

Mayor Joseph S. Kroll
President James E. Woods
Vice President Jay G. Foy

Council Member Jerry E. Beavers
Council Member H. Christopher Edden
Council Member U. Jonathan Jadu
Assistant Town Administrator / Town Clerk Janice C. Rutan
Town Attorney John Foster



TOWN COUNCIL REGULAR MEETING
Town Council Meeting
Town Hall Council Chambers
Thursday ~ January 11, 2007
7:00 p.m. (immediately following the LPA Hearing)
AGENDA

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF THE CONSENT AGENDA
 - a. Approval of the minutes of the December 14, 2006 Regular Meeting
- VI. PRESENTATIONS AND PROCLAMATIONS
 - a. FINAL Presentation of the Town of Haverhill Audit for the FY ending September 30, 2005 by the Town's Auditing Firm of Rachlin, Cohen and Holtz
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS
 - a. ORDINANCE NO. 355 - AN ORDINANCE AMENDING THE TOWN OF HAVERHILL CODE OF ORDINANCES BY REVISING THE TITLE OF OCCUPATIONAL LICENSES TO BUSINESS TAX AND REGISTRATION
- X. FIRST READINGS AND REGULAR AGENDA
 - a. ORDINANCE NO. 356
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS 1989 COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY CHANGING AN APPROXIMATELY 3.24 ACRE PARCEL FROM THE PALM BEACH COUNTY HR-8 FUTURE LAND USE DESIGNATION TO THE TOWN OF HAVERHILL'S COMMERCIAL DESIGNATION, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
 - b. ORDINANCE NO. 357
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING A 3.24 ACRE PARCEL FROM PALM BEACH COUNTY ZONING DESIGNATION OF RM - MULTI FAMILY RESIDENTIAL TO A TOWN

OF HAVERHILL ZONING DESIGNATION OF R-3 MEDIUM DENSITY RESIDENTIAL, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

c. **ORDINANCE NO. 358**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE VI, DIVISION 4, BY ADDING SELF-STORAGE FACILITIES, WITH LIMITED OFFICE AND RETAIL SPACE, AS A SPECIAL EXCEPTION UNDER SECTION 58-199, CODE OF ORDINANCES, IN THE R-3 ZONING DISTRICT SUBJECT TO SUPPLEMENTAL STANDARDS, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

d. **RESOLUTION 2007-01**

A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES OF TOWN COUNCIL SEATS III, IV & V PRIOR TO THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 13, 2007; SETTING THE DATES AND TIMES TO QUALIFY FOR PUBLIC OFFICE; SETTING THE FILING FEES; AUTHORIZING THE TOWN CLERK TO APPOINT AN ELECTION BOARD FOR TOWN PRECINCT NUMBERS 2052, 6122 AND 6124, AUTHORIZING THE TOWN CLERK TO NOTIFY THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS OF HIS APPOINTMENT TO HANDLE AND CANVASS ALL TOWN ABSENTEE BALLOTS AND TO REPRESENT THE MUNICIPAL CANVASSING BOARD AT ALL LOGIC AND ACCURACY TESTS TO BE HELD PRIOR TO THE ELECTION TO BE HELD ON TUESDAY, MARCH 13, 2007

e. **RESOLUTION 2007-02**

A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, APPROVE A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF TOWN COUNCIL, SEATS III, IV & V TO BE HELD ON TUESDAY, MARCH 27, 2007

XI. REPORTS

- a. **Town Attorney**
- b. **Mayor**
- c. **Consultants**
- d. **Assistant Town Administrator/Town Clerk**
- e. **Committee/Delegate Report**
- f. **Treasurer's Report (included in packet)**

XII UNFINISHED BUSINESS

XIII NEW BUSINESS

XIV ADJOURNMENT

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record. In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Assistant Town Administrator and Town Clerk, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

TOWN COUNCIL REGULAR MEETING
Town Council Meeting
Town Hall Council Chambers
Thursday ~ January 11, 2007
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Town of Haverhill Town Council was held on Thursday, January 11, 2007 at the Town Hall, 4585 Charlotte Street immediately following the close of the meeting of the Local Planning Agency. Those present were Mayor Joseph S. Kroll, Council President James E. Woods, Council Vice President Jay G. Foy, Council Member Jerry E. Beavers, Council Member H. Christopher Edden, Council Member U. Jonathan Jadu and Town Attorney John Fenn Foster. Advisors to the Town Council were Town Clerk Janice C. Rutan and Town Planner Jack Horniman.

CALL TO ORDER:

Council President Woods called the meeting to order at 8:06 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation and Pledge of Allegiance occurred during the meeting of the Local Planning Agency.

ROLL CALL:

The Clerk called the roll. All members were present.

APPROVAL OF AGENDA

Council President Woods requested the agenda be amended to allow for the Palm Beach County Sheriff's report and Comments from the Public to be heard above the Presentations and Proclamations and to remove the Consent Agenda from consideration.

A motion was made by Council Vice President Foy, seconded by Council Member Jadu to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

a.—~~Approval of the minutes of the December 14, 2006 Regular Meeting~~

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
Sergeant John Ortiz reported on the period December 30, 2006 through January 10, 2007. There had been burglaries to the residences located at 5163 Club Road; 4696 Grove Street and 799 Ivory Lane. There had been vehicle burglaries at 1120 Cheryl Street and a peeping tom at 4696 Grove Street. The most serious was an armed robbery that had occurred at 5055 Club Road. In an effort to control the crime, patrols have been increased and bicycle patrols were being conducted.

The Sergeant reported that an increase in crime this time of year (the holidays) was common. In addition, many of the crimes occurred during the day.

In response to Council Member Jadu, the Sergeant would provide a detailed report at the next Council Meeting.

Council Member Edden inquired as to the status of the ongoing Federal Investigation concerning a property on Pineway Drive. Code Enforcement Officer Joe Roche agreed to follow up with the Palm Beach County Sheriff's office.

COMMENTS FROM THE PUBLIC

None.

PRESENTATIONS AND PROCLAMATIONS

FINAL Presentation of the Town of Haverhill Audit for the FY ending September 30, 2005 by the Town's Auditing Firm of Rachlin, Cohen and Holtz

Susan Friend and Barbara Hiller of the Auditing Firm Rachlin, Cohen and Holtz addressed the Town Council and presented the final audit for the Fiscal Year ending September 30, 2005. Susan Friend gave an overview of the Town's financial standing and the findings of the completed audit.

Council President Woods confirmed there were not any blatant accounting or auditing errors to be reported.

Mayor Joseph Kroll stated for the record that the Town of Haverhill took exception to the findings included in the audit. The Town of Haverhill had requested the firm change its findings and accept the Town's responses to the findings. When the firm refused to do so, the Town had no choice but to concede to the findings so that the audit could be completed and presented to the Town Council. Mayor Kroll read the following statement into the record:

The Findings/ Responses as included in the audit (page 32) read as follows:

Recommendations:

We recommend that, in the future, the Town comply with statutory requirements.

Views of Responsible Officials and Planned Corrective Action:

The Town does not agree with the Cause of the Finding. The Town agrees that the statutory requirement for submission of the audit report should be met and will endeavor to do so in future years.

Mayor Kroll stated that the Town had hoped the following would have been included in the audit:

“Recommendation of the Auditing Firm:

We recommend that, in the future, the Town comply with statutory reporting requirements.

Views of Responsible Officials and Planned Corrective Action

The Town does not agree with the Cause of this Finding. While the Town agrees that the statutory requirement for submission of the audit report should be met, we strongly believe that the audit firm had an obligation to inform us if they were not able to complete the audit in time.

The Town had a three year contract with the Firm that ended with the current audit. The Town had no reason to believe that the audit would not be prepared timely, especially in light of meetings and phone conversations between the Town and the firm starting as early as December 2005. After numerous inquiries beginning in early 2006, the firm did respond to the Town in August of 2006 by requiring various preliminary tables to be completed by the Town's contracted CPA prior to the firm scheduling the on-site field work needed to complete the Town's audit. By this time it was too late for the Town to solicit a new auditing firm.

We feel that if the Firm was unable to complete the audit in time, it had a contractual obligation to notify the Town so as to allow the Town time to seek alternatives including, if necessary, time to contract for new services. In future contracts for audit services, the Town will require a deadline for completion.”

The Mayor went on to note for the record that the Town had complied with all of the previous year's findings and had hired an outside financial consultant and had provided the auditing firm with all the information requested in a timely manner. It was unfortunate that the contact that the Town had been dealing with was no longer with the firm, and that Ms. Friend and Ms. Hiller were the recipients of the Town's frustration. He expressed his frustration that the Town had expended additional funding by paying the Town's Financial Consultant and Staff to continue to provide the firm with repeat information due to the continual change of firm contacts. The Town maintained diligent throughout the process.

Council President Woods echoed the sentiments of the Mayor, adding that the manner in which the Firm completed the audit was unprofessional, unacceptable and in some instances offensive. The Town of Haverhill was extremely unhappy in the way the Audit was handled and the continual delays that had been caused by the firm itself. By their own admission, Ms. Friend and Ms. Hiller reported that the Audit should not have taken this long. Mr. Woods requested that the representatives present at the meeting inform the entire firm of the Town's disappointment in their services.

Council Member Edden requested an update on the Annual Financial Report that had been filed by the Town's Financial Consultant.

Council Vice President Foy noted for the record that the Town may find it very difficult to procure an Auditing Firm for the ensuing years as many of the firms have turned toward the private sector and no longer audit governmental agencies.

The Town accepted the Audit as presented and would be filing the Audit directly with the Department of Financial Services.

SECOND READINGS AND PUBLIC HEARINGS

ORDINANCE NO. 355 - AN ORDINANCE AMENDING THE TOWN OF HAVERHILL CODE OF ORDINANCES BY REVISING THE TITLE OF OCCUPATIONAL LICENSES TO BUSINESS TAX AND REGISTRATION

The title was read by Attorney Foster. The purpose of the change was to comply with recent legislation changing the term "Occupational License" to "Business Tax".

A motion was made by Council Vice President Foy, seconded by Council Member Edden and unanimously passed (5-0) to adopt Ordinance No. 355 on second reading.

FIRST READINGS AND REGULAR AGENDA

ORDINANCE NO. 356

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS 1989 COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY CHANGING AN APPROXIMATELY 3.24 ACRE PARCEL FROM THE PALM BEACH COUNTY HR-8 FUTURE LAND USE DESIGNATION TO THE TOWN OF HAVERHILL'S COMMERCIAL DESIGNATION, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

Attorney Foster explained that the Council would be conducting a quasi-judicial hearing and as such all persons would need to be sworn in and all disclosures announced.

Attorney Foster administered the Oath to all persons giving testimony in the matters before the Town Council.

Secondly, Attorney Foster requested all Council Members disclose any and all private discussion with the applicants. There were no disclosures made.

A motion was made by Council Vice President Foy to approve Ordinance No. 356 on first reading as recommended by the Local Planning Agency. The motion was seconded by Council Member Jadu and passed 4-1 with Council Member Edden voting against the motion.

ORDINANCE NO. 357

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING A 3.24 ACRE PARCEL FROM PALM BEACH COUNTY ZONING DESIGNATION OF RM - MULTI FAMILY RESIDENTIAL TO A TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 MEDIUM DENSITY RESIDENTIAL, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

The title was read by Attorney Foster. A motion was made by Council Vice President Foy to adopt Ordinance no. 357 on first reading as recommended by the Zoning Commission and the Local Planning Agency and by adding the word "existing" to the title and third recital of the Ordinance. The motion was seconded by Jerry Beavers and passed 4-1 with Council Member Edden voting against the motion.

ORDINANCE NO. 358

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE VI, DIVISION 4, BY ADDING SELF-STORAGE FACILITIES, WITH LIMITED OFFICE AND RETAIL SPACE, AS A SPECIAL EXCEPTION UNDER SECTION 58-199, CODE OF ORDINANCES, IN THE R-3 ZONING DISTRICT SUBJECT TO SUPPLEMENTAL STANDARDS, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

The title was read by Attorney Foster. A motion was made by Council Vice President Foy to adopt Ordinance no. 358 on first reading as recommended by the Zoning Commission and the Local Planning Agency and removing any reference to the applicant Robert Basehart on behalf of Florida Tropic, Ltd., from the Ordinance.

Council Member Edden questioned the inclusion of the retail commercial space and was informed that any reference to retail has been removed.

Discussion followed confirming the uses allowed as a special exception were specific to self storage units. Terms of the Ordinance were next discussed as it related to setbacks and minimum lot coverage.

Council Member Edden once again expressed his concern over amending codes for the specific benefit of one applicant.

The motion was seconded by Jerry Beavers and passed 4-1 with Council Member Edden voting against the motion.

RESOLUTION 2007-01

A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES OF TOWN COUNCIL SEATS III, IV & V PRIOR TO THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 13, 2007; SETTING THE DATES AND TIMES TO QUALIFY FOR PUBLIC OFFICE; SETTING THE FILING FEES; AUTHORIZING THE TOWN CLERK TO APPOINT AN ELECTION BOARD FOR TOWN PRECINCT NUMBERS 2052, 6122 AND 6124, AUTHORIZING THE TOWN CLERK TO NOTIFY THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS OF HIS APPOINTMENT TO HANDLE AND CANVASS ALL TOWN ABSENTEE BALLOTS AND TO REPRESENT THE MUNICIPAL

CANVASSING BOARD AT ALL LOGIC AND ACCURACY TESTS TO BE HELD PRIOR TO THE ELECTION TO BE HELD ON TUESDAY, MARCH 13, 2007.

The title was read by Attorney Foster. The Town Clerk presented Staff's report.

A motion was made by Council Vice President Foy, seconded by Council Member Edden and unanimously passed (5-0) to pass Resolution R2007-01 as presented.

RESOLUTION 2007-02

A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, APPROVE A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF TOWN COUNCIL, SEATS III, IV & V TO BE HELD ON TUESDAY, MARCH 27, 2007

The title was read by Attorney Foster. The Town Clerk presented Staff's report.

A motion was made by Council Vice President Foy, seconded by Council Member Jadu and unanimously passed (5-0) to pass Resolution R2007-01 as presented.

REPORTS

Town Attorney

The Town Attorney reported that he would defer comments on the **zero lot line and fence ordinances** being proposed until Council Vice President Foy's report under Committee and Delegate report.

He announced that he and the Mayor would be working together in review of the invoice presented to the Town by the **auditing firm of Rachlin, Cohen and Holtz** in the amount of \$14,000. First and foremost the agreement was specific to actual hours spent and the Town would be requesting a breakdown. A report would be forthcoming. A detailed letter would be drafted to be sent to the managing partner of the firm.

A hearing has been scheduled in January concerning the **Orlowski property**. The Town had received correspondence from Joe Polchkopek stating that he had reached an agreement with his cousin, Jerry Orlowski.

Mayor

Mayor Kröll requested Town Council support in adopting a Resolution supporting Home Rule. Council Vice President Foy supported the idea, however, Council President Woods expressed concern that adoption of this Resolution would go against the wishes of the voters that passed the referendum.

The Resolution would be placed on the next agenda.

The Town had sent out letters to the property owners in the northern annexation area soliciting support of the Town's interest. Eighty letters had been sent out and the Town had received 21 responses - ten for and eleven against. The Clerk's office would prepare a map of the annexation area highlighting properties in favor of the annexation.

The Mayor then reported on the meeting between himself, the Town Clerk, Palm Beach County Commissioner Santamaria, Bruce Pelly, Director of the Palm Beach International Airport and the Director of Parks and Recreation, Dennis Eschelmann on January 8, 2007 at the Government Center.

Discussion at the meeting centered on the Town's request that Palm Beach County take ownership of the Linear Park. The Commissioner agreed to visit the site and would make a recommendation after the visit.

The other item discussed was the potential airport annexation area into the Town. Mr. Pelly seemed optimistic that the annexation area was almost complete with property acquisition. Traffic concurrency was still an issue. It was hoped that the expansion of Southern Boulevard would alleviate the traffic on Belvedere Road. A traffic concurrency report would be forthcoming.

The Mayor next reported on the meeting held earlier in the day between himself, the Town Clerk, Paulette Burdick, School Board Representative and Barry Present, School Board Real Estate Development Director to discuss the school site on Stacy Street.

Maps of the proposed area showing proposed areas of property acquisition were distributed. Most of the property on Stacy Street had not yet been acquired. The access to the property would be from either Stacy Street or through Pine Grove Lane over the Lake Worth Drainage District easement. It was their intention to use the property located in Haverhill for parking and/or drainage.

Because Commissioner Koons supported construction of a school in this immediate area, and the only area available that did not fall into the fight path was the Stacy Street property, the school board began to acquire the land.

A lengthy discussion ensued. The Mayor was requested to send a letter to the School Board requesting the Town of Haverhill be kept informed of all meetings and decisions made concerning the proposed construction of Elementary School 06-D and request copies of all plans, studies and layouts for the proposed school on Stacy Street.

The letter should reiterate the Town's concerns that construction of a school within the Town of Haverhill's boundaries would be in conflict with the Town's Comprehensive Plan and request that the property at the north end of Trailway be excluded from the Stacy Street school project because the Town of Haverhill might be forced to "Object" in the Chapter 163 FS Comprehensive Planning process.

The Town Council wanted to be sure that it be known that although it supports the construction of an elementary school at the Stacy Street location, the inclusion of the Town's parcel of land in that plan would violate the Town's Comprehensive Plan and "Exempt" status from school siting requirements.

It was agreed that the Mayor would address the letter to Mr. Present with a copy to Paulette Burdick.

Assistant Town Administrator/Town Clerk

The clerk reported that she had received a call from Senator Bucher following up on the status of the FEMA mitigation grant applied for resulting from the 2004 Hurricane events to prevent future damage. Although verbal assurances have been received, Council Vice President Foy reported that the grants had not been funded.

.Council Vice President Foy agreed that perhaps a meeting be scheduled between himself, Senator Bucher, Senator Aronberg, Ken Todd and Butch Truesdale.

Again, Council Vice President Foy reminded all that although Ken Todd applied for the grant on behalf of the County, the Town would benefit from the drainage improvements to the Briarwood subdivision.

Council Vice President Foy estimated the funding amount to be approximately 4 million.

Committee/Delegate Report

Council Vice President Foy reported that the Code and Ordinance Committee had met to discuss the possibility of allowing zero lot line developments within the Town so as to accommodate

affordable housing projects. Council President Woods confirmed the developments were to be referred to as Workforce Attainable Housing projects.

Council Vice President Foy stated that after the Committee discussed the zero lot line provisions, they closed with four options:

- Do Nothing
- Allow exactly as presented by the applicant
- Allow with attached conditions
- Allow as a Special Exception

Discussion followed. Apparently the market had shown that separate units were preferred over a shared common wall.

Council President Woods surmised that the Town Council would need to give the Attorney direction to change the text of the current Ordinance to allow for zero lot lines or to take no action at all. He suggested that if the Town were to change the Ordinance it would need to be done with restrictions, however, at this time he would prefer to take no action.

The history of the Club Road Estates development was discussed. The Town had experienced problems during the development process.

Council President Foy explained that the Integrity Group came back to the Town Council asking for single family zero lot line homes as the project was not marketable as attached units. The Town Council was being asked to consider granting the single family zero lot line units so that the project could get off the ground.

Council Member Beavers stated that he personally supported separate units. But questioned how the units could be considered for Workforce Housing due to the design, cost and taxes.

Council Member Edden requested that a conceptual drawing of the proposed single family houses. He expressed concern that the single family units would look too dense on the lot. He also expressed concern that the Town Council would be willing to change its code simply to accommodate a change in the economy.

Council Vice President Foy expressed his concern that Attainable Housing could not be built in either the R-1 or the R-2 Zoning Districts due to lot sizes, setbacks and lot coverage.

Council President Woods opened the floor to allow Eric Mack of Sunset Isles/Integrity Group address the Town Council. Mr. Mack expressed his desire to make sure the project gets off the ground. He felt that the zero lot line development would be more compatible with the Town of Haverhill. Further, the retention area in the rear yards would be replaced with underground storage.

He explained that there would be five different type units ranging in size from 1600 s.f. to 2800 s.f. The Integrity Group was in the process of designing another unit that could be offered as an attainable/workforce housing unit.

Council Member Jadu would prefer to see larger lots with more expensive homes.

With regard to the proposed improvements for drainage, the change would need to meet the rules of SFWMD. The developer was asked to provide the Town with the cost of maintenance and cost of replacement if they are looking at underground storage.

Discussion continued until it was finally agreed to remand the matter back to the Code and Ordinance Committee for recommendation to the Town Council since the Council could not reach a general consensus concerning any other action.

A meeting of the Code and Ordinance Committee was scheduled for January 23, 2007 at noon at the Town Hall.

With regard to the proposed fence height ordinance, Council Vice President Foy suggested that six foot fences be allowed on the sides, back and from the sides to the front of the building. It would also allow a six foot fence along the front provided that the fence line above four feet be transparent. It was the general consensus that the suggestions go back to Committee

Council Vice President Foy then read a proposed amendment to the Town's Animal Control Ordinance that would address wild animals. He requested the Town Attorney prepare the amendment for Council consideration.

Council Member Jadu inquired as to whether the breeding of dogs was a permitted use. Discussion followed.

PBIA Overlay Committee:

Council Member Jadu reported on the PBIA Overlay Committee meeting that he had attended the previous evening. A BP 16 pump gas station had been approved for the intersection of Wallace Road and Haverhill Road. A second gas station had also been approved for the southwest corner of Jog Road and Belvedere Road.

Beautification Committee:

Council Member Edden announced that JoEllen Leisinger of Land Stewardship would be making a formal presentation to the Town Council of the Town of Haverhill's Streetscape Beautification Master Plan.

A brief conversation concerning the House of the Month followed. Council Member Edden planned to present the Certificates to the winners for the months of November and December at the Winter Festival Dinner and a Movie under the Stars scheduled for January 12, 2007. The January House of the Month winner would be announced at that time as well.

The Annual Town Picnic had been scheduled for March 17, 2007.

Council President Woods announced that the Dinner and a Movie under the Stars would be held the following evening beginning at 6:30 p.m. The movie would be "Snow Dogs" and the theme was a Winter Festival.

There would be an Annexation Committee Meeting scheduled for February 13, 2007.

Treasurer's Report

(included in packet)

UNFINISHED BUSINESS

None.

NEW BUSINESS

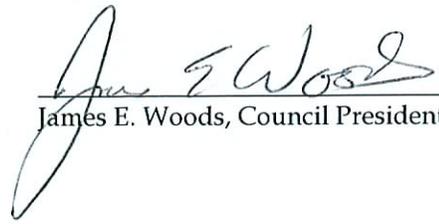
None

ADJOURNMENT:

There being no further business to come before the Town Council, the meeting adjourned at 10:40 p.m.

Approved: 4.26.07
Date


Janice C. Rutan, Town Clerk


James E. Woods, Council President