

**Town of Kensington
Minutes of Regular August Council Meeting
Monday, August 11, 2008
7:00 PM**

Council Members Present: Mayor Barry Campbell; Councillors: MacLean, Mill, Gallant, Kiff, Mann

Staff Members Present: Deputy Administrator: Wendy MacKinnon; Administrative Assistant: Kimberley Verhulp, Chief Lewis Sutherland.

Visitors: David Webster, Anne Brander and Lori Brander

1. Calling of Meeting to Order

1.1 Mayor Campbell called the meeting to order at 7:00 PM and welcomed Council members, staff & visitors.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Mann, seconded by Councillor Mill to approve the Tentative Agenda for the August 11, 2008 Council Meeting with Item 9 moved to Item 3. Unanimously carried.*

3. Re-zoning Request – 9 Imperial Street

3.1 A Public Meeting took place on August 6, 2008 concerning re-zoning property #79855 from R1 to R3. Concerns were brought forward at the meeting by property owners in the area as to the type of development that will proceed once the re-zoning is approved. Concerns were also noted regarding the transportation infrastructure in the area.

First Reading of the Bylaw to re-zone property # 79855 located at 9 Imperial Street from R1 to R3 was unanimously approved at the August 6, 2008 Council meeting.

David Webster presented the development options being considered for the property at 9 Imperial Street if approval is given for the property to be re-zoned from R1 to R3.

3.2 *Moved by Councillor Kiff, seconded by Councillor Mann to approve second reading to amend the Bylaw to re-zone 9 Imperial Street (PID #79855) from R1 to R3 with the understanding that development of low income housing will not be permitted on the property. Unanimously carried.*

- 3.3** *THEREFORE BE IT RESOLVED that the Town of Kensington approve the application for the re-zoning of 9 Imperial Street (PID #79855) from R1 to R3 with the understanding that development of low income housing will not be permitted on the property. Moved by Councillor Mill, seconded by Councillor Gallant. Unanimously carried.*

Subdivision of Lot 10 Barrett Street

Moved by Councillor MacLean, seconded by Councillor Gallant to approve the subdivision of Lot 10 Barrett Street into two separate lots, 10E and 10W, for the purpose of constructing two semi-detached housing units. Unanimously carried.

4. Minutes of Previous Regular Meeting

- 4.1** *Approval of minutes for July 14, 2008 regular meeting. Moved by Councillor Mann, seconded by Councillor Gallant. Unanimously carried.*
- 4.2** *Approval of minutes for August 6, 2008 public meeting. Moved by Councillor Mann, seconded by Councillor Gallant. Unanimously carried.*
- 4.3** *Approval of minutes for August 6, 2008 special meeting. Moved by Councillor Gallant, seconded by Councillor Kiff. Unanimously carried.*

5. Approval of Accounts

- 5.1** *Moved by Councillor Mann, seconded by Councillor Mill to approve expenditures from July 11 – August 7, 2008 for \$171,840.16. Unanimously carried.*

6. Committee Reports

6.1 Property Committee Report

- 6.1.1** *Moved by Councillor MacLean, seconded by Councillor Mill to approve a building permit for Alan & Donna Palmer of 77 Victoria Street, PID #76521 to remove a portion of the deck for a pool installation and to erect a fence. Unanimously carried.*
- 6.1.2** *Moved by Councillor MacLean, seconded by Councillor Gallant to approve a building permit for William J Wall of 2A Victoria Street East PID #77297-000 to remove existing porch and add a bedroom, bathroom and porch. Unanimously carried.*
- 6.1.3** *Moved by Councillor MacLean, seconded by Councillor Kiff to approve a building permit for Joe & Ester Wigmore of 4 Walker Drive PID #458810 to remodel basement. Unanimously carried.*

6.1.4 *Moved by Councillor MacLean, seconded by Councillor Mill to approve a building permit for Kevin Lahey & Joanne Mann of 33 Pleasant Street to shingle roof and repair basement with weeping tile. Unanimously carried.*

6.1.5 *Moved by Councillor MacLean, seconded by Councillor Mill to approve a building permit for Blue Ridge Holdings to develop a new lot in the Jeanne Lynn Mobile Home Park at 43 Second Street. Unanimously carried.*

6.1.6 *Moved by Councillor MacLean, seconded by Councillor Kiff to approve a building permit for Samuel Bramley of 39 Pleasant Street PID #79442 to construct a 2 car garage. Unanimously carried.*

6.1.7 Councillor MacLean comments on the opening and closing of the public washrooms at the Train Station on the weekend. Councillor MacLean and Councillor Kiff will be given keys to the public washrooms and will open and close and do the required cleaning on weekends for the rest of the season.

6.2 Recreation, Parks and Special Events Committee Report

6.2.1 The slats on some of the benches at the Alysha Toomb's Memorial Park are broken. Town Manager will look into this issue and report back to Council.

6.2.2 The Harvest Festival Parade will be on Saturday, August 16, 2008 at 2:00 PM.

6.3 Police Report

6.3.1 *Moved by Councillor Mill, seconded by Councillor Gallant to approve the Police Report for the month of July as prepared by Chief Lewis Sutherland. Unanimously carried.*

6.3.2 Traffic issues at the intersection of Garden Drive and Victoria Street continue to be a problem.

6.3.3 *Moved by Councillor MacLean, seconded by Councillor Mill to have the upper end of Francis Street a one way street 24 hours a day. Unanimously carried.*

6.3.4 There is a traffic issue at the Train Station parking lot behind the freight shed where it joins onto Imperial Street. It needs to have a portion of the fence (by Kent) removed and a stop sign needs to be erected and a white line painted on the edge of the road and parking lot. Town Manager and Police Chief will rectify this issue and report back to Council.

6.3.5 The individual that damaged the window of the Police Cruiser will be required by court order to pay for the damage.

6.4 Public Works

6.4.1 Councillor Mann reported that there are two potholes that need to be repaired on Victoria Street by the trail.

6.5 Fire Report

6.5.1 *Moved by Councillor Gallant, seconded by Councillor Mann to approve the Fire Report for July as prepared by Fire Chief Folland. Unanimously carried.*

6.6 Finance Report

6.6.1 The Finance Report for July was presented by Councillor Mann.

6.7 Mayor's Report

6.7.1 Mayor Campbell provided an update on the current status of the Sewage Treatment Facility Wind Turbine Installation.

6.7.2 Mayor Campbell provided an update on his meeting with the Minister of National Revenue, Gordon O'Connor. Discussion with Minister O'Connor surrounded mostly the Town's disappointment with losing the streetscape project and the possibility of having the upper floor of the Post Office building better utilized.

7. Andy MacLean Subdivision

7.1 *Moved by Councillor MacLean, seconded by Councillor Gallant to designate plan # 08117 as a plan of subdivision for PID# 432989 and to consolidate the subdivided property to PID #79657. Unanimously carried.*

8. Off- Highway Vehicle Bylaw

8.1 *Moved by Councillor Mann, seconded by Councillor Gallant to approve second reading of the Town of Kensington Off-Highway Vehicle Bylaw. Unanimously carried.*

8.2 **THEREFORE BE IT RESOLVED** *that the Town of Kensington Off-Highway Vehicle Bylaw be formally approved and adopted. Moved by Councillor Mill, seconded by Councillor Kiff. Unanimously carried.*

9. Re-zoning Request – 23 Broadway Street

A Public Meeting took place on August 6, 2008 concerning the re-zoning of 23 Broadway Street (PID #680900) from R3 to C1. Property owners present did not object to the re-zoning request as presented.

First reading of the Bylaw to re-zone 23 Broadway Street (PID #680900) from R3 to C1 was unanimously approved at the August 6, 2008 Council meeting.

9.1 *Moved by Councillor Mill, seconded by Councillor Gallant to approve second reading to amend the Bylaw to re-zone property at 23 Broadway Street South, PID #680900 from an R3 to C1 with the understanding that should the used car sales lot cease operation the zoning will automatically revert back to its original zoning designation of R3. Unanimously carried.*

9.2 *THEREFORE BE IT RESOLVED that the Town of Kensington approve the application for re-zoning of 23 Broadway Street (PID # 680900) from R3 to C1 with the understanding that should the used car sales lot cease operation the zoning will automatically revert back to its original zoning designation of R3. Moved by Councillor Kiff, seconded by Councillor Mann. Unanimously carried.*

10. Rescinding Motion – 2009 Police Salary Increase

10.1 *Moved by Councillor Gallant, seconded by Councillor Mann to rescind the original motion made at the July 14, 2008 regular council meeting:*

“Moved by Councillor MacLean, seconded by Councillor Mill to approve the expenditure of the 2008 surplus from the Police Contract Revenue to increase salaries and the training allowance for the Police Department up to a maximum of \$45,000 to come into effect January 1, 2009. The Police Committee will make recommendations for the increase to the Police Chiefs salary.”
3 for, 1 against, 1 abstention.

10.2 *Town Manager will complete a full review of all Town Employees’ salaries with wage comparisons from other municipalities and bring recommendations to Council regarding overall salary increases at the September regular meeting of Town Council. Moved by Councillor Kiff, seconded by Councillor Gallant. Unanimously carried.*

11. Correspondence

- A letter from Karin Meltzer requesting funding of \$800.00 for the fall season art classes to be held at KISH.

Moved by Councillor Mann, seconded by Councillor Gallant to deny the funding request. Unanimously carried.

- A letter from Gary Gallant, Manager of the Kensington Club requesting a letter to approve in principle an addition of a pub style bar to the Kensington Club.

Moved by Councillor MacLean, seconded by Councillor Mill to approve in principal an addition of a pub style bar to Kensington Club. 4 for, 1 abstention.

- A card from Catherine and Rachel, organizers of the Seashore Festival 2008 expressing their sincere thanks for our assistance in making the festival a success.
- A thank you letter from the Prince County Hospital Foundation for the \$3000.00 donation.
- A letter from Atlantic Canada Water Works Association seeking support for the 2008 Conference to be held in Charlottetown in October. Request denied.
- Kensington & Area Chamber of Commerce July 2008 newsletter.

11. Other Matters

- It has been noted by Council that it is unsightly when looking in the windows at Tickles and Stedmans when walking on Broadway Street and requested that they put paper on the windows of their business. Town Manager will request this action be taken.

12. Adjournment

Moved by Councillor Kiff, seconded by Councillor Mill to adjourn the meeting at 9:30 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Barry Campbell,
Mayor