

MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Council Meeting
Monday, 2022 April 25, at 2:00 p.m.

COUNCIL MEMBERS PRESENT

Corrie DiManno	Mayor	
Ted Christensen	Councillor and Deputy Mayor	(Remote Participation)
Grant Canning	Councillor and Acting Mayor	(Remote Participation)
Barb Pelham	Councillor	
Hugh Pettigrew	Councillor	
Kaylee Ram	Councillor	

COUNCIL MEMBERS ABSENT

Chip Olver	Councillor	
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ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	
Jason Darrah	Director, Communications & Marketing	
Darren Enns	Director, Planning & Development	
Adrian Field	Director, Engineering	(Remote Participation)
Alison Gerrits	Director, Community Services	(Remote Participation)
Paul Godfrey	Director, Operations	(Remote Participation)
Chris Hughes	Director, Corporate Services	
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives and Special Projects	(Remote Participation)
Carla Bitz	Resource Recovery Coordinator	
Michael Hay	Manager, Environment	(Remote Participation)
Andrea Stuart	Manager, Finance	(Remote Participation)
Kathleen Gallagher	Development Planner	
Lisa Lee	Executive Assistant	
Kristen McDonald	Legislative Advisor	
Renee Lavergne	Information Governance Coordinator	(Remote Participation)
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	

1.0 CALL TO ORDER

Minutes approved by: _____

To confirm Members of Council, some who participated virtually, as present, the following roll call was conducted:

ROLL CALL:

Present in Chamber: (4): Mayor DiManno, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Present Virtually: (2): Councillor Canning, and Councillor Christensen

Absent: (1): Councillor Olver

Mayor DiManno called the Regular Meeting of Council to order at 2:02 p.m.

2.0 APPROVAL OF AGENDA

2.1 Agenda for the 2022 April 25 Regular Meeting of Council

COU22-134 **Moved by** Mayor DiManno

That the Agenda for today's meeting be amended by bringing forward Item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, to be heard as the first item of new business immediately following Item 7.1, Bylaw Tabulation: Third Reading of Proposed Bylaw 464, the Non-Residential Waste Amending Bylaw.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-133 **Moved by** Councillor Ram

That the Agenda for the 2022 April 25 Regular Meeting of Council be approved, **as amended**.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: _____

Council by unanimous consent, affirmed that they would adhere to Procedures Bylaw 44-7, Section 11.0, Roles and Conduct at Meetings.

2.2 2022 Council Workplan

COU22-135 **Moved by** Councillor Pettigrew

That Council receive the 2022 Council Workplan (Attachment) for the Corporate Record.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

3.0 **ADOPTION OF PREVIOUS COUNCIL MINUTES**

COU22-136 **Moved by** Councillor Pelham

That the Minutes of the 2022 April 11 Regular Meeting of Council be adopted.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

4.0 **INVITED PRESENTATIONS**

There were no Invited Presentations scheduled as part of this meeting.

5.0 **DELEGATIONS**

There were no Delegations scheduled as part of this meeting.

6.0 PUBLIC INPUT ON AGENDA ITEMS

6.1 Written Submissions

Council, by unanimous consent, received the following Written Submissions for the Corporate Record:

- 6.1.1 Chris Thorburn, VP Operations, Banff Lodging Co. | A Division of Banff Caribou Properties Ltd.: Email, Dated 2022 April 23 Re: Non Residential Waste Bylaw (Item 7.1, Bylaw Tabulation: Third Reading of Proposed Bylaw 464, the Non-Residential Waste Amending Bylaw)
- 6.1.2 Greg Colgan, Editor, Rocky Mountain Outlook: Letter, Dated 2022 April 24 (Item 8.5, Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected Officials, C1013)
- 6.1.3 Barry Kelly: Email, Received 2022 April 24, Re: 8.4 Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw Governance and Finance Committee Recommendation (Item 8.4, Proposed Bylaw 429-1, the Council Code of Conduct Bylaw)

Mayor DiManno indicated that a written submission was redacted by the Town of Banff to be consistent with the Town's obligations under the *Freedom of Information and Protection of Privacy* (FOIP) Act.

6.2 Verbal Submissions

There were no Verbal Submissions provided at this meeting.

7.0 UNFINISHED BUSINESS

7.1 Bylaw Tabulation: Third Reading of Proposed Bylaw 464, the Non-Residential Waste Amending Bylaw

COU22-137 **Moved by** Councillor Pettigrew

That with respect to Item 7.1, Bylaw Tabulation: Third Reading of Proposed Bylaw 464, the Non-Residential Waste Amending Bylaw, the following be adopted:

That Council refer Third Reading of Bylaw 464, the Non-Residential Waste Amending Bylaw, to Administration, to return to the next Regular Meeting of Council, with wording for a potential amendment that would allow an extended delayed enforcement period for the Lodging Sector.

For: (2): Councillor Christensen, and Councillor Pettigrew

Against: (4): Mayor DiManno, Councillor Canning, Councillor Pelham, and Councillor Ram

MOTION DEFEATED

COU22-138 **Moved by** Mayor DiManno

That with respect to Item 7.1, Bylaw Tabulation: Third Reading of Proposed Bylaw 464, the Non-Residential Waste Amending Bylaw, the following be adopted:

That Council give third reading to proposed Bylaw 464, the Non-Residential Waste Amending Bylaw.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

8.0 BYLAWS AND STAFF REPORTS

8.3 Request for Decision: Outcomes of 2022 E-Bike Rebate Program

COU22-139 **Moved by** Mayor DiManno

That with respect to item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, the following be adopted:

That Council, pursuant to Section 3.6 of Procedures Bylaw 44-7, suspend Section 13.12 a) and b) to allow Council to reconsider Motion COU22-32, considered as part of the 2022 January 24 and January 26 Virtual Special Meeting of Council Re: 2022 Budget Finalization, to approve the 2022 – 2024 Operating Budget, as amended.

For: (5): Mayor DiManno, Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (1): Councillor Christensen

MOTION CARRIED

COU22-141 **Moved by** Councillor Pettigrew

That Motion COU22-140 be amended as follows:

By deleting the amount “\$40,000” noted after the words “by allocating up to” and substituting with the amount “\$20,000”; and

By deleting the amount “\$82,000” noted after the words “for a total allocation up to” and substituting with the amount “\$62,000”.

For: (3): Councillor Christensen, Councillor Pettigrew, and Councillor Ram

Against: (3): Mayor DiManno, Councillor Canning, and Councillor Pelham

MOTION DEFEATED ON TIE VOTE

COU22-140 **Moved by** Mayor DiManno

That with respect to item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, the

Minutes approved by: _____



following be adopted, after amendment:

That Council, further amend the 2022 -2024 Operating Budget by allocating **up to \$40,000 to the e-bike rebate Operating Budget, for a total allocation of \$82,000 in 2022, to be funded through the Visitor Paid Parking Reserve, to allow for immediate continuation of the popular e-bike rebate program.**

For: (4): Mayor DiManno, Councillor Canning, Councillor Pelham, and Councillor Ram
Against: (2): Councillor Christensen and Councillor Pettigrew

MOTION CARRIED

COU22-142 **Moved by** Councillor Pettigrew

That with respect to item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, the following be adopted:

That Council direct Administration to conduct a random selection draw to determine how the additional \$40,000 allocated to the e-bike rebate Operating Budget in 2022 is awarded to members of the public.

For: (2): Councillor Christensen, and Councillor Pettigrew
Against: (4): Mayor DiManno, Councillor Canning, Councillor Pelham, and Councillor Ram

MOTION DEFEATED

COU22-143 **Moved by** Councillor Pettigrew

That with respect to item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, the following be adopted:

That Council direct Administration to ensure that all recipients of a grant allocated through the e-bike rebate program have purchased their e-bikes from a Banff vendor.

For: (2): Councillor Christensen, and Councillor Pettigrew
Against: (4): Mayor DiManno, Councillor Canning, Councillor Pelham, and Councillor Ram

MOTION DEFEATED



Unapproved

Town of Banff Regular Council Meeting
2022 April 25

COU22-144 **Moved by** Mayor DiManno

That with respect to item 8.3, Request for Decision: Outcomes of 2022 E-Bike Rebate Program, the following be adopted:

That Council approve the amended 2022-2024 Operating Budget, as further amended by Motion COU22-139.

For: (5): Mayor DiManno, Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (1): Councillor Christensen

MOTION CARRIED

Council recessed at 3:35 p.m. to reconvene at 3:45 p.m.

Council reconvened at 3:45 p.m. with Mayor DiManno in the chair.

To confirm Members of Council, some who participated virtually, as present, the following roll call was conducted:

ROLL CALL:

Present In Chamber: (4): Mayor DiManno, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Present Virtually: (2): Councillor Canning, and Councillor Christensen

8.1 Request for Decision: 2021 Audited Consolidated Financial Statements

COU22-145 **Moved by** Mayor DiManno

Minutes approved by: _____



That with respect to item 8.1, Request for Decision: 2021 Audited Financial Statements, the following be adopted:

That Council recess at 3:55 p.m., to reconvene in a closed meeting, conducted in the Council Boardroom and a confidential Zoom Meeting Environment, pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect Item 8.1, 2021 Audited Consolidated Financial Statements, and that the following individuals be invited into Council's closed meeting discussions:

- Colin Mitchell, Partner, KPMG Enterprise; and
- Taylor Thompson, Senior Manager, KPMG Enterprise.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Council reconvened in closed meeting at 3:58 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 4:30 p.m.

Council reconvened in public meeting at 4:32 p.m. with Mayor DiManno in the Chair.

COU22-146 **Moved by** Mayor DiManno

That Council rise and report.

ROLL CALL VOTE:

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-147 **Moved by** Mayor DiManno

That with respect to item 8.1, Request for Decision: 2021 Audited Financial Statements, the following be adopted:

Minutes approved by: _____

That Council:

1. Approve the 2021 Consolidated Financial Statements as presented in Attachment 1; and
2. Direct that the confidential discussions and Attachment 2 remain confidential pursuant to Section 24 (advice from officials) of the *Freedom of Information and protection of Privacy Act*.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

8.2 Request for Decision: Heritage Master Plan Update

Anne Ewen, Chair of the Banff Heritage Corporation, addressed Council with respect to Item 8.2, Request for Decision: Heritage Master Plan Update.

COU22-148 **Moved by** Mayor DiManno

That with respect to item 8.2, Request for Decision: Heritage Master Plan Update, the following be adopted:

That Council, pursuant to Section 3.6 of Procedures Bylaw 44-7, as amended, suspend Section 13.12 a) and b) to allow Council to reconsider Motion COU22-96, considered as part of the 2022 March 28 Virtual Public Hearing and Regular Meeting of Council, to approve the 2022 – 2031 Capital Budget, as amended.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-149 **Moved by** Mayor DiManno

That with respect to item 8.2, Request for Decision: Heritage Master Plan Update, the following be adopted:

Minutes approved by: _____



That Council further amend the 2022 – 2031 Capital Budget to include an additional allocation of \$35,000 in 2023 to the Heritage Master Plan project (Project Number GG-96-20) to be funded through the Heritage Capital Reserve.

For: (5): Mayor DiManno, Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (1): Councillor Christensen

MOTION CARRIED

COU22-150 **Moved by** Mayor DiManno

That with respect to item 8.2, Request for Decision: Heritage Master Plan Update, the following be adopted:

That Council approve the amended 2022-2031 Capital Budget, as amended by Motion COU22-148.

For: (5): Mayor DiManno, Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (1): Councillor Christensen

MOTION CARRIED

COU22-151 **Moved by** Mayor DiManno

That with respect to item 8.2, Request for Decision: Heritage Master Plan Update, the following be adopted:

That Council confirm the scope of the Heritage Master Plan as presented in the report.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

8.4 Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw

COU22-152 **Moved by** Councillor Pelham

That with respect to item 8.4, Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw, the following be adopted:

Minutes approved by: _____



That Bylaw 429-1, the Council Code of Conduct Bylaw, be introduced and read a first time.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-153 **Moved by** Councillor Ram

That with respect to item 8.4, Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw, the following be adopted:

That Bylaw 429-1, the Council Code of Conduct Bylaw be read a second time.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-154 **Moved by** Councillor Pettigrew

That with respect to item 8.4, Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw, the following be adopted:

That authorization now be given to read 429-1, the Council Code of Conduct Bylaw, a third time.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-155 **Moved by** Councillor Christensen

That with respect to item 8.4, Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw, the following be adopted:

That Bylaw 429-1, the Council Code of Conduct Bylaw, be read a third time.

Minutes approved by: _____



For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-156 **Moved by** Councillor Pettigrew

That with respect to item 8.4, Request for Decision: Proposed Bylaw 429-1, the Council Code of Conduct Bylaw, the following be adopted, **after amendment:**

That Council direct Administration to commence a Request for Proposal (RFP) process to obtain services from an individual or company, experienced in mediation, complaint adjudication, **and investigative techniques, as they relate to municipal government**, to carry out the duties of Investigator.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

8.5 Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected Officials, C1013

COU22-157 **Moved by** Councillor Christensen

That with respect to item 8.5, Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected

Minutes approved by: _____



Officials, C1013, the following be adopted:

That Attachment 1, Proposed Communications Policy for Administration, C1012, be amended in Subsection 6.16 by deleting the words “when appropriate” following the words “for the municipal organization” and substituting with the words “, on a case-by-case basis and in consultation with the Mayor and Town Manager”.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-158 **Moved by** Mayor DiManno

That with respect to item 8.5, Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected Officials, C1013, the following be adopted:

That Council rescind Communications Policy C116.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-159 **Moved by** Councillor Pettigrew

That with respect to item 8.5, Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected Officials, C1013, the following be adopted, **as amended**:

That Council approve the proposed Communications Policy for Administration, C1012 (**amended** Attachment 1).

Minutes approved by: _____



For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-160 **Moved by** Councillor Ram

That with respect to item 8.5, Request for Decision: Communications Policy Update – Proposed Communications Policy for Administration, C1012, and Proposed Communications Policy for Elected Officials, C1013, the following be adopted:

That Council approve the proposed Communications Policy for Elected Officials, C1013 (Attachment 2).

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

COU22-161 **Moved by** Mayor DiManno

That Council pursuant to Section 3.6 of Procedures Bylaw 44-7, Section 4.9 be suspended in order that Council may complete the remainder of today's Agenda.

For: (5): Mayor DiManno, Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (1): Councillor Christensen

MOTION NOT CARRIED UNANIMOUSLY

8.6 Notice of Motion: Award of St. Julien Road Reconstruction Project, PW 20-07, and Council Policy C4002, Purchasing

Council, by unanimous consent postponed Item 8.6 Notice of Motion: Award of St. Julien Road Reconstruction Project, PW 20-07, and Council Policy C4002, Purchasing to the 2022 May 9 Regular Meeting of Council.

9.0 COMMITTEE REPORTS

Minutes approved by: _____

Council, by unanimous consent, received the approved Minutes of the following entities for the Corporate Record:

- 9.1 Approved Minutes of the 2022 March 09 Virtual Regular Meeting of the Municipal Planning Commission
- 9.2 Approved Minutes of the 2022 February 09 Virtual Regular Meeting of the Bow Valley Regional Transit Services Commission

10.0 CORRESPONDENCE

- 10.1 Correspondence: Anne-Marie Puccini: Email, Received 2022 April 21

COU22-162 **Moved by** Councillor Pettigrew

That Council postpone Item 10.1, Correspondence: Anne-Marie Puccini: Email, Received 2022 April 21 to the 2022 May 9 Regular Meeting of Council.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

11.0 NEW/URGENT BUSINESS

In accordance with Section 5.12 b) of Procedures Bylaw 44-7, Mayor DiManno gave verbal notice at the meeting of her intention to introduce a Notice of Motion directing Administration to work with the lodging section with regard to changes in the Non-Residential Waste Bylaw as part of the next regularly scheduled meeting of Council.

12.0 CONFIDENTIAL ITEMS

No Confidential Items were scheduled for this meeting.

13.0 ADJOURNMENT

COU22-163 **Moved by** Councillor Pettigrew

Minutes approved by: _____



Unapproved

Town of Banff Regular Council Meeting
2022 April 25

That this Council adjourn at 6:01 p.m.

ROLL CALL VOTE:

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Corrie DiManno
Mayor

Libbey McDougall
Municipal Clerk

Minutes approved by: _____