



MINUTES OF THE VIRTUAL GOVERNANCE AND FINANCE COMMITTEE MEETING
of the Town of Banff in the Province of Alberta
Regular Meeting of the Governance and Finance Committee
Monday, 2022 February 28, at 9:00 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	(Remote Participation)
Silvio Adamo	Director, Protective Services, and Fire Chief	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Darren Enns	Director, Planning & Development	(Remote Participation)
Alison Gerrits	Director, Community Services	(Remote Participation)
Paul Godfrey	Director, Operations	(Remote Participation)
Chris Hughes	Director, Corporate Services	(Remote Participation)
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives + Special Projects	(Remote Participation)
Andrea Stuart	Finance Manager	(Remote Participation)
Renée Lavergne	Information Governance Coordinator	(Remote Participation)
Lisa Lee	Executive Assistant, Mayor's Office	(Remote Participation)
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	(Remote Participation)



1.0 CALL TO ORDER

To confirm Members of the Governance and Finance Committee, who all participated virtually due to the ongoing COVID-19 Pandemic, as present, the following roll call was conducted:

ROLL CALL:

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

Mayor DiManno called the virtual Regular Meeting of the Governance and Finance Committee to order at 9:01 a.m.

2.0 APPROVAL OF AGENDA

2.1 Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee

A clerical correction was noted to page 2 of 4, of the Agenda page, Item 2.1, Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee, in the first line of the Recommendation, by deleting the date “14” and substituting with the date “28”.

FIN22-70 **Moved by** Mayor DiManno

That the corrected Agenda for today’s meeting be amended as follows:

- By adding a new Item to Section 5.1, Written Submissions., entitled "5.1.3, Lee O’Donnell: Email Re: Can’t speak at GFC this Morning! Work has come up! Please accept as my submission, Received 2022 February 28 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)”; and
- By removing Item 5.2.1, Lee O’Donnell (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, and Item 7.1, Briefing: Pre-Audit Planning) from Section 5.2, Verbal Submission

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

MOTION CARRIED

Minutes approved by: On Original On Original



FIN22-69 **Moved by** Councillor Ram

That the corrected Agenda for the 2022 February 28 Virtual Regular Meeting of the Governance and Finance Committee be approved, **as amended**.

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

MOTION CARRIED

3.0 ADOPTION OF PREVIOUS GOVERNANCE AND FINANCE COMMITTEE MINUTES

3.1 Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee

The following clerical corrections were noted to the Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee:

- Page 7 of 12, Motion FIN22-58, by deleting the vote tally in its entirety and replacing with the following:

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

- Page 8 of 12. Motion FIN22-61, in the Against line of the vote tally, by deleting the name “Councillor Pettigrew”.

FIN22-71 **Moved by** Councillor Pelham

That the Minutes of the 2022 February 14 Virtual Regular Meeting of the Governance and Finance Committee be adopted, **as corrected**.

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

MOTION CARRIED

Minutes approved by: On Original On Original



4.0 DELEGATIONS AND INVITED PRESENTATIONS

No Delegations and Invited Presentations were scheduled as part of this meeting.

5.0 PUBLIC INPUT ON AGENDA ITEMS

5.1 Written Submissions

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

- 5.1.1. Stuart Back, Chief Operating Officer/ Banff Jasper Collection: Email, Received 2022 February 14 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)
- 5.1.2. Banff Cannabis Inc: Letter, Dated 2022 February 25 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)
- 5.1.3. Lee O'Donnell: Email Re: Can't speak at GFC this Morning! Work has come up! Please accept as my submission, Received 2022 February 28 (Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121)

5.2 Verbal Submissions

- 5.2.1. Item Removed at the Request of the Speaker and by way of Motion FIN22-70.

NOTE: This Item was removed from the Agenda by way of Motion FIN22-70 at the request of the Speaker as noted in an email received 2022 February 28 included on the Agenda as Item 5.1.3.



6.0 UNFINISHED BUSINESS

6.1 Request for Direction: Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121

FIN22-72 **Moved by** Councillor Christensen

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Bylaw 388-4, the 2022 Fees and Charges Bylaw, that would address the fees charged for sidewalk seating and outdoor merchandising based on a market-based fee structure.

For: (5): Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Against: (2): Mayor DiManno, and Councillor Canning

MOTION CARRIED

FIN22-73 **Moved by** Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Sidewalk Seating Policy C7005 that would allow for consideration of non-abutting sidewalk seating throughout the downtown.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

FIN22-74 Moved by Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to Sidewalk Seating Policy C7005 that would allow for Sidewalk seating allocations of up to a maximum of 25 per cent larger with the permission of the adjacent property owner whose frontage is proposed for use.

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

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

MOTION CARRIED

FIN22-75 Moved by Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would incorporate the 2020 and 2021 priority system for considering Sidewalk Seating and applications throughout the downtown.

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

Against: (1): Councillor Pettigrew

MOTION CARRIED

Minutes approved by: On Original On Original



FIN22-76 Moved by Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would add a definition for “personal warming device”.

For: (2): Mayor DiManno, and Councillor Olver

Against: (5): Councillor Canning, Councillor Christensen, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION DEFEATED

FIN22-77 Moved by Councillor Pelham

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for heating devices to be used.

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

Against: (1): Councillor Christensen, Councillor Pettigrew

MOTION CARRIED



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

FIN22-78 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for limited signage allowances within a sidewalk seating area.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

FIN22-79 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would allow for sidewalk seating infrastructure that provides a range of options.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: On Original On Original



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

FIN22-80 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Sidewalk Seating Policy C7005 that would require a performance bond in association with a Sidewalk Seating Applications.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

FIN22-81 **Moved by Mayor DiManno**

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would allow consideration of non-abutting outdoor merchandising displays on Bear Street.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: On Original On Original



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

FIN22-82 Moved by Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would incorporate the 2020 and 2021 priority system logic for considering Outdoor Merchandising applications throughout the downtown.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

FIN22-83 Moved by Mayor DiManno

That with respect to Item 6.1, Sidewalk Seating Policy C7005 and Outdoor Merchandising Display Policy C121, the following be approved:

That the Governance and Finance Committee direct Administration to return to a future meeting of Council with proposed amendments to the Outdoor Merchandising Display Policy C121 that would require a performance bond in association with an Outdoor Merchandising Applications.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

MOTION CARRIED

Minutes approved by: On Original On Original



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

7.0 REPORTS

7.1 Briefing: Pre-Audit Planning

FIN22-84 **Moved by** Mayor DiManno

That Committee recess at 12:44 p.m. to the call of the chair, to reconvene in a closed meeting, to be conducted in a confidential Zoom Meeting environment, pursuant to Sections 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect to Item 7.1, Pre-Audit Planning, and that the following individuals be invited into Committee's closed meeting discussions:

- Collin Mitchell, CA, Partner – Audit, KPMG Enterprise; and
- Taylor Thompson, Senior Manager, KPMG Enterprise.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

MOTION CARRIED

Committee reconvened in closed meeting at 12:46 p.m. with Mayor DiManno in the Chair.

Committee recessed in closed meeting at 1:13 p.m.

Committee reconvened in public meeting at 1:14 p.m. with Mayor DiManno in the chair.

FIN22-85 **Moved by** Mayor DiManno

That Committee rise and report.

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

MOTION CARRIED

Minutes approved by: On Original On Original



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

FIN22-86 **Moved by** Mayor DiManno

That with respect to Item 7.1, Pre-Audit Planning, the following be approved:

That the Governance and Finance Committee direct that the Confidential Attachment, KPMG – 360 Review – Audit Plan, and the closed meeting discussions remain confidential pursuant to Section 24 (Advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

MOTION CARRIED

8.0 CORRESPONDENCE

No Correspondence was considered at this meeting.

9.0 NEW/URGENT BUSINESS

No New/Urgent Business was considered at this meeting.

10.0 CONFIDENTIAL ITEMS

No Confidential Items were considered at this meeting.

Minutes approved by: On Original On Original



Approved 2022 March 14

Governance and Finance Committee Virtual Regular Meeting
2022 February 28

11.0 ADJOURNMENT

FIN22-87 **Moved by** Councillor Christensen

That the Committee adjourn at 1:15 p.m.

ROLL CALL VOTE:

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, Councillor Pelham, and Councillor Ram

MOTION CARRIED

On Original
Corrie DiManno
Mayor

On Original
Libbey McDougall
Municipal Clerk

Minutes approved by: On Original On Original