



MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Council Meeting
Monday, 2022 April 11, at 2:00 p.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	
Silvio Adamo	Director, Protective Services, and Fire Chief	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Michael Hay	Acting Director, Planning & Development	(Remote Participation)
Stephen Allan	Acting Director, Engineering	(Remote Participation)
Sharon Oakley	Acting Director, Community Services	(Remote Participation)
Paul Godfrey	Director, Operations	
Chris Hughes	Director, Corporate Services	
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives and Special Projects	(Remote Participation)
Dave Michaels	Manager, Development Services	
Carla Bitz	Resource Recovery Coordinator	(Remote Participation)
Emma Sanborn	Development Planner	
Dorothee Esquerre	Finance Officer	
Andrea Stuart	Manager, Finance	
Lisa Lee	Executive Assistant	
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	

1.0 CALL TO ORDER

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

ROLL CALL:

Present in Chamber: (4): Councillor Canning, Councillor Christensen, Councillor Pettigrew, and Councillor Ram

Present Virtually: (3): Mayor DiManno, Councillor Christensen, and 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 11 Regular Meeting of Council

COU22-107 **Moved by Mayor DiManno**

That the Agenda for today's meeting be amended by adding a confidential item of Urgent Business entitled "Item 11.1, Confidential Verbal Briefing; Confidential Legal Matter Update".

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

MOTION CARRIED

In accordance with Section 5.12 b) of Procedures Bylaw 44-7, Councillor Pettigrew gave verbal motion at the meeting of his intention to introduce a Notice of Motion requesting an update from Administration on the St. Julien Road Reconstruction project as part of the next regularly scheduled meeting of Council.

COU22-106 **Moved by Councillor Pettigrew**

That the Agenda for the 2022 April 11 Regular Meeting of Council be approved, **as amended**.

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

MOTION CARRIED



2.2 2022 Council Workplan

Council, by unanimous consent, received the 2022 Council Workplan (Attachment) for the Corporate Record.

3.0 **ADOPTION OF PREVIOUS COUNCIL MINUTES**

COU22-108 **Moved by** Councillor Canning

That the following Minutes be adopted by way of omnibus motion:

3.1 Minutes of the 2022 March 28 Virtual Public Hearing and Regular Meeting of Council

3.2 Minutes of the 2022 March 28 Virtual Public Hearing and Regular Meeting of Council

For: (7): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, 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

There were no Written Submission received for this meeting.

6.2 Verbal Submissions

6.2.1 Lee O'Donnell, Item 2.2, 2022 Workplan

Council, by unanimous consent, received Lee O'Donnell's Verbal Submission with respect to item 2.2, 2022 Workplan, for the Corporate Record.

7.0 UNFINISHED BUSINESS

7.1 Approved Minutes of the 2022 January 20 Virtual Regular Meeting of the Bow Valley Regional Housing Board

COU22-109 **Moved by** Councillor Pelham

That with respect to Item 7.1, Approved Minutes of the 2022 January 20 Virtual Regular Meeting of the Bow Valley Regional Housing Board, the following be adopted:

That Council receive the Approved Minutes of the 2022 January 20 Virtual Regular Meeting of the Bow Valley Regional Housing Board for the Corporate Record.

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

MOTION CARRIED



- 7.2 Denise Wheelhouse, Manager, Bowstrings Heritage Foundation: Letter Re: Bowstrings Heritage Foundation's Request to Consider Protecting the Kidney House from Demolition, Dated 2022 March 10

COU22-110 **Moved by** Mayor DiManno

That with respect to Item 7.2, Denise Wheelhouse, Manager, Bowstrings Heritage Foundation: Letter Re: Bowstrings Heritage Foundation's Request to Consider Protecting the Kidney House from Demolition, Dated 2022 March 10, the following be adopted:

That Council receive Denise Wheelhouse, Manager, Bowstrings Heritage Foundation's letter of Correspondence, Re: Bowstrings Heritage Foundation's Request to Consider Protecting the Kidney House from Demolition, dated 2022 March 10, for the Corporate Record.

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

MOTION CARRIED

- 7.3 Request for Decision: 2022 Municipal Census

COU22-111 **Moved by** Councillor Olver

That with respect to Item 7.3, Request for Decision: 2022 Municipal Census, the following be adopted:

That Council direct Administration to postpone the municipal census scheduled in 2022 to occur in 2023.

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

MOTION CARRIED



7.4 Request for Decision: Proposed Bylaw 464, Non-Residential Waste Amending Bylaw

COU22-112 **Moved by** Mayor DiManno

That with respect to Item 7.4, Request for Decision: Proposed Bylaw 464, Non-Residential Waste Amending Bylaw, the following be adopted:

That Bylaw 464, Non-Residential Waste Amending Bylaw, be introduced and read a first time.

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

MOTION CARRIED

COU22-113 **Moved by** Councillor Christensen

That with respect to Item 7.4, Request for Decision: Proposed Bylaw 464, Non-Residential Waste Amending Bylaw, the following be adopted:

That Bylaw 464, Non-Residential Waste Amending Bylaw, be read a second time.

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

MOTION CARRIED

COU22-114 **Moved by** Mayor DiManno

That with respect to Item 7.4, Request for Decision: Proposed Bylaw 464, Non-Residential Waste Amending Bylaw, the following be adopted:

That authorization now be given to read Bylaw 464, Non-Residential Waste Amending Bylaw, a third time.

For: (4): Mayor DiManno, Councillor Christensen, Councillor Pelham, and Councillor Ram

Against: (3): Councillor Canning, Councillor Olver, and Councillor Pettigrew

MOTION NOT CARRIED UNANIMOUSLY



8.0 BYLAWS AND STAFF REPORTS

8.1 Request for Decision: 2021 Financial Results

COU22-115 **Moved by** Mayor DiManno

That Council direct Administration to transfer the 2021 unrestricted surplus in the amount of \$802,077.49 to the Budget Stabilization Reserve.

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

MOTION CARRIED

Committee recessed at 4:13 p.m. to reconvene at 4:28 p.m.

Committee reconvened at 4:29 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): Councillor Canning, Councillor Pelham, Councillor Pettigrew, and Councillor Ram

Present Virtually: (3): Mayor DiManno, Councillor Christensen, and Councillor Olver



8.2 Request for Decision: Bylaw 465 –Amending Bylaw to 2022 Fees and Charges Bylaw 388-4

COU22-116 **Moved by** Councillor Pelham

That with respect to item 8.2, Request for Decision: Bylaw 465 – Amending Bylaw to 2022 Fees and Charges Bylaw 388-4, the following be adopted:

That Bylaw 465, The Fees and Charges Bylaw 388-4 Amending Bylaw, be introduced and read a first time.

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

MOTION CARRIED

COU22-117 **Moved by** Councillor Olver

That with respect to item 8.2, Request for Decision: Bylaw 465 – Amending Bylaw to 2022 Fees and Charges Bylaw 388-4, the following be adopted:

That Bylaw 465, The Fees and Charges Bylaw 388-4 Amending Bylaw, be read a second time.

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

MOTION CARRIED

COU22-118 **Moved by** Councillor Pettigrew

That with respect to item 8.2, Request for Decision: Bylaw 465 – Amending Bylaw to 2022 Fees and Charges Bylaw 388-4, the following be adopted:

That authorization now be given to read Bylaw 465, The Fees and Charges Bylaw 388-4 Amending Bylaw, a third time.

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

MOTION CARRIED UNANIMOUSLY



COU22-119 Moved by Councillor Canning

That with respect to item 8.2, Request for Decision: Bylaw 465 – Amending Bylaw to 2022 Fees and Charges Bylaw 388-4, the following be adopted:

That Bylaw 465, The Fees and Charges Bylaw 388-4 Amending Bylaw, be read a third time.

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

MOTION CARRIED

8.3 Request for Decision: Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main

COU22-120 Moved by Councillor Canning

That with respect to Item 8.3, Request for Decision: Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, the following be adopted:

That Bylaw 415, Borrowing Bylaw – Sundance Road Sewer Main, be introduced and read a first time.

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

MOTION CARRIED

COU22-121 Moved by Councillor Ram

That with respect to Item 8.3, Request for Decision: Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, the following be adopted:

That Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, be read a second time.

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

MOTION CARRIED



COU22-122 Moved by Councillor Olver

That with respect to Item 8.3, Request for Decision: Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, the following be adopted:

That authorization now be given to read Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, a third time.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pelham, and Councillor Ram
Against: (1): Councillor Pettigrew

MOTION NOT CARRIED UNANIMOUSLY

COU22-123 Moved by Councillor Pettigrew

That pursuant to Section 13.11 of Procedures Bylaw 44-7, as amended, Council reconsider Motion COU22-122 and that authorization now be given to read Bylaw 415, Borrowing Bylaw – Sundance Road Sewer Main, a third time.

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

MOTION CARRIED UNANIMOUSLY

COU22-124 Moved by Councillor Pettigrew

That Bylaw 415 Borrowing Bylaw – Sundance Road Sewer Main, be read a third time.

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

MOTION CARRIED

9.0 COMMITTEE REPORTS



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

9.1 Approved Minutes of the 2022 February 15 Virtual Regular Meeting of the Community Art Committee

Note: An error was noted to Item 9.1, Approved Minutes of the 2022 February 15 Virtual Regular meeting of the Community Art Committee, on page 1 of 2, in the fourth line of the Meeting's title, which reads "Tuesday, February 15, 2021, at 04:00pm" and should read "Tuesday, February 15, 2022, at 04:00pm".

9.2 Approved Minutes of the 2022 February 16 Virtual Regular Meeting of the Municipal Planning Commission

9.3 Approved Minutes of the 2022 February 24 Virtual Regular Meeting of the Bow Valley Regional Housing Board

10.0 CORRESPONDENCE

No Correspondence was received for this meeting.

11.0 NEW/URGENT BUSINESS

COU22-125 **Moved by** Mayor DiManno

That Council recess at 5:06 p.m., to the call of the chair, to reconvene in a closed meeting, to be conducted the Council Boardroom and in a confidential Zoom Meeting environment, pursuant to Sections 17 (Disclosure to personal privacy), 19 (Confidential Evaluations), 24 (Advice from officials, 25 (Disclosure harmful to economic and other interests of a public body), and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*, to consider confidential matters with respect to the following Items:

- 11.1, Confidential Verbal Briefing: Confidential Legal Matter Update; and
- 12.1, Confidential Request for Decision: Resignations and Appointment of Public member to the Banff Public Library Board.

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

MOTION CARRIED



Council reconvened in closed meeting at 5:08 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 6:08 p.m.

Council reconvened in public meeting at 6:10 p.m. with Mayor DiManno in the Chair.

COU22-126 **Moved by** Mayor DiManno

That Council rise and report.

ROLL CALL VOTE:

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

MOTION CARRIED

COU22-127 **Moved by** Mayor DiManno

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

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

MOTION CARRIED



11.1 Confidential Verbal Briefing: Confidential Legal Matter Update

Individuals in attendance during the closed meeting discussions with respect to Item 11.1, Confidential Verbal Briefing: Legal Matter Update:

Clerk: L. McDougall
Advice: K. Gibson and C. Hughes

A confidential distribution, which is to remain confidential until such time as the matter is resolved pursuant to Sections 24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, was received for the Corporate Record with respect to Item 11.1, Confidential Verbal Briefing: Confidential Legal Matter Update.

COU22-128 **Moved by** Mayor DiManno

That with respect to Item 11.1, Confidential Verbal Briefing: Confidential Legal Matter Update, the following be adopted:

That Council approve Confidential Recommendation 1 as contained in the confidential distribution.

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

MOTION CARRIED

COU22-129 **Moved by** Mayor DiManno

That with respect to Item 11.1, Confidential Verbal Briefing: Confidential Legal Matter Update, the following be adopted:

That Council direct that the confidential distribution remain confidential pursuant to Sections 24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, until such time the matter is resolved.

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

MOTION CARRIED



COU22-130 **Moved by** Mayor DiManno

That with respect to Item 11.1, Confidential Verbal Briefing: Confidential Legal Matter Update, the following be adopted:

That Council direct that the closed meeting discussions remain confidential pursuant to Sections 24 (Advice from officials), 25 (Disclosure harmful to economic and other interests of a public body) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

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

MOTION CARRIED

12.0 CONFIDENTIAL ITEMS

12.1 Confidential Request for Decision: Resignations and Appointment of Public Member to the Banff Public Library Board

Individuals in attendance during the closed meeting discussions with respect to Item 12.1, Confidential Request for Decision: Resignations and Appointment of Public Member to the Banff Public Library Board:

Clerk: L. McDougall
Observer: K. Gibson and C. Hughes

COU22-131 **Moved by** Councillor Christensen

That with respect to Confidential Request for Decision: Resignations and Appointment of Public Member to the Banff Public Library Board that the following be approved:

That Council:

1. Accept Maura Knox's and Michaela Duggan's resignation and thank them for their service on the Banff Public Library Board;
2. Appoint Dr. Elizabeth Seybold as a public member to the Banff Public Library Board, for a three year term ending on the 2025 Annual Organizational Meeting of Council;
3. Direct Administration to advertise for the remaining vacancy on the Banff Public Library Board as part of the 2022 – 2023 Recruitment Campaign;
4. Direct that this Report be released as a public document; and



- 5. Direct that the confidential attachment and closed meeting discussions remain confidential pursuant to Sections 17 (Disclosure to personal privacy) and 19 (Confidential evaluations) of the *Freedom of Information and Protection of Privacy Act*.

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

MOTION CARRIED

13.0 ADJOURNMENT

COU22-132 **Moved by** Councillor Pettigrew

That this Council adjourn at 6:18 p.m.

ROLL CALL VOTE:

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

MOTION CARRIED

On Original
Corrie DiManno
Mayor

On Original
Libbey McDougall
Municipal Clerk