



**MINUTES OF THE VIRTUAL PUBLIC HEARING AND
REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Virtual Public Hearing and Council Meeting
Tuesday, 2021 May 25, at 2:00 pm**

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor	(Remote Participation)
Corrie DiManno	Councillor and Deputy Mayor	(Remote Participation)
Ted Christensen	Councillor and Acting Mayor	(Remote Participation)
Grant Canning	Councillor	(Remote Participation)
Chip Olver	Councillor	(Remote Participation)
Peter Poole	Councillor	(Remote Participation)
Brian Standish	Councillor	(Remote Participation)

COUNCIL MEMBERS ABSENT

Chip Olver	Councillor	(Remote Participation)
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ADMINISTRATION PRESENT

Kelly Gibson	Town Manager	(Remote Participation)
Silvio Adamo	Director, Emergency Management, Director, Protective Services, and Fire Chief	(Remote Participation)
Jason Darrah	Director, Communications & Marketing	(Remote Participation)
Darren Enns	Director, Planning & Development	(Remote Participation)
Adrian Field	Director, Engineering	(Remote Participation)
Chris Hughes	Director, Corporate Services	(Remote Participation)
Alison Gerrits	Director, Community Services, and Deputy Director Emergency Management	(Remote Participation)
Paul Godfrey	Director, Operations	(Remote Participation)
Barbara King	Director, Human Resources	(Remote Participation)
Randall McKay	Manager, Strategic Initiatives & Special Projects)	(Remote Participation)
Eric Bjorge	Development & Heritage Planner	(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 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 Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Poole, and Councillor Standish

Absent (1): Councillor Olver

Mayor Sorensen 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 May 25 Virtual Public Hearing and Regular Meeting of Council

COU21-187 **Moved by** Councillor Canning

That the Agenda for today's meeting approved, **as corrected, as follows:**

- Item 7.1.5. Correspondence from Stephan Provost is with respect to Item 9.1- Council Remuneration not Item 9.4.

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

MOTION CARRIED



2.2 2021 Council Workplan

Council, by unanimous consent, received the 2021 Council Workplan for the Corporate Record.

3.0 PUBLIC HEARING

Land Use Bylaw Amending Bylaw 455 – A Bylaw Encouraging Housing Development

The Public Hearing was called, and the following individuals addressed Council with respect to Bylaw 455:

1. Lawrence Davidson on behalf of Mountain View Estates Housing Cooperative

Mr. Davidson spoke in favour of encouraging the development of affordable housing in Banff, however, is concerned with changes to parking required in the RCN district and asked that council consider the following with regard to proposed Bylaw 455:

- awareness of reasons for growth of on-street parking in the community; and
- plans for exploring mechanisms that may disincentivize the growth of vehicles in the community.

The following written submissions with respect to Bylaw 455 were received for the Corporate Record:

1. Philip Tarchuk on behalf of Carlos Rodrigues, Daniel Rodrigues, Neil Tanner, Banff Inn, Tanner Properties, 51 North Contracting, and 2294429 AB Development Corporation: Letter Re: Bylaw 455 – Land Use Bylaw Amending Bylaw – A Bylaw To Encourage The Development of Rental Housing, dated 2021 May 16
2. Michelle Macullo: Email Re: Bylaw Review 455, Received 2021 May 17
3. John Dowson for Camerian Properties Ltd. And John Dowson Construction: Email Re: Proposed Bylaw 455 – A Bylaw to Encourage Housing Development, Received 2021 May 18.
4. Shawn Birch, President & CEO, Banff Caribou Properties Ltd: Letter Re: Proposed Bylaw 455, Dated 2021 May 21



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COU21-188 **Moved by** Mayor Sorensen

That Council direct that

- a. The Public Hearing for Proposed Bylaw 455, Land Use Amending Bylaw remain open; and
- b. Consideration of second and third reading of Proposed Bylaw 455, Land Use Amending Bylaw be postponed;

until the 2021 June 14 Virtual Meeting of Council.

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

MOTION CARRIED

REGULAR MEETING OF COUNCIL:

4.0 PREVIOUS COUNCIL MINUTES

- 4.1 Minutes of the 2021 May 10 Virtual Special Meeting of Council Re: Proposed Bylaw 431 – Land Use Bylaw Amendment Administration of Development Permits – Second and Third Reading; Proposed Bylaw 439 – Municipal Planning Commission – Second and Third Reading; Proposed Bylaw 440 – Development Appeal Board – Second and Third Reading; Proposed: Proposed Bylaw 446 – Authority of Development Officer – Second and Third Reading; Transit Priority Measures Report; Progress Report on Waste Diversion Targets & Tactics (Zero Waste) Program
- 4.2 Minutes of the 2021 May 10 Virtual Regular Meeting of Council

COU21-189 **Moved by** Mayor Sorensen

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

- Item 4.1, Minutes of the 2021 May 10 Virtual Special Meeting of Council Re: Proposed Bylaw 431 – Land Use Bylaw Amendment Administration of Development Permits – Second and Third Reading; Proposed Bylaw 439 – Municipal Planning Commission – Second and Third Reading; Proposed Bylaw 440 – Development Appeal Board – Second and Third Reading; Proposed: Proposed Bylaw 446 – Authority of Development Officer – Second and Third Reading; Transit Priority Measures Report; Progress Report on Waste Diversion Targets & Tactics (Zero Waste) Program; and

Minutes approved by: On Original On Original



- Item 4.2, Minutes of the 2021 May 10 Virtual Regular Meeting of Council

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

MOTION CARRIED

5.0 INVITED PRESENTATIONS

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

6.0 DELEGATIONS

There were no Delegations scheduled as part of this meeting.

7.0 PUBLIC INPUT ON AGENDA ITEMS

7.1 Written Submissions

- 7.1.1 Brandon T. Brown on behalf of Brandon T. Brown Wilderness Gallery: Letter, Dated 2021 May 08 (Item 9.3, Revised - Bear Street Sidewalk Seating – Summer 2021)

Council, by unanimous consent, received Brandon T. Brown's Correspondence, dated 2021 May 08, for the corporate record.

- 7.1.2 Caleb Shoreland on behalf of Nourish Bistro, Banff: Letter Re: Item #8.4, Page 7 of 13. Figure 7, Patio Space Allocation on Bear Street, Dated 2021 May 10 (Item 9.3, Revised - Bear Street Sidewalk Seating – Summer 2021)

Council, by unanimous consent, received Caleb Shoreland's Correspondence, dated 2021 May 10, for the corporate record.

- 7.1.3 Shane Coultis Sr: Email Re: 2021 Property Taxes, Received 2021 May 23 (Item 9.4, Proposed 2021 Tax Rate Bylaw 240-18)

Council, by unanimous consent, received Shane Coultis' Correspondence dated 2021 May 23 for the corporate record.



- 7.1.4 Laurie Hardingham: Email Re: Proposed Tax Rate Bylaw, Council Meeting May 25, 2021, Received 2021 May 24 (Item 9.4, Proposed 2021 Tax Rate Bylaw 240-18)

Council, by unanimous consent, received Laurie Hardingham's Correspondence, dated 2021 May 25 for the corporate record.

- 7.1.5 Stephan Prevost: Letter, Dated 2021 May 24 (Item 9.1, Council Remuneration Review Committee Recommendations Report)

Council, by unanimous consent, received Stephan Prevost's Correspondence, dated 2021 May 25 for the corporate record.

7.2 Verbal Submissions

No Verbal Submissions were provided at this meeting.

8.0 UNFINISHED BUSINESS

There was no Unfinished Business scheduled for this meeting.

9.0 BYLAWS AND STAFF REPORTS

- 9.1 Request for Decision: Council Remuneration Review Committee Recommendations Report

External Presenter: Connie MacDonald – Chair, Council Remuneration Review Committee

COU21-190 **Moved by** Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council accept the Council Remuneration Review Committee – May 2021 Recommendations Report for the Corporate Record.

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

MOTION CARRIED

Minutes approved by: On Original On Original



COU21-191 Moved by Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council direct Administration to return to the 2021-2025 Council with options for a Parental Leave Bylaw.

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

MOTION CARRIED

COU21-192 Moved by Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council direct Administration to return to the 2021-2025 Council with a briefing report on the per diem payment process for all external Boards, Commissions and Agencies for review.

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

MOTION CARRIED

COU21-194 Moved by Councillor Poole

That Mayor Sorensen's Motion, COU21-193, as amended as follows:

- By deleting the words “as presented” following the words “Adopt proposed Council Remuneration Policy C1005-1” and substituting with the words “as amended”; and
- By deleting subsections a. and b., in their entirety, and replacing them with the following:
 - a. That the current 2021 Mayoral annual base remuneration, for the 2021-2025 Mayoral term, be determined as follows:
 - i. Remain at the current 2021 base remuneration (\$96,702.52) until 2022 December 31;
 - ii. A 2.5 % increase in 2023, plus inflationary base wage market adjustment;
 - iii. A 2.5% increase in 2024 plus inflationary base wage market adjustment; and
 - iv. A 2.5 % increase in 2025, plus inflationary base wage market adjustment.



- b. That the 2021-2025 Councillor annual base remuneration remain at the current 2021 rate (\$31,249.43) until 2022 December 31 and then be calculated at one third of the Mayoral annual base remuneration, based on the above increases.

For: (3): Councillor Christensen, Councillor Poole, and Councillor Standish

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

MOTION DEFEATED ON TIE VOTE

COU21-193 **Moved by** Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council adopt Council Remuneration Policy C1005-1, as presented, that would take effective immediately upon the day a new Council is sworn in to reflect the following recommendations of the Committee as presented in their Report:

- a. Increase the current 2021 Mayoral annual base remuneration, for the 2021-2025 Mayoral term, as follows:
 - i. Current 2021 base remuneration plus 1.4 % until 2022 (\$98, 075);
 - ii. A 2.5 % increase in 2023, plus inflationary base wage market adjustment;
 - iii. A 2.5% increase in 2024 plus inflationary base wage market adjustment; and
 - iv. A 2.5 % increase in 2025, plus inflationary base wage market adjustment.
- b. That the 2021-2025 Councillor annual base remuneration be calculated at one third of that of the Mayoral annual base remuneration, based on the above increases.
- c. That effective January 1, 2022 that Per Diem rates be adjusted annually by the inflationary base wage market adjustment.
- d. Replace the “Computer Allowance” with a “Technology Allowance”, to reflect the broader use of various technology, maintaining the current allowance amount.
- e. Replace “spouse” with “spouse/partner” to include and reflect diversity in relationships;
- f. Minor clerical and administrative updates to align the policy with current practices and provide clarity and transparency.)

For: (3) Mayor Sorensen, Councillor Canning, and Councillor DiManno

Against: (3) Councillor Christensen, Councillor Poole, and Councillor Standish

MOTION DEFEATED ON TIE VOTE

Minutes approved by: On Original On Original



Approved 2021 June 14

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COU21-195 **Moved by** Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council postpone Item 7.1, Council Remuneration Review Committee Recommendations Report, to a future meeting of Council where all members are present.

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

MOTION CARRIED

COU21-196 **Moved by** Mayor Sorensen

That with respect to Item 8.1, Council Remuneration Review Committee Recommendations Report, that the following be adopted:

That Council thank the 2020-2021 Council Remuneration Review Committee for their hard work and dedication to the Community.

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

MOTION CARRIED

Council, by unanimous consent, recessed at 3:47 p.m. to reconvene at 4:03 p.m.

Minutes approved by: On Original On Original



9.2 Verbal Briefing: COVID-19 Pandemic Updates as of 2021 May 25

COU21-197 **Moved by** Mayor Sorensen

That with respect to Item 9.2, COVID-19 Pandemic Updates as of 2021 May 25, the following be adopted:

That Council receive the COVID-19 Pandemic Updates Verbal Briefing for the Corporate Record.

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

MOTION CARRIED

9.3 Request for Decision: Revised – Bear Street Sidewalk Seating – Summer 2021

Councillor Poole declared a pecuniary interest with respect to Item 9.3, Revised -Bear Street Sidewalk Seating – Summer 2021 and abstained from discussion and voting, as he is a commercial partner in a business located on Caribou Street and a business and building owner on Bear Street. Councillor Poole left the virtual meeting at 4:28 p.m. and returned at 4:50 p.m. after discussion and voting concluded.

COU21-198 **Moved by** Mayor Sorensen

That with respect to Item 9.3, Revised – Bear Street Sidewalk Seating – Summer 20201, the following be adopted:

That Council proceed with Sidewalk Seating allocations as proposed for summer 2021 identified in Figures 6, 11, 13, 14, 15, and 16 contained in Attachment 2 (2021 May 10 Council Report) and Figure 1 of the 2021 May 25 Council Report.

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, and Councillor Standish

MOTION CARRIED



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COU21-199 **Moved by** Mayor Sorensen

That with respect to Item 9.3, Revised – Bear Street Sidewalk Seating – Summer 20201, the following be adopted:

That Council exempt Bear Street businesses from the Sidewalk Seating and Outdoor Merchandise Fees for 2021.

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, and Councillor Standish

MOTION CARRIED

COU21-200 **Moved by** Councillor Standish

That with respect to Item 9.3, Revised – Bear Street Sidewalk Seating – Summer 20201, the following be adopted:

That Council direct Administration to return with Q4 update on Bear Street Summer 2021 Sidewalk Seating allocations.

For: (5): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, and Councillor Standish

MOTION CARRIED

9.4 Request for Decision: Proposed 2021 Tax Rate Bylaw 240-18

COU21-201 **Moved by** Mayor Sorensen

That with respect to Item 9.4, 2021 Tax Rate Bylaw 240-18, the following be adopted:

That Council, pursuant to Section 3.6 of Procedures Bylaw 44-7, as amended, suspend Section 13.12 (a) in order to reconsider its decision with respect to the 2021 Operating Budget so as to amended it to reflect the tax funded savings as presented in the Proposed 2021 Tax Rate Bylaw 240-18 Report.

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

MOTION CARRIED

Minutes approved by: On Original On Original



COU21-202 Moved by Mayor Sorensen

That with respect to Item 9.4, 2021 Tax Rate Bylaw 240-18, the following be adopted:

That Bylaw 240-18 be introduced and read a first time.

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

MOTION CARRIED

COU21-203 Moved by Mayor Sorensen

That with respect to Item 9.4, 2021 Tax Rate Bylaw 240-18, the following be adopted,

That Bylaw 240-18 be read a second time.

For: (4): Mayor Sorensen, Councillor Canning, Councillor DiManno, and Councillor Standish

Opposed (2): Councillor Christensen, and Councillor Poole,

MOTION CARRIED

COU21-204 Moved by Mayor Sorensen

That with respect to Item 9.4, 2021 Tax Rate Bylaw 240-18, the following be adopted:

That authorization now be given to read Bylaw 240-18 a third time.

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

MOTION CARRIED UNANIMOUSLY

COU21-205 Moved by Councillor Standish

That with respect to Item 9.4, 2021 Tax Rate Bylaw 240-18, the following be adopted:

That Bylaw 240-18 be read a third time.

For: (4): Mayor Sorensen, Councillor Canning, Councillor DiManno, and Councillor Standish

Opposed (2): Councillor Christensen, and Councillor Poole

MOTION CARRIED



9.5 Request for Decision: 2021 Tax and Utility Penalty Deferral

COU21-206 **Moved by** Mayor Sorensen

That with respect to Item 9.5, 2021 Tax and Utility Penalty Deferral, the following be adopted:

That Council temporarily suspend Section 3.2 of Bylaw 339, the Tax Penalty and Installment Payment Bylaw, until 2021 August 31, and temporarily suspend the collection of penalties on the first and second quarter utility bills until 2021 August 31.

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

MOTION CARRIED

10.0 COMMITTEE REPORTS

There were no Committee Reports considered at this meeting.

11.0 CORRESPONDENCE

11.1 Correspondence: Christian DuBois, Partner, The Radiant: Letter, Dated 2021 May 20, 2021

Council, by unanimous consent, received Christian DuBois's Letter, dated 2021 May 20, 2021, for the Corporate Record.

12.0 NEW/URGENT BUSINESS

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



13.0 CONFIDENTIAL ITEMS

- 13.1 Confidential Request for Decision: Resignation and Appointment to the Banff Public Library Board
- 13.2 Confidential Request for Decision: Revised Resignation and Appointment of Temporary Public Members to the Town of Banff Local Assessment Review Board

COU21-207 **Moved by** Mayor Sorensen

That Council recess at 5:23 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 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 the Item 12.1, Resignation and Appointment to the Banff Public Library Board and 12.2, Revised Resignation and Appointment of Temporary Public Members to the Town of Banff Local Assessment Review Board.

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

MOTION CARRIED

Council reconvened in closed meeting at 5:23 p.m. with Mayor Sorensen in the Chair.

Council recessed in closed meeting at 5:34 p.m.

Council reconvened in public meeting at 5:34 p.m. with Mayor Sorensen in the chair.

COU21-208 **Moved by** Mayor Sorensen

That Council rise and report.

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

MOTION CARRIED



Individuals in attendance during the closed meeting discussions with respect to Item 12.1, Resignation and Appointment to the Banff Public Library Board and 12.2, Revised Resignation and Appointment of Temporary Public Members to the Town of Banff Local Assessment Review Board.

Clerk: L. McDougall
T. Johnston

Advice: K. Gibson
C. Hughes

COU21-209 Moved by Councillor Standish

That with respect to Item 12.1, Resignation and Appointment to the Banff Public Library Board, the following be adopted:

That Council:

1. Accept Lindsay Stokalko and Joanne Harris' resignations and thank them for their service on the Banff Public Library Board;
2. Appoint Maura Knox to the Banff Public Library Board to complete the remainder of a three year term ending on the 2022 Annual Organizational Meeting of Council;
3. Direct Administration to advertise for the remaining vacancy on the Banff Public Library Board as part of the 2021 Recruitment Campaign;
4. Direct that this Report be released as a public document; and
5. Direct that the confidential attachments 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: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Poole, and Councillor Standish

MOTION CARRIED



COU21-210 Moved by Mayor Sorensen

That with respect to Item 12.1, Resignation and Appointment to the Banff Assessment Review Board, the following be adopted:

That Council:

1. Accept Barbara MacNeil’s resignation and thank her for her service on the Assessment Review Board;
2. Appoint Andrea Williams and Martin Buckley to the Town of Banff Local Assessment Review Board for the duration of appeal ARB 21-1 scheduled to be heard on 2021 June 17;
3. Direct that this Report be released as a public document; and
4. Direct that the confidential attachments 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: (6): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Poole, and Councillor Standish

MOTION CARRIED

14.0 ADJOURNMENT

COU21-211 Moved by Councillor Standish

That this Council adjourn at 5:38 p.m.

ROLL CALL VOTE:

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

MOTION CARRIED

On Original
Karen Sorensen
Mayor

On Original
Libbey McDougall
Municipal Clerk

Minutes approved by: On Original On Original