

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



**Town Council
Workshop
Code and Ordinance Committee
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, May 4, 2021
NOON**

AGENDA

- I. Call to Order
- II. Presentations/Proclamations
- III. New Business:
 - a. Discuss Proposed Zoning Text Amendments for Sign Code; Pre-existing non-conformities; Safe sight corners
 - b. Discuss setting fees for applications for waivers; variations; shutters and alternate sign plans
- V. Old Business
- VI. Council, Attorney and Staff Reports
 - A. Update on Stimulus Funds
 - B. Update on Briarwood Wall
- VII. 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

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TOWN COUNCIL WORKSHOP

May 4, 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) up until 10:00 a.m. on May 4, 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 allow for Social Distancing of persons in the Council Chambers including Town Council, Staff and PBO; 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 workshop 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.

TOWN OF HAVERHILL
Combined Town Council Workshop and Code & Ordinance Meeting
May 4, 2021
Town Hall – 4585 Charlotte Street

OFFICIAL MINUTES

Pursuant to the foregoing notice, a combined Haverhill Town Council and Code & Ordinance Workshop was held on Tuesday, May 4, 2021, at Town Hall, 4585 Charlotte Street, Haverhill. Those present, were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Dennis Withington; Council Member Ray Caranci; Council Member Teresa Johnson; Town Attorney John Foster; Town Attorney Dominic DeCesare; Town Planner Josh Nichols; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible and Code Inspector Devon Kirms.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:00 p.m.

II. PRESENTATIONS / PROCLAMATIONS

NA

III. NEW BUSINESS

- a. **Discuss setting fees for applications for waivers; variations; shutters and alternate sign plans:** Town Administrator Rutan reported that Town Council had adopted several ordinances which allowed staff to issue waivers, consider variations, consider applications, etc. T/A Rutan stated that all of this required staff time. For example, the most recent alternate sign plan that we were looking at, although it started out as an individual application for an individual sign plan, turned out to be a “Town wide event” so we expended additional staff time. **Discussion ensued.**
- b. Town Administrator Rutan reported that we have a request of residence that if they were going to leave Town during hurricane season, they must apply for a request from the Town to have their shutters installed (before June 1st) and the Town would need to inspect to be sure they were aesthetically pleasing and again, this required staff time. **Discussion ensued.**

- c. Town Administrator Rutan stated with variations to fencing and sheds (heights) and now the waiver to allow for a property owner to petition the Town Council to park their recreational vehicles whether in the front or side of the house causes additional staff time to go out to inspect. T/A Rutan reported we have been doing all of this at no cost to the applicant and wanted to know if Town Council had considered this the cost of doing business or would like to assign some type of a fee structure of maybe \$50.00 or \$100.00. **Discussion ensued.**

Vice Mayor Gordon asked T/A Rutan if she had a suggestion of a fee schedule. T/A Rutan stated she thought at least for the waivers and variations, there should be at a minimum \$50.00 application fee. Our ordinance does state we can apply a fee. It was suggested by Mayor Foy to have Town Administrator Rutan recommend a fee schedule for each category and bring to Town Council for a decision on whether to approve or not. **Discussion ensued.**

Attorney John Foster reported that the Town had a gentleman that presented an alternate sign plan. The sign he was proposing was deemed, at least by staff, to be an animated sign, which are prohibited in the Town of Haverhill. Attorney Foster stated the first question that came up was whether or not somebody could present an alternate sign plan for something that was prohibited, and the answer we came up with was, no. Attorney Foster stated the next question which would be a policy question and presented to Town Council is, to what extent does Town Council want to consider the animated signs or what some people call changeable copy signs. **Discussion ensued.**

Mayor Foy would like to have animated/changeable copy signs added to the agenda for further discussion at next Town Council meeting being held on May 13, 2021.

- d. **Discuss Proposed Zoning Text Amendments for Sign Code; Pre-existing non-conformities; Safe sight corners:** Town Administrator Rutan reported that we have had quite a bit of interest regarding property 944 N. Haverhill Road. T/A Rutan reported the property currently exists with two (2) habitable buildings and one (1) building built as a shed. T/A Rutan stated that over the course years, the shed had been transformed into housing, an office, a laundry room, etc. T/A Rutan provided copies of the Town Zoning Codes regarding nonconforming status, repairs & maintenance. **Discussion ensued.**

It was discussed possibly increasing the current maximum ten percent of the current replacement value of (nonconforming) building to perhaps 50 percent so property owners could upgrade the building(s) however, it must be made very clear that this does not change the rule of the conformity as it will stay the same. **Discussion ensued.**

Mayor Foy had requested safe sight corners be added to today's agenda to have Town Council discuss options of distinguishing safe sight corners. Mayor Foy stated that without a property survey, the Code Inspector cannot establish where the actual safe sight corner was. **Discussion ensued.**

IV. OLD BUSINESS

N/A

V. COUNCIL, ATTORNEY AND STAFF REPORTS

A. Update on Stimulus Funds: Town Administrator Rutan reported we should be getting confirmation of our stimulus funds. For Municipalities with a population of under \$50,000, the United States will be sending it to each state who will then allocate the funding. Also, the state cannot alter the funding in any way shape or form to what the government says we get. T/A Rutan reported that the Town needed a DUN'S number and fortunately we had one because of the energy grant. T/A Rutan reported that the Town must spend the money before December 31, 2024. Also, T/A Rutan stated it is currently unclear if wastewater or stormwater projects are eligible expenses under the Florida Statute. **Discussion ensued.**

B. Update on Briarwood Wall: Town Administrator Rutan reported that she had heard from one of the banks (who are willing to sign) and forwarded to Attorney Foster. She stated this was what was holding us up on the wall with moving forward.

Town administrator Rutan reported the Palm Beach County Board of County Commissioners held a meeting this morning and stated the county will follow the Governor's lead making Palm Beach County's facial coverage ordinance obsolete. The Governor's order has usurped our countywide mandate. Vice Mayor Gordon stated that however, businesses can still demand that a mask be worn. T/A Rutan reported that Palm Beach County would still require employees and patrons to continue to wear masks to do business inside county buildings.

Mayor Foy stated a brief conversation earlier today with Town Attorney Foster had taken place regarding the Town's emergency order and that it was based on the State of Florida's. Mayor Foy wanted to add to the next Town Council meeting agenda to see if Town Council wanted to establish its own emergency order because essentially the Town currently does not have one that applied.

Council Member Johnson stated she was going to ask the Town to agree to the Town being a COVID vaccination site. She reported that she had been talking with a provider who was willing to come and provide the vaccine here in the Town on a date that we selected. Council Member Johnson reported that she had already spoken with T/A Rutan to talk through it. She also reported the provider requested the Town pre-register

70 people as that would allow them to deploy their entire team to be onsite as there is a lot involved. The specific date of June 9th was mentioned.

Vice Mayor Gordon stated he was thinking along the lines of Council Member Johnson by having the Town as a vaccination site, but also give (as an example) a \$50.00 Publix gift card to everyone that comes for the shot or can provide a document showing they had already received the shot. Vice Mayor Gordon had seen where some cities/municipalities had been providing these gift cards from the stimulus funds received. Vice Mayor Gordon stated that he was not even sure that the Town stimulus funds could be used this way.

Council Member Withington asked if there was any way we could gauge interest from the residents to be sure we had the minimum of 70 people required. Town Attorney Foster stated yes from a contractual condition standpoint, the Town will want to determine if they have 70 people in Town interested.

Vice Mayor Gordon mentioned possibly having a Town picnic and offering the vaccine and handout the \$50.00 gift card at that event.

Council Member Caranci suggested individual Town Council members could reach out to residents as well to see if they are interested. Mayor Foy asked this be out on the agenda for next Town Council meeting to be held on Thursday, May 13, 2021.

Discussion ensued.

Mayor Foy asked T/A Rutan to put together a cost analyst to the Town to go forward with the COVID vaccination site project. Mayor Foy would like it discussed at next Thursday's Town Council meeting.


Council Member Johnson stated there is an opening (in June) on the airport overlay committee - Citizen Committee on Airport Noise (CCAM) and she would like to submit an application on her own behalf. T/A Rutan explained it was a PBC League of Cities appointment. Mayor Foy asked that this be put on the agenda for next Town Council meeting to be held on Thursday, May 13th for a vote. **Discussion ensued.**

Vice Mayor Gordon stated that regarding the funds the Town is expecting to receive in the near future, the Town still had four (4) or five (5) unpaved roads and he realized the Town had restrictions in terms of using public money for private roads. He was hoping all Town Council members would think hard to try and come up with a solution to help resolve the condition of these roads, whether it be to pave them or something else. **Discussion ensued.**

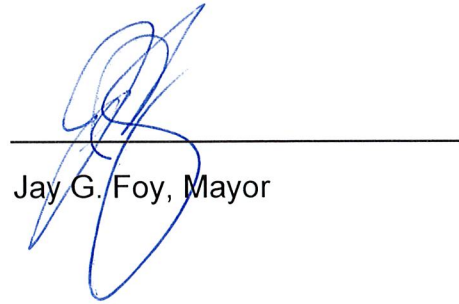
VI. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 2:02p.m.

Approved: June 24, 2021



Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP AND CODE & ORDINANCE MEETING
Tuesday, May 4, 2021
Noon

Name	E- Mail Address	Signature
Jay Fay		
Lawrence Gordon		
Dennis Withington		
Ray Caranci		
Teresa Johnson		
Janice Lutan		
John Foster		
Dominic DeCesare		
Sean Wible		
Devan Kimmis		
Josh Nichols		