

**MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Monday, February 13, 2023, at 2:00 p.m.**

COUNCIL MEMBERS PRESENT

Corrie DiManno	Mayor
Grant Canning	Councillor and Deputy Mayor
Ted Christensen	Councillor
Barb Pelham	Councillor
Hugh Pettigrew	Councillor
Kaylee Ram	Councillor

COUNCIL MEMBERS ABSENT

Chip Olver	Councillor and Acting Mayor
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ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	
Silvio Adamo	Director, Protective Services, and Fire Chief	(Remote Participation)
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)
Michael Hay	Manager, Environmental Services	
Carla Bitz	Resource Recovery Coordinator	
Lisa Lee	Executive Assistant	(Remote Participation)
Renée Lavergne	Information Governance Coordinator	(Remote Participation)
Kiersten McDonald	Legislative Advisor	
Libbey McDougall	Municipal Clerk	



1.0 CALL TO ORDER

Present in Chamber: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram,

Absent: (1): Councillor Olver

Mayor DiManno called the February 13, 2023, Regular Meeting of Council to order at 2:00 p.m.

Councillor Pelham gave a land acknowledgment at the commencement of today's meeting.

2.0 CONFIRMATION OF AGENDA

2.1 Agenda for the February 13, 2023, Regular Meeting of Council

COU23-30 **Moved by** Mayor DiManno

That the Agenda for today's meeting be amended by adding the following new Item to Section 6.1, Written Submissions:

6.1.6 Ross Pringle, President, Doncath Holdings Ltd.: Letter, Received February 11, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468)

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

MOTION CARRIED

COU23-29 **Moved by** Councillor Pettigrew

That the Agenda for the February 13, 2023, 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

3.0 CONFIRMATION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the January 18, 2023, Budget Meeting of Council

COU23-31 **Moved by** Councillor Pelham

That the Minutes of the January 18, 2023, Budget 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

No Invited Presentations were scheduled as part of this meeting.

5.0 DELEGATIONS

No Delegations were scheduled as part of this meeting.

6.0 PUBLIC INPUT ON AGENDA ITEMS

6.1 Written Submissions

Council, by unanimous consent, received the following Items of Written Submission, for the Corporate Record:

- 6.1.1 Christina Seidel, Executive Director, Recycling Council of Alberta: Letter Re: Single-Use Items Reduction Strategy and Bylaw, dated January 23, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).
- 6.1.2 Part A Kyler and Lauren Brierly, Owner's Good Earth Coffeehouse Banff Avenue: Letter, Received January 27, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).

Minutes approved by: On Original On Original

- 6.1.2 Part B Kyler and Lauren Brierly, Owner's Good Earth Coffeehouse Banff Avenue: Follow-up Email, Received February 3, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).
- 6.1.3 Hugh Notman, Board Chair, Biosphere Institute of the Bow Valley: Letter, Received February 9, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).
- 6.1.4 Michelle Brake, Environmental Policy Analyst, Mind Your Plastic: Letter, Received February 10, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).
- 6.1.5 Jason Lyon, Publisher, Rocky Mountain Outlook: Letter, Received February 10, 2023 (Item 8.3, Request for Decision: Proposed Public Notification Bylaw 470)
- 6.1.6 Ross Pringle, President, Doncath Holdings Ltd.: Letter, Received February 11, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468)

6.2 Verbal Submissions

- 6.2.1 Wanda Bogdane, Executive Director, Banff & Lake Louise Hospitality Association: Verbal Submission Request received February 10, 2023 (Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).

Council, by unanimous consent, received Wanda Bogdane's, Executive Director, Banff & Lake Louise Hospitality Association, Verbal Submission with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468).

7.0 UNFINISHED BUSINESS

No Items of Unfinished Business were scheduled as part of this meeting.

8.0 ADMINISTRATIVE REPORTS

8.1 Briefing: Economic Impacts of Tourism in Alberta Rocky Mountain Communities Update and Tourism Based Communities Costs and Fiscal Capacity Report

COU23-32 **Moved by** Mayor DiManno

That with respect to Item 8.1, Briefing: Economic Impacts of Tourism in Alberta Rocky Mountain Communities Update and Tourism Based Communities Costs and Fiscal Capacity Report, the following be adopted:

That Council receive the Economic Impacts of Tourism in Alberta Rocky Mountain Communities Update and Tourism Based Communities Costs and Fiscal Capacity Report Briefing for the Corporate Record.

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

MOTION CARRIED

8.2 Request for Decision: Proposed Single-Use Item Reduction Bylaw 468

COU23-33 **Moved by** Mayor DiManno

That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted:

That Bylaw 468 be amended as follows:

- By removing the following sections:
 - Section 4.1: Remove the Business License Categories “Retail” and “Transportation”
 - Section 4.2.2: Require businesses that do not have consumption on the premises to provide reusables for takeaway services, in its entirety.
 - Section 7: Require that any remaining disposable food ware must be recyclable or compostable within Banff’s waste streams, in its entirety, and by renumbering the remaining sections accordingly.

- By adding the following sections:



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- Subsection 4.2.5 to permit straws by request only for on-site dining:
4.2.5. Straws may be provided if the Customer requests a straw.
- Subsection c to section 6.2 to permit self-serve stations, as follows:
 - c. the customer takes the item themselves from a self-serve station, which also contains options for Reusable Foodware.

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

Against: (1): Councillor Pettigrew

MOTION CARRIED

COU23-34 **Moved by** Mayor DiManno

That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted, **after amendment**:

That Bylaw 468 be further amended as follows:

- By deferring enforcement of section 4 **and newly renumbered section 7** of the bylaw until January 1, 2024, by adding a new section 4.3 **and 7.6** as follows:
 - 4.3 Section 4.0 comes into force on January 1, 2024.
 - 7.6 Section 7.0 comes into force on January 1, 2024.
- In newly renumbered subsection 9.3.1 by deleting:
 - The section number “10.3” following the words “Notwithstanding Section” and substituting with the section number “9.3”; and
 - The words “6 months following third reading” following the words “will not be enforced until” and substituting with the words “July 1, 2023”.

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

Against: (1): Councillor Pettigrew

MOTION CARRIED

COU23-35 **Moved by** Councillor Christensen

Minutes approved by: On Original On Original



That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted:

That Bylaw 468 be further amended by removing exemptions for Non-Profit and Charitable Organizations by deleting the following sections in their entirety:

- 2.4;
- 2.9;
- 4.2.1;
- 6.3; and
- Newly renumbered 7.5.

For: (2): Councillor Christensen and Councillor Pettigrew

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

MOTION DEFEATED

COU23-36 **Moved by** Mayor DiManno

That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted, **as amended**:

That Bylaw 468 be read a second time, **as amended**.

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

Against: (1): Councillor Pettigrew

MOTION CARRIED

COU23-37 **Moved by** Councillor Ram

That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted, **as amended**:

That Bylaw 468 be read a third time, **as amended**.

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

Against: (1): Councillor Pettigrew

MOTION CARRIED

COU23-38 **Moved by** Councillor Pelham

That with respect to Item 8.2, Request for Decision: Proposed Single-Use Item Reduction Bylaw 468, the following be adopted:

That Council direct Administration to return to a future meeting of Council, no later than March 13, 2023, with a proposed rebate program that could provide support and incentivize businesses to comply with bylaw requirements prior to the January 1, 2024, enforcement deadline.

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

Against: (1): Councillor Christensen

MOTION CARRIED

Council recessed at 3:46 p.m. to reconvene at 3:56 p.m.

Council reconvened at 3:57 p.m. with Mayor DiManno in the chair.



8.3 Request for Decision: Proposed Public Notification Bylaw 470

COU23-39 **Moved by** Councillor Canning

That with respect to Item 8.3, Request for Decision: Proposed Public Notification Bylaw 470, the following be adopted:

That Bylaw 470 be introduced and read a first time.

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

Against: (1): Councillor Christensen

MOTION CARRIED

COU23-40 **Moved by** Mayor DiManno

That with respect to Item 8.3, Request for Decision: Proposed Public Notification Bylaw 470, the following be adopted:

That Council direct Administration to schedule a public hearing, in accordance with the *Municipal Government Act*, for proposed Bylaw 470.

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

MOTION CARRIED

8.4 Request for Decision: Proposed CAO and Designated Officer Bylaw 366-1

COU23-41 **Moved by** Councillor Ram

That with respect to Item 8.4, Request for Decision: Proposed CAO and Designated Officer Bylaw 366-1, the following be adopted:

That Bylaw 366-1 be introduced and read a first time.

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

MOTION CARRIED

COU23-42 **Moved by** Councillor Canning

That with respect to Item 8.4, Request for Decision: Proposed CAO and Designated Officer Bylaw 366-1, the following be adopted:

That Bylaw 366-1 be read a second time.

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

MOTION CARRIED

COU23-43 **Moved by** Councillor Christensen

That with respect to Item 8.4, Request for Decision: Proposed CAO and Designated Officer Bylaw 366-1, the following be adopted:

That authorization now be given to read Bylaw 366-1 a third time.

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

MOTION CARRIED UNANIMOUSLY

COU23-44 **Moved by** Councillor Pelham

That with respect to Item 8.4, Request for Decision: Proposed CAO and Designated Officer Bylaw 366-1, the following be adopted:

That Bylaw 366-1 be read a third time.

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

MOTION CARRIED

9.0 NOTICE OF MOTION

No Notices of Motion were scheduled as part of this meeting.



10.0 COMMITTEE REPORTS

Council, by unanimous consent, received the following Committee Reports for the Corporate Record:

- 10.1 Approved Minutes of the November 09, 2022, Regular Meeting of the Municipal Planning Commission
- 10.2 Approved Minutes of the October 17, 2022, Regular Meeting of the Bow Valley Regional Transit Services Commission
- 10.3 Approved Minutes of the October 17, 2022, Annual Organizational Meeting of the Bow Valley Regional Transit Services Commission

11.0 NEW/URGENT BUSINESS

No Items of New/ Urgent Business were scheduled as part of this meeting.

12.0 CONFIDENTIAL ITEMS

- 12.1 Confidential Request for Decision: Resignations and Appointment of Public Members to the Banff Public Library Board, Community Art Committee, and Municipal Planning Commission

COU23-45 **Moved by** Mayor DiManno

That Council recess at 4:32 p.m., to the call of the chair, to reconvene in a closed meeting, to be conducted in the Council Boardroom and virtually using a confidential Zoom Meeting environment, pursuant to Sections 17 (Disclosure to personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect to Item 12.1, Confidential Request for Decision: : Resignations and Appointment of Public Members to the Banff Public Library Board, Community Art Committee, and Municipal Planning Commission.

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

MOTION CARRIED



Council reconvened in closed meeting at 4:33 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 4:37 p.m.

Council reconvened in public meeting at 4:38 p.m. with Mayor DiManno in the Chair.

Individuals in attendance during the closed meeting discussions with respect to Item 12.1, Confidential Request for Decision: Resignations and Appointment of Public Members to the Banff Public Library Board, Community Art Committee, and Municipal Planning Commission.

Clerk: L. McDougall (Municipal Clerk) and K. McDonald (Legislative Advisor)

COU23-46 **Moved by** Mayor DiManno

That Council rise and report.

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

MOTION CARRIED

COU23-47 **Moved by** Mayor DiManno

That with respect to Item 12.1, Confidential Request for Decision: Resignations and Appointment of Public Members to the Banff Public Library Board, Community Art Committee, and Municipal Planning Commission, the following be approved:

That Council suspend Section 6.1 of Council Policy C1011, the Governance of Council Appointments of Public Members to Boards, Committees, Commissions, and Corporations, to allow the consideration and appointment of applicants, who applied as part of the January 2023 recruitment campaign, but who are not residents of Banff.

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

MOTION CARRIED



COU23-48 **Moved by Mayor DiManno**

That with respect to Item 12.1, Confidential Request for Decision: Resignations and Appointment of Public Members to the Banff Public Library Board, Community Art Committee, and Municipal Planning Commission, the following be approved, **after amendment**:

That Council:

1. Accept Melissa Carrol's resignation and thank them for their service on the Banff Public Library Board;
2. Appoint **Kenna Ozbick as a** public member to the Banff Public Library Board to a three-year term ending on the 2026 Annual Organizational Meeting of Council;
3. Accept Derek Beaulieu's resignation and thank them for their service on the Community Art Committee;
4. Appoint **Amie LaLonde, as per Section 1.2 of Schedule C, Terms of Reference, Community Art Committee, contained in Bylaw 350-1, the Committees Bylaw, as a representative of the Whyte Museum of the Canadian Rockies** to the Community Art Committee to three-year term ending on the 2026 Annual Organizational Meeting of Council;
5. Appoint **Tamra Malczyk as a** public member to the Municipal Planning Commission to a one-year term ending on the 2023 Annual Organizational Meeting of Council
6. **Release this Report as a public document;**
7. Thank all individuals who applied to serve on a Board, Commission, and Committee; and
8. Direct that confidential Attachments 1, 2, and 3 as well the closed meeting discussions, remain confidential pursuant to Sections 17 (Disclosure harmful to personal privacy) and 19 (Confidential evaluations) 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

13.0 CORRESPONDENCE

13.1 Alex Wenman, Email Re: Correspondence in Writing- Marmot Crescent Rail Crossing to the Banff Industrial Area, dated January 12, 2023.

Council, by unanimous consent, received Alex Wenman's Correspondence, Re: Correspondence in Writing – Marmot Crescent Rail Crossing to the Banff Industrial Area, dated January 12, 2023, for the Corporate Record.

14.0 ADJOURNMENT

COU23-49 **Moved by** Councillor Canning

That this Council adjourn at 4:52 p.m.

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

MOTION CARRIED

On Original

Barb Pelham
Presiding Officer

On Original

Libbey McDougall
Municipal Clerk

Minutes approved by: On Original On Original