

Town of Kensington
Minutes of Regular Council Meeting
Monday, May 8, 2023
7:00 PM

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

Staff Members Present: Chief Administrative Officer, Geoff Baker; Deputy Chief Administrative Officer, Wendy MacKinnon; Municipal Clerk, Kim Caseley; Police Chief, Lewie Sutherland; Police Constable, Jordon Fulford.

Regrets: Councillor MacRae

Visitors: Tracey MacEwen & Kerri Bertram – Provincial Credit Union
Nick Andrews – ATV Federation Representative
Adrien Wedge – Resident

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 to the May meeting of Kensington Town Council. Mayor Caseley acknowledged that the land on which we gather is the traditional and unceded territory of the Mi'kmaq First Nation.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Toombs, seconded by Councillor Doucette to approve the tentative agenda for the May 2023 regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 Councillor Doucette declared a conflict with Item no. 8.1.2 - Credit Union Centre Lighting Upgrades – 2023.

4. Delegations / Presentations

4.1 Tracey MacEwen and Kerri Bertram presented Chief Sutherland and Constable Fulford with a Mavic Enterprise Advanced drone for the Kensington Police Service. Constable Fulford recently completed his drone pilot certification and demonstrated to Town Council and visitors how the drone works and the benefits it will bring to the department.

Tracey MacEwen, Kerri Bertram, and Constable Fulford excused themselves from the chamber at 7:12 pm.

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Doucette to approve the minutes from March 13, 2023, regular meeting of Town Council. Unanimously carried.*

5.2 *Moved by Councillor Toombs, seconded by Deputy Mayor Spencer to approve the minutes from April 11, 2023, regular meeting of Town Council. Unanimously carried.*

5.3 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs to approve the minutes from April 26, 2023, public meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 March 13, 2023, Regular Meeting

6.1.1 *Nil.*

6.2 April 11, 2023, Regular Meeting

6.2.1 *Nil.*

6.3 April 26, 2023, Public Meeting

6.3.1 *Nil.*

7. Reports

7.1 Chief Administrative Officer Report

7.1.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to adopt the April 2023 CAO Report as prepared by CAO, Geoff Baker. Unanimously carried.*

7.1.2 Councillor Toombs inquired if the tenants of the freight shed pay a rental fee. Mr. Baker confirmed their rental agreement provides for the annual rental rate of 10% of their annual gross profits.

7.1.3 Councillor Doucette inquired about issues with the installation of the Synergy Screens Digital Sign. Mr. Baker confirmed issues are based around complying with the Department of Transportation's off-premises signage regulations. Staff continue to work with DOT staff towards a solution.

7.1.4 Councillor Toombs requested the initial EV charging unit located at the train station parking lot be removed. It was confirmed that the unit has been scheduled for removal.

7.2 Fire Department Statistical Report

7.2.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs to approve the March 2023 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Doucette, seconded by Councillor Toombs to approve the March 2023 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.3.2 Councillor Gallant spoke regarding concerns with bicycle safety and helmet use. Chief Sutherland ensured Council the department does its best to enforce helmet use and will continue to promote helmet usage and bicycle safety in general, at the annual bike rodeo.

Chief Sutherland excused himself from the Council Chamber at 7:25 pm

7.4 Development Permit Summary Report

7.4.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs to approve the May 2023 Development Permit Summary Report as prepared by Municipal Clerk, Kim Caseley. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Councillor Mann, seconded by Councillor Doucette to approve the March 2023 Bills in the amount of \$246,094.00. Unanimously carried.*

7.5.2 *Moved by Councillor Mann, seconded by Councillor Doucette to approve the March 2023 Water & Sewer Utility Bills in the amount of \$11,539.62. Unanimously carried.*

7.5.3 *Moved by Councillor Mann, seconded by Councillor Doucette to approve the March 2023 Capital Expenditures in the amount of \$97,925.16. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Councillor Gallant, seconded by Deputy Mayor Spencer to approve*

the Summary Income Statement for the month of March 2023. Unanimously carried.

7.7 Credit Union Centre Report

7.7.1 *Moved by Councillor Toombs, seconded by Councillor Gallant to approve the Credit Union Centre report for the month of March 2023. Unanimously carried.*

7.7.2 Councillor Gallant noted the spectator bleachers at the ballfields require repair and requested they be moved back to the ballfield sidelines. Mr. Baker confirmed that Mr. Wood received a quote for materials to make the required repairs. Councillor Gallant requested that aluminum bleachers be considered when replacement is required.

7.7.3 Councillor Gallant noted the netting at the KISH Tennis courts requires adjustments and possible repairs.

7.8 Mayor's Report

7.8.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Doucette to approve the Mayor's report for the month of April 2023 as presented by Mayor Caseley. Unanimously carried.*

7.9 Federation of PEI Municipalities (FPEIM) Report

7.9.1 FPEIM recently elected their Board or Directors and Councillor Mann has been re-elected as the representative for Cities and Towns – Prince County.

7.9.2 The FPEIM AGM was held in Souris on April 24, 2023.

7.10 Heart of PEI Initiative Report

7.10.1 Mayor Caseley reported the Heart of PEI is partnering with ACOA on potential funding for the construction of a caboose photo opportunity structure.

7.11 Kensington Area Chamber of Commerce (KACC) Report

7.11.1 *Nil.*

7.12 2023 – 55 Plus Games

7.12.1 Deputy Mayor Spencer confirmed the 55+ committee is working on finalizing the event schedule and volunteer letters will be sent out soon. Their next meeting will be held on Wednesday, May 10.

8. New Business

8.1 Request for Decisions

8.1.1 ATV Federation Request – Letter of Support

8.1.1.1 *Moved by Councillor Toombs, seconded by Councillor Doucette*

BE IT RESOLVED THAT Town Council authorize the Chief Administrative Officer to draft a letter of support to the Province of Prince Edward Island, Minister of Transportation and Infrastructure to allow All Terrain Vehicle's access to certain public roads throughout the Province, and that such letter be copied to Premier Dennis King and District 20 MLA, Matthew Mackay.

Unanimously carried.

8.1.1.2 Councillor Gallant expressed his continued disappointment with the Province of PEI by going to municipalities and getting their support before they make a decision themselves. He confirmed he supports the current request and the ATV Federation.

Mayor Caseley confirmed that it was the ATV Federation that approached the Town in an effort to strengthen their request to the Province of PEI. Mr. Baker noted that the Town of Kensington has not had discussions on this proposal with the Province at this time.

ATV Federation representative, Nick Andrews confirmed they are looking for the support of the communities to be included with their request to the Department of Transportation, and to allow communities the opportunity to be represented in the decision.

Councillor Doucette declared a conflict and excused himself from the Council Chamber at 7:50 pm.

8.1.2 Credit Union Centre Lighting Upgrades – 2023

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

BE IT RESOLVED THAT Kensington Town Council award the contract for the Credit Union Centre Lighting Upgrades project to Mid Isle Electric as per their tender submission in the amount of \$43,792.00 including HST.

Unanimously carried.

*Councillor Doucette returned to the Council Chamber at 7:55 pm
Nick Andrews excused himself from the Council Chamber at 7:55 pm*

8.1.3 Consolidation of lands of Bruce Bell PID No. 76711 & 80861

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

BE IT RESOLVED THAT Town Council approve consolidation plan # 20257-C01 as the plan of consolidation for PID No. 80861 and PID No. 766711, being lands of Bruce Lea Bell.

Unanimously carried.

8.1.4 Development Control Bylaw and Official Plan Amendment – Re-zoning of PID No. 747790

8.1.4.1 General Land Use Map (Official Plan) Amendment Resolution

Moved by Councillor Mann, seconded by Councillor Doucette

WHEREAS a request has been received from the owners of a property located along Barrett Street (PID No. 747790) to change the land use designation of the property from its current Single Residential (R1) designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on April 26, 2023, in accordance with the PEI Planning Act and the Town’s Development Control Bylaw;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting, and are recommending that Town Council proceed with the Official Plan General Land Use Map amendment;

BE IT RESOLVED THAT Kensington Town Council approve an amendment to the General Land Use Map, that is part of the Town’s Official Plan to change the land use designation of PID No. 747790 located along Barrett Street, from its current Single Residential (R1) designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property.

Unanimously carried.

8.1.4.2 First Reading of Development Control Bylaw Amendment

Moved by Councillor Mann, seconded by Councillor Toombs

WHEREAS a request has been received from the owners of a property located along Barrett Street (PID No. 747790) to re-zone their property from its current Single Residential (R1) zoning designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on April 26, 2023, in accordance with the PEI Planning Act and the Town's Development Control Bylaw;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting, and are recommending that Town Council proceed with the Development Control Bylaw amendment;

BE IT RESOLVED THAT Kensington Town Council give first reading to amend the Zoning and Subdivision Control Bylaw to re-zone PID No. 747790 along Barrett Street from its current Single Residential (R1) zoning designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property.

Unanimously carried.

8.1.4.3 Approval of First Reading

Moved by Councillor Mann, seconded by Councillor Doucette

WHEREAS a request has been received from the owners of a property located along Barrett Street (PID No. 747790) to re-zone their property from its current Single Residential (R1) zoning designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on April 26, 2023, in accordance with the PEI Planning Act and the Town's Development Control Bylaw;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting, and are recommending that

Town Council proceed with the Development Control Bylaw amendment;

AND WHEREAS the Bylaw amendment was read a first time at this meeting;

BE IT RESOLVED THAT Kensington Town Council formally approve and adopt first reading to amend the Zoning and Subdivision Control Bylaw to re-zone PID No. 747790 along Barrett Street from its current Single Residential (R1) zoning designation to Multi-Unit Residential (R3) to facilitate the construction of two 4-unit residential buildings on the property.

Unanimously carried.

8.1.5 M&S Rentals Inc – Private Laneway Naming

8.1.5.1 Moved by Councillor Gallant, seconded by Councillor Toombs

BE IT RESOLVED THAT Kensington Town Council approve Valley Lane as the official name of the private laneway into the M&S Rentals Inc. development off Brookins Drive, a portion of PID No. 77271.

Unanimously carried.

8.1.6 Capital Line of Credit – Short-Term Borrowing

8.1.6.1 Moved by Councillor Mann, seconded by Deputy Mayor Spencer

WHEREAS Section 164(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. authorizes a Town Council to borrow money for the purpose of capital expenditures;

AND WHEREAS Section 4 of the Town’s Borrowing Bylaw (Bylaw # 2018 - 02) authorizes Town Council to borrow money for the purpose of capital expenditures;

AND WHEREAS it has been determined that the Town of Kensington should establish a capital line of credit, in the amount of one-million dollars (\$1,000,000), to enable short term financing of capital expenditures, pursuant to a Funding Agreement between the Town of Kensington and the Government of Prince Edward Island and/or the Government of Canada;

AND WHEREAS the capital line of credit shall only be utilized for capital projects in which Town Council has approved a long-term borrowing resolution;

AND WHEREAS the amounts to be borrowed will not cause the Town to exceed its legislated debt capacity;

BE IT RESOLVED THAT Kensington Town Council approve a capital line of credit in the amount of one-million dollars (\$1,000,000) from Scotiabank with the Chief Administrative Officer, or his designate, and the Mayor, or his designate, being authorized as legal signing officers, under the following terms and conditions:

- Repayments to be made as progress claims are paid to the Town of Kensington by the Province of Prince Edward Island and/or the Government of Canada and/or other funding entity (including HST reimbursement).*
- short term borrowing is interest only, at the town's negotiated floating interest rate.*
- any residual borrowing upon completion of a capital project shall be converted to long term debt by the Town of Kensington*

Unanimously carried.

8.2 Other Matters

- 8.3.1** Mayor Caseley congratulated Kensington Police Constable Ryan for participating in the 2nd Annual PEI Law Enforcement Torch Run that recently passed through the Town of Kensington.
- 8.3.2** The Family Violence Walk in Silence will take place on May 18, 2023, at 12:30 pm in front of the Town Hall.
- 8.3.3** The Annual Town Clean-up will take place on Saturday, May 13th from 9:00 – 10:30 am.
- 8.3.4** The Annual Kensington Police Service Fishing Derby is scheduled for Saturday, May 27th.
- 8.3.5** A presentation on a proposed Discovery Center will be held at the Council Chambers on Monday, May 15th.

- 8.3.6 PEI Emergency Measures Organization (EMO) - Emergency Preparedness Week, May 7-13, 2023.
- 8.3.7 Councillor Doucette congratulated the Kensington Moose Plumbing & Heating Vipers on finishing 2nd place at the 2023 Don Johnson Memorial Cup.
- 8.3.8 Councillor Doucette thanked the staff at the Credit Union Centre for their efforts in preparing the ballfields for the upcoming season.
- 8.3.9 The Annual Bike Rodeo will be held on June 17th.
- 8.4.0 Councillor Gallant requested that windbreaks be added to the existing dugouts and inquired if summer students could be scheduled on weekends to ensure the facility is maintained for tournaments. Mr. Baker confirmed the policy set by Town Council is to charge a fee for staffing tournaments which can be made available should a tournament request the service.

9. Correspondence

- 9.1 A letter from the 55+ Society regarding the allocation of surplus funds from the 2023 55+ Games.
- 9.2 A letter from KAMBA requesting the transfer of ownership of the batting cage to the town and that the structure be included in the Town's insurance policy.

Moved by Deputy Mayor Spencer, seconded by Councillor Toombs to approve the Kensington and Area Minor Ball Association's request for the Town of Kensington to take formal ownership of the batting cages located at the Credit Union Centre.

Unanimously carried.

- 9.3 A donation request from the PTGA (Post Traumatic Growth Association) for their 3rd Annual Driving for Change Golf Tournament.

Moved by Councillor Gallant, seconded by Deputy Mayor Spencer to donate \$150.00 to the Post Traumatic Growth Association's 3rd Annual Driving for Change Golf Tournament.

Unanimously carried.

Adrien Wedge excused himself from the Council Chamber at 8:41 pm.

10. In-Camera (Closed session)

10.1 *One item under 119(1)(b) of the Municipal Government Act.*

10.1.1 *Moved by Councillor Toombs, seconded by Councillor Doucette to enter into an In-Camera session at 8:41 pm.*

Unanimously carried.

10.1.2 *Moved by Councillor Toombs, seconded by Councillor Doucette to come out of an In-Camera session at 9:02 pm.*

Unanimously carried.

11. Adjournment

Moved by Councillor Gallant, seconded by Councillor Toombs to adjourn the meeting at 9:02 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor