

Town of Kensington
Minutes of Regular Council Meeting
Monday, March 9, 2020
7:00 PM

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

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

Regrets: Councillor Bernard & Councillor Spencer

Visitors: Allison Jenkins – Journal Pioneer
Rudy Croken – Resident
Jean Pendelton – Resident
Paula Aylward - 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.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Gallant, seconded by Deputy Mayor Pickering to approve the tentative agenda for the March 9, 2020 regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 *Nil*

4. Delegations / Presentations

4.1 Mayor Caseley opened the floor to Mr. Rudy Croken.

Mr. Croken - presented Town Council with concerns regarding the excessive water that collects on the road near his property on Broadway Street North as well as other areas around Town. Mr. Croken addressed his concern for the public safety of pedestrians and drivers as the water that collects freezes during the colder months of the year. Mr. Croken provided Town Council with some background information regarding the history of his many requests to the Town and Province over his 45 years of living at his current residence. He has requested that Town Council do something to alleviate some of the water that collects and to ensure proper water drainage plans for all future land development.

Mayor Caseley – acknowledged Mr. Croken’s concerns and committed to sending a letter to the Provincial Government regarding future plans to provide additional storm water systems for proper drainage. Mayor Caseley noted the Town had completed a stormwater management plan for that area, which was provided to the Province as part of the process of them taking over the Town streets.

Rudy Croken, Jean Pendleton, and Paula Aylward excused themselves from the Council Chamber at 7:35 pm.

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Pickering to approve the minutes from the February 10, 2020 regular meeting of Town. Unanimously carried.*

6. Business Arising from Minutes

6.1 February 10, 2020 Regular Meeting

6.1.1 *Nil*

7. Reports

7.1 Chief Administrative Officer Report

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

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Toombs, seconded by Councillor Gallant to approve the January 2020 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs to approve the January 2020 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

Chief Sutherland excused himself from the Council Chamber at 7:40 pm.

7.4 Development Permit Summary Report

7.4.1 *Moved by Councillor Toombs, seconded by Councillor Mann to approve the March 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 January 2020 Bills in the amount of \$31,975.16. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Councillor Toombs, seconded by Councillor Mann to approve the Summary Income Statement for the month of January 2020. Unanimously carried.*

7.7 Credit Union Centre Report

7.7.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Pickering to approve the Credit Union Centre report for the month of January 2020. Unanimously carried.*

7.8 Mayor's Report

7.8.1 *Moved by Deputy Mayor Pickering seconded by Councillor Mann to approve the Mayors report for the month of March 2020 as presented by Mayor Caseley. Unanimously carried.*

7.9 Federation of PEI Municipalities (FPEIM) Report

7.9.1 The Department of Transportation, Infrastructure and Energy released details about its Sustainable Communities Initiative for Municipalities.

7.9.2 FPEIM is requesting proposals from qualified Chartered Accounting firms to conduct the annual audit of its financial statements for a five-year period beginning with the 2019-20 fiscal year.

7.10 Heart of the Island Initiative (STEP) Report

7.10.1 Members recently attended a PEI Rural Beautification Society meeting. Deputy Mayor Pickering noted the session was very informative and compliments the mandate of the Heart of the Island Initiative.

7.11 Kensington Area Chamber of Commerce (KACC) Report

7.11.1 Provided Heart of the Island updates to the KACC Board.

7.11.2 The AGM was held and welcomed John Davison as President and Iain McCarville as Vice-President.

7.12 PEI 55 Plus Games

7.12.1 The committee held their first meeting with 5 volunteers. Their next meeting will be held on April 6, 2020 at 7:00 pm, anyone interested in volunteering is welcome to attend.

8. New Business

8.1 Request for Decisions

8.1.1 Access to Information and Protection of Personal Information Bylaw (Bylaw # 2020-01) – Second Reading and Formal Adoption

8.1.1.1 *Second Reading*

Moved by Deputy Mayor Pickering, seconded by Councillor Toombs

WHEREAS Division 5, Section 147 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that regulates access to information collected within their jurisdiction;

AND WHEREAS Division 5, Section 148 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that protects personal information collected by the municipality;

AND WHEREAS the Town of Kensington Access to Information and Protection of Personal Information Bylaw was read and approved a first time at a regularly scheduled meeting of Town Council on February 10, 2020;

BE IT RESOLVED THAT the Town of Kensington Access to Information and Protection of Personal Information (Bylaw #2020-01) be hereby read a second time.

Unanimously carried.

8.1.1.2 *Approval of Second Reading*

Moved by Deputy Mayor Pickering, seconded by Councillor Gallant

WHEREAS Division 5, Section 147 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that regulates access to information collected within their jurisdiction;

AND WHEREAS Division 5, Section 148 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that protects personal information collected by the municipality;

AND WHEREAS the Town of Kensington Access to Information and Protection of Personal Information Bylaw was read and approved a

first time at a regularly scheduled meeting of Town Council on February 10, 2020;

AND WHEREAS the Town of Kensington Access to Information and Protection of Personal Information Bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the Town of Kensington Access to Information and Protection of Personal Information (Bylaw #2020-01) be hereby approved.

Unanimously carried.

8.1.1.3 Formal Adoption

Moved by Deputy Mayor Pickering, seconded by Councillor Mann

WHEREAS Division 5, Section 147 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that regulates access to information collected within their jurisdiction;

AND WHEREAS Division 5, Section 148 of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 mandates a Town Council to enact a bylaw that protects personal information collected by the municipality;

AND WHEREAS the Town of Kensington Access to Information and Protection of Personal Information Bylaw was read and approved a first time at a regularly scheduled meeting of Town Council on February 10, 2020;

AND WHEREAS the Town of Kensington Access to Information and Protection of Personal Information Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED THAT the Town of Kensington Access to Information and Protection of Personal Information (Bylaw #2020-01) be hereby formally adopted.

Unanimously carried.

8.1.2 Town of Kensington Records Retention Bylaw (Bylaw #2020-02) – Second Reading and Formal Adoption

8.1.2.1 Second Reading

Moved by Councillor Toombs, seconded by Councillor Gallant

WHEREAS the Municipal Government Act, R.S.P.E.I. 1988, c M-

12.1., and related regulations require municipalities to manage and retain municipal records;

AND WHEREAS subsection 117(1) of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 requires council to provide a schedule for the management and disposal of all records and other documents that are required to be maintained by the municipality;

AND WHEREAS the Town of Kensington Records Retention Bylaw was read and approved a first time at a regularly scheduled meeting held on February 10, 2020;

BE IT RESOLVED THAT the Town of Kensington Records Retention Bylaw (Bylaw #2020-02) be hereby read a second time.

Unanimously carried.

8.1.2.2 Approval of Second Reading

Moved by Councillor Toombs, seconded by Deputy Mayor Pickering

WHEREAS the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1., and related regulations require municipalities to manage and retain municipal records;

AND WHEREAS subsection 117(1) of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 requires council to provide a schedule for the management and disposal of all records and other documents that are required to be maintained by the municipality;

AND WHEREAS the Town of Kensington Records Retention Bylaw was read and approved a first time at a regularly scheduled meeting held on February 10, 2020;

AND WHEREAS the Town of Kensington Records Retention Bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the Town of Kensington Records Retention Bylaw (Bylaw #2020-02) be hereby approved.

Unanimously carried.

8.1.2.3 Formal Adoption

Moved by Councillor Toombs, seconded by Councillor Gallant

WHEREAS the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1., and related regulations require municipalities to manage and retain municipal records;

AND WHEREAS subsection 117(1) of the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1 requires council to provide a schedule for the management and disposal of all records and other documents that are required to be maintained by the municipality;

AND WHEREAS the Town of Kensington Records Retention Bylaw was read and approved a first time at a regularly scheduled meeting held on February 10, 2020;

AND WHEREAS the Town of Kensington Records Retention Bylaw was read and approved a second time at this meeting;

BE IT RESOLVED THAT the Town of Kensington Records Retention Bylaw (Bylaw #2020-02) be hereby formally adopted.

Unanimously carried.

8.1.3 2020/21 -2022/23 Credit Union Centre Ice Rental Rates

8.1.3.1 Moved by Deputy Mayor Pickering, seconded by Councillor Mann

BE IT RESOLVED THAT that Town Council consider and approve Ice Rental rates at the Credit Union Centre for the 2020/21 through 2022/23 ice rental seasons as follows:

| Minor Sport Hockey | | 2020/21 | 2021/22 | 2022/23 |
|------------------------------------|-------|------------------|------------------|------------------|
| Monday to Friday, Open to 3:30pm | | \$ 115.00 | \$ 120.00 | \$ 125.00 |
| Monday to Friday, 3:30pm to 9:30pm | Prime | \$ 165.00 | \$ 167.50 | \$ 170.00 |
| Monday to Friday, 9:30pm to Close | | \$ 150.00 | \$ 152.50 | \$ 155.00 |
| Saturday, Open to Close | Prime | \$ 165.00 | \$ 167.50 | \$ 170.00 |
| Sunday, Open to Noon | | \$ 150.00 | \$ 152.50 | \$ 155.00 |
| Sunday, Noon to Close | Prime | \$ 165.00 | \$ 167.50 | \$ 170.00 |
| Birthday Party | | \$ 125.00 | \$ 130.00 | \$ 135.00 |
| | | | | |
| Other Hockey Users | | | | |
| Monday to Friday, Open to 3:30pm | | \$ 115.00 | \$ 120.00 | \$ 125.00 |
| Monday to Friday, 3:30pm to 9:30pm | Prime | \$ 170.00 | \$ 172.50 | \$ 175.00 |
| Monday to Friday, 9:30pm to Close | | \$ 150.00 | \$ 152.50 | \$ 155.00 |
| Saturday, Open to Close | Prime | \$ 170.00 | \$ 172.50 | \$ 175.00 |
| Sunday, Open to Noon | | \$ 150.00 | \$ 152.50 | \$ 155.00 |
| Sunday, Noon to Close | Prime | \$ 170.00 | \$ 172.50 | \$ 175.00 |
| Birthday Party | | \$ 125.00 | \$ 130.00 | \$ 135.00 |

3 for – 1 opposed (Gallant). Motion carried.

8.1.3.2 Moved by Deputy Mayor Pickering, seconded by Councillor Mann

BE IT RESOLVED THAT that Town Council consider and approve Ballfield Rental rates at the Credit Union Centre for the 2020 through 2022 seasons as follows:

| Ballfield | | 2020 | 2021 | 2022 |
|--------------------------|--|------------------|------------------|------------------|
| Minor Ball/Team | | \$ 300.00 | \$ 300.00 | \$ 300.00 |
| Tournaments per Field | | \$50/day | \$50/day | \$50/day |
| Recreation | | \$ 375.00 | \$ 375.00 | \$ 375.00 |
| Per Fields | | \$100/day | \$100/day | \$100/day |
| 1 Games (2 to 2.5 hours) | | \$ 35.00 | \$ 35.00 | \$ 35.00 |
| Staff for Tournaments | | \$15/hour | \$15/hour | \$15/hour |

3 for – 1 opposed (Gallant). Motion carried.

8.1.4 2020/21 Town of Kensington Financial Plan

8.1.4.1 Moved by Councillor Mann, seconded by Councillor Toombs

WHEREAS Section 150(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. requires a council to, on or before March 31 in each year, to adopt by resolution a financial plan for the upcoming fiscal year;

BE IT RESOLVED that Town Council approve the Town of Kensington 2020/21 Financial Plan with operational revenue estimates projected at \$2,388,156 and operational expenditure estimates projected at \$2,384,611.

BE IT FURTHER RESOLVED that Town Council approve the 2020/21 Water and Pollution Control Corporation with operational revenue estimates projected at \$622,059 and operational expenditure estimates at \$688,160.

BE IT FURTHER RESOLVED that Town Council approve the 2020/21 Capital Expenditure Plan and the 2020 – 2025, 5 Year Capital Expenditure Plan, as presented.

Unanimously carried.

8.1.5 2020/21 Town of Kensington Property Taxation Rates

8.1.5.1 Moved by Deputy Mayor Pickering, seconded by Councillor Mann

WHEREAS Section 160(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. and Section 5.2 of the Town of Kensington's Tax Rate Groups Bylaw requires the town to establish tax rates by resolution;

BE IT RESOLVED THAT the 2020/21 municipal property tax rates for the Town of Kensington of \$0.55/\$100 of assessment for Non-Commercial properties and \$1.30/\$100 of assessment for Commercial properties be hereby adopted and approved.

Unanimously carried.

8.1.6 2020/21 Town of Kensington and Water and Pollution Control Corporation Operating Lines of Credit

8.1.6.1 Moved by Councillor Mann, seconded by Councillor Gallant

WHEREAS Section 166(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. authorizes a Town Council to borrow money on a short-term basis for the purpose of financing operating expenditures;

AND WHEREAS Town Council currently carries short term borrowing in the amount of \$150,000 for the General Account and \$75,000 for the Water and Pollution Control Corporation Account;

AND WHEREAS no change is being proposed in the amounts to be borrowed for the 2020/21 fiscal year;

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 an operating line of credit of \$150,000.00 from Scotiabank for the General Account with the Chief Administrative Officer, or his designate, and the Mayor, or his designate, being authorized as legal signing officers, under the following terms:

i. An interest rate of Prime, less 0.25% per annum with interest payable monthly; and

ii. Advances repayable on demand;

BE IT FURTHER RESOLVED THAT Kensington Town Council approve an operating line of credit of \$75,000.00 from Scotiabank for the Water and Pollution Control Corporation Account with the Chief Administrative Officer, or his designate, and the Mayor, or his designate, being authorized as legal signing officers, under the following terms:

i. An interest rate of Prime, less 0.25% per annum with interest payable monthly; and

ii. Advances repayable on demand;

Unanimously carried.

8.1.7 Tangible Capital Asset Capitalization and Amortization Policy Amendment

8.1.7.1 Moved by Councillor Toombs, seconded by Councillor Gallant

WHEREAS Town Council adopted a Policy on March 11, 2019 to provide direction to staff on the capitalization and depreciation of tangible capital assets;

AND WHEREAS staff have reviewed the policy and are recommending Town Council's consideration of amending the policy to change the amortization rate associated with fire apparatuses to more closely align with their actual typical life span;

BE IT RESOLVED that Town Council amend the Town of Kensington Tangible Capital Asset Capitalization and Amortization Policy such that the amortization rate for vehicles is changed from 6.67% to 5%.

Unanimously carried.

8.1.8 Rescue Vehicle Purchase – Borrowing Resolution

8.1.8.1 Moved by Deputy Mayor Pickering, seconded by Councillor Toombs

BE IT RESOLVED THAT Town Council rescind the following resolution from their August 12, 2019 regular meeting:

“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 has authorized the purchase of a new custom-built rescue vehicle for the Kensington Fire Department;

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 \$286,959.02 from the Scotiabank, under the following terms:

i. repayable in full by Town Council over an amortization period not to exceed 15 years.

ii. at an interest rate of Prime, less 0.3% per annum with interest payable monthly.

iii. Advances repayable on demand.”

Unanimously carried

8.1.8.2 *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs*

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 has authorized the purchase of a new custom-built rescue vehicle for the Kensington Fire Department from METALFAB Ltd;

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

AND WHEREAS the total cost of the rescue vehicle is \$365,665.29; funded as follows: \$78,000 from the Fire District Committee; \$242,681.00 from the Town of Kensington’s long-term debt; and \$44,984.29 from the Fire Dept long-term debt;

BE IT RESOLVED that the Town of Kensington be empowered to borrow \$287,665.29 from the Scotiabank;

i. repayable in full by Town Council over an amortization period not to exceed 20 years.

ii. at an interest rate of Prime, less 0.3% per annum with interest payable monthly.

iii. advances repayable on demand.

Unanimously carried.

8.2 Other Matters

8.2.1 Councillor Gallant expressed he was happy to see Mr. Croken address Town Council on his concerns and acknowledged that the water in the area has been an issue for many years. He would like to see the issue addressed.

8.2.2 Councillor Gallant commented that the signs at the Fitplex have been installed, but unfortunately there are members who are still not following the posted rules.

He would like to see more enforcement in regards to proper cleaning of machines and changing from outdoor to indoor footwear.

8.3.3 Councillor Toombs requested that the brick work outside of the Town Hall be addressed and a cost of repair brought forward for consideration.

8.3.4 Mayor Caseley and Town Council discussed the preferred material for the replacement of the fence along the Train Station parking lot and Kent Building Supplies. Town Council agreed that a wooden fence was the preferred building material.

Deputy Mayor Pickering excused herself from the Council Chamber at 8:23 PM and returned at 8:25 PM.

9. Correspondence

9.1 Information from the Central Coastal Region inviting the Town to advertise in their 2020 Tour Map/Booklet. – *No action*

9.2 A sponsorship request from the Rural Beautification Society.

Moved by Deputy Mayor Pickering, seconded by Councillor Gallant to approve a Major Sponsorship of \$1,000.00 for the 2021 Rural Beautification Society competition book and awards dinner. Unanimously carried.

10. In-Camera

10.1 *Nil*

11. Adjournment

Moved by Deputy Mayor Pickering, seconded by Councillor Gallant to adjourn the meeting at 8:43 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor