

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 ~ April 25, 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 ~~March 28, 2019 Regular Meeting~~
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Consider parking regulations for Town of Haverhill public roads
 - b. Consider rate increase for non-ad valorem assessment for Solid Waste and Recycling for FY 2019/2020
 - c. Discuss possible future annexation areas
- X. SECOND READINGS AND PUBLIC HEARINGS**
 - a. Second Reading of Ordinance 471: An Ordinance of the Town Council of Town of Haverhill extending the Moratorium on the acceptance and processing of new applications for the establishment of medical marijuana treatment and dispensing facilities.
 - b. Second Reading of Ordinance No. 470: An Ordinance of the Town of Haverhill Amending Chapter 58, Zoning, of the Town's Code of Ordinance by amending Article 1, General, to amend Section 58-8, Definitions by amending the definition of dwelling unit and adding definitions for duplex, dwelling, single-family, two-family and multiple family dwellings; providing for codification; providing for severability; providing for the repeal of laws in conflict; and providing for an effective date.
- 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 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 ~ April 25, 2019
OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street, Haverhill on Thursday, April 25, 2019. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Mark C. Uptegraph; Council Member Remar 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 to order 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

Daphne Burgan 1180 New Parkview Place. Ms. Burgan addressed the Town Council explaining she was present because her Homeowner's Association told her the Town Council would be taking over the roads in her subdivision and she was concerned about the Town taking over their land.

Mayor Foy provided Ms. Burgan with an update on the proposed project, explaining that there would be no taking of land.

APPROVAL OF AGENDA

The Town Administrator requested the approval of the March 28, 2019 minutes be removed from the agenda.

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

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the ~~March 28, 2019 Regular Meeting~~

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

None.

REGULAR AGENDA AND FIRST READINGS

A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (5-0) to renumber the agenda to hear Item IX. c as the first matter of discussion as there was public present to address the Town Council.

Discuss Future Annexation Area

The Town Administrator presented a map to the Town Council that showed future annexation areas that she and Vice Mayor had considered to present to Council as future annexation areas.

She explained that if the Council was in favor of moving forward, she and the Vice Mayor would conduct informational meetings and get a general feeling from the residents in the affected areas if they would be interested in annexing into the Town. She explained that the Southern Annexation area as shown on the map included a piece of property that Steven Waas, who was present in the audience wanted to purchase.

Steven Waas, 2860 S. Ocean Boulevard, Palm Beach. Mr. Waas introduced himself to the Town Council explaining that he was looking at a property adjacent to the Town's boundaries, on the south side of Grove Street, one lot west of Military Trail. He would like to annex the property into the Town of Haverhill and open an outdoor storage area in addition to maintaining the single family residence that presently exists on the property. The storage area would be for small boats, and trailers, etc.

He would prefer to annex the property into the Town and out of the County as he would prefer to work with the Town as he likes the small hometown feel of Haverhill.

Discussion followed. A rezoning would need to be considered, Council invited Mr. Waas to the May 7, 2019 Council workshop where a general discussion could take place.

No specific action was taken regarding the proposed annexation areas as depicted on the map.

Consider parking regulations for Town of Haverhill public roads

Director of Public Services Joseph Roche presented Staff's report. He had received several complaints of vehicles parking on the roads especially in the Briarwood subdivision. This was making for a very dangerous situation for commercial and emergency vehicles, especially on the curves.

Cameron Warwick, a resident in Town who owns a landscaping business noted that it was not only in Briarwood but throughout the town. He complained that he can barely get his truck and trailer around some of the vehicles and often time will meet another vehicle head on coming from the opposite direction.

Discussion ensued. Signage and enforcement were discussed at great length. Mr. Roche referred to painting no parking on the street in curves as a mechanism to defer traffic, however, enforcement was still in question.

It was agreed to defer the matter back to Staff to offer recommendations to the Town Council for consideration.

Consider rate increase for non-ad valorem assessment for Solid Waste and Recycling for FY 2019/2020

The Town Administrator offered Staff's report. She reminded the Town Council they must adopt the preliminary assessment for TRIM purposes no later than July 1, 2019.

The contract extension entered into with Waste Pro has raised the cost for solid waste and recycling services by 11.5% resulting in an increase from \$20.07 per unit, per month to \$22.38 per unit, per month.

Per household cost:	\$268.56	(22.38 x 12)
Discount average	10.74	
Administrative costs	2.80	
TOTAL PER UNIT	\$282.00	(\$20.00 per unit per year increase)

The Preliminary assessment needs to be filed with Solid Waste Authority no later than July 1, 2019 for TRIM purposes. This is the amount that will appear on the Notice to Taxpayers sent out the first week in

August. Once the preliminary rate is adopted, Council cannot increase but can only decrease at final hearing.

Follows is the calendar for the adoption of the non-ad valorem assessment for TRIM purposes:

- June 11, 2019 Town Council adopt preliminary non ad valorem assessment
- July 1, 2019 Preliminary non ad valorem assessment rate be sent to SWA
- July 7, 2019 Mailing and Legal Ad to appear in Palm Beach Post (at least 30/20 days prior to August 25, 2019 Public Hearing)
- Aug. 25, 2019 Public Hearing to adopt final non ad valorem assessment
- Aug 26, 2019 Adopted rate resolution and Tax Roll certification sent to SWA

Based on Staff's recommendation it was the general consensus of Council set the preliminary non ad valorem assessment of \$282.00 at the regular meeting of June 11, 2019

SECOND READINGS AND PUBLIC HEARINGS

Second Reading of Ordinance 471: An Ordinance of the Town Council of Town of Haverhill extending the Moratorium on the acceptance and processing of new applications for the establishment of medical marijuana treatment and dispensing facilities.

The title was read by Attorney Foster. **A motion was made by Council Member Sohn, seconded by Council Member Uptgraph and unanimously passed (5-0) to adopt Ordinance No. 471 on second reading.**

Second Reading of Ordinance No. 470: An Ordinance of the Town of Haverhill Amending Chapter 58, Zoning, of the Town's Code of Ordinance by amending Article 1, General, to amend Section 58-8, Definitions by amending the definition of dwelling unit and adding definitions for duplex, dwelling, single-family, two-family and multiple family dwellings; providing for codification; providing for severability; providing for the repeal of laws in conflict; and providing for an effective date.

The title was read by Attorney Foster. **A motion was made by Council Member Sohn, seconded by Vice Mayor Gordon and unanimously passed (5-0) to adopt Ordinance No. 471 on second reading.**

REPORTS

Town Attorney

Attorney Foster commented that it was apparent that at the close of the legislative session, Municipal Home Rule was non-existent in the eyes of the legislators.

Mayor

Mayor Foy was quite pleased to report that he had received an e-mail from David Ricks, Palm Beach County Engineer, informing him that the sidewalks along the south side of Belvedere have been scheduled as follows:

- Belvedere Road from 62nd Drive N. to Haverhill Park
- Canal Piping and sidewalk (south side)
- FY 2021 Design
- FY 2023 Construction
- Funding 2.4 million

He had also received word that FP&L will begin the installation of a light pole at the entrance to Parkview Hill Estate.

He reported that NPDES was still divided in requiring individual assessments of water quality.

Town Administrator

The Town Administrator reported that the Town’s website was still non-compliant, however, Municode can bring back the town’s core site which is compliant and the Town could add banners and calendar dates but still would be unable to upload documents, forms, photos, etc. or enable links to other sites, etc. Council agreed to authorize the Town Administrator to work with Municode to restore the Town’s basic ADA compliant website home page.

Committee/Delegate Report

Vice Mayor Gordon reported on the League of Cities meeting held the prior day. He reported on some of the legislation that was passed noting particularly one that would prohibit municipalities from requiring conditions to the issuance of a local business tax receipt.

Council Member Sohn also complained vehemently about legislation that was passed that stripped municipalities of their Home Rule Power and noted of one particular Senate who was not present at the votes to represent the municipalities he represents.

Council Member Sohn reported on the educational and informational FP&L expo he had attended with the Town Administrator.

Treasurer’s Report

Included in packet

UNFINISHED BUSINESS

None.

NEW BUSINESS

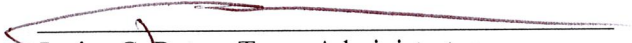
Mayor Foy reported on a lethal virus affecting runner grass.

Council Member Sohn confirmed with Director of Public Services Roche that he had reached out to the church that had inquired about use of the ballfield.

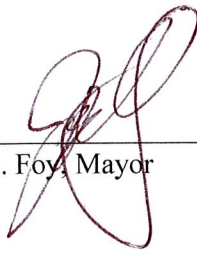
ADJOURNMENT

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

Approved: May 23, 2019



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor

