

Jay G. Foy, Mayor
James 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 28, 2013
7:00 p.m.

- 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 for the March 14, 2013 Regular Meeting.**
- VI. PROCLAMATIONS AND PRESENTATION**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. ORDINANCE NO. 419**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 50, STORMWATER MANAGEMENT, BY AMENDING SECTION 50-40, DESIGN STANDARDS, BY PROHIBITING SUBSURFACE WATER DETENTION FACILITIES, FOR EQUAL COMPENSATING STORAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE.
 - b. ORDINANCE NO. 420**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-8, DEFINITIONS, TO DELETE "EMPLOYMENT AGENCIES" FROM THE DEFINITION OF BUSINESS AND PROFESSIONAL OFFICE, AND AMENDING SECTION 58-212, PERMITTED USES, BY DELETING "PROFESSIONAL SERVICES" AND INSERTING IN ITS PLACE AND STEAD "OFFICE, BUSINESS OR PROFESSIONAL" AS A PERMITTED USE; AMENDING SECTION 58-312 TO ADD FAST FOOD RESTAURANT TO THE LIST OF PROHIBITED USES; AND AMENDING SECTION 58-215, SPECIAL EXCEPTIONS, BY ADDING "MEDICAL OR DENTAL OFFICE OR CLINIC" AND "RESTAURANT, GENERAL" AS SPECIAL EXCEPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

c. ORDINANCE NO. 421

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-575, PLACES OF WORSHIP REGULATIONS, TO ADD THAT PLACES OF WORSHIP MUST HAVE A MINIMUM LOT SIZE OF 3 ACRES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

XI. REPORTS

Town Attorney

Mayor

Consultants

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.

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 ~ March 28, 2013
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, March 28, 2013 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James Woods, Vice Mayor; Jerry Beavers, Council Member; Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Fenn Foster and Town Administrator, Janice C. Rutan.

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 the Pledge of Allegiance.

ROLL CALL

The Town Administrator recorded all members present.

APPROVAL OF AGENDA

There being no additions, deletions or substitutions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the March 14, 2013 Regular Meeting.

A motion was made by Vice Mayor Woods, seconded by Lawrence Gordon and unanimously passed (5-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Officer Strickland addressed the Town Council. He explained that burglaries have been on the rise over the past 2 weeks. He reported that the suspect from the Pine Breeze burglary reported on last week had been caught. He noted that 25% of burglars have been caught due to good leads. There had been some vehicle crashes and beverage violations in town as well.

Discussion then followed concerning the continued harassment of Mrs. Piedra by residents of Orleans Court. Mrs. Piedra's property abuts 4 apartment units in Orleans Court and the area between the two properties was being used for hanging out. It was suggested that Palm Beach County Code Enforcement be contacted to determine if there were any violations to those Orleans Court properties and/or in the area in between.

It was suggested that the Briarwood Property Owners Association and the Forest Glen Property Owners file a no trespassing affidavit with the Sheriff's office and post "No Trespassing" signs which would then allow law enforcement to arrest those persons not authorized to be in the neighborhoods.

Sergeant Strickland also commented that the break-ins and damage done to 4792 Dorchester Mews were personal against the property owner and the Sheriff's office was working on that issue. The Deputy would recommend that the two surveillance teams (Orleans Court and the Haverhill detail) coordinate with each other. It was also a possibility that PBSO could have surveillance cameras installed as this was a problem area.

Discussion continued with consideration that the Town may be able to take action to protect its municipal boundaries.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

ORDINANCE NO. 419

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 50, STORMWATER MANAGEMENT, BY AMENDING SECTION 50-40, DESIGN STANDARDS, BY PROHIBITING SUBSURFACE WATER DETENTION FACILITIES, FOR EQUAL COMPENSATING STORAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE.

The title was read by Attorney Foster. Mayor Foy offered Staff's report explaining that water quality could still be met with exfiltration but underground storage would not be permitted as the Town would be unable to monitor for compliance to the C-51 rule, equal compensating storage.

A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed to approve Ordinance No. 419 on first reading.

ORDINANCE NO. 420

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-8, DEFINITIONS, TO DELETE "EMPLOYMENT AGENCIES" FROM THE DEFINITION OF BUSINESS AND PROFESSIONAL OFFICE, AND AMENDING SECTION 58-212, PERMITTED USES, BY DELETING "PROFESSIONAL SERVICES" AND INSERTING IN ITS PLACE AND STEAD "OFFICE, BUSINESS OR PROFESSIONAL" AS A PERMITTED USE; AMENDING SECTION 58-312 TO ADD FAST FOOD RESTAURANT TO THE LIST OF PROHIBITED USES; AND AMENDING SECTION 58-215, SPECIAL EXCEPTIONS, BY ADDING "MEDICAL OR DENTAL OFFICE OR CLINIC" AND "RESTAURANT, GENERAL" AS SPECIAL EXCEPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

The title was read by Attorney Foster. Attorney Foster offered staff's report citing the reasoning behind requiring the specific uses to be special exceptions and not permitted uses.

A motion was then made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (5-0) to approve Ordinance No. 420 on first reading.

ORDINANCE NO. 421

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-575, PLACES OF WORSHIP REGULATIONS, TO ADD THAT PLACES OF WORSHIP MUST HAVE A MINIMUM LOT SIZE OF 3 ACRES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

The title was read by Attorney Foster. It was explained that the minimum acreage required was set using the total land mass of present churches in the Town, divided by the number of churches.

A motion was then made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve Ordinance No. 421 on first reading.

REPORTS

Town Attorney

Attorney Foster reported that the meeting between the Town and Haverhill and Lake Worth Drainage District regarding the clearing of the E-4 canal and the LWDD Easement had been postponed until April 1, 2013 at 9:00 a.m. at the Haverhill Town Hall.

Mayor

The Mayor briefly discussed, what, if anything the Town could do to aide Mrs. Piedra to ensure her protection.

The Mayor announced he had attended the Lake Clarke Shores annual picnic held on Sunday, March 17, 2013. Council Member Beavers had also attended.

He reported that the Town Administrator had been contacted by Jim Frogner, Land Planner, regarding the 10 acre Stalf property on Belvedere Road He was requesting information about converting the property to a PRD. Mayor Foy expressed concern over the development of the land as the back of the lot appeared to be wetlands. He noted it would be a difficult property to develop.

A brief discussion followed concerning the rehabilitation of properties within the Town by the Renaissance Redevelopment agency and their strict requirements in either renting or purchasing.

Consultants

None.

Town Administrator

The Town Administrator informed Council that the Building Official had declared the structure at 4811 Dorchester Mews an unsafe structure due to lack of metered water or metered electricity. Use or occupancy of the building was not permitted. The matter would most likely come before Council as part of the appeal process.

The Building Official had issued a certificate of occupancy for two of the properties at Sunset Isles.

The Town Administrator explained that she had contacted Essential Network Solutions (ENS) based on the recommendation of South Palm Beach and other municipalities to provide technical support to the Town. Since Michael Pearce, the Town's former technical consultant had left, she had been using companies that were reactive, not

proactive. Because the server was almost 10 years old and after noticing glitches in the system and networking, she requested a proposal from ENS.

The services that would be provided would fit the needs of the Town and she requested Council's support in her decision to use the services of ENS. Through general consensus the Council was in agreement.

Mrs. Piedra's problems had been addressed earlier in the evening.

Committee/Delegate Report

Vice Mayor Woods reported on the success of the annual picnic that had been held on March 16, 2013. He noted that the weather was perfect, there was a stellar crowd and the car show was very popular. He announced the date of the Halloween Event had been scheduled for October 25, 2013 and the annual picnic would be scheduled for March 15, 2014. Vice Mayor Woods acknowledged staff's hard work and expressed his appreciation.

Council Member Beavers reported on the monthly meeting of the Palm Beach County League of Cities that had been held in Highland Beach. He noted recent appointments and that he had been reappointed to represent District II on the league. Scott Maxwell of Lake Worth would be the incoming President. Anne Gerwig and a Council Member from Tequesta had also been appointed to serve on committees.

He noted the NIMScast would be due to be filed with the EOC in August.

He had brought up the subject of the timing of traffic lights at the Palm Beach County District Luncheon.

Mayor Foy requested a Code and Ordinance Committee meeting be scheduled.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Regarding the house on the southwest corner of Briarwood and Belvedere Road, Council Member Gordon reported that although the tenants had moved out, the dog had been left behind. Director of Public Services Roche would follow up with Animal Care and Control.


NEW BUSINESS

Mayor Foy suggested that staff do an intersection inventory to check safe distances at those areas.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:55 p.m.

Approved: April 25, 2013


Janice E. Rutan, Town Administrator


Jay Foy, Mayor