

**TOWN OF PARADISE
TOWN COUNCIL MEETING
TUESDAY, JULY 7, 2015
TOWN HALL, PARADISE
8:00 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Paul Dinn
	Councillor	Vince Burton
	Councillor	Elizabeth Laurie
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	Councillor	Sterling Willis
	Chief Admin. Officer	Rodney Cumby
	Director of Corporate Services	Terrilynn Smith
	Manager of Operations	Leon Maclsaac
	Director of Engineering Services	Vanessa Barry
	Director of Planning & Protective Services	Alton Glenn
	Director of Recreation & Leisure Services	Conrad Freake
	Executive Assistant	Lisa Niblock
	Assistant Town Clerk	Barb Butler
	Operations Support Clerk	Melanie Bartlett

ABSENT: Director of Public Works Ron Fleming

1. The meeting was called to order by Chairperson Bobbett at 8:45 p.m.

2. **ADOPTION OF THE MINUTES:**

M15-201 **Moved by Councillor Burton, seconded by Councillor Quilty to adopt the Minutes of the June 16, 2015 Public Meeting.**

Motion carried.

3. **BUSINESS ARISING FROM THE MINUTES:**

There was no business arising from the Minutes.

4. **CORPORATE SERVICES DEPARTMENT:**

1. Accounts for Payment

M15-202 Moved by Councillor Quilty, seconded by Councillor Martin that invoices in the amount of \$671,460.60 be approved for payment as submitted by the Director of Corporate Services.

Motion carried.

Note: Councillor Laurie left the Council Chambers because of possible conflict of interest.

5. **PERMITS:**

1. **M15-203 Moved by Councillor Burton, seconded by Deputy Mayor Dinn to refuse application of Paul Perham, C2015-410, to maintain an existing accessory building in its current location at 4 Hickey's Road as the accessory building does not meet the minimum required rear yard set-back. Therefore the application is deemed contrary to the Town of Paradise Development Regulations, 2004 and the Town of Paradise Municipal Plan 2004 for the following reason:**

The existing accessory building as constructed in its current location has an existing set-back of 0.34m from the rear yard lot line. This set-back does not comply with the minimum required rear yard set-back of 1.2m. Therefore the accessory building's location is deemed to be non-compliant with Section 40(2)(a)(i)(1) of the Town of Paradise Development Regulations, 2004 outlined below:

"40. Accessory Buildings

(2) Residential (Other than the Residential Watershed Zone)

Accessory buildings shall be permitted in the Residential Land Use Zones, with the exception of the Residential Watershed Land Use Zone, in accordance with the following:

(a) *Location on Property*

- i) Accessory buildings shall not be located:**
- 1. Within 1.2 m from any property boundary;**
 - 2. 2.4 m from any building; and,**
 - 3. Within any easement area."**

Motion carried.

Note: Councillor Quilty left the Council Chambers because of possible conflict of interest.

5. PERMITS:

2. **M15-204 Moved by Councillor Laurie, seconded by Councillor Burton to tolerate an encroachment of the accessory building at 4 Hickey's Road within the drainage ditch easement provided that the Town accepts no liability, financial or otherwise, for any damage occurred to any building or structure as a result of this encroachment.**

Motion carried.

Councillor Willis was not in favour of the above Motion.

Note: Councillor Quilty left the Council Chambers because of possible conflict of interest.

3. **M15-205 Moved by Councillor Laurie, seconded by Deputy Mayor Dinn to refuse application of Gerry Power, S2015-017, for approval in principle to subdivide land at 29 Donna Road for the following reasons:**

1. **The original Plan of Subdivision shows a deck which extends 65.57% in the rear yard in non-conformance with Schedule "C" – Section 4 of the Town of Paradise Development Regulations, 2004.**
2. **The original Plan of Subdivision does not comply with Part One – Section 6 of the Development Regulations, 2004 outlined below:**

6. Compliance with Regulations

Development shall be carried out in accordance with the Municipal Plan, these Regulations, and the conditions stated in a Permit to Develop.

Motion carried.

4. **M15-206 Moved by Councillor Willis, seconded by Councillor Martin to approve application of Ada White, DU2015-178, to construct a second accessory building (total area – 129m²) at 206 Summit Drive subject to no objections being received in response to the Notice of Discretionary Use and ten (10) conditions.**

Motion carried.

5. PERMITS:

5. M15-207 Moved by Councillor Burton, seconded by Councillor Laurie to approve application of Doycon Developments c/o Pinnacle Engineering for a 33-unit 50+ age group townhouse development at 292 Lanark Drive subject to twenty-two (22) conditions.

Motion carried.

6. M15-208 Moved by Deputy Mayor Dinn, seconded by Councillor Willis that the Town of Paradise change the maximum building line setback on Ellington Close to 65m.

Motion carried.

7. M15-209 Moved by Deputy Mayor Dinn, seconded by Councillor Willis to approve application of Stephen Crane, DA15-0533, to construct a dwelling with a 65m setback at 17 Ellington Close subject to eleven (11) conditions.

Motion carried.

8. M15-210 Moved by Councillor Willis, seconded by Councillor Laurie to approve application of Crossroads Holdings Ltd./Richard Sheppard, D2015-217, to construct a new 61-unit hotel at 980 Kenmount Road subject to eight (8) conditions.

Motion carried.

6. COMMITTEE REPORTS:

1. M15-211 Moved by Councillor Willis, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise donate \$261.10 to add to the \$637.90 that was raised from the Canada Day Dunk Tank event for a total of \$900 to the Children’s Wish Foundation to support Run the Rock.”

Motion carried.

2. M15-212 Moved by Councillor Willis, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise approve topsoil and sod work in the amount of \$13,729.50 HST included to Murphy’s Services Inc. to complete the embankment on Sarah Davis Way and McNamara Drive.”

Motion carried.

6. COMMITTEE REPORTS:

3. M15-213 Moved by Councillor Willis, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise donate \$50 to the Vera Perlin Society in support of the 21st Annual Vera Perlin Cup Golf Tournament to be held on September 17, 2015.”

Motion carried.

4. M15-214 Moved by Councillor Martin, seconded by Councillor Quilty.

“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Civic #30 Hayes Avenue, concerning the unsafe condition of a retaining wall at Civic #30 Hayes Avenue, be confirmed.”

Motion carried.

5. M15-215 Moved by Councillor Martin, seconded by Councillor Burton.

“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Civic #9 Virden Place, concerning the rear yard embankment and repairs to a damaged fence at the rear of Civic #9 Virden Place, be confirmed.”

Motion carried.

6. M15-216 Moved by Councillor Martin, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise purchase 2 Cisco Switches from Bell Aliant for a total cost of \$9,455.84 + HST.”

Motion carried.

7. M15-217 Moved by Councillor Laurie, seconded by Councillor Willis.

“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Civic #40 Spracklin Boulevard, concerning the operation of a home based business, ‘K2J Health and Safety Consulting Ltd.’, at Civic 40 Spracklin Boulevard without a permit and therefore not in accordance with the Town of Paradise Development Regulations, 2004, be confirmed.”

Motion carried.

6. COMMITTEE REPORTS:

8. M15-218 Moved by Councillor Laurie, seconded by Councillor Quilty.

“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Civic #10 Squire’s Road concerning the embankment between Civic #10 Squire’s Road and Civic #12 Squire’s Road, be confirmed.”

Motion carried.

9. M15-219 Moved by Councillor Burton, seconded by Councillor Laurie.

“BE IT RESOLVED that the Town of Paradise reallocate \$15,000.00 from \$40,000.00 Capital Budget that was dedicated to purchase security cameras to the Pipe and Drapery tender.”

Motion carried.

10. M15-220 Moved by Councillor Burton, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise accept the bid from Mercury Interiors of \$51,821.80 HST included for pipe and drapery at the Paradise Double Ice Complex.”

Motion carried.

11. M15-221 Moved by Councillor Burton, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise accept the Attendant Pass Policy for ticketed events within the Town of Paradise.”

Motion carried.

12. M15-222 Moved by Councillor Burton, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Town of Paradise issue a tender for the construction of a concession stand, change rooms and splash pad and filtration system at the recreation land adjacent to the Paradise Double Ice Complex.”

Motion carried.

6. COMMITTEE REPORTS:

13. M15-223 Moved by Councillor Quilty, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise approve Change Order #3: Additional Engineering Fees – Site Inspection in the amount of \$52,000 + HST.”

Motion carried.

Note: Councillor Laurie left the Council Chambers because of possible conflict of interest.

14. M15-224 Moved by Councillor Quilty, seconded by Deputy Mayor Dinn.

“BE IT RESOLVED that the Council of the Town of Paradise support the nomination of Councillor Sterling Willis to the Board of the Federation of Canadian Municipalities for the period starting July 2015 and ending June 2016. Council assumes all costs associated with Councillor Sterling Willis attending FCM’s Board of Directors Meetings.”

Motion carried.

15. M15-225 Moved by Councillor Quilty, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise have Progressive Engineering and Consulting Inc. undertake an Inflow and Infiltration Study in the amount of \$399,956.95 HST included pending approval by the Department of Municipal and Intergovernmental Affairs.”

Motion carried.

16. M15-226 Moved by Councillor Quilty, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise have Progressive Engineering and Consulting Inc. proceed with services for the Paradise Road/Camrose Drive Sanitary Sewer Investigation and Remedial Works (00073) in the amount of \$262,323.06 HST included, pending approval by the Department of Municipal and Intergovernmental Affairs.”

Motion carried.

6. COMMITTEE REPORTS:

17. M15-227 Moved by Deputy Mayor Dinn, seconded by Councillor Laurie.

“BE IT RESOLVED that the Town of Paradise approve Change Order #2: Culvert Installation Greenfield’s Place in the amount of \$92,513.10 (HST included).”

Motion carried.

18. M15-228 Moved by Deputy Mayor Dinn, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise approve the purchase of Xpertcare from XP Solutions for \$6,831.75 US (approximately \$8529.10 CAN) tax included.”

Motion carried.

19. M15-229 Moved by Deputy Mayor Dinn, seconded by Councillor Willis.

“BE IT RESOLVED that the Town commit to pay the funding shortfall of \$17,503.71 HST included for Topsail Road Widening Phase 3.”

Motion carried.

20. M15-230 Moved by Deputy Mayor Dinn, seconded by Councillor Laurie.

“BE IT RESOLVED that, pending approval from the Department of Municipal and Intergovernmental Affairs, the Town of Paradise award the contract for Topsail Road Widening Phase 3 to Modern Paving Ltd. for the amount of \$2,491,419.37 HST included.”

Motion carried.

7. NEW/UNFINISHED BUSINESS:

1. Councillor Willis threw a bouquet to the Sobey’s Store for being good corporate citizens by enhancing their new building with attractive landscaping.
2. Councillor Willis would like the Town of Paradise to develop regulations giving the Town the authority to ticket residents and businesses who do not keep their properties up to an acceptable level of cleanliness & tidiness. Mayor Bobbett asked Planning Committee to look into what other Municipalities have in place in this regard and bring back recommendations to Council.

7. **NEW/UNFINISHED BUSINESS:**

3. Councillor Burton stated that he would like the Town of Paradise to be involved in Tidy Town's next year.
 4. Deputy Mayor Dinn commented on how dangerous the McNamara Drive and Burnaby Street intersection is. The Manager of Operations responded that the line painting contractor has been asked to provide pricing to extend the line painting up to the arena entrance to further define the single lane of traffic which will improve the safety issues at this intersection.
 5. Mayor Bobbett asked staff to contact Canada Post to move the mailboxes away from the McNamara Drive & Burnaby Street intersection to further improve the safety issues at this intersection.
 6. Mayor Bobbett stated that Planning Committee will be looking into increasing the buffer around ponds.
 7. Mayor Bobbett stated that he has asked to meet with the City of St. John's to discuss the governance model of the watershed agreement.
 8. Deputy Mayor Dinn congratulated staff on the success of the Canada Day events.
8. **M15-232 Moved by Councillor Burton, seconded by Councillor Quilty to adjourn the meeting at 9:23 p.m.**

Dan Bobbett, Mayor

Terrilynn Smith, Town Clerk