

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Jo Plyler, Council Member
Remar M. Harvin, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 11, 2017
7:00 p.m.
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes of the April 13, 2017 and April 27, 2017 regular meetings
- VII. PROCLAMATIONS AND PRESENTATION**
 - a. Representative Matt Willhite and Senator Bobby Powell re: Legislative wrap up
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. REGULAR AGENDA AND FIRST READINGS**
 - a. Consider request of Palm Beach Habilitation and authorize Unity of Title between Palm Beach Habilitation and Blue Eyes 3, LLC
 - b. Letter approving funds for the Criminal Justice Commission for the reallocation of funds
 - c. Request for variation from 58-339 Sheds to allow for a 240sf shed on a property less than 20,000 sf located at 4640 Belvedere Road
- XI. REPORTS**
 - Town Attorney
 - Mayor
 - Town Administrator
 - Committee/Delegate Report
 - 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.

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TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 11, 2017
7:00 p.m.
OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held on Thursday, May 11, 2017 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Jo H. Plyler, Council Member and Remar M. Harvin, Council Member. Also present were John Foster, Town Attorney and Janice C. Rutan, Town Administrator.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:10 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led in the Pledge of Allegiance. Special thoughts were expressed for Council Member Uptegraph who had undergone back surgery earlier in the week.

ROLL CALL

The Town Administrator called the roll. All members were present with the exception of Council Member Uptegraph.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested the consent agenda and item X.a. be removed from the agenda. **A motion was made by Vice Mayor Gordon, seconded by Council Member Harvin and unanimously passed (4-0) to approve the agenda as amended.**

~~**APPROVAL OF THE CONSENT AGENDA**~~

~~**Approval of the minutes of the April 13, 2017 and April 27, 2017 regular meetings**~~

PROCLAMATIONS AND PRESENTATION

Representative Matt Willhite and Senator Bobby Powell re: Legislative wrap up

Mayor Foy welcomed Senator Bobby Powell and Representative Matt Willhite to the Town of Haverhill and expressed his appreciation to them both for attending the Council meeting.

Senator Powell stated that the session had just ended Monday evening. It was agreed that it had been a long and difficult session with many of the proposed bills affecting the home rule power of municipalities.

They updated Council on the history and outcome of the proposed legislation dealing with

- Homestead Exemptions
- Election
- Public records
- Cell towers
- Estoppel fees
- Liquor Sales
- Sober Homes

Each item involved lively discussion between the Senator, Representative and Council.

Regarding the additional homestead exemption, it was explained that the matter will have to go before the voters and pass with a 60% margin. Although several counties are exempt from the bill, and therefore exempt from the additional homestead exemption, the voters in those counties still have the right to vote on the ballot whether they would be for or against the additional homestead exemption.

Council Member Harvin expressed his disappointment over the possible loss of Community Development Block Grant Funds.

In response to Mayor Foy, it was explained that SB 10 was in response to the green algae bloom in an effort to stop the impact of the bloom on the tourism industry.

A lengthy discussion ensued concerning the telecommunications bill. Although the bill as passed still contained some restrictions, it clearly took away the home rule power of municipalities to adopt regulations within their own boundaries. Council expressed their dismay in the legislation.

When asked, both Senator Powell and Representative Willhite stated they had voted for passage of the bill.

Discussion continued until Senator Powell had to excuse himself to attend a meeting in Palm Beach Gardens.

Council expressed their appreciation to both Senator Powell and Representative Willhite.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Officer Gray was present representing the Palm Beach County Sheriff's office but had not been provided the stats for the previous 2 week period. He introduced himself to Council and noted he was available to answer any questions.

Vice Mayor Gordon inquired into an incident that had occurred the previous Saturday along Belvedere Road involving a youth being interrogated. It was agreed to look into the matter.

SECOND READINGS AND PUBLIC HEARINGS

None.

REGULAR AGENDA AND FIRST READINGS

~~Consider request of Palm Beach Habilitation and authorize Unity of Title between Palm Beach Habilitation and Blue Eyes 3, LLC~~

Letter approving funds for the Criminal Justice Commission for the reallocation of funds

A motion was made by Council member Harvin, seconded by Vice Mayor Gordon and unanimously passed (4-0) to approve the distribution of \$56,715 of Federal Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) for the FUSE (Frequent User System Engagement) Project within Palm Beach County.

Request for variation from 58-339 Sheds to allow for a 240sf shed on a property less than 20,000 sf located at 4640 Belvedere Road

The Town Administrator offered Staff's report. She explained that Benjamin and Blanca Sosa, owners of property at 4640 Belvedere Road, had requested a building permit to construct a 12 x 20 (240sf) pre fab shed on their property. The size of the lot is .35 acre or approximately 15,000 square feet. Section 58-333 allows for a 144 sf shed for lots under 20,000 feet. Inspection of the property by Staff confirmed that there was plenty of room in their rear yard for the shed and they would meet the required setbacks.

A motion was made by Vice Mayor Gordon, seconded by Council Member Plyler and unanimously passed (4-0) to grant Mr. and Mrs. Sosa a variation to allow for a 240sf shed to be installed on their property.

REPORTS

Town Attorney

Attorney Foster referred to the legislation that passed relating to utilities, specifically data/telecommunications. He noted that the communication cabinets can be no more than 6 cubic feet each with an aggregate total of no more than 128 cubic feet. He highlighted other areas of the bill that may have an adverse impact on the Town of Haverhill. It was suggested the Town consider not consider permitting the structures within the Town.

Mayor

None.

Town Administrator

The Town Administrator reported she had spoken with Council Member Uptegraph and his wife earlier in the day and they were both pleased with the outcome of his surgery, however, the road to recovery would still be a few months out.

The Town Administrator reported on the Notice of Abandonment received regarding Stacy Road, west of the Hope Centennial Elementary school.

There would be the first reading of the Ordinance for the Annexation, Future Land Use Plan amendment and rezoning for the property located at 1310 Park Lane was scheduled for May 25, 2017.

Committee/Delegate Report

The report on the prior day's luncheon of the Palm Beach County League of Cities District 2 & 3 included the lengthy discussion of the loss of home rule through the recent legislative session.

The Town Administrator reported on the meeting of the Citizens Surtax Oversight Committee. She noted that the preliminary estimates of the engineer were much higher than originally projected using the costs included in the contract between Wynn and Sons and Palm Beach County.

The engineer reported that just the cost of the culverts alone showed a significant increase when priced at the open market vs. the costs included in the contract Wynn had with the County.

A lengthy discussion ensued. Although the Town Council had wanted to put the project out to bid, recent findings suggest the Council reconsider a piggy back contract off the Wynn and Sons contract they have with Palm Beach County if it would result in savings to the taxpayers. Trela White, Attorney for the Palm Beach County League of Cities encourages piggy back contracts if they would result in savings.

Staff was requested to determine the duration of the contract between Wynn and Sons and Palm Beach County and to get an estimate of approximately how much the Town would save on the piggy back.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.


ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:05 p.m.

Approved: May 25, 2017



Janice C. Rutan, Town Administrator



Jay Foy, Mayor