

Jay G. Foy, Mayor  
Lawrence Gordon, Vice Mayor  
Mark C. Uptegraph, Council Member  
Dennis Withington, Council Member  
Ray Caranci, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



## **TOWN COUNCIL MEETING**

### **January 14, 2021**

**IN ACCORDANCE WITH STATE OF FLORIDA, OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-69 (Emergency Management – COVID- 19 – Local Government Public Meetings), the Emergency Declaration issued by the Town, and FS 286.0114, and other applicable federal, state, county and Town declarations, orders, rules and regulations, the Town Hall meeting shall be modified with respect to public access and public comment. Public comment will be received via e-mail ([jrutan@townofhaverhill-fl.gov](mailto:jrutan@townofhaverhill-fl.gov)) up until noon on January 14, 2021. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council, access to the Town Hall by the public will be limited to no more than 10 persons in the Council Chambers including Town Council, Staff and PBSO; provided, however, that those persons exhibiting signs of illness, such as coughing or sneezing will not be permitted in the Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. All persons will be required to bring their own mask and wear it when entering Council Chambers to address the Town Council. Those persons gathering outside the Town Hall shall maintain a separation of at least six feet from one another, and it is recommended that masks be worn as well. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the meeting begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding during these uncertain times.**

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**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
Thursday, January 14, 2021  
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 19, 2020 and December 10, 2020 Regular Meetings and November 17, 2020 and December 1, 2020 Workshops
- VII. PROCLAMATIONS AND PRESENTATION**

None.
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VI. REGULAR AGENDA AND FIRST READINGS**
  - a. Appoint members to the Charter Review Committee
  - b. Update on student broadband project and proposed location for broadband poles within Town's jurisdiction
  - c. Engineer's Report:
    - Drainage Issues
    - Briarwood Wall
    - Sidewalks
  - d. 2021 Municipal Election:
    - Vote by Mail Ballots
    - Canvassing Board
  - e. **ORDINANCE NO. 482: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 30, SOLID WASTE, BY AMENDING SEC. 30-1, TO ADD A DEFINITION OF CURBSIDE; AMENDING SEC. 30-28, TO CLARIFY THE USE OF CONTAINERS; ADDING A NEW SEC. 30-29 REGARDING UNSAFE CONDITIONS; ADDING A NEW SEC. 30-30 WITH RESPECT TO CONTRACTORS SERVICING PROPERTIES WITHIN THE TOWN; ADDING A NEW SEC. 30-31 TO IMPOSE THE RESPONSIBILITY OF TRASH DISPOSAL ON THE PROPERTY OWNER FOR NON-CONFORMING TRASH; ADDING A NEW SEC. 30-32 RELATIVE TO ENFORCEMENT; AND AMENDING SEC. 30-119 TO CLARIFY THE EARLIEST GARDEN AND YARD TRASH MAY BE**

PLACED CURBSIDE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

- f. **ORDINANCE NO. 495:AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, REPEALING AND REPLACING ARTICLE II, NOISE, OF CHAPTER 18, CODE OF ORDINANCES, BY ESTABLISHING AN AMENDED AND RESTATED TOWN NOISE CONTROL ORDINANCE; PROVIDING FOR REPEALER; SHORT TITLE AND TERRITORIAL SCOPE; FINDINGS AND PURPOSE; DEFINITIONS; NOISE DISTURBANCE PROHIBITED; PROHIBITED ACTS; EXCEPTIONS; WAIVERS; ENFORCEMENT; PENALTIES; CIVIL REMEDIES; RULES AND REGULATIONS; CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY AND SUBSTITUTION CLAUSE; MODIFICATION; AND AN EFFECTIVE DATE.**
- g. **ORDINANCE NO. 496: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 38, TRAFFIC AND VEHICLES, BY AMENDING SECTION 38-9, PARKING OF VEHICLES AND BOATS IN RESIDENTIAL DISTRICTS, TO CLARIFY THAT ONE COMMERCIAL VEHICLE, WITH A PAYLOAD RATING NOT IN EXCESS OF ONE TON, MAY BE PARKED ON A RESIDENTIAL LOT, AND ANY OTHER COMMERCIAL VEHICLES, WITH A PAYLOAD NOT EXCEEDING ONE TON, MAY BE PARKED ON A RESIDENTIAL LOT AS LONG AS IT IS NOT VISIBLE FROM THE STREET OR ADJOINING PROPERTY; AND CLARIFYING THAT THE WAIVER PROCEDURE FOR ANY RESIDENT SEEKING TO AVOID A STRICT APPLICATION OF SEC. 38-9 APPLIES TO COMMERCIAL VEHICLES AS WELL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**
- h. **ORDINANCE N. 497: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, CREATING A NEW DIVISION 14, PROPERTY MAINTENANCE STANDARDS, OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, OF CHAPTER 58, ZONING, TO PROVIDE A PURPOSE AND SCOPE, DEFINITIONS, INSPECTION RIGHTS, ENFORCEMENT, MAINTENANCE AND APPEARANCE STANDARDS, VACANT LOT MAINTENANCE, AND INOPERATIVE VEHICLES ON PUBLIC PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**

**VII. 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 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