

Town of Kensington
Minutes of Regular Council Meeting
Monday, January 13, 2020
7:00 PM

Council Members Present: Mayor Rowan Caseley; Deputy Mayor Pickering;
Councillors: Spencer, Toombs, Gallant, Bernard and Mann

Staff Members Present: Chief Administrative Officer, Geoff Baker; Deputy Chief
Administrative Officer, Wendy MacKinnon; Administrative
Assistant, Kim Caseley; Police Chief, Lewie Sutherland

Visitors: Spencer MacDougall – Kelvin Road
Pamela Murray – Kelvin Road
Patrick McCardell – Kelvin Road
John Kelly – Andrews Drive
Ivan & Laura Newrick – Irishtown Road
Adrien Wedge - Resident
Allison Jenkins – Journal Pioneer

1. Calling of Meeting to Order

1.1 Mayor Caseley called the meeting to order at 7:00 PM and welcomed Council members, staff and visitors. Mayor Caseley expressed his condolences and the Council Chamber shared a moment of silence for the 167 passengers and crew, including 63 Canadians, who were on board Ukraine International Airlines Flight 752.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Bernard, seconded by Councillor Toombs to approve the tentative agenda for the January 13, 2020 regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 Mayor Caseley discussed that members of Town Council or staff who believe they may have a conflict of interest on any matter that will be discussed at this meeting should declare that potential conflict at this time, withdraw at the time of discussion and vacate the Council Chambers during deliberation and decision.

3.2 Councillor Mann declared a conflict with two items of correspondence pertaining to Kensington Area Minor Hockey Association.

4. Delegations / Presentations

4.1 Mayor Caseley opened the floor for any members of the public to speak in regards to the Municipal Restructuring Proposal.

- 4.1.1 Ivan Newrick** – Is not in favor of the Municipal Restructuring Proposal to bring his property into the Town boundary. He feels that he was “cherry picked” to be brought into Town and expressed the financial implications on their household. Mr. Newrick has requested to be excluded from the proposal.
- 4.1.2 Spencer MacDougall** – Does not see any benefit for them to be brought inside the Town boundary.
- 4.1.3 Pamela Murray** – Expressed that they love where they live, but do not see the payoff to be brought inside the Town boundary.
- 4.1.4 John Kelly** – Inquired where the increase in tax dollars would be allocated with the proposed property annexation.

Mayor Caseley explained that the increase would be incorporated into general revenue to ensure the future sustainability of the Town. He recommended that Mr. Kelly read the Municipal Restructuring Proposal for complete details.

5. Approval of Minutes of Previous Meeting

- 5.1** *Moved by Councillor Gallant, seconded by Councillor Bernard to approve the minutes from the December 9, 2019 regular meeting of Town with the correction to the name mover and seconder of the motion in item 9.2. Unanimously carried.*

6. Business Arising from Minutes

6.1 December 9, 2019 Regular Meeting

- 6.1.1** *Nil*

7. Reports

7.1 Chief Administrative Officer Report

- 7.1.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to adopt the January 2020 CAO Report as prepared by CAO, Geoff Baker. Unanimously carried.*

7.2 Fire Department Statistical Report

- 7.2.1** *Moved by Councillor Spencer, seconded by Councillor Bernard to approve the November 2019 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Toombs, seconded by Councillor Gallant to approve the November 2019 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Gallant, seconded by Deputy Mayor Pickering to approve the January 2020 Development Permit Summary Report. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Councillor Mann, seconded by Deputy Mayor Pickering to approve the November 2019 Bills in the amount of \$318,332.84. Unanimously carried.*

7.5.2 Councillor Mann inquired if the ballfield canteen could be connected to the Credit Union Centre Complex Maritime Electric service to eliminate an additional service connection to the canteen. Mr. Baker will speak with Mr. Wood and provide details to Council.

7.6 Summary Income Statement

7.6.1 *Moved by Councillor Mann, seconded by Deputy Mayor Pickering to approve the Summary Income Statement for the month of November 2019. Unanimously carried.*

7.7 Credit Union Centre Report

7.7.1 *Moved by Councillor Spencer, seconded by Councillor Toombs to approve the Credit Union Centre report for the month of November 2019. Unanimously carried.*

Mr. Baker excused himself from the Council Chamber at 7:23 pm.

7.8 Mayor's Report

7.8.1 *Moved by Councillor Gallant, seconded by Councillor Spencer to approve the Mayors report for the month of January 2020 as presented by Mayor Caseley. Unanimously carried.*

7.8.2 Mayor Caseley reported that Dr. Ken White will be relocating to Prince Edward Island and joining the Kensington Medical Centre to take over Dr. Peter McKean's patients following his retirement. It was also announced that Darci Leggatt, the nurse practitioner and RN Tammy Kerwin who are both currently working in the Kensington Medical Centre on a part time basis as increased their hours to a full-time status.

7.9 Federation of PEI Municipalities (FPEIM) Report

7.9.1 *Nil*

7.10 Heart of the Island Initiative (STEP) Report

7.10.1 Upcoming meetings include: January 14, 2020 on Beautification.

7.11 Kensington Area Chamber of Commerce (KACC) Report

7.11.1 *Nil*

7.12 PEI 55 Plus Games

7.12.1 *Nil*

8. New Business

8.1 Request for Decisions

8.1.1 Municipal Boundary Restructuring Proposal

8.1.1.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Gallant*

WHEREAS Town Council awarded a contract in September of 2019 to DV8 Consulting to undertake a study to assess the current growth opportunities of the Town and the present need to restructure its boundaries;

AND WHEREAS the study was completed in December of 2019 and recommended that the municipal boundary be restructured to include the annexation of 106 properties in the vicinity of the Town;

AND WHEREAS a boundary restructuring public consultation process was undertaken in December of 2019 with a 42% response rate;

BE IT RESOLVED THAT Kensington Town Council authorize the Chief Administrative Officer to submit the Town of Kensington Municipal Restructuring Proposal and Application dated January 13, 2019 to the Island Regulatory Appeals Commission, as prepared by DV8 Consulting.

Unanimously carried.

8.1.1.2 **Ivan Newrick** Inquired how many letters were sent out and what the response rate was. Mayor Caseley confirmed that 106 letters were sent, 16 responses in favor, 29 opposed and 61 letters received no response.

- 8.1.1.3 Councillor Gallant** noted that the Municipal Restructuring Proposal was the recommendation of a consultant who was hired by the Town and that the final decision would be determined by IRAC.
- 8.1.1.4 Councillor Bernard** inquired if the comments received this evening would be included in the proposal submitted to IRAC. Mayor Caseley confirmed that all comments received at the meeting and previous to the meeting would make part of the final proposal.
- 8.1.1.5 John Kelly** inquired how long the Town would receive comments from affected properties. Mayor Caseley confirmed that all feedback received prior to the submission of the proposal would be included, it is anticipated that it will be sent within the next few days.
- 8.1.1.6 Ivan Newrick** expressed his frustration that the Town would hire a consultant who doesn't know the Town of Kensington or the people in the area to create the proposal. He further addressed the financial burden that would impact his household.
- 8.1.1.7 Mayor Caseley** received all comments and expressed that the increase in tax revenue was not a deciding factor on the proposal.

Ivan & Laura Newrick left the Council Chamber at 7:44 pm.

8.1.2 Home Based Business Request – Brenda Oslawsky (69 Victoria Street West – PID No. 76638)

8.1.2.1 *Moved by Councillor Bernard, seconded by Councillor Spencer*

BE IT RESOLVED THAT Town Council approve a request from Brenda Oslawsky to operate a home-based business out of a property located at 69 Victoria Street West subject to the following conditions:

- Ms. Oslawsky is the legal owner of the subject property;***
- The business activities are to include the refilling of household and personal care product containers only;***
- Full compliance with the Town of Kensington Development Control Bylaw.***

Unanimously carried.

8.1.3 Re-Tendering of Kensington Train Station Mechanical Upgrades

8.1.3.1 *Moved by Councillor Toombs, seconded by Councillor Bernard*

BE IT RESOLVED THAT Kensington Town Council rescind the following resolution from their October 15, 2019 regular meeting:

“THAT Kensington Town Council award the contract for the Train Station Mechanical Upgrades project to Poirier Heating and Cooling Inc. as per their tender submission dated September 6, 2019 in the amount of \$53,431.00 plus HST”.

Unanimously carried.

8.1.3.2 *Moved by Councillor Spencer, seconded by Deputy Mayor Pickering*

BE IT RESOLVED THAT Kensington Town Council authorize the Chief Administrative Officer to re-tender the Train Station Mechanical Upgrades Project.

Unanimously carried.

8.1.4 *Development Permit Application – Willow Bakery Café (PID No 868646)*

8.1.4.1 *Moved by Councillor Toombs, seconded by Councillor Gallant*

BE IT RESOLVED THAT Kensington Town Council approve a development permit application for Jared Tobias to facilitate a change of use for a commercial rental space located within the commercial building located at 13 Commercial Street, from an office furniture sales store to a bakery/café subject to full compliance with the Town’s Development Control Bylaw and all other applicable municipal, provincial and federal legislation and regulations.

Unanimously carried.

8.2 *Other Matters*

8.2.1 Councillor Mann noted that the parking lot at the Credit Union Centre on Boxing Day was very icy and had not been salted or sanded. Staff will discuss further with Mr. Wood, Manager of the CUC.

8.2.2 Mayor Caseley and Council discussed available meeting times for the annual CAO Evaluation, the meeting was scheduled following the January 27 Committee of Council Meeting.

8.3.3 Mayor Caseley encouraged members of Council to attend an EMO Information Session on February 5, 2020.

8.3.4 Mayor Caseley wished Deputy Administrator, Wendy MacKinnon a Happy Birthday.

Councillor Mann declared a conflict and excused himself from the Council Chambers at 7:56 pm.

9. Correspondence

- 9.1 A letter from Kensington Initiation Hockey requesting the Town to donate 9 hours of ice rental for their Annual Islander Day Jamboree on February 17, 2020.

Moved by Councillor Spencer, seconded by Councillor Bernard to approve 9 hours of ice-rental for the Kensington Initiation Hockey, Islander Day Jamboree hosted at the Credit Union Centre on February 17, 2020. Unanimously carried.

- 9.2 A letter from the Kensington Junior Vipers requesting a financial donation to support the 3rd Annual Shane Cormier Memorial Meltdown Cup.

Moved by Councillor Spencer, seconded by Councillor Gallant to approve a \$100.00 donation to the 3rd Annual Shane Cormier Memorial Meltdown Cup. Unanimously carried.

Councillor Mann returned to the Council Chamber at 8:00 pm.

- 9.3 A Thank You letter from the PEI Humane Society for the Town's support in 2019.
- 9.4 A Thank You card from Emit & Griffin for assisting them in participating the in 2019 Christmas Parade.
- 9.5 An email from Jamie MacKay with updates from the PEI Red Cross Office and Ross' Place Community Garden.

All remaining members of the public were excused from the Council Chamber at 8:04 pm.

10. In-Camera

- 10.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to move into In-Camera at 8:07 PM to discuss one item under Section 119 (d) of the Municipal Government Act – Human Resources Matter. Unanimously carried.*

- 10.2 *Moved by Councillor Spencer, seconded by Councillor Bernard to move out of In-Camera at 8:26 PM. Unanimously carried.*

11. Adjournment

Moved by Councillor Spencer, seconded by Councillor Mann to adjourn the meeting at 8:26 PM. Unanimously carried.

Wendy MacKinnon,
Deputy CAO

Rowan Caseley,
Mayor