

**TOWN OF PARADISE
TOWN COUNCIL MEETING
TUESDAY, DECEMBER 3, 2013
TOWN HALL, PARADISE
7:30 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Paul Dinn
	Councillor	Vince Burton
	Councillor	Elizabeth Laurie
	Councillor	Patrick Martin
	Councillor	Sterling Willis
	Chief Admin. Officer	Rodney Cumby
	Director of Corporate Services	Terrilynn Smith
	Director of Planning & Protective Services	Alton Glenn
	Director of Public Works & Engineering	Ron Fleming
	Director of Recreation & Leisure Services	Conrad Freake
	Executive Administrator	Marie Pretty
	Assistant Town Clerk	Barb Butler
ABSENT:	Councillor	Deborah Quilty

1. The meeting was called to order by Chairperson Bobbett at 7:36 p.m.

2. **ADOPTION OF THE MINUTES:**

M13-338 Moved by Councillor Willis, seconded by Councillor Laurie to adopt the Minutes of the November 19, 2013 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

M13-339 Moved by Deputy Mayor Dinn, seconded by Councillor Burton that invoices in the amount of \$497,172.94 be approved for payment as submitted by the Director of Corporate Services.

Motion carried.

5. PERMITS:

1. **M13-340 Moved by Councillor Burton, seconded by Councillor Laurie to reject application of Colin Perry, DA13-1265, for installation of water and septic service into new accessory building (garage) at 137 Summit Drive subject to the following reason:**

The installation of water and sewer service would be in contravention of the Town of Paradise Development Regulation #40 which states:

“Accessory Buildings are permitted in each use class provided the buildings are clearly incidental and complimentary to the main building’s character, size, and use. The buildings must be located on the lot on which the main building is located except as provided for under the Conservation Use Zone in Schedule C of these Regulations. Accessory buildings are not permitted to be used for human habitation...”

By permitting the installation of water and sewer services to the accessory building would be permitting the use of human habitation, therefore would not be in accordance with the Town of Paradise Development Regulations 2004.

The Town of Paradise considers the installation of a washroom facility in the accessory building (garage) as “human habitation” of an accessory building therefore is contrary to Regulation #40 of the Town of Paradise Development Regulation 2004.

Motion carried.

2. **M13-341 Moved by Councillor Laurie, seconded by Councillor Martin to approve application of Paul Perham, DA13-1131, to construct a 50.5 square meter extension to existing garage at 598 St. Thomas Line subject to eleven (11) conditions.**

Motion carried.

3. **M13-342 Moved by Councillor Willis, seconded by Councillor Martin to approve application of Clover Construction (Paul Loveless), DA13-1162, to construct a one bedroom subsidiary apartment at 35 Glenderek Drive subject to six (6) conditions.**

Motion carried.

5. PERMITS:

4. **M13-343 Moved by Councillor Willis, seconded by Councillor Martin to reject application of Kevin Clarke, DA13-1224, to construct a single family dwelling at 68 Clarke's Hillview for the following reasons:**

1. **The proposed extension was referred to the City of St. John's in accordance with Section 2 of the Town of Paradise/City of St. John's Watershed Agreement and condition #4 of the Residential Watershed Use Zone of the Town of Paradise Municipal Plan & Development Regulations, 2004 which states that "all development applications will be referred to the City of St. John's for approval."**

The City rejected the application at the Regular Meeting of the St. John's Development Committee (copy attached). As such, the proposed development is deemed to be in contravention with the Town of Paradise Development Regulations, 2004, specifically Section 6 which states, "Development shall be carried out in accordance with the Municipal Plan, these Regulations, and the conditions stated in a Permit to Develop".

2. **Section 104 and 106 of the City of St. John's Act states that the City of St. John's has the discretionary power to allow development in specified circumstances. The City of St. John's is not prepared to exercise its discretionary powers in order to permit the proposed development. It is the City of St. John's policy that the proposal is contrary to Sections 104 & 106 of the City of St. John's Act which prohibits development in the watershed.**

Motion carried.

6. COMMITTEE REPORTS:

1. **M13-344 Moved by Councillor Willis, seconded by Councillor Burton.**

"BE IT RESOLVED that the Town of Paradise continue to support the Conception Bay Area Chamber of Commerce through the endorsement of a \$100 tax incentive to any business in Paradise joining the Chamber, providing their taxes are up to date at any time during the fiscal year."

Motion carried.

2. **M13-345 Moved by Councillor Willis, seconded by Deputy Mayor Dinn.**

"BE IT RESOLVED that the Town of Paradise donate \$250 to Mount Pearl Senior High for the Town of Paradise Academic Excellence Award that will be presented at their Diploma Night ceremony on December 19, 2013."

Motion carried.

6. **COMMITTEE REPORTS:**

3. M13-346 Moved by Councillor Martin, seconded by Councillor Burton.

“BE IT RESOLVED that the Order issued by the Town of Paradise to the owner, Civic #152 Ashlen Crescent, concerning the fill material stock-piled beyond the limits of the Cameo Subdivision Phase II development area without the approval or required permit from the Town of Paradise, be confirmed.”

Motion carried.

4. M13-347 Moved by Councillor Martin, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise approve the request for railing at #1646 Topsail Road in the amount of \$7,500.00 plus HST.”

Motion carried.

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

5. M13-348 Moved by Councillor Laurie, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise purchase TownSuite Mapping and TownSuite Planning software, associated services and annual maintenance fees from Procom Data of Gander at a cost of \$42,200.00 plus HST.”

Motion carried.

6. M13-349 Moved by Councillor Laurie, seconded by Councillor Martin.

“BE IT RESOLVED that the Town of Paradise approve the Change Order of \$6,000 HST included to incur the cost of safety fencing to enclose the electrical panel for the new lighting system at Milton Road softball field.”

Motion carried.

7. M13-350 Moved by Councillor Burton, seconded by Councillor Laurie.

“BE IT RESOLVED that the Town of Paradise approve Change Order #1 in the amount of \$30,594.85 HST included for Paradise Double Ice Surface Arena.”

Motion carried.

6. COMMITTEE REPORTS:

8. M13-351 Moved by Councillor Burton, seconded by Councillor Willis.

“BE IT RESOLVED that the Town of Paradise approve the Change Order of \$13,248.47 HST included to complete the lighting installation for Dianne Whalen Soccer Field #2.”

Motion carried.

Note: Deputy Mayor Dinn left the Council Chambers because of conflict of interest.

9. M13-352 Moved by Deputy Mayor Dinn, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise approve Change Order #5 in the amount of \$11,949.75 HST included for Topsail Road Upgrading Phase 2 pending approval by the Department of Municipal Affairs.”

Motion carried.

10. M13-353 Moved by Deputy Mayor Dinn, seconded by Councillor Burton.

“BE IT RESOLVED that the Town of Paradise submit an application to the Department of Municipal Affairs in the amount of \$42,200,000 for the 2015-2017 Multiyear Capital Works Program.”

Motion carried.

7. NEW/UNFINISHED BUSINESS:

1. Councillor Laurie commented on the success of the Paradise Guides Brunch with Santa that was held on December 1, 2013 at the Rotary Paradise Youth & Community Centre.
2. Councillor Burton reported on the Athletic Business Conference that he attended along with Mayor Bobbett, the Director of Recreation and Leisure Services and the Manager of Recreation.
3. Councillor Burton encouraged everyone to attend the Annual Paradise Christmas Parade to be held on December 8, 2013 and reminded all to bring their loonies & toonies to help support Basic for Babies, the Kin Club of Paradise and the CBS/Paradise Food Bank.

7. **NEW/UNFINISHED BUSINESS:**

4. Councillor Willis asked if the meeting with Minister Kent and the MHA'S had been scheduled. Mayor Bobbett responded that the meeting is scheduled for December 18, 2013.
8. **M13-354 Moved by Councillor Laurie, seconded by Deputy Mayor Dinn to adjourn the meeting at 7:51 p.m.**

Dan Bobbett, Mayor

Terrilynn Smith, Town Clerk