>th</sup>, 2018 special meeting of council.

**9.8 Additional Means for Contributing to the Housing Reserve**

Postponed to the April 30<sup>th</sup>, 2018 special meeting of council.

**9.9 Banff Recreation Grounds Redevelopment Plan Update**

Postponed to the April 30<sup>th</sup>, 2018 special meeting of council.

**9.10 Vehicle Travel Time Data Sharing**

The report was received as information.

**9.11 Town of Banff Fuel Analysis**

The report was received as information.

**9.12 2017 Financial Results**

Postponed to the April 30<sup>th</sup>, 2018 special meeting of council.

**10.0 COMMITTEE AND BOARD REPORTS**

**10.1 Minutes of the March 14, 2018 Meeting of the Municipal Planning Commission**  
Received as information.

**10.2 Minutes of the January 10, 2018 Meeting of the Bow Valley Regional Transit Services Commission**  
Received as information.

**11.0 CORRESPONDENCE**

None received.

**12.0 NEW BUSINESS**

None considered.

**13.0 PUBLIC INPUT ON AGENDA ITEMS**

None received.

**14.0 ADJOURNMENT**

COU18-118 Moved by Councillor Standish that council adjourn the April 23, 2018 regular meeting of council at 5:20 p.m.

**CARRIED**

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Karen Sorensen  
Mayor

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Tara Johnston-Lee  
Municipal Clerk