



**MINUTES OF THE VIRTUAL PUBLIC HEARING AND REGULAR
MEETING OF COUNCIL**
of the Town of Banff in the Province of Alberta
Virtual Council Meeting
Monday, 2021 August 9, at 2:00 pm

COUNCIL 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)
Peter Poole	Councillor	(Remote Participation)
Brian Standish	Councillor	(Remote Participation)

ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Dave Michaels	Acting Director, Planning & Development	(Remote Participation)
Adrian Field	Director, Engineering	(Remote Participation)
Chris Hughes	Director, Corporate Services	(Remote Participation)
Alison Gerrits	Director, Community Services	(Remote Participation)
Paul Godfrey	Director, Operations	(Remote Participation)
Barbara King	Director, Human Resources	(Remote Participation)
Lisa Lee	Executive Assistant, Mayor's Office	(Remote Participation)
Renée Lavergne	Information Governance Coordinator	(Remote Participation)
Tara Johnston	Legislative Advisor	(Remote Participation)
Libbey McDougall	Municipal Clerk	(Remote Participation)



1.0 CALL TO ORDER

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

ROLL CALL:

Present: (5): Deputy Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Poole, and Councillor Standish

Deputy Mayor DiManno called the virtual Regular Meeting of Council to order at 2:01 p.m.

2.0 APPROVAL OF AGENDA

2.1 Agenda for the 2021 August 09 Virtual Regular Meeting of Council

COU21-293 **Moved by** Councillor DiManno

That with respect to Item 2.1, Agenda for the 2021 August 09 Virtual Regular Meeting of Council, that the following be adopted:

That the Agenda for today's meeting be amended by bringing forward Item 4.1, Invited Presentation:

Karen Sorensen, Former Mayor of the Town of Banff, to be heard immediately following Item 2.2. CAO Announcement: Notification of Resignation for Mayor Karen Sorensen.

For: (5): Deputy Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED



COU21-294 Moved by Councillor Olver

That with respect to Item 2.1, Agenda for the 2021 August 09 Virtual Regular Meeting of Council, that the following be adopted:

That Council approve the Agenda for the 2021 August 09 Virtual Regular Meeting of Council as amended.

For: (5): Deputy Mayor DiManno, Councillor Canning, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

2.2 CAO Announcement: Notification of Resignation for Mayor Karen Sorensen

COU21-295 Moved by Deputy Mayor DiManno

That with respect to Item 2.2, Notification of Resignation for Mayor Karen Sorensen, that the following be adopted:

That Council receive Mayor Karen Sorensen's Notice of Resignation and thank her for her service.

For: (6): Deputy Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

4.0 INVITED PRESENTATIONS

4.1 Karen Sorensen, Former Mayor of Banff

Senator Karen Sorensen spoke to her resignation as Mayor of Banff to accept a position in the Canadian Senate. She thanked Administration, her fellow Council members and her family for their work and support.

By unanimous consent Council received the Presentation for the Corporate Record.



2.3 Appointment of Chief Elected Official (Mayor) and Updates to the Deputy Mayor/ Acting Mayor Roster and to Council Appointments to Various Town of Banff Boards, Commissions, Committees, and Corporations and External Agencies for the Remainder of the 2017 – 2021 Council Term of Office

Deputy Mayor DiManno vacated the Chair at 2:18 p.m. and Acting Mayor Christensen assumed the Chair.

Councillor Standish self-nominated himself for the position of Chief Elected Official (Mayor).

Councillor DiManno self-nominated herself for the position of Chief Elected Official (Mayor).

By unanimous consent the following process was agreed on by Council:

- Nominees will be allowed up to five minutes to speak. The speaking order will be determined by draw of the Chair;
- Council members may ask one question of nominees plus a follow up question;
- Councillors will vote by secret ballot (by email to the Municipal Clerk);
- The number of votes will not be reported;
- The vote will be determined by plurality and not majority;
- The winner will be declared by Municipal Clerk if applicable;
- In the case of a tie, a second round of voting will occur; and
- Should the tie persist, both names will be put in a hat and one name will be drawn.

COU21-296 **Moved by** Acting Mayor Christensen

That with respect to Item 2.3, Appointment of Chief Elected Official (Mayor) and Updates to the Deputy Mayor/ Acting Mayor Roster and to Council Appointments to Various Town of Banff Boards, Commissions, Committees, and Corporations and External Agencies for the Remainder of the 2017 – 2021 Council Term of Office, that the following be adopted:

That Council, in accordance with Section 163 (b) of the *Municipal Government Act*, appoint Corrie DiManno to serve as Chief Elected Official (Mayor) for a term ending 2021 October 18.

For: (6): Acting Mayor Christensen, Councillor Canning, Deputy Mayor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Acting Mayor Christensen vacated the Chair at 3:20 p.m. and Mayor DiManno assumed the Chair.



COU21-297 Moved by Mayor DiManno

That with respect to Item 2.3, Appointment of Chief Elected Official (Mayor) and Updates to the Deputy Mayor/ Acting Mayor Roster and to Council Appointments to Various Town of Banff Boards, Commissions, Committees, and Corporations and External Agencies for the Remainder of the 2017 – 2021 Council Term of Office, that the following be adopted:

That Council, in accordance with Section 13.12 of the Procedures Bylaw 44-7, as amended, reconsider Motion COU20-298, and update the 2017-2021 Deputy Mayor/ Acting Mayor Roster (Attachment 1), by striking through the names listed in the last line of the chart and inserting the following:

- Councillor Ted Christensen, Deputy Mayor; and
- Councillor Grant Canning, Acting Mayor

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

By unanimous consent council recessed from 3:26 p.m. to 3:41 p.m.

To confirm Members of Council, 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 Olver, Councillor Poole, and Councillor Standish

2.4 2021 Council Workplan

COU21-298 Moved by Mayor DiManno

That with respect to Item 2.4, 2021 Council Workplan, that the following be adopted:

That Council receive the 2021 Council Workplan for the Corporate Record.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED



3.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the 2021 July 12 Virtual Regular Meeting of Council

COU21-299 **Moved by** Councillor Canning

That with respect to Item 3.1, Minutes of the 2021 July 12 Virtual Public Hearing and Regular Meeting of Council, that the following be adopted:

That Council adopt the Minutes of the 2021 July 12 Virtual Regular Meeting of Council with a clerical correction to the consideration of motion COU21-272.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

5.0 DELEGATIONS

There were no Delegations scheduled as part of this meeting.

6.0 PUBLIC INPUT ON AGENDA ITEMS

6.1 Written Submissions

- 6.1.1. Anne-Marie Puccini: Email Re: For Discussion at Next Council Meeting – Agenda Item, Received 2021 August 05 (Item 8.1 COVID-19 Pandemic Updates as of 2021 August 09)

Council, by unanimous consent, received the Written Submission for the Corporate Record.

- 6.1.2. Jan Waterous, Managing Partner, Liricon: Letter, Received 2021 August 08 ((Item 7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan)

Council, by unanimous consent, received the Written Submission for the Corporate Record.

Minutes approved by: On Original On Original



6.2 Verbal Submissions

6.2.1 Harvey Locke (Item 7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan)

Dr. Locke spoke in favour of the Notice of Motion with regard to the proposed Railway Lands Area Redevelopment Plan.

Council, by unanimous consent, received the Verbal Submission for the Corporate Record.

6.2.2 John Gow (Item 7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan)

Mr. Gow spoke in favour of the Notice of Motion with regard to the proposed Railway Lands Area Redevelopment Plan.

Council, by unanimous consent, received the Verbal Submission for the Corporate Record.

6.2.2 Jan Waterous (Item 7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan)

Ms. Waterous spoke against the Notice of Motion with regard to the proposed Railway Lands Area Redevelopment Plan.

Council, by unanimous consent, received the Verbal Submission for the Corporate Record.



7.0 UNFINISHED BUSINESS

7.1 Confidential Request for Direction: Council Conduct Issue Process Update

COU21-300 **Moved by** Mayor DiManno

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

That Council recess and reconvene in a closed meeting at 4:39 p.m., to be conducted in a confidential Zoom Meeting environment, pursuant to Sections 17 (Disclosure to personal privacy), 24 (Advice from officials) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act.*, to consider confidential matters with respect to the Item 7.1, Council Code of Conduct Issue Process Update.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Council reconvened in closed meeting at 4:18 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 5:04 p.m.

Council reconvened in public meeting at 5:04 p.m. with Mayor DiManno in the chair.

COU21-301 **Moved by** Mayor DiManno

That Council rise and report and thank Ms. Waterous for her verbal submission.

ROLL CALL VOTE

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED



COU21-302 Moved by Mayor DiManno

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

That Council recess and reconvene in a closed meeting at 4:39 p.m., to be conducted in a confidential Zoom Meeting environment, pursuant to Sections 17 (Disclosure to personal privacy), 24 (Advice from officials) and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act.*, to consider confidential matters with respect to the Item 7.1, Council Code of Conduct Issue Process Update.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

Council reconvened in closed meeting at 5:07 p.m. with Mayor DiManno in the Chair.

Council recessed in closed meeting at 6:02 p.m.

Council reconvened in public meeting at 6:02 p.m. with Mayor DiManno in the chair.

COU21-303 Moved by Mayor DiManno

That Council rise and report.

ROLL CALL VOTE

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED



COU21-304 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 Item 8.1, COVID-19 Pandemic Updates as of 2021 August 09 and further that the following items be postponed to the next meeting of Council:

- 7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan;
- 8.2 Request for Decision: 2021-2022 Board, Committee, Commission and Corporation Recruitment Questions and Profiles;
- 8.3 Request for Decision: Proposed Bylaw 459, The Council Committees Bylaw 350-1 – First Amendment;
- 8.4 Request for Decision: Proposed Bylaw 238-8, Supplementary Property Tax 2021 Bylaw;
- 8.5 Request for Decision: Proposed Bylaw 460 – Land Use Bylaw Amending Bylaw – A Bylaw to Eliminate Postcard Notification Requirements;
- 8.6 Request for Decision: Bow Valley Food Charter Signatory Request;
- 9.1 Approved Minutes of the 2021 May 20 Virtual Regular Meeting of the Banff Heritage Corporation;
- 9.2 Approved Minutes of the 2021 May 26 Virtual Regular Meeting of the Banff Public Library Board;
- 10.1 Pierre-Hugues Gagnon, Resident and Condominium Board Member – Sundance Court, on behalf Blair Fyten, Condominium President – Sulphur Court, Chris Piercy, Condominium President – Riverview Court, Chris Oswald, Condominium President – Middle Springs Drive 100 & 200 Block, and Rob Palmer, Condominium President – Sundance Court: Email and Letter Re: Road Ownership and Affordability Within the Banff Housing Corporation Portfolio, Received 2021 July 31; and
- 10.2 Les Young: Letter Re: Proposed Speed Limit Changes, Dated 2021 July 17

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

With respect to Item 7.1, Council Code of Conduct Issue Process Update, Councillor Poole stated for the record that he does not have a pecuniary conflict of interest in voting on these matters.



COU21-305 Moved by Mayor DiManno

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

That Council dismiss the complaint, in its entirety, as there are insufficient grounds for this matter to be investigated.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

COU21-306 Moved by Mayor DiManno

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

That Council direct, as part of the regularly scheduled review of Bylaw 429, the Council Code of Conduct, that Administration return to the next Council with amendments to Section 15.3 clarifying when it is appropriate to withhold the name of a person who submits a formal complaint.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

COU21-307 Moved by Mayor DiManno

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

That Council direct that the confidential Briefing, Attachments, distributions, and closed meeting conversations remain confidential pursuant to Sections 17 (Disclosure to personal privacy), 24 (Advice from officials), and 27 (Privileged information) of the *Freedom of Information and Protection of Privacy Act*.

For: (4): Mayor DiManno, Councillor Canning, Councillor Olver, and Councillor Standish
Against (2): Councillor Christensen and Councillor Poole

MOTION CARRIED



COU21-308 Moved by Councillor Olver

That with respect to Item 7.1, Council Code of Conduct Issue Process Update, that the following be adopted:

Direct that Administration to return to the next meeting of Council with a legal opinion on whether the complaint may be released as a public document.

For: (4): Mayor DiManno, Councillor Christensen, Councillor Olver, and Councillor Poole
Against (2): Councillor Canning and Councillor Standish

MOTION CARRIED

Individuals in attendance during the closed meeting discussions with respect to Item 7.1 Council Code of Conduct Issue Process Update:

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

7.2 Notice of Motion: Clarity of Project Scope Relating to the Proposed Railway Lands Area Redevelopment Plan

Postponed to the next regular meeting of Council.

8.0 BYLAWS AND STAFF REPORTS

8.1 Verbal Briefing: COVID-19 Pandemic Updates as of 2021 August 09

Council, by unanimous consent, received the Verbal Briefing for the Corporate Record.

COU21-309 Moved by Councillor Christensen

That with respect to Item 8.1, COVID-19 Pandemic Updates as of 2021 August, that the following be adopted:

That Council direct Administration to draft a new potential Mandatory Mask Bylaw that would address both indoor and outdoor masking requirements.

For (3): Councillor Olver, Councillor Christensen and Councillor Poole
Against (3): Mayor DiManno, Councillor Canning, and Councillor Standish

MOTION DEFEATED



COU21-310 Moved by Councillor Christensen

That with respect to Item 8.1, COVID-19 Pandemic Updates as of 2021 August, that the following be adopted:

That Council direct Administration to draft a new potential Mandatory Mask Bylaw that would address indoor masking requirements.

For (4): Councillor Canning, Councillor Christensen Councillor Olver, and Councillor Poole
Against (2): Mayor DiManno, and Councillor Standish

MOTION CARRIED

COU21-311 Moved by Councillor Christensen

That with respect to Item 8.1, COVID-19 Pandemic Updates as of 2021 August, that the following be adopted:

Schedule a Virtual Special Meeting of Council for Friday, 2021 August 13 at 9:00 a.m. for consideration of these proposed Bylaws.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole and Councillor Standish

MOTION CARRIED

8.2 Request for Decision: 2021-2022 Board, Committee, Commission and Corporation Recruitment Questions and Profiles

Postponed to the next regular meeting of Council.

8.3 Request for Decision: Proposed Bylaw 459, The Council Committees Bylaw 350-1 – First Amendment

Postponed to the next regular meeting of Council.

8.4 Request for Decision: Proposed Bylaw 238-8, Supplementary Property Tax 2021 Bylaw

Postponed to the next regular meeting of Council.



- 8.5 Request for Decision: Proposed Bylaw 460 – Land Use Bylaw Amending Bylaw – A Bylaw to Eliminate Postcard Notification Requirements

Postponed to the next regular meeting of Council.

- 8.6 Request for Decision: Bow Valley Food Charter Signatory Request

Postponed to the next regular meeting of Council.

9.0 COMMITTEE REPORTS

- 9.1 Approved Minutes of the 2021 May 20 Virtual Regular Meeting of the Banff Heritage Corporation

Postponed to the next regular meeting of Council.

- 9.2 Approved Minutes of the 2021 May 26 Virtual Regular Meeting of the Banff Public Library Board

Postponed to the next regular meeting of Council.

10.0 CORRESPONDENCE

- 10.1 Pierre-Hugues Gagnon, Resident and Condominium Board Member – Sundance Court, on behalf Blair Fyten, Condominium President – Sulphur Court, Chris Piercy, Condominium President – Riverview Court, Chris Oswald, Condominium President – Middle Springs Drive 100 & 200 Block, and Rob Palmer, Condominium President – Sundance Court: Email and Letter Re: Road Ownership and Affordability Within the Banff Housing Corporation Portfolio, Received 2021 July 31

Postponed to the next regular meeting of Council.

- 10.2 Les Young: Letter Re: Proposed Speed Limit Changes, Dated 2021 July 17

Postponed to the next regular meeting of Council.

11.0 NEW/URGENT BUSINESS

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



12.0 CONFIDENTIAL ITEMS

No Confidential Items were scheduled as part of this meeting.

13.0 ADJOURNMENT

COU21-312 **Moved by** Councillor Standish

That this Council adjourn at 7:06 p.m.

ROLL CALL VOTE:

For: (6): Deputy Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Poole, and Councillor Standish

MOTION CARRIED

On Original
Corrie DiManno
Mayor

On Original
Libbey McDougall
Municipal Clerk