

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 ~ November 17, 2016
7:00 p.m.
AMENDED AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPOINTMENT**
 - a. Appointment to fill vacancy caused by the resignation of Council Member Lawrence Gordon effective 12:01 a.m. on November 9, 2016
 - b. Appoint Vice Mayor
- VII. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the October 27, 2016 regular meeting
- VIII. PROCLAMATIONS AND PRESENTATION**
- IX. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Consider request for variation to install a portable shed four (4) and three (3) feet from the property line as requested by David Robinson, 950 Woodland Avenue
 - b. First Readings of Ordinances 439 - 442
 - c. Update on status of Crowne Castle telecommunications tower on Belvedere Road
 - d. Appoint Sales Tax Oversight Committee
 - e. Appoint Beautification Committee
 - f. Consider extension of audit services for the fiscal years 2017, 2018 and 2019 per the proposal submitted by Grau & Associates dated October 31, 2016
- XII. REPORTS**
 - Town Attorney
 - Mayor
 - Town Administrator
 - Committee/Delegate Report
 - Treasurer's Report (included in packet)
- XIII. UNFINISHED BUSINESS**
- XIV. NEW BUSINESS**
- XV. 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 COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ November 17, 2016
OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held on Thursday, November 17, 2016 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. 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; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led in the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present.

COMMENTS FROM THE PUBLIC

(See below)

APPROVAL OF AGENDA

The Town Administrator reported that there were no minutes for approval. **A motion was made by Council Member Harvin, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the agenda as amended.**

APPOINTMENT

Appointment to fill vacancy caused by the resignation of Council Member Lawrence Gordon effective 12:01 a.m. on November 9, 2016

It was explained that in his campaign as County Commissioner for District 7, Vice Mayor Lawrence Gordon, under the "Resign to Run" law, had tendered his resignation from the Town Council effective 12:01 November 9, 2016. The Town Council, under the Town Charter, would have 90 days to appoint a replacement.

Former Council Member Gordon did not win the election and had expressed an interest in being reappointed to complete his term through March 2017.

A motion was made by Council Member Harvin, seconded by Jo Plyer and unanimously passed (5-0) to appoint Lawrence Gordon to Seat 4 of the Haverhill Town Council for a term expiring March 2017.

Although Council expressed their appreciation to Lawrence Gordon for continuing to serve on the Town Council, they all agreed he would have been an asset to the County and the community of Haverhill had he been elected to serve on the County Commission.

Appoint Vice Mayor

A motion was then made by Council Member Harvin, seconded by Jo Plyer and unanimously passed (5-0) to appoint Lawrence Gordon Vice Mayor expiring March 2017.

APPROVAL OF THE CONSENT AGENDA

~~Approval of the minutes for the October 27, 2016 regular meeting~~

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

It was reported that there had been a drug overdose at 5037 Haverhill Court. The person had survived with the assistance of PBC Fire Rescue.

Discussion followed. Town Council expressed their appreciation to the Palm Beach Sheriff's Office for their protection and service.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Consider request for variation to install a portable shed four (4) and three (3) feet from the property line as requested by David Robinson, 950 Woodland Avenue

Town Planner, Josh Nichols presented staff's report. The applicant was requesting the variation from the rear and side yard setback as if the applicant were to meet the setbacks, the shed would be located directly on top of his septic system drainage fields.

Discussion followed. **A motion was then made by Vice Mayor Gordon, seconded by Council Member Harvin and unanimously passed (5-0) to grant a one foot rear yard variation and a two foot side yard variation for placement of a shed in the rear yard of 950 Woodland Avenue.**

FIRST READINGS OF ORDINANCES 439 – 442

ORDINANCE NO. 439: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, OF THE TOWN'S CODE OF ORDINANCES, BY DELETING ALL OF THE PROVISIONS OF SECTION 6.1 AND ADOPTING IN ITS PLACE AND STEAD THE PROVISIONS OF SECTION 562.14, FLORIDA STATUTES, AS THE LAW GOVERNING AND REGULATING THE TIME FOR SALE OF ALCOHOLIC BEVERAGES IN THE TOWN OF HAVERHILL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Title was read by Attorney Foster. Attorney Foster offered Staff's report.

A motion was then made by Council Member Plyler, seconded by Council Member Harvin and unanimously passed (5-0) to pass Ordinance No. 439 on first reading.

ORDINANCE NO. 440: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 18, ENVIRONMENT, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING SUBSECTION (1) OF SECTION 18-29, PROHIBITED ACTS, BY CLARIFYING THAT THE PROHIBITION AGAINST COMMERCIAL, INDUSTRIAL AND MANUFACTURING NOISE DURING CERTAIN HOURS ALSO APPLIES TO CONSTRUCTION ACTIVITIES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Title was read by Attorney Foster. Attorney Foster offered Staff's report.

A motion was then made by Council Member Uptegraph, seconded by Council Member Plyler and unanimously passed (5-0) to pass Ordinance No. 440 on first reading.

ORDINANCE NO. 441: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 46, SIGNS, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE I, IN GENERAL, SECTION 46-2, DEFINITIONS, TO REVISE THE DEFINITION OF SIGNS AND ADD A NEW DEFINITION FOR TEMPORARY SIGNS, AND BY AMENDING DIVISION 1, GENERALLY, OF ARTICLE III, STANDARDS AND REGULATIONS, BY DELETING SECTION 46-52, TEMPORARY SIGNS, AND ADOPTING IN ITS PLACE AND STEAD NEW PROVISIONS DEFINING THE SCOPE OF THE SECTION, AND SETTING FORTH FINDINGS OF FACT AND PURPOSE AND INTENT PROVISIONS, SETTING FORTH CRITERIA FOR TEMPORARY SIGNS AS WELL AS PROHIBITION AND OTHER REGULATIONS RELATING TO TEMPORARY SIGNS, AND ADDING A NEW SECTION 46-59 TO CLARIFY THAT ANY SIGN AUTHORIZED BY THE TOWN SIGN CODE IS ALLOWED TO CONTAIN NON-COMMERCIAL COPY IN LIEU OF ANY OTHER COPY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Title was read by Attorney Foster. Attorney Foster offered Staff's report.

A motion was then made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (5-0) to pass Ordinance No. 441 on first reading.

ORDINANCE NO. 442: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING SECTIONS 54-5(1) AND 54-6(A) 1, 2 AND 12, TO CLARIFY THAT THE MINIMUM PAVEMENT WIDTH FOR ROADS WITHIN ANY SUBDIVISION SHALL BE 20 FEET EXCEPT THAT A PRIVATE ROAD SERVING NO MORE THAN TWO ABUTTING LOTS MAY HAVE A PAVEMENT WIDTH OF 15 FEET AND RIGHT-OF-WAY OF 32 FEET IF APPROVED BY THE TOWN COUNCIL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Title was read by Attorney Foster. Attorney Foster offered Staff's report.

Rubin Cabrera (Sosa) of 4955 Club Road addressed the Town Council. He expressed his concern over the berm that was installed on the south side of Club Road east by the developer DRHorton. He was afraid that the run off would affect the drainage of Club Road east. A discussion followed and it was agreed to staff would follow up with inspections to be sure the berm would not affect the neighboring properties or the right of way.

A motion was then made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (5-0) to pass Ordinance No. 442 on first reading.

Public Comment:

Daphne Burgan, 1180 New Parkview Place. Ms. Burgan complained to Council about the signs erected on private property in the New Park View Place subdivision. Council explained to Ms. Burgan that she lived in a private subdivision and that was a matter to be brought up before her Homeowner's Association.

Update on status of Crowne Castle telecommunications tower on Belvedere Road

Attorney Foster reported he had been in contact with representatives from Crowne Castle and that he would reach out to them to discuss language to be considered for a text amendment that would address telecommunication "repeater" towers.

All agreed that height, size, additional carriers and aesthetics all needed to be taken into consideration.

Appoint Sales Tax Oversight Committee

It was agreed that the Town Council would prefer to appoint its own sales tax oversight committee and not be under the review of the committee appointed by the Palm Beach County League of Cities.

Council agreed to reach out to residents of the community that may be interested in serving on the Sales Tax Oversight Committee and present names for appointment consideration.

Appoint Beautification Committee

The Town Administrator reminded Council that it had agreed to reconsider making appointments to the Beautification Committee. The Beautification Committee had not been active for several years and was responsible for choosing the house of the month. She explained that once a property was chosen, the owners were notified and requested to come to the next Council meeting and receive recognition in the form of a photo of the house. A sign was then placed in the front yard for the ensuing month, or until the next property was chosen.

Council and staff had also been contacted regarding some sort of festive decorations for the holiday that might be able to be installed in the medians or at the Town's entrance signs.

At the workshop held on November 1, 2016. Council agreed that if the committee was appointed, they would choose a house of the quarter/season.

The Town Administrator reminded Council that there was no budget assigned for the Beautification Committee, however, expenditures such as frames, signs, lights, banners, etc. could be funded by the Special Events account.

A motion was then made by Vice Mayor Gordon, seconded by Remar Harvin and unanimously passed (5-0) to appoint the following members to the Beautification Committee:

Selesia Smith Gordon, 4823 Berkeley Mews
Janet Long and Bill Rowan, 4910 Luwal
Mark and Carol Newhart, 4940 Luwal

Consider extension of audit services for the fiscal years 2017, 2018 and 2019 per the proposal submitted by Grau & Associates dated October 31, 2016

Correspondence was received from Grau and Associates offering to extend the present contract for auditing services for an additional three years with fees for those services to be \$22,000 for the September 30, 2017 audit and the fiscal year 2018 and 2019 audits would not exceed \$22,200 and \$22,400 respectively.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Plyler and unanimously passed (5-0) to authorize the Mayor to sign the October 31, 2016 engagement letter from Grau and Associates for the September 30, 2017, 2018 and 2019 fiscal year audits.

REPORTS

Town Attorney

None.

Mayor

The Mayor announced the Mayor's lunch would be held on December 13, 2016 at 11:30 a.m. at the Town Hall.

He would be undergoing knee replacement surgery on Monday, November 21, 2016.

Town Administrator

The Town Administrator reported that the Tri City Bar be que would be held on December 4, at the Pahokee Marina.

Committee/Delegate Report

Mayor Foy reported the FEMA maps have been published. The County would be flying LIDAR for more accurate modeling.

Council Member Harvin reported that at the Palm Beach County League of Cities District 21 and 3 luncheon, the following items were discussed:

- Sales Tax Initiative
- Read for the Record results
- Lake Worth Road Bond Issue

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 8:35 p.m.

Approved: December 15, 2016



Janice E. Rutan, Town Administrator



Jay G. Foy, Mayor

SIGN IN SHEET

**TOWN OF HAVERHILL
REGULAR TOWN COUNCIL MEETING
Thursday, November 17, 2016**

Name	Address	Signature
Kyle	P 274	
Sebastian Nance	Pack 274	
Sean Nance	Pack 274	
Matthew Lamp	Pack 274	
Paul Pinoargote	Pack 274	
Dylan Garcia	pack 274	Arsean
Daphne Buzqu	1150 New Park View	P/F 13347