

Jay G. Foy, Mayor  
James E. Woods, Vice Mayor  
Jerry E. Beavers, Council Member  
Lawrence Gordon, Council Member  
Mark C. Uptegraph, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ March 8, 2012**  
**7:00 p.m.**  
**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. **Approve Minutes of the and February 9, 2012 and February 23, 2012 Regular Council Meeting**
- VI. **PROCLAMATIONS AND PRESENTATIONS**
- VII. **COMMENTS FROM THE PUBLIC**
- VIII. **COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. **PUBLIC HEARING**
- X. **FIRST READINGS AND REGULAR AGENDA:**
  - a. **ORDINANCE NO. 405: An Ordinance of the Town Council of the Town of Haverhill amending its Comprehensive Plan , and modifying the future land use map by changing an approximate 1.44 acre parcel from the Town's Low Density Residential Land Use designation to Other Public Facilities as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.**
  - B. **ORDINANCE NO. 406: An Ordinance of the Town Council of the Town of Haverhill amending its Official Zoning Map, as amended, by redesignating an approximate 1.44 acre parcel from the Town's EXISTING R-1 single-family residential zoning district to the Town's R-2 Two-Family RESIDENTIAL district as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.**
  - c. **Award contract re: HVAC retrofit**
- XI. **REPORTS:**

Town Attorney  
Mayor  
Consultants  
Town Administrator

- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
- XV. NEW BUSINESS**
- XVI. 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, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL  
Town Hall Council Chambers  
Thursday ~ March 8, 2012  
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, February 23, 2012 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor; Jerry Beavers, Council Member, Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster, and Town Administrator, Janice C. Rutan.

**CALL TO ORDER**

Immediately following the close of the Local Planning Agency Meeting, Mayor Foy called the meeting to order at 7:01 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy had offered the Invocation and had led the Pledge of Allegiance during the prior meeting of the Local Planning Agency.

**ROLL CALL**

The Town Administrator recorded all members were present.

**APPROVAL OF AGENDA**

Upon motion by Vice Mayor Woods and second by Council Member Beavers, the agenda was amended remove the approval of the minutes of the February 23, 2012 regular meeting minutes and the comments from the Palm Beach County Sheriff's office. The motion was passed unanimously.

**APPROVAL OF THE CONSENT AGENDA**

Approve Minutes of the February 9, 2012 and ~~February 23, 2012~~ Regular Council Meeting.

Upon motion of by Vice Mayor Woods, second by James E. Woods and unanimously passed (5-0) to approve the Consent Agenda as amended.

**PROCLAMATIONS AND PRESENTATIONS**

None.

**COMMENTS FROM THE PUBLIC**

None.

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**

**PUBLIC HEARING**

None.

**FIRST READINGS AND REGULAR AGENDA:**

**ORDINANCE NO. 405:** An Ordinance of the Town Council of the Town of Haverhill amending its Comprehensive Plan , and modifying the future land use map by changing an approximate 1.44 acre parcel from the Town's Low Density Residential Land Use designation to Other Public Facilities as requested by Claudius Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.

The title was read by Attorney Foster.

It was noted for the record that the Local Planning Agency voted to recommend Town Council denial of Ordinance No. 405 and Ordinance No. 406.

There were no further Staff comments.

Mayor Foy opened the Public Hearing:

**Thelmalee Brandenburg, 4894 Cyprus Lane.** Mrs. Brandenburg commented that her property abuts the Church property directly. She would like the Church to stay.

**Rhonda Shoumate, 1231 Haverhill Road North.** She inquired as to if the Church use was denied, would the owners be able to maintain the use as it is, specifically having services like they do? Mrs. Shoumate repeated Mr. Zucher's report of nightly services until 9:00 p.m. She recommended that since the plans were all drawn, the Church find a place that the zoning was already in place so the Cyprus Land property could remain R-1 zoning.

**A motion was made by Council Member Uptegraph to deny Ordinance No, 405.**

Attorney Foster questioned whether a motion to deny was in order since there was no motion to approve or to approve with conditions.

**Council Member Gordon moved to take the matter to the site plan phase, thereby approving Ordinance No, 405.**

There being no second to the motion, the motion to approve failed for a lack of a second.

**ORDINANCE NO. 406: An Ordinance of the Town Council of the Town of Haverhill amending its Official Zoning Map, as amended, by redesignating an approximate 1.44 acre parcel from the Town's EXISTING R-1 single-family residential zoning district to the Town's R-2 Two-Family RESIDENTIAL district as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.**

The title was read by Attorney Foster.

There being no comments from Staff, Public or Council, the vote was called.

**A motion was made by Council Member Gordon to approve Ordinance No. 406. There being no second to the motion, the motion to approve failed for a lack of a second.**

**Award contract re: HVAC retrofit**

The Town Administrator presented Staff's report. A long discussion followed. The proposals were reviewed in detail. The Town Administrator reported that she would need to confirm the Town would still be required to match the grant in the amount of \$25,000 whether they chose to install the HVAC units as being proposed or not. The \$25,000 could be used towards the construction of the utility room to house the air handlers. All costs to bring the electrical up to code would be covered by the grant.

The Town Council was in agreement that they would prefer to install the higher efficiency variable refrigerant systems. The Town Administrator explained that the grant would not pay for those units as they did not meet the "Made in America/Buy USA" criteria of the grant.

It would be preferred that if the Town was not required to match the \$25,000, they would use those funds to install the higher efficiency units exclusive of the grant.

It was staff's recommendation that the Town Council award the bid to Summit Air Conditioning. Council Member Gordon requested clarification as to the expense of the installation of the units and the necessity to construct a utility closet. Vice Mayor Woods explained the project in detail.

It was agreed that the Town Administrator would confirm that the grant funds would cover the expense of the electrical costs and would authorize the Town's match to construct the utility room. Vice mayor Woods agreed to contact Summit Air Conditioning and request they break out all costs for installation, electrical and construction.

Staff would report back to Council at a special meeting to be held on March 15, 2012.

**REPORTS:**

**Town Attorney**

None.

**Mayor**

None.

**Consultants**

None.

**Town Administrator**

The Town Administrator reported that the annual audit would commence on May 2, 2012.

**Committee/Delegate Report**

A meeting of the Code and Ordinance Committee would be held on March 22, 2012 at noon at the Town Hall.

A meeting of the Code and Ordinance Committee would be held on March 20, 2012 at noon at the Town Hall.

Council Member Beavers had attended a meeting of the Emergency Operations Center on March 20, 2012. Council Member Beavers was scheduling a meeting with representatives of the Emergency Operations Center to discuss the NIMS filing requirements for the smaller municipalities.

He had participated in a FLC webinar "Home Rule 101". The power point had been e-mailed to the Town Administrator.

There will be a meeting of the Palm Beach County League of Cities District II and II on March 14, 2012 in Atlantis.

Mayor Foy reported on the Nutrient Criteria requirements being proposed by the EPA.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

A discussion took place concerning the Council action regarding Ordinances 405 and 406. Attorney Foster commented that the applicants could appeal. He reported that there were many variables involved and he would look into further possibilities.

**NEW BUSINESS**

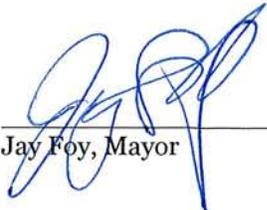
None.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:50 p.m.

Approved: April 12, 2012

  
Janice C. Rutan, Town Administrator

  
Jay Foy, Mayor