

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



## **TOWN COUNCIL REGULAR MEETING**

**Town Hall Council Chambers**

**Thursday ~ January 10, 2019**

**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 November 13, 2018 regular meeting and the December 4, 2018 Workshop
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
  - a. Resolution 2018-12: A Resolution of the Town Council of the Town of Haverhill authorizing the Submittal of Evaluation and Appraisal Notification for the Town of Haverhill's Comprehensive Plan.
  - b. Ordinance No. 469 : AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE CODE OF ORDINANCE AT CHAPTER 58, ZONING, SUPPLEMENTAL DISTRICT REGULATIONS TO ESTABLISH A NEW SUBDIVISION ENTITLED "AIRPORT PROTECTION ZONING REGULATIONS" PURSUANT TO CHAPTER 333, FLORIDA STATUTES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
- X. SECOND READINGS AND PUBLIC HEARINGS**
- 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.

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.

**TOWN COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ January 10, 2019**  
**7:00 p.m.**

**OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street, Haverhill on Thursday, January 10, 2019. Those present were Mayor Foy; Vice Mayor Lawrence Gordon; Council Member Mark C. Uptegraph, Council Member Remar M. Harvin and Council member Daniel H. Sohn. Also present were John F. Foster, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy offered the Invocation followed by the Pledge of Allegiance.

**ROLL CALL**

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

**COMMENTS FROM THE PUBLIC**

Omar Sanchez Leyva of Partnership Realty was present representing the property owner of 5215 Bethany Lane. He was requesting Council consideration of reducing the Code Enforcement Lien that had been assessed against the property. Town Administrator Rutan gave a brief background of the matter to Town Council. Attorney Foster cautioned Council from consideration noting that Mr. Sanchez Leyva has not presented written authorization from the property owner to act in her stead. It was suggested that Mr. Sanchez Leyva obtain the necessary paperwork to be able to discuss the matter, or bring the property owner with him, so the matter could be discussed at the January 24, 2019 meeting.

**APPROVAL OF AGENDA**

**A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (5-0) to approve the Agenda as presented.**

**APPROVAL OF THE CONSENT AGENDA**

**Approval of the minutes of the November 13, 2018 regular meeting and the December 4, 2018 Workshop**

**A motion was made by Council Member Uptegraph, seconded by Council Member Harvin and unanimously passed (5-0) to approve the Consent Agenda as presented.**

**PROCLAMATIONS AND PRESENTATION**

None.

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

D/S Sam Rosenfeld was present to report on the crime statistics for Haverhill for the previous 2 week period. There had been two vehicle break-ins, miscellaneous traffic stops, 1 theft, calls for alarms and calls on suspicious people. Discussion followed regarding the arson at the Town Hall (concession building) caused by the vagrant trespasser who lit a fire in the rear of the concession

building in an attempt to keep warm. A BOLO had been issued for the person using the surveillance from the Town's cameras. Staff estimated approximately \$5,000 in damage.

#### **REGULAR AGENDA AND FIRST READINGS**

**Resolution 2018-12: A Resolution of the Town Council of the Town of Haverhill authorizing the Submittal of Evaluation and Appraisal Notification for the Town of Haverhill's Comprehensive Plan.**

**Ordinance No. 469 : AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE CODE OF ORDINANCE AT CHAPTER 58, ZONING, SUPPLEMENTAL DISTRICT REGULATIONS TO ESTABLISH A NEW SUBDIVISION ENTITLED "AIRPORT PROTECTION ZONING REGULATIONS" PURSUANT TO CHAPTER 333, FLORIDA STATUTES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Foster offered Staff's report. He requested that both the authorization to transmit the Town's EAR report and the first reading of Ordinance 469 be postponed until February 14, 2019 so that Staff could meet the legal advertising requirements. Council agreed to postpone through general consensus.

#### **SECOND READINGS AND PUBLIC HEARINGS**

None.

#### **REPORTS**

##### **Town Attorney**

Attorney Foster reported that he had researched qualified elector residency requirements and would recommend that the Town consider no more than a one year residency requirement. Sarasota had required a two year residency prior to filing as a candidate in that City and it was found to be unconstitutional.

Attorney Foster then announced that he would be preparing a memo to Council that would address the Charter, Council roles and responsibilities, including removal from office.

##### **Mayor**

Mayor Foy referred to the Town's map showing the location of street lights within the Town's boundaries and asked Staff to scan the map to make it available for Council. He noted that at the Palm Beach County League of Cities District 2 & 3 luncheon, he addressed streetlights and learned that the Town of Lantana is only responsible for 2 streetlights. He noted that he was still waiting to hear on the New Parkview Place streetlight.

Mayor Foy also asked Staff to follow up on getting the streetlight on the NW corner of Haverhill and Belvedere in working order. It was determined that the streetlight was owned by the County. He suggested there be a streetlight assessment plan.

##### **Town Administrator**

The Town Administrator addressed the Town Council stating that she was responsible for implementing and adhering to the Town's Charter, Ordinances and the Town Council's policies. She added it was sometimes difficult to be the steward of that responsibility when she often found herself challenged in the enforcement of those policies. She explained that the Charter reads that the Mayor, in addition to presiding over meetings, serves as the head of Town government in ceremonial matters. In the Mayor's absence, the Vice Mayor shall serve. With that being said, she reported that Council Member Sohn had granted an interview with WPTV regarding the Town's LED street lighting project. Since the interview had taken place immediately following

the close of the Council workshop, where the street lighting project was discussed, he should have informed the Town Council.

Discussion followed and it was the general consensus of Council that Council Member Sohn should have told the own Council of the invitation and deferred the invitation to the Mayor. Council Member Sohn maintained that as an elected official it was in his best interest to be in the spotlight to further his political career. Council Members reminded all that they were elected to represent the Town of Haverhill and its residents.

#### **Committee/Delegate Report**

Vice Mayor Gordon announced that he serves on the Palm Beach County League of Cities Scholarship Committee and that there were 5 one thousand dollar scholarships to be awarded. Initial review of applications would take place on March 13, 2019. Information on the scholarships would be made available on the Town's website.

The Town Administrator reported that she had been in contact with Jeriise at the Palm Beach County League of Cities as a follow up to Council Member Sohn's interest in serving as an alternate to the Treasure Coast Regional Planning Council. Although not required, the alternate should attend all the meetings so that if they are asked to fill in, they will be familiar with the issues. She also noted that if appointed by the League to serve, the appointee would be representing all Palm Beach County municipalities. Council Member Sohn stated he was no longer interested in the appointment.

#### **Treasurer's Report**

Included in packet.

#### **UNFINISHED BUSINESS**

Council Member Harvin reported on the success of the recently constructed basketball courts at the Haverhill Park. Discussion then followed regarding the poor lighting at the park and the need for a streetlight at that location.

#### **NEW BUSINESS**

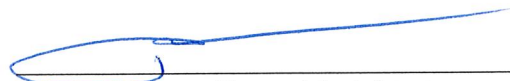
Director of Public Services, Joseph Roche, reported on a rare disease that is killing many of the palm trees in town. He estimated 80 trees have died since September. He had contacted Mounts Botanical who had not heard of the problem. The Town's landscape architect was able to provide him with information on the disease known as Texas Phoenix Palm Decline Disease. He presented informational literature to the Town Council. Information on how to save the trees was available as well. It was agreed to put information on the Town's website and in a newsletter.

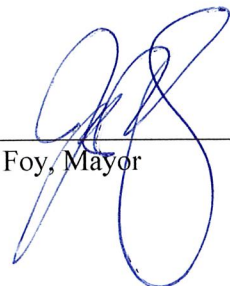
All present wished Council Member Sohn a Happy Birthday.

#### **ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:15 p.m.

Approved: January 24, 2019

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor

