

Town of Kensington
Minutes of Regular Council Meeting
Monday, April 9, 2018
7:00 PM

Council Members Present: Mayor Rowan Caseley; Councillors: Deputy Mayor Mann, MacLean, Doucette and Spencer.

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

Visitors: Colin MacLean – Journal Pioneer
Ralph & Valerie Wadman
Shelly Tamtom – Kensington Heritage Library

Regrets: Councillor Pickering

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 made a presentation to thank Ralph Wadman, who served as the towns public works supervisor for over thirty years, congratulations on your recent retirement.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Doucette, seconded by Councillor Mill to approve the tentative agenda for the April 9, 2018 regular meeting of Town Council with the addition of item 8.1.7 - Tax Rate Groups Bylaws - Second Reading and Formal Adoption. 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 Mayor Caseley declared a conflict with an item in correspondence.

4. Delegations / Presentations

4.1 Librarian, Shelley Tamtom from the Kensington Heritage Library, made a presentation to Town Council on Library operations for 2017.

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Spencer, seconded by Councillor MacLean to approve the minutes from the March 12, 2018 regular meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 March 12, 2018 Regular Council Meeting - Nil

7. Reports

7.1 CAO's Report

7.1.1 *Moved by Councillor Doucette, seconded by Councillor Spencer to adopt the April 2018 CAO's Report as prepared by CAO, Geoff Baker. Unanimously carried.*

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Mill, seconded by Councillor Spencer to approve the February 2018 Fire Statistical report as prepared by Deputy Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Doucette, seconded by Councillor MacLean to approve the February 2018 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Spencer, seconded by Councillor Mill to approve the Development Permit Summary Report for the month of April 2018. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the February 2018 Bills in the amount of \$162,266.43. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the Summary Income Statement for the month of February 2018. Unanimously carried.*

7.7 Community Gardens Complex Report

7.7.1 *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the Community Gardens Complex report for the month of February 2018. Unanimously carried.*

7.8 Mayor's Report

7.8.1 *Moved by Councillor Mill, seconded by Councillor Spencer to approve the Mayors report for the month of April 2018 as presented by Mayor Caseley. Unanimously carried.*

7.9 Federation of PEI Municipalities and Kensington Area Chamber of Commerce (KACC) Report

7.9.1 Deputy Mayor Mann provided updates on the Federation of PEI Municipalities activities over the previous month. FPEIM is currently in the process of reviewing their constitution for their upcoming AGM.

7.9.2 Deputy Mayor Mann provided updates on activities of the Kensington & Area Chamber of Commerce over the previous month. The Presidents Dinner will be held on April 25 at the Emerald Community Centre. The Chamber recently welcomed Julia Cameron as their new Membership and Events Co-Ordinator.

8. New Business

8.1 Request for Decisions

8.1.1 Town Hall Flooring

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

BE IT RESOLVED THAT Town Council award a contract to Town 'N Country Carpet One to supply and install flooring at the town administrative office as per their quote dated March 16, 2018 in the amount of \$4,986.27 HST included. Unanimously carried.

8.1.2 KFD Bunker Gear Purchase

8.1.2.1 *Moved Councillor Mill, seconded by Councillor Doucette*

BE IT RESOLVED THAT Kensington Town Council approve the purchase of five (5) sets of bunker gear from T&K Fire Ltd. as per their quote dated March 7, 2018 in the amount of \$13,650.00 plus HST. Unanimously carried.

8.1.3 Development Control Bylaw Amendment - Application – Portion of PID No. 880880 (Lot 28 of Proposed Subdivision) – Second Reading and formal Adoption

8.1.3.1 *Second Reading*

Moved by Deputy Mayor Mann, seconded by Councillor Spencer

WHEREAS a request has been received from Pam James, owner of PID No 880880, on behalf of P&G Developments, to amend the Town of Kensington Development Control Bylaw to re-zone a portion of their property (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution;

AND WHEREAS a public meeting was held on March 5, 2018 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 bylaw amendment;

AND WHEREAS the bylaw amendment was read and approved a first time at a regular meeting duly held on March 12, 2018;

BE IT RESOLVED THAT Kensington Town Council give second reading to amend the Zoning and Subdivision Control Bylaw to re-zone a portion of PID No. 880880 (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution.

Unanimously carried.

8.1.3.2 *Approval of Second Reading*

Moved by Deputy Mayor Mann, seconded by Councillor Mill

WHEREAS a request has been received from Pam James, owner of PID No 880880, on behalf of P&G Developments, to amend the Town of Kensington Development Control Bylaw to re-zone a portion of their property (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution;

AND WHEREAS a public meeting was held on March 5, 2018, 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 bylaw amendment (re-zoning);

AND WHEREAS the bylaw amendment was read and approved a first time at a regular meeting duly held on March 12, 2018;

AND WHEREAS the bylaw amendment was read a second time at this meeting;

BE IT RESOLVED THAT Kensington Town Council approve second reading to amend the Zoning and Subdivision Control Bylaw to re-zone a portion of PID No. 880880 (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution.

Unanimously carried.

8.1.3.3 Formal Adoption

Moved by Deputy Mayor Mann, seconded by Councillor Spencer

WHEREAS a request has been received from Pam James, owner of PID No 880880, on behalf of P&G Developments, to amend the Town of Kensington Development Control Bylaw to re-zone a portion of their property (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution;

AND WHEREAS a public meeting was held on March 5, 2018, 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 bylaw amendment (re-zoning);

AND WHEREAS the bylaw amendment was read and approved a first time at a regular meeting duly held on March 12, 2018;

AND WHEREAS the bylaw amendment was read and approved a second time at this meeting;

BE IT RESOLVED THAT Kensington Town Council approve second reading to amend the Zoning and Subdivision Control Bylaw to re-zone a portion of PID No. 880880 (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution.

Unanimously carried.

8.1.3.4 *General Land Use Map (Official Plan) Amendment Approval*

Moved by Deputy Mayor Mann, seconded by Councillor Spencer

WHEREAS a request has been received from Pam James, owner of PID No 880880, on behalf of P&G Developments, to amend the Town of Kensington Development Control Bylaw to re-zone a portion of their property (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting and the Province of PEI (Department of Transportation), and are recommending that Town Council proceed with the Official Plan Land Use Map amendment;

BE IT RESOLVED THAT an amendment to the General Land Use Map, that is part of the Town's Official Plan, to change the land use of a portion of PID No. 880880 (Lot 28 – Proposed Subdivision) from Multi-Unit Residential (R3) to Commercial (C1) for the purpose of constructing and operating a financial institution, be hereby approved.

Unanimously carried.

8.1.4 **Borrowing Bylaw**

8.1.4.1 *First Reading*

Moved by Deputy Mayor Mann, seconded by Councillor Mill,

WHEREAS Sections 164 – 166 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enable municipalities to provide by bylaw, for the borrowing of money for the purpose of capital expenditures and to finance operating expenditures on a short-term basis through the adoption of a bylaw for those purposes.

BE IT RESOLVED that the Town of Kensington Borrowing Bylaw (Bylaw #2018-02) be hereby read a first time.

Unanimously carried.

8.1.4.2 *Approval of First Reading*

Moved by Deputy Mayor Mann, seconded by Councillor Doucette

WHEREAS Sections 164 – 166 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enable municipalities to provide by bylaw, for the borrowing of money for the purpose of capital expenditures and to finance operating expenditures on a short-term basis through the adoption of a bylaw for those purposes.

WHEREAS the Borrowing Bylaw (Bylaw # 2018-02) was read a first time at this meeting;

BE IT RESOLVED that the Town of Kensington Borrowing Bylaw (Bylaw #2018-02) be hereby approved.

Unanimously carried.

8.1.5 Collaborative Aerial Photo and GIS Data Project

8.1.5.1 Moved by Councillor Doucette, seconded by Councillor MacLean

THAT the Town of Kensington, in conjunction with the City of Summerside and the Town's of Stratford, Cornwall and Montague make application to the Municipal Strategic Component of the Gas Tax Program to fund the "Collaborative GIS Aerial Photo and Data Project."

Further, Kensington Town Council understands and commits that it will be responsible for its designated share of the total eligible costs of the project, and will assume responsibility for any and all operating and maintenance costs resulting from the project.

Unanimously Carried.

8.1.6 Public Works Building Roof Replacement

8.1.6.1 Moved by Councillor Spencer, seconded by Councillor Doucette

BE IT RESOLVED THAT Kensington Town Council approve the public works building roof replacement to Mallett Exteriors as per their quote dated March 9, 2018 in the amount of \$7,353.60 plus HST. Unanimously carried.

8.1.7 Tax Rate Groups Bylaws - Second Reading and Formal Adoption

8.1.7.1 Second Reading

Moved by Deputy Mayor Mann, seconded by Councillor MacLean

WHEREAS Subsection 8(1) of the Real Property Tax Act,

R.S.P.E.I. 1988 c. R-5, provides the authority for Town Council to establish tax rates.

AND WHEREAS Subsection 160(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables Council to set and approve property tax rates, by resolution, for all real property within the jurisdiction and boundaries of the municipality.

AND WHEREAS Subsection 160(2) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M- 12.1., enables Council to establish, by bylaw, separate tax rate groups in the municipality for purposes of raising revenue sufficient to defray projected municipal expenditures.

AND WHEREAS the Tax Rate Groups Bylaw (Bylaw #2018-01 was read and approved a first time at a town council meeting held on March 12, 2018.

BE IT RESOLVED that the Tax Rate Groups Bylaw (Bylaw #2018-01) be hereby read a second time.

Unanimously carried.

8.1.7.2 Approval of Second Reading

Moved by Deputy Mayor Mann, seconded by Councillor Mill

WHEREAS Subsection 8(1) of the Real Property Tax Act, R.S.P.E.I. 1988 c. R-5, provides the authority for Town Council to establish tax rates.

AND WHEREAS Subsection 160(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables Council to set and approve property tax rates, by resolution, for all real property within the jurisdiction and boundaries of the municipality.

AND WHEREAS Subsection 160(2) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables Council to establish, by bylaw, separate tax rate groups in the municipality for purposes of raising revenue sufficient to defray projected municipal expenditures.

AND WHEREAS the Tax Rate Groups Bylaw (Bylaw #2018-01 was read and approved a first time at a town council meeting held on March 12, 2018.

AND WHEREAS the Tax Rate Groups Bylaw (Bylaw #2018-01) was read a second time at this meeting.

BE IT RESOLVED that the Tax Rate Groups Bylaw (Bylaw #2018-01) be hereby approved.

Unanimously carried.

8.1.7.3 *Formal Adoption*

Moved by Deputy Mayor Mann, seconded by Councillor Doucette

WHEREAS Subsection 8(1) of the Real Property Tax Act, R.S.P.E.I. 1988 c. R-5, provides the authority for Town Council to establish tax rates.

AND WHEREAS Subsection 160(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables Council to set and approve property tax rates, by resolution, for all real property within the jurisdiction and boundaries of the municipality.

AND WHEREAS Subsection 160(2) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables Council to establish, by bylaw, separate tax rate groups in the municipality for purposes of raising revenue sufficient to defray projected municipal expenditures.

AND WHEREAS the Tax Rate Groups Bylaw (Bylaw #2018-01) was read and approved a first time at a town council meeting held on March 12, 2018.

AND WHEREAS the Tax Rate Groups Bylaw (Bylaw #2018-01) was read and approved a second time at this meeting.

BE IT RESOLVED that the Tax Rate Groups Bylaw (Bylaw #2018-01) be hereby formally adopted.

Unanimously carried.

8.2 Other Matters

8.2.1 Councillor Spencer and Councillor MacLean addressed concerns on current road conditions throughout Town. Mr. Baker confirmed that residents can contact the Department of Transportation to report any road concerns.

8.2.2 Mayor Caseley requested that Councillors, staff and members of the public observe a moment of silence in honor of the victims of the tragic bus accident of the Humboldt Broncos Hockey Team. The Town's flags will be set at half

mass for 15 days, one day to represent each of the 15 lives that were lost in the tragic accident.

Moved by Councillor Mill, seconded by Councillor Spencer to send a letter of condolence to the City of Humboldt Mayor Muench & Council on the recent bus accident involving the Humboldt Broncos Hockey Team. Unanimously carried.

9. Correspondence

- 9.1** An email from Gail Mueller requesting town pins and a financial donation to the ACLC PEI Air Cadets.

Moved by Councillor Spencer, seconded by Councillor Doucette to provide the ACLC PEI Air Cadets with 100 Town of Kensington pins. Unanimously carried.

- 9.2** A Thank You letter from PEI Crime Stoppers for the Town's recent financial donation.
- 9.3** A Thank You letter from Team PEI Booster Club for the Town's recent financial donation to the 2018 Special Olympics National Summer Games & Bowling Championship.
- 9.4** A Thank You note from the Kensington Novice A Junior Vipers for the Town's recent support in the First Annual Shane Cormier Memorial Meltdown held at the Community Gardens Complex.

Mayor Caseley declared a conflict and excused himself from the Council Chamber at 8:30 pm. Deputy Mayor Mann filled in as Chair.

- 9.5** An email from Claire Caseley Smith on behalf of the Saults Gymnastics Club requesting the Town's financial support as they are hosting the Atlantic Gymnastics Championships in April.

Moved by Councillor Doucette, seconded by Councillor Spencer to donate \$300 to the Saults Gymnastics Championships as Atlantic Gymnastic Competition held at the Credit Union Place on April 20-21, 2018. Unanimously carried.

Mayor Caseley returned to the Council Chamber and resumed his seat as Chair at 8:35 pm.

- 9.6** A Thank You note from the Kensington-Bedford Peewee Hockey Exchange.
- 9.7** An advertising request from the Journal Pioneer. – *No action.*
- 9.8** A letter from Shadow Minister for Natural Resources, Shannon Stubbs requesting the Town's support with her Motion 167 in the House of Commons asking the Standing Committee on Public Safety and National Security to assess crime in rural communities across Canada.

Moved by Councillor Mill, seconded by Councillor Doucette that the Town of

Kensington provide a statement of support to Motion 167 as requested by Shadow Minister for Natural Resources, Shannon Stubbs. Unanimously carried.

Colin MacLean excused himself from the Council Chamber at 8:43 pm.

10. In-Camera

10.1 *Moved by Councillor Mill, seconded by Councillor MacLean to commence into a Committee of the Whole meeting at 8:43 PM to discuss a matter of human resources/ contractual nature. Unanimously carried.*

10.2 *Move by Councillor Doucette, seconded by Councillor Spencer to come out of the Committee of the Whole meeting at 9:06 PM. Unanimously carried.*

10.3 *Moved by Deputy Mayor Mann, seconded by Councillor Mill to accept the proposed collective agreement between the Town of Kensington and the CUPE Local 4893 effective April 2016 - April 2021 as negotiated. 3 for – 2 against (MacLean & Spencer) Motion carried.*

11. Adjournment

Moved by Councillor Mill, seconded by Councillor MacLean to adjourn the meeting at 9:09 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Rowan Caseley,
Mayor