

**Town of Kensington
Minutes of Regular Council Meeting
Tuesday, October 10, 2023
7:00 PM**

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

Staff Members Present: CAO, Geoff Baker; Municipal Clerk, Kim Caseley; Police Chief, Lewie Sutherland

Visitors: 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 and staff to the October 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 Deputy Mayor Spencer, seconded by Councillor MacRae to approve the tentative agenda for the October 10, 2023, regular meeting of Town Council with the addition of item 8.1.11 Public Meeting Authorization – Town of Kensington Official Plan and Development Control Bylaw and the deletion of item 8.1.8. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 *Councillor Gallant declared a conflict of interest with item 8.1.9.*

4. Delegations / Presentations

4.1 Mayor Caseley presented Chief Lewie Sutherland with the Queen Elizabeth II Diamond Jubilee Medal.

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Toombs, seconded by Councillor Doucette to approve the minutes from September 11, 2023, regular meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 **September 11, 2023, Regular Meeting**

6.1.1 *Nil.*

7. Reports

7.1 Chief Administrative Officer Report

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

7.1.2 Councillor Doucette inquired about available funding for dressing room upgrades. Mr. Baker confirmed that minor required renovations were made in the dressing rooms with a focus on the Kensington Moase Plumbing & Heating Vipers dressing room.

7.1.3 Deputy Mayor Spencer inquired about the potential parking lot development in the downtown core. Mayor Caseley noted that WSP is reviewing the site and hopes to have more information at the October Committee of Council meeting for review.

7.1.4 Councillor Gallant requested that the trench behind the Credit Union Centre, that was made to install the new electrical line, be refinished.

7.2 Fire Department Statistical Report

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

Chief Sutherland excused himself from the Council Chamber at 7:00 pm.

7.4 Development Permit Summary Report

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

7.5 Bills List Town (General)

- 7.5.1 *Moved by Councillor Mann, seconded by Councillor Toombs to approve the May 2023 Bills in the amount of \$204,338.05. Unanimously carried.*
- 7.5.2 *Moved by Councillor Mann, seconded by Councillor Gallant to approve the June 2023 Bills in the amount of \$283,326.69. Unanimously carried.*
- 7.5.3 *Moved by Councillor Mann, seconded by Councillor Gallant to approve the July 2023 Bills in the amount of \$238,610.51. Unanimously carried.*
- 7.5.4 *Moved by Councillor Mann, seconded by Councillor Toombs to approve the August 2023 Bills in the amount of \$243,944.30. Unanimously carried.*

7.6 Bills List Water & Sewer Utility

- 7.6.1 *Moved by Councillor Toombs, seconded by Councillor MacRae to approve the May 2023 Water & Sewer Utility Bills in the amount of \$16,888.71. Unanimously carried.*
- 7.6.2 *Moved by Councillor Doucette, seconded by Councillor Toombs to approve the June 2023 Water & Sewer Utility Bills in the amount of \$4,154.68. Unanimously carried.*
- 7.6.3 *Moved by Councillor Doucette, seconded by Councillor MacRae to approve the July 2023 Water & Sewer Utility Bills in the amount of \$15,222.02. Unanimously carried.*
- 7.6.4 *Moved by Councillor Doucette, seconded by Councillor MacRae to approve the August 2023 Water & Sewer Utility Bills in the amount of \$13,062.93. Unanimously carried.*

7.7 Bills List Capital Expenditures

- 7.7.1 *Moved by Councillor Mann, seconded by Councillor Doucette to approve the May 2023 Capital Expenditures in the amount of \$168,225.09. Unanimously carried.*
- 7.7.2 *Moved by Councillor Mann, seconded by Councillor Toombs to approve the June 2023 Capital Expenditures in the amount of \$361,730.81. Unanimously carried.*
- 7.7.3 *Moved by Councillor Mann, seconded by Councillor MacRae to approve the July 2023 Capital Expenditures in the amount of \$676,069.67. Unanimously carried.*
- 7.7.4 *Moved by Councillor Gallant, seconded by Councillor Toombs to approve the August 2023 Capital Expenditures in the amount of \$401,219.37. Unanimously carried.*

carried.

7.8 Summary Income Statement

7.8.1 *Moved by Councillor Mann, seconded by Councillor Doucette to approve the Summary Income Statement for the month of August 2023. Unanimously carried.*

7.9 Credit Union Centre Report

7.9.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Spencer to approve the Credit Union Centre report for the month of August 2023. Unanimously carried.*

7.9.2 Councillor Gallant inquired about available options to deter seagulls from the Credit Union Centre roof. Staff continue to research an appropriate solution.

7.10 Mayor's Report

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

7.11 Federation of PEI Municipalities (FPEIM) Report

7.11.1 Financial Statements were reviewed and adopted by the FPEIM Board and will be brought forward for formal adoption at the upcoming Semi-Annual Meeting on October 14, 2023.

7.11.2 FPEIM has scheduled its Annual meeting with Minister Lantz – Minister of Housing, Land and Communities for mid-October.

7.11.3 FPEIM has approved the Infrastructure Program Administrator job posting.

7.11.4 Discussions regarding providing global insurance programs for Municipalities.

7.12 Kensington Area Chamber of Commerce (KACC) Report

7.12.1 Small Business Week is taking place October 16 – 22, 2023.

7.12.2 October 19, 2023 from 4:00 – 6:00 pm there will be an After Hours Mixer at Family & Friends – Sponsored by Provincial Credit Union.

7.12.3 October 20 there will be Small Business Walk around Kensington at 10:00 am.

7.12.4 The KACC Awards Gala will take place on November 30 at the Carriage House in New London.

7.12.5 A Free BBQ for Small Business Week will take place on October 20 from 11:30-12:30 at Mike's Independent.

7.13 2023 – 55 Plus Games

7.13.1 The Town of Stratford will be hosting the 2023 55+ Winter Games.

7.13.2 *Moved by Deputy Mayor Spencer, seconded by Councillor Gallant to process a payment of 50% of the total surplus of the Summer Games, in the amount of \$1,839.75 to the PEI 55+ Games Society.*

Unanimously carried.

7.14 Heart of PEI Initiative Report

7.14.1 A new Real to Reel art installation is being installed at the Malpeque Hall.

7.14.2 The land for the Caboose Art Installation off Gerald McCarville Drive has been approved by the Province of PEI and plans are being reviewed for engineered design.

7.14.3 The Heart of PEI is planning a Silent Auction Fundraising event in November and March.

7.14.4 The Locks of Love project is being looked at by the Heart of PEI as a potential future project.

8. New Business

8.1 Request for Decisions

8.1.1 Development Control Bylaw and Official Plan (General Land Use Map) Amendment – PID No. 685545 – Second Reading and Formal Adoption

8.1.1.1 *Second Reading of Development Control Bylaw Amendment*

Moved by Councillor Mann, seconded by Councillor Doucette

WHEREAS a request has been received from the owner of a property located at the corner of School Street and Sunset Drive (PID No. 685545) to re-zone the property from its current Single Residential (R1) zoning designation to Low Density Residential (R2) to facilitate the construction of a duplex on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on August 30, 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 was read, approved, and adopted a first time at a regular meeting of Town Council, duly held on September 11, 2023.

BE IT RESOLVED THAT Kensington Town Council give second reading to amend the Zoning and Subdivision Control Bylaw to re-zone PID No. 685545 located at the corner of School Street and Sunset Drive, from its current Single Residential (R1) designation to Low Density Residential (R2) to facilitate the construction of duplex on the property.

Unanimously carried.

8.1.1.2 *Approval of Second Reading*

Moved by Councillor Mann, seconded by Councillor Gallant

WHEREAS a request was received from the owner of a property located at the corner of School Street and Sunset Drive (PID No. 685545) to re-zone the property from its current Single Residential (R1) zoning designation to Low Density Residential (R2) to facilitate the construction of a duplex on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on August 30, 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 was read, approved, and adopted a first time at a regular meeting of Town Council, duly held on September 11, 2023.

BE IT RESOLVED THAT Kensington Town Council formally approve and adopt second reading to amend the Zoning and Subdivision Control Bylaw to re-zone PID No. 685545 located at the corner of School Street and Sunset Drive, from its current Single

Residential (R1) designation to Low Density Residential (R2) to facilitate the construction of duplex on the property.

Unanimously carried.

8.1.1.3 *Formal Adoption*

Moved by Councillor Mann, seconded by Deputy Mayor Spencer

WHEREAS a request has been received from the owner of a property located at the corner of School Street and Sunset Drive (PID No. 685545) to re-zone the property from its current Single Residential (R1) zoning designation to Low Density Residential (R2) to facilitate the construction of a duplex on the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on August 30, 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 was read, approved, and adopted a first time at a regular meeting of Town Council, duly held on September 11, 2023;

AND WHEREAS the Bylaw amendment was read, approved, and adopted a second time at this meeting;

BE IT RESOLVED THAT Kensington Town Council formally adopt an amendment to the Zoning and Subdivision Control Bylaw to re-zone PID No. 685545 located at the corner of School Street and Sunset Drive, from its current Single Residential (R1) designation to Low Density Residential (R2) to facilitate the construction of duplex on the property.

Unanimously carried.

8.1.2 **Annual Sewer Main Flushing and Video Inspection – 2023**

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

BE IT RESOLVED THAT Town Council award a contract for the 2023 Annual Sewer Main Line Flushing and Video Inspection to

Island Hydrovac Services as per their quote dated October 3, 2023, in the amount of \$31,522.50 plus HST.

Unanimously carried.

8.1.3 Sidewalk Tractor 5-Way Blade Purchase

8.1.3.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs*

BE IT RESOLVED THAT Town Council authorize the Chief Administrative Officer to purchase a Trackless 5-Way Blade from Saunders Equipment Ltd. as per their quote dated July 31, 2023, in the amount of \$8,400.00 plus HST.

Unanimously carried.

8.1.4 Compact Tractor Purchase

8.1.4.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Doucette*

BE IT RESOLVED THAT Town Council authorize the Chief Administrative Officer to purchase a 2023 Kubota L5460 from Kensington Agricultural Services Ltd. as per their quote dated October 4, 2023, in the amount of \$96,200.00 plus HST.

Unanimously carried.

8.1.4.2 *Moved by Deputy Mayor Spencer, seconded by Councillor Gallant*

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

AND WHEREAS Town Council intends to purchase a 2023 Kubota L5460 Tractor from Kensington Agricultural Services Ltd. at a cost of \$110,630.00 including HST;

AND WHEREAS the amount to be borrowed will not cause the Town to exceed its legislated debt capacity; BE IT RESOLVED that the Town of Kensington be empowered to borrow up to \$110,630.00 from the Scotiabank, under the following terms:

- i repayable in full by Town Council over an amortization period not exceeding 10 years.*
- ii at an interest rate, as negotiated with the lender, with interest payable monthly.*

iii. advances repayable on demand.

Unanimously carried.

8.1.4.3 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs*

BE IT RESOLVED that Kensington Town Council authorize the CAO to dispose of the 2010 Bobcat tractor to the highest price offered and a price not less than \$12,500 plus HST.

Unanimously carried.

8.1.5 **Self Contain Breathing Apparatus (SCBA) Replacement – Fire Department**

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

BE IT RESOLVED that Town Council award a contract for the supply of four self-contained breathing apparatuses and associated equipment to K&D Pratt as per their quote dated September 20, 2023 in the amount of \$42,049.00 plus HST.

Unanimously carried.

8.1.6 **Development Permit Application – Travellers Rest Mini Homes | Ingham Drive - Lot 21-4**

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

BE IT RESOLVED THAT Town Council approve a development permit application submitted by Trevor Moase, for the construction of an 8' high fence along the perimeter of a property located along Ingham Drive – Lot 21-4 (PID No. 1158161), subject to compliance with all relevant federal, provincial and municipal legislation and regulations.

Unanimously carried.

8.1.7 **Town of Kensington Rink Upgrades – 2023 – Solar Panel Installation**

8.1.7.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Spencer*

BE IT RESOLVED THAT Kensington Town Council award the contract for the supply & installation of solar panels at the Credit Union Centre to Hansen Solar Energy as per their tender submission in the amount of \$103,443.04 plus HST.

Unanimously carried.

- 8.1.7.2** Councillor Mann expressed concern about the installation of solar panels on the rear side of the Credit Union Centre due to the high potential of foul balls from the ball field hitting them and causing damage.

Councillor Gallant declared a conflict and excused himself from the Council Chamber at 8:03 pm.

8.1.8 Mechanical Floor Scrubber – Credit Union Centre

- 8.1.8.1** *Moved by Councillor Toombs, seconded by Councillor Doucette*

BE IT RESOLVED that Town Council award a contract for the supply of a 20” automatic floor scrubber with traction drive, for the Credit Union Centre, from Global International, as per their quote in the amount of \$6,002.00 plus HST.

Unanimously carried.

Councillor Gallant returned to the Council Chamber at 8:06 pm.

8.1.9 2023 Christmas Promotion – Evening Programing Sponsorship

- 8.1.9.1** *Moved by Councillor Gallant, seconded by Councillor Toombs*

BE IT RESOLVED that Town Council approve a sponsorship in the amount of \$784.00, for the Unwrapping Christmas Program with SPUD FM, held nightly from 8pm to 9pm, Monday to Friday (December 5 – December 25).

Unanimously carried.

8.1.10 Public Meeting Authorization – Town of Kensington Official Plan and Development Control Bylaw

- 8.1.10.1** *Moved by Councillor Toombs, seconded by Councillor Doucette*

BE IT RESOLVED that Town Council authorize staff to schedule a public meeting (date to be determined) for the presentation and consideration of the draft Town of Kensington Official Plan and Development Control Bylaw.

Unanimously carried.

8.2 Other Matters

- 8.2.1** Mayor Caseley reminded Council of the FPEIM Semi-Annual Meeting on Saturday, October 14, 2023.
- 8.2.2** Mayor Caseley noted that a list of required 2024 street repairs has been sent to MLA Matthew MacKay.
- 8.2.3** The Halloween Hustle will take place on Saturday, October 28th at the railyards gazebo, proceeds will go to the QEES playground fund.
- 8.2.4** The Annual Christmas Parade will take place Sunday, December 3rd.
- 8.3.5** The Annual Christmas Party will take place Monday, December 4th.
- 8.3.6** The Annual New Years Levee will take place on January 1st at Family & Friends.
- 8.3.7** Councillor Toombs noted that several Story Board signs along the Confederation Trail require repair.
- 8.3.8** Councillor MacRae inquired about recent reports of coyotes in the area. Mr. Baker confirmed that Chief Sutherland has reported the sighting to the Provincial Wildlife office. Council will be updated if further information becomes available.

9. Correspondence

- 9.1** A thank-you note to the Public Works department from the Artisan Co-op for their support during the summer months.
- 9.2** A thank-you note to the Town of Kensington from the Artisan Co-op.

Adrien Wedge was excused from the Council Chamber at 8:20 pm.

10. In-Camera (Closed session)

- 10.1** *One item under 119(e) of the Municipal Government Act.*

10.1.1 *Moved by Councillor Toombs, seconded by Councillor Gallant to enter into an In-Camera session at 8:20 pm.*

Unanimously carried.

10.1.2 *Moved by Deputy Mayor Spencer, seconded by Councillor MacRae to come out of an In-Camera session at 8:27 pm.*

11. Adjournment

Moved by Councillor Toombs, seconded by Councillor Doucette to adjourn the meeting at 8:27 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor