

TOWN COUNCIL REGULAR MEETING
Town Council Meeting
Town Hall Council Chambers
Thursday ~ August 28, 2008
7:00 p.m.
OFFICIAL MINUTES

Pursuant to the foregoing notice, the Regular Meeting of the Haverhill Town Council was held on Thursday, August 28, 2008 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were James E. Woods, Council President; Jay G. Foy, Council Vice President; Jerry E. Beavers, Council Member; Henry Lynch, Council Member; Mark C. Uptegraph, Council Member, John F. Foster; Town Attorney; Joseph Roche, Director of Public Works and Janice C. Rutan, Town Clerk

CALL TO ORDER

Council President Woods called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Woods offered the Invocation and Pledge of Allegiance.

ROLL CALL

The Clerk called the roll. All members were present with the exception of Mayor Kroll.

APPROVAL OF THE AGENDA

After clarification that a tabled item could be brought up for action without amending the agenda, the agenda was approved as presented.

APPROVAL OF THE CONSENT AGENDA

None.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

No one present.

SECOND READINGS AND PUBLIC HEARINGS

ORDINANCE NO. 367AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, CHAPTER 58, ZONING, TO ADD A NEW DIVISION 11 RELATING TO CONGREGATE LIVING FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The title was read by Attorney Foster.

A motion was made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (5-0) to pass Ordinance No. 367 on second reading.

ORDINANCE NO. 368

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING DIVISION 1 OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, OF CHAPTER 58, ZONING, BY AMENDING SECTION 58-331, STORAGE SHEDS, TO ADD NEW REGULATIONS REGARDING ACCESSORY BUILDINGS INCLUDING THE LOCATION, NUMBER, SIZE AND USES OF SUCH ACCESSORY BUILDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The title was read by Attorney Foster.

A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve Ordinance No. 368 on second reading.

TABLED ITEM: Consider request for variation from Section 58-319 to install a 6 foot high fence at 1063 Park Lane (Tabled from August 14, 2008)

The Town Clerk gave a brief history of the matter before the Council.

Stacy Morris, on behalf of Carlos Gonzalez, Contractor for the applicant was present on behalf of the property owners, Mr. and Mrs. Valdez, to request Town Council consideration in granting a variance to construct a five-foot fence at 1063 Park Lane.

Ms. Morris stated that any code violations had been corrected and that a permit had been requested for the fence pending Council approval. It was confirmed that the five foot chain link fence being requested would tie into an existing five foot PVC fence.

The applicants had been granted a permit for the gate, but it could not be confirmed if the permit had been issued.

Staff raised no objection to the variation and recommended Town Council approval of same.

A motion was made by Council Member Beavers and seconded by Council Vice President Foy to approve the request for a variation to approve a five foot fence as requested for the property located at 1063 Park Lane.

Council Vice President Foy noted that with the installation of a five foot chain link fence, there would be no concern over any part of the fence being opaque. The area would be completely visible above four feet.

With no further discussion, the motion passed unanimously (5-0).

FIRST READINGS AND REGULAR AGENDA

Consider appointing Council Member Beavers to serve on the Leadership Palm Beach County Athenian Oath Committee of the Palm Beach County Ethics Forum Subcommittee.

Town Attorney Foster was confident that the appointment would not result in a conflict with the dual office holding.

A motion was made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (5-0) to appoint Council Member Beavers to serve on the Palm Beach County Athenian Oath Committee of the Palm Beaches provided that the appointment would not result in a conflict of interest due to dual office holding.

REPORTS

Town Attorney

None.

Consultants

None.

Mayor's Report

On behalf of the Mayor, Council President Woods presented a schematic of the Town Hall's rear parking area within the fenced limits. He explained that the area was not presently being utilized and staff was recommending that in lieu of moving equipment out into the parking lot, the area immediately adjacent to the maintenance building be considered to be the area for the installation of generators and additional co-locators for the tower. Specifically, Metro PCS had met with Staff and they were looking to lease 200 square feet of the area. A buffer would need to be installed should a generator be installed in the area.

The existing area being leased could not accommodate any additional equipment due to the location of the present drain fields.

It was recommended that should staff pursue the location of the generator in this area, the applicants be requested to ensure sound attenuation measures be taken. The proposed area would not interfere with the present drain fields.

Discussion followed. Council Vice President Foy inquired into the status of installing the lift station. It was explained that the Town had entered into agreements in exchange for the CRALLS designation along Belvedere Road. The funds should be available shortly.

Council Member Lynch inquired as to whether that was the best area for the location of the new equipment. The Clerk reported that Joseph Roche, Code Enforcement Officer along with the Building Official and the Mayor were in agreement with the proposed location. Council Member Lynch expressed concern that the area was to be set aside for a secure area to park the Town's vehicles.

Discussion followed. The Clerk explained that Metro PCS was asking for town Council approval for them to draw up a site plan using the area in question. Metro PCS was hoping the Town Council would raise no objection to the location of their equipment on the parcel of land immediately adjacent to the Town's maintenance building. There was no place in the current compound that could accommodate the additional equipment.

Other than the fenced in area, the only alternative would be to place the equipment in the parking lot. Metro PCS was looking to lease 200 square feet of the 1200 square foot area.

Discussion followed. By general consensus, the Town Council raised no objection to Metro PCS submitting a site plan for use of the 1200 square foot area adjacent to the Town's maintenance building.

Assistant Town Administrator/Town Clerk

The Town Clerk reported that the Town had received the most recent population estimates from the University of Florida. The Town of Haverhill's population was estimated at 1,553. The previous year had been estimated at 1,530.

Town Council President Woods confirmed the Budget Hearings set for September 11, 2008 and September 25, 2008 did not conflict with the County's hearings.

Committee/Delegate Report

Council Vice President Foy reported that there had been a Code and Ordinance Meeting scheduled for September 9, 2008.

In addition he reported that Ken Todd had received the FEMA Mitigation Grant. In an effort to evaluate past flooding, Mr. Todd was asking for assistance in obtaining documentation (photos, rainfall, etc) showing the flooding in the Briarwood area.

Council Member Beavers reported that he had attended an Emergency Management Meeting the previous day. In an effort to finalize an emergency assessment form to be used in the event of an emergency, he confirmed with the Town Clerk that an excel spreadsheet did exist that could be used for determining the extent of the damage.

In addition, Council Member Beavers was trying to finalize emergency information and contact form that could be used by residents to post in their home that would highlight all medical information in the event of an emergency.

With regard to other emergency measures that the Town may need to take in the event of the arrival of Hurricane Hannah, the Clerk reported that Staff and members of the Emergency Management Committee would receive instruction on how to engage the generator.

The Annexation Committee would be sending a letter of invitation to the Pine Ridge, Cyprus are of the northern annexation area to attend an information meeting on September 9, 2008 at 6:30 p.m.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

In response to Council Vice President Foy, the Town Clerk reported that the Town had received notification that the State's revenue estimates had been decreased by at least 7%, resulting to an approximate loss in revenues to the Town of \$7,500. Staff would present changes to the proposed budget to the Town Council at its workshop. The Council would decide at that time if an additional Budget Workshop would need to be

held.

NEW BUSINESS

Council Member Beavers confirmed that Council had received a copy of the proposed Constitutional Amendments that would be appearing on the November ballot. He also confirmed that the Town Council had received copies of the Resolution adopted by the League of Cities.

Council Member Beavers reported on his attendance at the Florida League of Cities conference in Tampa. He reported on the various seminars he had attended. He had introduced Council Vice President Foy's suggestions relative to property tax equality and his own suggestions relative to a non profit employee leasing program.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:40 p.m.

Approved: 10.23.08



Janice C. Rutan, Town Clerk



James E. Woods, Council President