

Town of Kensington
Minutes of Regular Council Meeting
Monday December 13, 2010
7:00 PM

Council Members Present: Mayor Gordon Coffin; Deputy Mayor Chessman,
Councillors: Gallant, Caseley, Spencer, Mill and MacLean

Staff Members Present: Chief Administrative Officer, Geoff Baker ; Deputy
Administrator, Wendy MacKinnon; Administrative
Assistant, Maria Hickey; Police Chief, Lewis Sutherland

Visitors: Lynn Ann Hogan, Steven Burt, Robin Perry, Francois Caron;
Central Region Coordinator for Sport and Recreation for the
Provincial Department of Health and Wellness, Hon. Wesley
J Sheridan; Minister of Finance and Municipal Affairs.

1. Calling of Meeting to Order

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

2. Approval of Tentative Agenda

2.1 *Moved by Councillor MacLean, seconded by Councillor Mill to approve the tentative agenda for the December 13th, 2010 regular meeting of Town Council. Unanimously carried.*

3. Presentation to Steven Burt – Retired Kensington Fire Fighter

3.1 Mayor Coffin presented a certificate of appreciation on behalf of the Town Council, to retired fire fighter Steven Burt for his 35 years of service on the Kensington Fire Department.

4. Presentation from Francois Caron, Central Region Coordinator for Sport and Recreation for the Provincial Department of Health and Wellness.

4.1 Francois Caron provided Town Council with information on sport and recreation on PEI, specifically as it relates to ongoing initiatives of the Provincial department of Health and Wellness and the availability of funding if Kensington were to hire a recreation/wellness coordinator for the Town. Francois advised that he would provide the Town Manager with sample job descriptions and other relevant information.

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Caseley, seconded by Councillor Spencer to approve the minutes for the November 8th, 2010 regular Council Meeting with the addition of “unanimously carried”, for items 6.6.1 and 6.6.2. Unanimously carried.*

5.2 *Moved by Councillor MacLean, seconded by Councillor Caseley to approve the minutes for the November 15th, 2010 special Council Meeting. Unanimously carried.*

6. Business Arising from Minutes

6.1 Minutes from November 8th, 2010 Regular Council Meeting

Nil

6.2 Minutes from November 15th, 2010 Special Council Meeting

Nil

7. Committee Reports

7.1 Police Report

Moved by Councillor MacLean, seconded by Deputy Mayor Chessman to adopt the November, 2010 Police Committee Report as prepared by Police Chief Lewis Sutherland. Unanimously carried.

7.2 Property Committee Report

Moved by Councillor Spencer, seconded by Councillor MacLean to approve a building permit for Joanna Rios, 55 Broadway Street North, PID # 77883, to replace shingles on roof and some repair to eaves etc. Such approval is subject to compliance with all other relevant federal, provincial and municipal legislation and regulations. Unanimously carried.

7.3 Parks, Recreation and Special Events Committee Report

7.3.1 Councillor Mill attended a function held by the Island Trails Association. He received a plaque from Island Trails acknowledging the Town of Kensington for the reception at the Gazebo back in June for the Island Trails Cycling event.

7.3.2 Councillor Mill acknowledged and thanked Cindy Doucette for a great Christmas Parade again this year. The Mayor will make a formal presentation to Ms. Doucette at the Annual New Year’s Day Levee.

7.3.3 Councillor Mill acknowledged and thanked Administrative Assistant Kim Verhulp and Deputy Administrator Wendy MacKinnon for initiating the food collection campaign as part of this year’s Christmas Parade.

7.3.4 Councillor Mill commented on and stressed the importance of the Town hiring a full time Recreation/Wellness Coordinator.

7.3.5 *Moved by Councillor Mill, seconded by Deputy Mayor Chessman to adopt the November, 2010 report for Parks, Recreation and Special Events as prepared by Councillor Mill. Unanimously carried.*

7.4 Public Works Report

7.4.1 The issue of the inclusion of the trailer park streets in the annual snow clearing contract was raised. The Public Works Committee will review the issue and bring a recommendation back to Town Council.

7.4.2 Councillor MacLean inquired about the possibility of installing a sidewalk plow with a 42" blade instead of 48" to avoid the issues of lawns being torn up.

7.4.2 *Moved by Deputy Mayor Chessman, seconded by Councillor Caseley to accept the Public Works Report as prepared by Deputy Mayor Chessman. Unanimously carried.*

7.5 Fire Report

7.5.1 The new Auto Extrication Equipment has been purchased and installed.

7.5.2 The Fire Department is planning an open house in 2011.

7.5.3 *Moved by Councillor Gallant, seconded by Councillor Mill to accept Shane Collins and Josh Gill as volunteer firemen subject to a 6 month probationary period. Unanimously carried.*

7.5.4 *Moved by Councillor Gallant, seconded by Councillor MacLean to adopt the November 2010 Fire Report as prepared by Fire Chief Folland. Unanimously carried.*

7.6 Finance Report

7.6.1 *Moved by Councillor Caseley, seconded by Deputy Mayor Chessman to approve the sale of lots 3 & 4 in the Industrial Park on Gerald McCarville Drive for the price of \$32,000.00 with \$2,000.00 being the fee for Coulson Realty. Closing date to be set for December 20th, 2010. Unanimously Carried.*

7.6.2 *Moved by Councillor Caseley, seconded by Deputy Mayor Chessman to adopt the Summary Income Statement for the month of November, 2010. Unanimously carried.*

7.6.3 *Moved by Councillor Caseley, seconded by Councillor Spencer to approve the payment of bills in the amount of \$284,574.54 for the month of November 2010. Unanimously carried.*

7.6.4 *Moved by Councillor Caseley, seconded by Deputy Mayor Chessman to adopt the Finance Committee report for the month of November as prepared by Councillor Caseley. Unanimously Carried.*

8. Mayor's Report

8.1 Tourist Association Booklet Cover – Town Council advised the Town Manager to move forward with the cover design (gold coloured) as proposed by Image Works.

8.2 Mayor Coffin made an offer on behalf of the Town of Kensington for a property located at 12 Francis Street, PID # 80820, of \$24,000.00.

Moved by Councillor Spencer, seconded by Deputy Mayor Chessman to approve the following resolution:

WHEREAS the Town Council of Kensington has agreed to purchase a property located at 12 Francis Street in the Town of Kensington to provide for future development and green space;

AND WHEREAS the owner of the property has agreed to a final purchase price of \$24,000.00;

AND WHEREAS the building demolition costs and initial property maintenance costs are estimated at \$6,000.00;

BE IT RESOLVED that the Town of Kensington be empowered to borrow up to \$30,000.00 from the Scotiabank, Summerside repayable in full by Town Council over an amortization period not to exceed 20 years. Unanimously Carried.

8.3 *Moved by Councillor MacLean, seconded by Councillor Mill to appoint Police Chief Sutherland to the Kensington North Watershed Association Board of Directors. Unanimously carried.*

8.4 *Moved by Councillor Spencer, seconded by Councillor Caseley to place a full page ad in the 2011 PEI handbook at a cost of \$2535.75. Unanimously carried.*

8.5 Mayor Coffin thanked staff & Councillors for their role in the Annual Christmas Parade and commented on the great turnout this year.

8.6 Mayor Coffin advised that the annual New Year's Day Levee will be from noon to 1:30 PM.

8.7 At the recently held Finance and Administration Committee Minister Wes Sheridan advised that the VueWorks Capacity Building Funding Application has been approved by the Province.

8.8 Mayor Coffin advised that he had attended the Remembrance Day ceremony and commented on the large crowd this year.

- 8.9** The Federation of PEI Municipality's annual conference was held in Tignish this year with the Mayor, Deputy Mayor, Councillor Caseley, CAO Baker and DA MacKinnon attending.
- 8.10** Councillor Caseley thanked Mayor Coffin for providing great leadership to the Town and representation at many functions throughout 2010.
- 8.11** Mayor Coffin indicated that he did interviews with CBC Radio and Compass regarding the future vision for the Town of Kensington.
- 8.12** Mayor Coffin indicated that the visioning session with Town Council will be held over January/February 2011. A Facilitator will not be brought in to assist.
- 8.13** Mayor Coffin led the National Children's Day Parade in November and commented that he was overwhelmed with the number of youth that participated in the parade.

Motion by Councillor Caseley, seconded by Councillor Spencer to recess for 10 minutes at 9:10PM. Unanimously carried.

Mayor Coffin called meeting back to order at 9:25PM.

9. Princeton Subdivision Extension Official Plan Amendment – Residential Designation to Lots B34, B35, B36, B37, B40 and B41

The Town Manager advised that at the November 8, 2010 regular Council meeting, Town Council, under the direction of the Town Manager, passed a motion to amend the General Land Use map that is part of the Town's Official Plan to apply a single family residential (R1) designation to Lot B37 (Plan # 09258A) in the Princeton Subdivision. The General Land Use map by definition applies general category designations to land whereas the zoning bylaw allows for the application of more specific designations within a given category, i.e. R1, R2 and R3. Thus, the Official Plan - General Land Use map - amendment motion passed at the November meeting was done in error. The Zoning Bylaw Amendment Resolutions passed at the November meeting were done correctly and can be given second reading and formal adoption.

9.1 *Moved by Councillor Caseley, Seconded by Councillor Spencer to rescind the following motion from the November 8, 2010 regular meeting of Town Council:*

“Moved by Councillor Caseley, seconded by Councillor Spencer to approve an amendment to the general land use map that is part of the Town's Official Plan to designate Lot B37 (Plan # 09258A) along Rosewood Drive as a single family residential (R1) property to facilitate the construction of a single family residential dwelling. Unanimously Carried.”

Unanimously Carried, Motion Rescinded.

9.2 *Moved by Councillor Caseley, Seconded by Councillor Spencer to approve an amendment to the general land use map that is part of the Town's Official Plan to designate Lots B34, B35, B36, B37, B40 and B41 (Plan # 09258A) in the Princeton Subdivision as Residential. Unanimously Carried.*

10. Lot B37, Princeton Subdivision – Zoning Bylaw Amendment – Second Reading and Formal Adoption

The Town Manager advised that a public meeting was held on October 28, 2010 to solicit input from residents with respect to a zoning bylaw amendment application from Caseley Farms Ltd. which included, among others, the application of an R1 zoning designation to Lot B37 (Plan # 09258A) in the Princeton Subdivision. While there was significant opposition to other parts of the application, no resident present at the meeting opposed the application of the R1 designation to Lot B37. At the November 8th Council meeting, Town Council approved first reading to amend the Zoning and Subdivision Control Bylaw to apply the R1 zoning designation to Lot B37. To complete the bylaw amendment process, second reading and formal adoption of the amendment is required.

10.1 *Moved by Councillor Caseley, Seconded by Councillor MacLean to approve second reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to zone Lot B37 (Plan # 09258A) in the Princeton Subdivision as a single family residential (R1) property to facilitate the construction of a single family residential dwelling. Unanimously Carried.*

10.2 *BE IT RESOLVED that the Town of Kensington formally adopt and approve the application of a single family residential (R1) zoning designation to Lot B37 (Plan # 09258A) in the Princeton Subdivision. Moved by Councillor Caseley, Seconded by Councillor MacLean. Unanimously Carried.*

11. 23 ROSEWOOD DRIVE (PID # 914549) – SECOND READING AND FORMAL ADOPTION TO RE-ZONE FROM R1 TO R2

The Town Manager advised that a public meeting was held on October 28, 2010 to solicit input from residents with respect to a zoning bylaw amendment to re-zone a property located at 23 Rosewood Drive (PID No. 914549) from R1 to R2. **The bylaw amendment was initiated by Town staff to facilitate the semi-detached residential unit that was constructed on the property in 2003. This amendment is housekeeping in nature and will bring the aforementioned property in conformance with the Town's Zoning bylaw.** At the November 8th Council meeting, Town Council approved first reading to amend the Zoning and Subdivision Control Bylaw to apply an R2 zoning designation to the property. It was agreed at that time that second reading and formal adoption would be given at the December regular meeting of Town Council.

11.1 *Moved by Councillor Caseley, Seconded by Deputy Mayor Chessman to approve second reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to re-zone a property located at 23 Rosewood Drive in the Princeton Subdivision from single family residential (R1) to two-family residential (R2) to facilitate a semi detached dwelling which was constructed on the property in 2003. Unanimously Carried.*

11.2 *BE IT RESOLVED that the Town of Kensington formally adopt and approve to re-zone a property located at 23 Rosewood Drive in the Princeton Subdivision from single family residential (R1) to two-family residential (R2) to facilitate a*

semi detached dwelling which was constructed on the property in 2003. Moved by Councillor Caseley, Seconded by Deputy Mayor Chessman. Unanimously Carried.

12. Nuisance Bylaw Amendment – Restrictive Use of Jake Brakes – Second Reading and Formal Adoption

12.1 *Moved by Councillor Spencer, Seconded by Councillor Gallant to approve second reading to amend the Town of Kensington Nuisance Bylaw as follows:*

Section 2.17: The use of Engine Exhaust Brakes, commonly known as Jake brakes, as a slowing mechanism for trucks within the boundaries of the Municipality is strictly prohibited at all times.

Unanimously Carried.

12.2 *BE IT RESOLVED that the Town of Kensington formally adopt and amend the Nuisance Bylaw as follows:*

Section 2.17: The use of Engine Exhaust Brakes, commonly known as Jake brakes, as a slowing mechanism for trucks within the boundaries of the Municipality is strictly prohibited at all times.

Moved by Councillor Spencer, Seconded by Councillor Gallant. Unanimously Carried.

13. Winter Services Agreement

13.1 *Moved by Deputy Mayor Chessman, Seconded by Councillor Spencer to approve the signing of the winter services agreement with the Provincial Department of Transportation and Public Works for the 2010/2011 snow clearing season (November 15 to April 15) at a rate of \$4920.71 per kilometre (10.16 kms) for a total cost of \$52,494.13 including GST. Unanimously carried.*

14. Correspondence

- A thank you from the Silliker family for the flowers sent by the Town of Kensington and Kensington Police Service for the funeral of their daughter Brianna.
- A congratulatory letter from Premier Robert Ghiz on winning the Provincial Rural Beautification Award.
- A thank you card from Shelley Moase to the Mayor and Police Services for their participation in the National Child Day Parade.
- KISH newsletter.

- Letter from the Kensington Lion's Club indicating that they will be selling bulbs for the Memory Tree for \$5.00 per bulb or 3 for \$10.00. The tree lighting will be held on December 19th, 7:00 PM. They are looking for the Town's assistance with the tree lighting.
- Letter from Wallace Bryanton requesting to rezone his property located at 15 Pleasant Street (PID No. 80150) from multi-family residential (R3) to single family residential (R1).

Moved by Councillor Spencer, seconded by Councillor Mill to give direction to staff to move forward with a public meeting for the rezoning of property # 80150, 15 Pleasant Street from multi-family residential (R3) to single family residential (R1). 5 for, 1 abstention.

15. Other Matters

15.1 Deputy Mayor Chessman asked if there was any update from the Province with respect to the completion of the required trenching behind Broadway Street North and Pleasant Street. The Town Manager advised that the work has been completed by Commercial Construction.

16. Adjournment

Moved by Deputy Mayor Chessman, seconded by Councillor Spencer to adjourn the meeting at 10:15 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Gordon Coffin,
Mayor