

**TOWN OF PARADISE  
TOWN COUNCIL MEETING  
TUESDAY, NOVEMBER 5, 2013  
TOWN HALL, PARADISE  
7:30 P.M.**

PRESENT:	Chairperson	Dan Bobbett, Mayor
	Deputy Mayor	Paul Dinn
	Councillor	Vince Burton
	Councillor	Patrick Martin
	Councillor	Deborah Quilty
	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 Assistant	Marie Pretty
	Operations Support Clerk	Melanie Bartlett
ABSENT:	Assistant Town Clerk	Barb Butler
	Councillor	Elizabeth Laurie

1. The meeting was called to order by Chairperson Bobbett at 8:00 p.m.

2. **PROCLAMATIONS:**

Mayor Bobbett read & signed two proclamations; World Planning Day on November 8, 2013, and November as Crohn's and Colitis Awareness Month.

3. **ADOPTION OF THE MINUTES:**

**M13-299 Moved by Councillor Burton, seconded by Councillor Willis to adopt the Minutes of the October 15, 2013 Public Meeting.**

**Motion carried.**

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

Item 8.(1) Councillor Willis informed Council that there will be a Northeast Avalon Joint Council meeting on November 20, 2013 and invited all Council Members to attend the meeting.

5. **CORPORATE SERVICES DEPARTMENT:**

1. Accounts for Payment

**M13-300 Moved by Deputy Mayor Dinn, seconded by Councillor Burton that invoices in the amount of \$2,497,208.14 be approved for payment as submitted by the Director of Corporate Services.**

**Motion carried.**

6. **PERMITS:**

1. **M13-301 Moved by Councillor Willis, seconded by Councillor Burton, to reject application of Natasha Hunt, DA13-0272, to construct a single family dwelling at 35-99 O'Brien's Way for the following reasons:**

The lot does not front on a publicly owned street nor is water & sewer available to the lot. The street, O'Brien's Way, would have to be upgraded and extended in accordance with the Town of Paradise Engineering standards, piped services installed and the extended section of the street legally conveyed to the Town of Paradise. Regulation 9 and Regulation 50 of the Town of Paradise Development Regulations state the following:

**Regulation 9. - Permit Not To Be Issued in Certain Cases**

**"Neither a permit nor approval in principle shall be issued for development within the Planning Area when, in the opinion of the Council, it is premature by reason of the site lacking adequate road access, power, drainage, sanitary facilities, or domestic water supply, or being beyond the natural development of the area at the time of application unless the applicant contracts to pay the full cost of construction of the services deemed necessary by the Council and such cost shall attach to and upon the property in respect of which it is imposed."**

**Regulation 50. – Lot Frontage**

**"Except where specifically provided for in the Use Zone Tables in Schedule C of these Regulations, no residential or commercial building shall be erected unless the lot on which it is situated fronts directly onto a publicly owned and maintained street or forms part of a Comprehensive Development Scheme."**

**Motion carried.**

**6. PERMITS:**

2. M13-302 Moved by Councillor Burton, seconded by Councillor Willis to approve application of Paul & Mary Eddy, DA13-1213, for a variance of the building line setback to 9 meters at 641 St. Thomas Line subject to one (1) condition.

**Motion carried.**

3. M13-303 Moved by Councillor Burton, seconded by Deputy Mayor Dinn, to approve application of Nancy & Wayne Murphy, DA13-1199, to park six (6) power utility (line) trucks and a Seacan storage container at 1325-1331 Topsail Road subject ten (10) conditions.

**Motion carried.**

**7. COMMITTEE REPORTS:**

1. M13-304 Moved by Councillor Willis, seconded by Councillor Quilty.

**“BE IT RESOLVED that the Town of Paradise donate \$200.00 to the Atlantic Planners Institute.”**

**Motion carried.**

2. M13-305 Moved by Councillor Willis, seconded by Councillor Quilty.

**“BE IT RESOLVED that the Town of Paradise approve construction of a new in-house garage at 1644 Topsail Road and that the project be managed by Town staff and appropriately sub-contracted for an estimated cost of \$60,000 (HST included).”**

**Motion carried.**

3. M13-306 Moved by Councillor Willis, seconded by Deputy Mayor Dinn.

**“BE IT RESOLVED that the Town of Paradise approve Change Order #3 in the amount of \$39,671.48 HST included for Topsail Road Upgrading Phase 2 pending approval by the Department of Municipal Affairs.”**

**Motion carried.**

4. M13-307 Moved by Councillor Martin, seconded by Councillor Willis.

**“BE IT RESOLVED that the Town of Paradise donate \$100.00 to the Kiwanis Music Festival that will take place from February 16-27, 2014.”**

**Motion carried.**

7. **COMMITTEE REPORTS:**

5. M13-308 Moved by Councillor Martin, seconded by Councillor Burton.

**“BE IT RESOLVED that the Town of Paradise award the contract for the 2013 Town of Paradise Paving - Arena Access Road & Rovers Parking Lot to the lowest bidder, Modern Paving for the amount of \$312,834.29 (HST included) and the bulk of the work be deferred until Spring.”**

**Motion carried.**

6. M13-309 Moved by Councillor Martin, seconded by Councillor Quilty.

**“BE IT RESOLVED that Paradise Town Council tolerate the current location of the retaining wall at 45 Kestrel Drive. The tolerance is granted on the condition that the property owner signs a legal waiver accepting all liability, financial or otherwise, for any issues that might arise due to the location of the retaining wall within the sewer easement area. The property owner shall also be responsible for registering the waiver with the property.”**

**Motion carried.**

7. M13-310 Moved by Councillor Burton, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise purchase the property at Civic #103 (formerly Civic #61) Deborah Lynn Heights in the amount of \$330,000 subject to the conditions set out by the Courts.”**

**Motion carried.**

*Note: Councillor Quilty voted against the Motion.*

8. M13-311 Moved by Councillor Burton, seconded by Councillor Willis.

**“BE IT RESOLVED that the Town of Paradise proceed with the tender process for two Electric Ice Resurfacers and accessories at an approximate cost of \$400,000.”**

**Motion carried.**

9. M13-312 Moved by Councillor Burton, seconded by Councillor Willis.

**“BE IT RESOLVED that the Town of Paradise enter into a 3 year sponsorship agreement with Body Quest effective January 1, 2014 as it relates to the existing fitness center and new fitness center and multi-purpose room upon opening in September 2014.”**

**Motion carried.**

**7. COMMITTEE REPORTS:**

10. M13-313 Moved by Councillor Quilty, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise have Electro Mechanical Services Ltd. 92 Glencoe Drive, Mount Pearl provide for the supply of one (1) rebuilt Channel Monster and one (1) new gear box and motor for the quoted price of \$54,440.91 HST included.”**

**Motion carried.**

11. M13-314 Moved by Councillor Quilty, seconded by Councillor Burton.

**“BE IT RESOLVED that the Town of Paradise approve Change Order #2 in the amount of \$23,245.99 HST included for Topsail Road Upgrading Phase 2 pending approval by the Department of Municipal Affairs.”**

**Motion carried.**

12. M13-315 Moved by Deputy Mayor Dinn, seconded by Councillor Martin.

**“BE IT RESOLVED that the Town of Paradise rescind Motion M12-0220 regarding land acquisition at #1325-1331 Topsail Road.”**

**Motion carried.**

13. M13-316 Moved by Deputy Mayor Dinn, seconded by Councillor Quilty.

**“BE IT RESOLVED that the Town of Paradise approve the additional amount of \$77,362.05 (HST included) to cover the cost of the necessary poles, guy and overhead wire relocations as well as pole bracing for Topsail Road Phase 2.”**

**Motion carried.**

**8. NEW/UNFINISHED BUSINESS:**

1. Deputy Mayor Dinn inquired about the meeting to be set up with the developer of the Dawe's Road development. The Director of Planning & Protective Services responded that a meeting will be scheduled in the next two weeks.
2. Councillor Quilty reminded all Council and residents of the Remembrance Day Service on November 11, 2013 at the Town Hall.

**8. NEW/UNFINISHED BUSINESS:**

3. Councillor Quilty asked the CAO if a meeting has been arranged with Minister Kent. The CAO responded that he is still working on it.
  4. Councillor Quilty asked the Director of Planning & Protective Services to discuss at the next Planning Committee having a walkway or trailway from Lanark Drive to St. Thomas Line for children attending Holy Family School.
  5. Councillor Willis spoke on gathering Town of Paradise historic items to have eventually compiled in a display case. Mayor Bobbett designated Councillor Willis as the official historian for the Town of Paradise and asked him to look into this matter.
  6. Mayor Bobbett reported on the timelines for the construction of the new double surface arena and stated that the facility will be ready to open on September 1, 2014.
9. **M13-317 Moved by Deputy Mayor Dinn, seconded by Councillor Quilty to adjourn the meeting at 8:24 p.m.**

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Dan Bobbett, Mayor

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Terrilynn Smith, Town Clerk