

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 ~ November 15, 2018

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 October 11, 2018
- VII. PROCLAMATIONS AND PRESENTATION
 - a. ~~Presentation of Certificate of Completion to Daniel Sohn for completion of the 2018 Institute for Elected Officials (IEMO)~~
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- IX. REGULAR AGENDA AND FIRST READINGS
 - a. Discuss and consider Town Council options regarding the Parkview Place road program and authorize staff to proceed as per Council direction
 - b. Liberty Rental Center petition to add access point off Drexel Road
 - c. Approve and authorize Wynn & Sons to repair the sidewalk on Richmond Mews in an amount not to exceed \$8,060.
 - d. Discussion re: Town Council Participation and Representation
- X. SECOND READINGS AND PUBLIC HEARINGS
 - a. Ordinance No. 468: An Ordinance of the Town of Haverhill declaring zoning in progress and imposing a moratorium on acceptance of processing new applications for the establishment of Medical Marijuana Treatment Facilities including Dispensing Facilities until April 25, 2019
- 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 ~ November 15, 2018
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, November 15, 2018. Those present were Mayor Foy; Vice Mayor Lawrence Gordon; Council Member Mark C. Uptegraph, and Council Member Remar M. Harvin. Also present was 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 with the exception of Council Member Sohn who was attending Florida League of Cities Legislative Committee Meetings in Orlando.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested the Presentation of the Certificate of Completion to Council Member Sohn be removed from the Agenda as he was not present at the meeting. She also asked if the Council would adopt a Proclamation declaring November 15, 2018 "America Recycles Day".

A motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the Agenda as amended.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the October 11, 2018

A motion was made by Vice Mayor Gordon, seconded by Council Member Harvin and unanimously passed (4-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

~~Presentation of Certificate of Completion to Daniel Sohn for completion of the 2018 Institute for Elected Officials (IEMO)~~

Proclamation Declaring November 15, 2018 "America Recycles Day"

Mayor Foy read the Proclamation into the record.

Willie Puz of the Solid Waste Authority (SWA) was present to receive the Proclamation and to present the Town of Haverhill with a check in the amount of 20,152.70

representing the amount of revenue share funding the Town had received since the program began in 2010.

He also invited the Town Council to attend the Open House at the SWA that was being held on Friday at SWA's Jog Road location.

Mr. Puz spoke in great detail about the facility and the state of the art system using the new technology that uses less than ½ of permit limits set by the EPA.

A question and answer period followed and Mr. Puz responded that fluorescent bulbs need to be sent to another facility; only 10% of the construction and demolition debris is deposited into the landfill; ashes are brought to landfill, concrete is recycled.

The Town Council expressed their appreciation to Mr. Puz for the informative presentation.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Palm Beach County Sheriff's office presented the crime statistics for the previous 2 week period. There had been a few calls for domestic issues, accidents and traffic stops. It was noted that the PBSO detail does a great job for the Town of Haverhill.

REGULAR AGENDA AND FIRST READINGS

Discuss and consider Town Council options regarding the Parkview Place road program and authorize staff to proceed as per Council direction

It was the general consensus of Council would like to move forward with a program that would fund the town restoring and repairing New Parkview Place to meet the Town's minimum roadway standards (including replacing the street lighting within the subdivision) so that the Town could then take over the perpetual maintenance of the road. The total cost, estimated to be 218,669 by the Town's engineer would be fully reimbursed to the Town through a Municipal Special Taxing Unit (MSTU) assessing each property owner an annual amount to be paid through property taxes until fully paid.

Mayor Foy suggested the Town Council consider offsetting the cost possibly through the excess surtax dollars the Town will receive through the ½ penny sales tax initiative, however, an equal formula would need to be adopted. He suggested a per unit amount but cautioned that any determination of Town assistance should be made after the Town receives confirmation that the Parkview Place HOA and property owners are willing to enter into an MSTU process.

The Town Administrator would draft a letter to the Parkview Place HOA president explaining the Town Council's intent, but the Town would wait to hear back as to whether the Parkview Place homeowners would be willing to allow the assessment in exchange for a new road that would be maintained in perpetuity by the Town.

Liberty Rental Center petition to add access point off Drexel Road

In response to the request of the Liberty Rental Center asking the Town to withdraw its objection to allow for a second ingress and egress off of Drexel Road onto Belvedere Road from property, the Town Council discussed the minimum traffic impact the trips would have on Belvedere Road based on the Kimley Horne traffic report that had been presented to Council. From the workshop held earlier in the day, the representative of

Liberty Rental Center offered to support the Town in its opposition to 6-laning Belvedere Road as well as restricting the ingress and egress to only their tenants and not having it become a through street.

Discussion ensued. **A motion was then made by Council Member Harvin, seconded by Council Member Uptegraph and unanimously passed (4-0) to write a letter to the applicant stating that because of the diminimus traffic impact on Belvedere Road per the Traffic Analysis provided to the Town Council earlier in the day by Kimley Horne, the Town would reconsider its opposition to the second ingress and egress provided the applicant agreed to support the Town its opposition to the widening of Belvedere Road and that the access to the site from Drexel Road would not become a through street to Southern Boulevard.**

Approve and authorize Wynn & Sons to repair the sidewalk on Richmond Mews in an amount not to exceed \$8,060.

A motion was made by Vice Mayor Gordon, seconded by Council Member Harvin and unanimously passed (4-0) to approve and authorize Wynn & Sons to repair the sidewalk on Richmond Mews in an amount not to exceed \$8,060.

Discussion re: Town Council Participation and Representation

Mayor Foy began the discussion by referring to the meeting held earlier in the day. He commented that when addressing matters as a Council, emotions cannot play a part in the discussion. Matters that come before the Town Council need to be dealt with keeping sensitivity and civility in mind when discussing these items amongst themselves. Roberts Rules of Order need to be followed. Council Members all agreed.

Discussion followed as to the funding of Council participation in outside events. David Stewart of Lantana reported that each of the Council Members in Lantana receive a \$200 per month stipend.

All agreed that any expenditure by a Council Member needs to be approved and the must benefit the Town of Haverhill.

Although the League of Cities does offer compensation to attend sponsored events, the applicant must meet certain qualifiers and make a presentation to the Board.

The Town Administrator would survey other municipalities for their spending policies.

SECOND READINGS AND PUBLIC HEARINGS

Ordinance No. 468: An Ordinance of the Town of Haverhill declaring zoning in progress and imposing a moratorium on acceptance of processing new applications for the establishment of Medical Marijuana Treatment Facilities including Dispensing Facilities until April 25, 2019

The title was read by Attorney Foster.

Discussion followed. The Council expressed its disappointment with the legislation that governs medical marijuana dispensaries as it does not allow the municipalities to govern within their own corporate boundaries.

It was agreed that the Mayor would write a letter to Representative Willhite and Senator Powell asking for their assistance in making changes to the recently enacted Chapter 381 as it relates to

medical use of marijuana and the regulation of medical marijuana dispensing facilities within its jurisdiction as the legislation is at times contradictory of itself and flies in the face of Home Rule.

The Town Council would review for at the December 4, 2018 work shop prior to signature.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve Ordinance No. 468 on second reading.

REPORTS

Town Attorney

None.

Mayor

None.

Town Administrator

Town Administrator Rutan announced a get together was being held on December 5, 2018 at the Sheraton in honor of former County Commissioner Paulette Burdick who is stepping down as County Commissioner due to term limits. RSVP is necessary,

Committee/Delegate Report

A brief discussion ensued pertaining to UBER vs. Palm Tran.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Director of Public Services Joseph Roche reported on a conversation he had with Sue Park of FP&L regarding the installation of a streetlight at New Parkview Place. The matter has been turned over to Frank De Carlo who in turn is working with the lead engineer. They will get back to the Town with the status of the permit.

With regard to the Mayor's inquiry as to the type lighting fixtures being installed by the County adjacent to the Town of Haverhill, Mr. Roche reported that north of Cyprus were teardrop fixtures AEL style 259 watt; south of the Town would be teardrop fixtures ATBL 115 watt.

The County would be doing the change out on Grove Street.

The Town Administrator would ask the Town Engineer if there was a recommended spacing between poles.

Council Member Harvin commended Mr. Roche for his assistance to alleviate the parking problems in Club Circle.

NEW BUSINESS

Vice Mayor Gordon requested Town Council support as he would like to work with the Town Administrator to look at future annexation areas. The Council expressed support by general consensus.

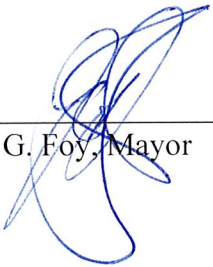
ADJOURNMENT

There being no further business to come before the Town Council, the meeting adjourned at 8:55 p.m.

Approved: January 10, 2019



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor