

**TOWN OF HAVERHILL
WORKSHOP
Thursday, January 23, 2020
OFFICAL MINUTES**

The Town Council of the Town of Haverhill Town Council held a workshop on Thursday, January 23, 2020 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. The purpose of the workshop was to receive public input on the proposed Ordinances being considered by the Town Council. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member and Daniel Sohn, Council Member. Also present were John Foster, Town Attorney; Janice C. Rutan, Town Administrator.

CALL TO ORDER

The Workshop was called to order at 6:00 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 with the exception of Council Member Harvin.

Mayor Foy welcomed all to the meeting. He thanked all for participating in the third workshop held to discuss proposed Ordinances. Mayor Foy introduced Attorney Foster who would highlight the changes being considered for Ordinance 480, Fences and Hedges with less restrictions than the present Ordinance. The other matter to be considered is recreational vehicles and boats, etc. Because they cannot vote at the workshop, Mayor Foy noted he would make a recommendation at the regular meeting that the Town Council consider moving forward with the less controversial Ordinances and hold off on the other Ordinances until they have received input from the residents. They will ask the Town Administrator to enforce the most egregious code and not the code violations for matters that will be coming before Council.

Attorney Foster provided Staff's report and handed out the revised drafts of Ordinances. He highlighted specific changes to the hedge and fence Ordinance. He noted that all fences must be upright and in good condition and all hedges maintained in a healthy condition. . He referred to item 'h', which was the clause noting that those properties that may not have been in compliance with Section 58-319 would now be in compliance.

With respect to the RVs, he commented that resident Bill DeBay had made certain recommendations and using his comments, he agreed to delete the reference to recreational vehicle. He included the definition for commercial vehicles and with regard to travel trailers, that section too was deleted. There was an exception made noting that a truck and adjoining trailer would be considered one commercial vehicle.

Attorney Foster next referred to the section of the Ordinance that tied the number of water craft permitted per lot to the size of the lot. He explained this provision in great detail. Ord. 487 only repealed the red light camera ordinance that was adopted many years ago. Ord. 488 is the moratorium for medical treatment facilities within the Town. He reported how the State legislation was preempting the power of municipalities to govern their own governments and this was a prime example. A medical marijuana dispensing establishment would become so

onerous to open because of the legislation. Extending the moratorium does not limit or restrict the use of medical marijuana by any person.

The Mayor reminded all to state their name and address when they step up the podium. He also reminded all that this was a workshop and there would be no vote taken. He also reminded all that the restriction on the number of commercial vehicles, recreational vehicles, watercraft etc. referred to only what was out of doors. If you were able to store those in your garage or accessory building, those vehicles/vessels would not be counted in the number allowed per lot.

He felt that maintenance of landscaping is more important than height as long as there is a clear area that public safety can see into, he was fine with the 10' height being proposed.

Attorney Foster commented that he had forgotten to mention an important inclusion in the vehicle Ordinance that staff was recommending which would allow for up to 7 days for the loading and unloading.

Brian Smith, 1133 Palmetto Road. He referred to the definition of water craft. He recommended that any vessel not registered should be stricken from the definition of water craft. This would then exclude canoes and kayaks and paddle boards.

Bill DeBay, 5170 Belvedere Road. Exception Section 1 concerned that the word trailer is not included in all options. Attorney Foster would make the correction.

Carol Newhart, Luwal Drive. Would an extension to the 7 days for loading, unloading and service be granted? It was explained that the extension provision in the Ordinance had not been changed. She then asked why the agenda had been changed from addressing temporary structures (tiki huts) etc. Attorney Foster explained that at the last meeting he announced he would be bringing the revisions to the vehicle and fences/hedges back to the Council for consideration. Ms. Newhart expressed her frustration as she has had to reschedule her commitments to be here instead of taking care of her 85 year old mother only to find out the matter she wished to discuss, temporary buildings, would now be heard next month when she would be out of Town.

Robert Roessler, 1010 Pineway. He suggested there be more information be available on the website.

Mayor Foy suggested these persons wanting to be kept informed of matters before the Town Council provide their e-mail address to the Town Administrator. He explained that the website is limited to what is allowed by ADA requirements.

Bob Smith, 1131 Palmetto Road. He asked about the 6' requirement for screening. It was explained that it had to be a minimum of 6' but could be higher. He then asked about wind mitigation. He commented that until the Town decides what is required, he should not be held in non compliance.

Mayor Foy explained that the Council has requested the Town Administrator to enforce only the most egregious code cases. Council cannot direct the Code Enforcement officer.

Jennifer Kindred, 1121 Cheryl Road. She thinks "at least" should remain. Attorney Foster explained the intent be that the screening be a minimum of 6'.

Brian Smith, 1133 Palmetto Road. He commented that looking at a screen would look worse than looking at the boat and/or camper. The Ordinance leaves the type screening open ended which could look quite offensive.

Michael Jordan, Code Enforcement Officer commented that the screening must be clearly defined. From experience, the term “screened from view” needs to be clear so it can be enforced clearly and fairly.

Jennifer Kindred, 1121 Cheryl Road. She does not own a boat or RV, but does walk the neighborhood and she has no objection to seeing her neighbor’s boat or RV.

Vice Mayor Gordon explained the Town was looking for the vessel/ RV to be behind a gate or fence, clearly screened from view with maybe 4’ of the height of the vessel/RV being visible. No one would be penalized in 4’ of the RV is seen from view.

Jennifer Kindred, 1121 Cheryl Road. She requested clarification if the fence needed to be 4’ or 6’.

Pam McCarty, 1157 Palmetto. Is a fence even needed? Why does it need to be screened as long as it is parked where needed, etc.?

Dave McCarty, 1157 Palmetto Road. Can it be defined as a fence, hedge or screen?

Attorney Foster will look at dropping the requirement from the Ordinances.

Kurt Putzig 1061 Palmetto Road. He complained about the limitation of putting the vegetation out only during a certain window of time. He understood that during a storm event vegetation cannot be placed curbside, however, because of his hectic work schedule he is limited to the times he can maintain his property and they often do not coincide with the Town’s window. Mayor Foy explained that it was an aesthetic matter in addition to getting in the way of Town Staff mowing the Town’s Rights of Way.

William DeBay, 5071 Belvedere Road. Is the Town still proposing that a person hired to perform landscape maintenance including trimming of trees on private property within the Town, is responsible to remove the vegetation. He commented that as a taxpayer, the vegetation is coming from the property being assessed for the taxes, whether he performs the maintenance himself or hires someone to perform the maintenance.

Mayor Foy agreed with Mr. DeBay when it came to regular landscaping maintenance, however, he would not be in favor of a large landscaping leaving behind 4 trees as that should not be considered routine maintenance and as such, the contractor should be expected to remove the trees.

The Town Administrator explained that often times, the landscape contractor will leave behind vegetation from jobs they had completed earlier in the day in other municipalities.

Beverly McGahee, 5468 Ontario. Complained about her neighbor’s home on Stratford Road that is a disaster and is infested with rats and other rodents. She asked what could be done. Other neighbors concurred with her.

The Town Administrator responded it was a Code Enforcement issue and she would follow up.

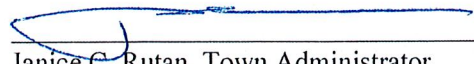
She further asked for clarification as to what the Town considered a hedge. The Town Attorney responded the Town was working on that definition.

Council Member Sohn addressed Mr. DeBay commented about landscape contractors being registered with the Town.

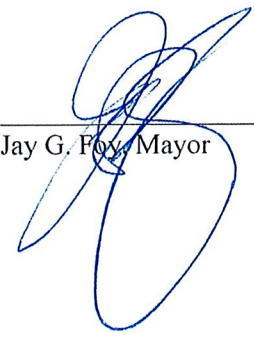
Mayor Foy expressed his appreciated to all those in attendance.

With no further business to come before the Town Council, the work session adjourned at 6:55 p.m.

Approved: 5.14.2020



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor